

WSR 10-17-008
PROPOSED RULES
SPOKANE REGIONAL
CLEAN AIR AGENCY

[Filed August 5, 2010, 12:02 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141(1).

Title of Rule and Other Identifying Information: SRCAA Regulation I, Article X, Section 10.04 - Fee Waiver, Section 10.06 - Registration and Operating Permit Fees for Air Contaminant Sources, Section 10.07 - Application and Permit Fees for Notice of Construction and Application for Approval (NOC) and For Notice of Intent to Install and Operate a Temporary Stationary Source (NOI), Section 10.08 - Miscellaneous Fees, Section 10.10 - Solid Fuel Burning Device Exemptions, Section 10.11 - Oxygenated Gasoline, Section 10.12 - Agricultural Burning Fees, Section 10.13 - Outdoor Burning Permit Fees, and Section 10.14 - Paving Waiver Fees.

Hearing Location(s): Spokane Regional Clean Air Agency (SRCAA), 3104 East Augusta Avenue, Spokane, WA 99207, on October 7, 2010, at 9:30 a.m.

Date of Intended Adoption: October 7, 2010.

Submit Written Comments to: Matt Holmquist, 3104 East Augusta Avenue, Spokane, WA 99207, e-mail mholmquist@spokanecleanair.org, fax (509) 477-6828, by 4:30 p.m. on October 5, 2010.

Assistance for Persons with Disabilities: Contact Barbara Nelson by 4:30 p.m. on September 30, 2010, (509) 477-4727.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Section 10.04 - Fee Waiver, remove the fee waiver for financial hardship; Section 10.06.B - Registration Fees, clarify that the per stack/per point fee may include sources of fugitive emissions (e.g., crushing operations) and indicate that the board "may" amend the fee schedule to more accurately recover program costs versus "shall" amend the fee schedule; Section 10.06.C.3 - Air Operating Permit Fees, reference the hourly fee of \$67 per hour in the fee schedule versus \$65 per hour to more accurately reflect actual costs; Section 10.07.A.2 - Notice of Construction and Notice of Intent Fees, add a complex permit condition revision fee for occasions when dispersion modeling, impact analysis, or emission calculations are required and indicate that the board "may" amend the fee schedule to more accurately recover program costs versus "shall" amend the fee schedule; Section 10.08.B - Miscellaneous Fees, indicate that the board "may" amend the fee schedule to more accurately recover program costs versus "shall" amend the fee schedule; Section 10.11 - Oxygenated Gasoline, remove the section header since the requirements were repealed in 2005; Section 10.12 - Agricultural Burning Fees, reference agricultural burning permits set by the agricultural burning practices and research task force in chapter 173-430 WAC; Section 10.13 - Outdoor Burning Permit Fees, move the Outdoor Burning Fees to a fee schedule and decrease the hourly review fee from \$65 per hour to \$55 per hour to better reflect actual hourly costs for staff that perform this review; and Section 10.14.A - Paving Waiver Fees, move

the Paving Waiver Fees to a fee schedule and leave the filing fee at \$50, but increase the hourly review fee from \$50 per hour to \$55 per hour after the first hour of review to more accurately reflect actual costs.

Reasons Supporting Proposal: Refer above.

Statutory Authority for Adoption: RCW 70.94.141(1) and 70.94.380(2).

Statute Being Implemented: Chapter 70.94 RCW.

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

Name of Proponent: SRCAA, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Matt Holmquist, SRCAA, 3104 East Augusta Avenue, Spokane, WA 99207, (509) 477-4727.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This is a local clean air agency rule and as such, chapter 19.85 RCW does not apply.

A cost-benefit analysis is not required under RCW 34.05.328. This is a local agency rule and pursuant to RCW 70.94.141(1), RCW 34.05.328 does not apply to this rule.

August 5, 2010

Matt Holmquist

Compliance Administrator

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 10-18 issue of the Register.

WSR 10-17-018
PROPOSED RULES
OFFICE OF STATE AUDITOR

[Filed August 6, 2010, 9:38 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-13-146.

Title of Rule and Other Identifying Information: Chapter 48-21 WAC, Local audit costs appeal; chapter 48-13 WAC, Access to public records; WAC 48-16-010 Agency activities exempt; and repeal all sections in chapters 48-12 and 48-20 WAC.

Hearing Location(s): Sunset Building, 3200 Capitol Boulevard, Tumwater, WA 98501, on September 29, 2010, at 9:00.

Date of Intended Adoption: October 5, 2010.

Submit Written Comments to: Jan Jutte, Director of Legal Affairs, P.O. Box 40021, Olympia, WA 98504-0021, e-mail Juttej@sao.wa.gov, fax (360) 753-0646, by September 25, 2010.

Assistance for Persons with Disabilities: Contact Jeana Gillis by phone TTY (800) 833-6388 or (360) 902-0374.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Repeal outdated WACs covering local government audit costs appeal and access to public records and adopt new WACs covering those topics and revise office WAC covering exempt activities under the State Environmental Policy Act.

Reasons Supporting Proposal: Current WACs do not reflect current office policies and procedures, or reference laws no longer in effect.

Statutory Authority for Adoption: RCW 42.56.070, 43.21C.120, and 43.09.281.

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

Name of Proponent: State auditor's office, governmental.

Name of Agency Personnel Responsible for Drafting: Brandt Orme, Sunset Building, 3200 Capitol Boulevard, Tumwater, (360) 725-5580; Implementation and Enforcement: Jan Jutte, Insurance Building, 302 Syd Snyder Avenue S.W., Olympia, (360) 902-0360.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No impact to business community, thus no impact to small business.

A cost-benefit analysis is not required under RCW 34.05.328. State auditor's office is not an agency subject to RCW 34.05.328.

August 2, 2010

Jan M. Jutte

Director of Legal Affairs

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 48-12-010	Purpose.
WAC 48-12-020	Definitions.
WAC 48-12-030	Description of central and field organization of office of state auditor.
WAC 48-12-040	Operations and procedures.
WAC 48-12-050	Public records available.
WAC 48-12-060	Public records officer.
WAC 48-12-070	Office hours.
WAC 48-12-080	Requests for public records.
WAC 48-12-090	Copying.
WAC 48-12-100	Exemptions.
WAC 48-12-110	Review of denials of public records requests.
WAC 48-12-120	Protection of public records.
WAC 48-12-130	Records index.
WAC 48-12-140	Communication with agency.
WAC 48-12-150	Adoption of form.
WAC 48-12-990	Appendix No. 1—Form—Request for public record.

Chapter 48-13 WAC

ACCESS TO PUBLIC RECORDS

NEW SECTION

WAC 48-13-010 Authority and purpose. (1) RCW 42.56.070(1) requires each agency to make available for inspection and copying nonexempt "public records" in accordance with published rules. The act defines "public record" to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained" by the agency. RCW 42.56.070(2) requires each agency to set forth "for informational purposes" every law, in addition to the Public Records Act, that exempts or prohibits the disclosure of public records held by that agency.

(2) The purpose of these rules is to establish the procedures the state auditor's office will follow in order to provide full access to public records. These rules provide information to persons wishing to request access to public records of the state auditor's office and establish processes for both requestors and state auditor's office staff that are designed to best assist members of the public in obtaining such access.

(3) The purpose of the act is to provide the public full access to information concerning the conduct of government, mindful of individuals' privacy rights and the desirability of the efficient administration of government. The act and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the act, the state auditor's office will be guided by the provisions of the act describing its purposes and interpretation.

NEW SECTION

WAC 48-13-020 Agency description—Contact information—Public records officer. (1) The state auditor's office has the constitutional responsibility for auditing state government and all municipal corporations in Washington state. The administrative office of the state auditor's office and its staff are located at: 302 Sid Snyder Ave. S.E., Room 200, Olympia, WA.

(2) Any person wishing to request access to public records of the state auditor's office, or seeking assistance in making such a request should contact the public records officer of the state auditor's office:

Public Records Officer
State Auditor's Office
P.O. Box 40031
Olympia, WA 98504
360-586-3105
e-mail: publicrecords@sao.wa.gov

Information and public records are also available at the state auditor's office web site at <http://www.sao.wa.gov>. Requestors are encouraged to view the information and documents available on the web site prior to contacting the records officer.

(3) The public records officer will oversee compliance with the act but another state auditor's office staff member may process the request. The public records officer or designee

nee will provide fullest assistance to requestors, pursuant to this chapter, and prevent fulfilling public records requests from causing excessive interference with essential functions of the state auditor's office.

NEW SECTION

WAC 48-13-030 Availability of public records. (1) Hours for inspection of records. Public records are available for inspection and copying by appointment during normal business hours of the state auditor's office, Monday through Friday, 9:00 a.m. to 4:00 p.m., excluding legal holidays. Original records must be inspected at the offices of the state auditor's office. A requestor shall not take state auditor's office records from state auditor's offices without the permission of the public records officer or designee.

(2) **Records index and records available on-line.** An index of public records is available for use by members of the public. The index may be accessed on-line at <http://www.sao.wa.gov>. A variety of records is also available on the state auditor's office web site. Requestors are encouraged to view the documents available on the web site prior to submitting a records request.

(3) **Making a request for public records.**

(a) Any person wishing to inspect or obtain copies of public records of the state auditor's office should make the request in writing by letter, fax, or e-mail addressed to the public records officer or using the office's web site form located at: <http://www.sao.wa.gov>. Records requests should include the following information:

- Name of requestor;
- Address of requestor;
- Other contact information, including telephone number and e-mail address;
- Identification of the public records adequate for the public records officer or designee to locate the records; and
- The date and time of day of the request.

(b) If the requestor wishes to retain photocopies or electronic versions of nonelectronic records instead of simply inspecting them, he or she should so indicate and make arrangements to pay for copies of the records. A deposit may be required prior to the office's collection of the records requested. Pursuant to WAC 48-13-070, photocopies and scanned copies will be provided at ten cents per page.

(c) The public records officer or designee may accept requests for public records that contain the above information by telephone or in person. If the public records officer or designee accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing.

NEW SECTION

WAC 48-13-040 Processing of public records requests—General. (1) Order of response. The public records officer or designee will process requests in the order allowing the most requests to be processed in the most efficient manner.

(2) **Acknowledging receipt of request.** Within five business days of receipt of the request, the public records officer will do one or more of the following:

- (a) Make the records available for inspection or copying; or
- (b) If copies or scanned documents are requested and terms of payment are met, send the copies to the requestor;
- (c) Provide a reasonable estimate of when records will be available; or
- (d) If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification may be requested and provided by telephone. The public records officer or designee may revise the estimate of when records will be available; or
- (e) Deny the request.

(3) **Failure to respond.** If the state auditor's office does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the public records officer to determine the reason for the failure to respond.

(4) **Protecting rights of others.** In the event that the requested records contain information that may affect rights of others and may be exempt from disclosure, the public records officer may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.

(5) **Records exempt from disclosure.** Some records are exempt from disclosure, in whole or in part. If the state auditor's office believes that a record is exempt from disclosure and should be withheld, the public records officer will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the public records officer will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted.

(6) **Inspection of records.**

(a) Consistent with other demands, the state auditor's office shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the agency to copy.

(b) The requestor must claim or review the assembled records within thirty days of the state auditor's office notification to him or her that the records are available for inspection. The agency will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the agency to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the state auditor's office may close the request and refile the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

(7) **Providing copies of records.** After inspection is complete, the public records officer or designee shall make the requested copies or arrange for copying.

(8) **Providing records in installments.** When the request is for a large number of records, the public records officer or designee will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within thirty days, the requestor fails to inspect the entire set of records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.

(9) **Completion of inspection.** When the inspection of the requested records is complete and all requested copies are provided, the public records officer or designee will indicate that the state auditor's office has completed a diligent search for the requested records and made any located nonexempt records available for inspection.

(10) **Closing withdrawn or abandoned request.** When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer will close the request and indicate to the requestor that the state auditor's office has closed the request.

(11) **Later discovered documents.** If, after the state auditor's office has informed the requestor that it has provided all available records, the state auditor's office becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

(12) Detailed policy can be found on office web site at <http://www.sao.wa.gov>.

NEW SECTION

WAC 48-13-050 Processing of public records requests—Electronic records. (1) **Requesting electronic records.** The process for requesting electronic public records is the same as for requesting paper public records.

(2) **Providing electronic records.** When a requestor requests records in an electronic format, the public records officer will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the agency and is generally commercially available, or in a format that is reasonably translatable from the format in which the agency keeps the record.

NEW SECTION

WAC 48-13-060 Exemptions. (1) The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure. Requestors should be aware of the following exemptions, outside the Public Records Act, that restrict the availability of some documents held by state auditor's office for inspection and copying:

RCW 42.40.030, state employee whistleblower protection.

RCW 42.41.030, local government whistleblower protection.

RCW 43.09.186, toll-free efficiency hotline.

(2) The state auditor's office is prohibited by statute from disclosing lists of individuals for commercial purposes.

NEW SECTION

WAC 48-13-070 Costs of providing copies of public records. (1) **Costs for paper copies.** There is no fee for inspecting public records. A requestor may obtain standard black and white photocopies for ten cents per page when the page count exceeds one hundred pages. Copies in color or larger-sized documents cost will be based on the actual cost to reproduce them at the time of the request.

Before beginning to make the copies, the public records officer or designee may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. The public records officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. The state auditor's office will not charge sales tax when it makes copies of public records.

(2) **Costs for electronic records.** The cost of electronic copies of records shall be free for information on a CD-ROM when the information already exists in electronic format and it only has to be copied to a CD. The cost of scanning existing office paper or other nonelectronic records is ten cents per page when the page count exceeds one hundred pages. There will be no charge for e-mailing electronic records to a requestor, unless another cost applies such as a scanning fee.

(3) **Costs of mailing.** The state auditor's office may also charge actual costs of mailing, including the cost of the shipping container for requests exceeding one hundred pages.

(4) **Payment.** Payment may be made by cash, check, or money order to the state auditor's office.

NEW SECTION

WAC 48-13-080 Review of denials of public records. (1) **Petition for internal administrative review of denial of access.** Any person who objects to the initial denial or partial denial of a records request may petition in writing (including e-mail) to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.

(2) **Consideration of petition for review.** The public records officer shall promptly provide the petition and any other relevant information to the director of legal affairs. The petition will be affirmed or reversed within five business days following the state auditor's office receipt of the petition, or within such other time as the state auditor's office and the requestor mutually agree.

(3) **Review by the attorney general's office.** Pursuant to RCW 42.56.530, if the state auditor's office denies a requestor access to public records because it claims the record is exempt in whole or in part from disclosure, the requestor may request the attorney general's office to review

the matter. The attorney general has adopted rules on such requests in WAC 44-06-160.

(4) **Judicial review.** Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

AMENDATORY SECTION (Amending Order 76-3, filed 10/1/76)

WAC 48-16-010 Agency activities exempt. The activities of the state auditor's office ~~((as they existed on December 12, 1975, have been exempted by the council on environmental policy in WAC 197-10-175 (12)(b). All authorized activities of the state auditor's office have been reviewed and found to fall within the exempted category))~~ has reviewed its authorized activities and found them all to be exempt pursuant to Title 197 WAC. This ((regulation)) section is adopted ((in conformance)) for compliance with ((WAC 197-10-800(4)) the State Environmental Policy Act, chapter 43.21C RCW.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 48-20-010	Definitions.
WAC 48-20-020	Notification to chief examiner.
WAC 48-20-030	Response of chief examiner.
WAC 48-20-040	Appeal to internal appeals board.
WAC 48-20-050	Appeal to external appeals board.
WAC 48-20-060	External appeals board—Membership.
WAC 48-20-070	External appeals board review.
WAC 48-20-080	Review and final decision by state auditor.
WAC 48-20-090	Failure to follow procedure—Waiver.
WAC 48-20-100	Appeal board administrative costs.

Chapter 48-21 WAC

LOCAL AUDIT COSTS APPEAL

NEW SECTION

WAC 48-21-010 Definitions. "Local government" includes any municipal corporation, taxing district, or other governmental unit subject to audit by the state auditor's

office, acting through its legally constituted legislative body or its designee.

"Local government association" means any generally recognized association or organization whose membership consists exclusively or principally of local government units or their officers.

"Officers of a local government association" includes any person serving as an elected officer of a local government association or any person employed by a local government association as its executive director or any person with duties equivalent to those of an executive director.

"Writing" means handwriting, typewriting, printing, and every other means of commonly understood written recording, including letters, facsimiles or electronic mail.

NEW SECTION

WAC 48-21-020 Notification to director of audit. A local government which disagrees with a bill for services issued to it shall notify the director of audit in writing within fourteen days after receipt of the bill. The writing shall include the local government's reasons for challenging the bill and any other information the local government deems pertinent.

NEW SECTION

WAC 48-21-030 Response of director of audit. The director of audit shall review any bill challenged by a local government, together with the reasons for the challenge. Within ten days of receipt of notification from the local government, the director of audit shall respond in writing to the local government, either reaffirming the bill or modifying it, and stating the reasons for his action.

NEW SECTION

WAC 48-21-040 Appeal to internal appeals board. Within ten days after receiving the director of audit's written response, the local government may appeal the matter to the internal appeals board by writing directed to the director of audit. The internal appeals board shall consist of the chief of staff and two deputy state auditors designated by the state auditor, neither of whom shall have direct responsibility for the conduct of audits. The internal appeals board shall review the matter and may reaffirm or modify the disputed bill. Within ten days of the appeal, the internal appeals board shall issue written findings and mail them to the local government.

NEW SECTION

WAC 48-21-050 Appeal to external appeals board. Within ten days of receipt of the written findings of the internal appeals board, a local government not satisfied with the findings may appeal to an external appeals board by addressing a written notice to the director of audit. The written notice shall specify the grounds for appeal and shall designate the person selected by the local government to serve on the external appeals board.

NEW SECTION

WAC 48-21-060 External appeals board—Membership. The external appeals board shall consist of three officers of local government associations, one selected by the local government at the time of its appeal, one selected by the director of audit after receipt of the notice of appeal, and the third to be selected by the other two members.

NEW SECTION

WAC 48-21-070 External appeals board review. The external appeals board shall review the challenged bill, together with any other pertinent material furnished by the local government and the state auditor's office. Within ten days after its selection, the external appeals board shall submit written findings and recommendations to the state auditor and to the local government.

NEW SECTION

WAC 48-21-080 Review and final decision by state auditor. Within ten days after receipt of the findings and recommendation of the external appeals board, the state auditor shall issue a final written decision accepting, rejecting, or modifying the recommendation of the appeals board. The final decision shall be delivered to the local government, which shall promptly pay any charges rendered in the final decision.

NEW SECTION

WAC 48-21-090 Failure to follow procedure—Waiver. Any local government which fails to follow the appeal procedures outlined in this chapter will be deemed to have waived its appeal, and shall promptly pay any bill submitted by the state auditor.

NEW SECTION

WAC 48-21-100 Appeal board administrative costs. The office of the state auditor will provide facilities, clerical staff, and necessary expenses for appeals boards selected pursuant to this chapter.

**WSR 10-17-026
PROPOSED RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed August 9, 2010, 9:27 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 08-08-099.

Title of Rule and Other Identifying Information: Revises WAC 181-77-005 and 181-77-025, contains technical errors describing requirements for career and technical education certificates in mathematics and science. Changes errors and citations.

Hearing Location(s): The Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, on September 22, 2010, at 8:30 a.m.

Date of Intended Adoption: September 22, 2010.

Submit Written Comments to: David Brenna, Legislative and Policy Coordinator, P.O. Box 47236, Olympia, WA 98504, e-mail david.brenna@k12.wa.us, fax (360) 586-4548, by September 15, 2010.

Assistance for Persons with Disabilities: Contact David Brenna by September 15, 2010, TTY (360) 664-3631 or (360) 725-6238.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Language related to CTE certification was unclear regarding specific instruction areas.

Reasons Supporting Proposal: Stakeholder recommendations.

Statutory Authority for Adoption: RCW 28A.410.210.

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

Name of Proponent: Professional educator standards board, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David Brenna, P.O. Box 47236 [47236], Olympia, WA 98504, (360) 725-6238.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendment does not have an impact on small business and therefore does not meet the requirements for a statement under RCW 19.85.030 (1) or (2).

A cost-benefit analysis is required under RCW 34.05.-328. A preliminary cost-benefit analysis may be obtained by contacting David Brenna, P.O. Box 47236, Olympia, WA 98504, phone (360) 725-6238, fax (360) 586-3631, e-mail david.brenna@k12.wa.us.

August 9, 2010

David Brenna

Legislative and
Policy Coordinator

AMENDATORY SECTION (Amending WSR 08-16-004, filed 7/23/08, effective 8/23/08)

WAC 181-77-005 Types of career and technical education certificates. The following types of certificates shall be issued:

(1) Teacher. The teacher certificate authorizes service as a teacher in the school district(s) or skills center(s) and shall be issued in one of the following categories and/or in a specific subcategory of the major category as approved by the professional educator standards board and/or its designee:

- (a) Agriculture education;
- (b) Business and marketing education;
- (c) Family and consumer sciences education;
- (d) Technology education;
- (e) Trade and industrial;
- (f) Health occupations;
- (g) Career choices;
- (h) Coordinator for worksite learning; or
- (i) New and emerging fields;

(j) Categories which may be added to a continuing career and technical education certificate are:

(i) CTE mathematics ((~~applied~~)). To add this category, the candidate shall:

(A) ~~((Have completed a state approved career and technical education preparation program based on business and industry under chapter 181-77A WAC;))~~ Hold a continuing career and technical education certificate based on WAC 181-77-041;

(B) Hold ~~((an approved))~~ a baccalaureate degree or higher in a math-related area such as engineering from a regionally accredited college or university pursuant to WAC 181-79A-030(5);

(C) ~~((Hold a continuing career and technical education certificate with a technology education or trade and industrial category under this section. Provided, That trade and industrial candidates hold a math-related degree in mathematics or engineering;~~

~~((D)))~~ Be fully contracted as a teacher or long-term substitute teacher by a Washington public school;

~~((E)))~~ (D) Pass the mathematics subject knowledge test approved by the professional educator standards board; and

~~((F)))~~ (E) Document a minimum of one year teaching experience in technology education or trade and industrial courses.

(ii) CTE science ((~~applied~~)), CTE biology, CTE chemistry, CTE physics or CTE earth and space science. To add ~~((this category))~~ these categories, the candidate shall:

(A) ~~((Have completed a state approved career and technical education teacher preparation program based on business and industry under chapter 181-77A WAC;))~~ Hold a continuing career and technical education certificate based on WAC 181-77-041;

(B) Hold ~~((an approved))~~ a baccalaureate degree or higher in a science-related area such as engineering or in a medical field from a regionally accredited college or university pursuant to WAC 181-79A-030(5);

(C) ~~((Hold a continuing career and technical education certificate with an agriculture education, health occupations, or trade and industrial category under this section. Provided, That trade and industrial candidates hold a science-related degree in science, engineering, or a medical practice field;~~

~~((D)))~~ Be fully contracted as a teacher or long-term substitute by a Washington public school;

~~((E)))~~ (D) Pass the appropriate science, biology, chemistry, physics, or earth and space science subject knowledge test approved by the professional educator standards board; and

~~((F)))~~ (E) Document a minimum of one year teaching experience in agriculture education, health occupations, or trade and industrial courses.

~~((iii) CTE teachers who have earned a mathematics applied or science applied category are eligible for teaching assignments in general education mathematics or science courses, dependent upon the category on the continuing career and technical education certificate, under WAC 181-77-025.))~~

(2) Director. The director certificate authorizes service as a career and technical education director, as an assistant

director, or as a career and technical education supervisor in the school district(s) or skills center(s);

(3) Counselor. The career and technical education counselor certificate authorizes service in the role of career and technical education guidance and counseling;

(4) Occupational information specialist. The occupational information specialist certificate authorizes service in the role as an occupational information specialist.

AMENDATORY SECTION (Amending WSR 08-16-004, filed 7/23/08, effective 8/23/08)

WAC 181-77-025 Personnel assignment. Career and technical education teachers teaching other secondary school subjects and career and technical education counselors serving in addition as general counselors need to hold a valid certificate as provided for in chapter 181-79A WAC. ~~((Career and technical education teachers who hold a mathematics applied category are eligible to teach general education mathematics, and career and technical education teachers who hold a science applied category are eligible to teach general education science under WAC 181-77-005.))~~ CTE teachers who have earned a certificate for CTE mathematics, CTE science, CTE biology, CTE chemistry, CTE physics, or CTE earth and space science category are eligible for teaching assignments in general education mathematics, science, biology, chemistry, physics, or earth and space science courses, dependent upon the category on the continuing career and technical education certificate.

WSR 10-17-027

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed August 9, 2010, 10:01 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-13-115.

Title of Rule and Other Identifying Information: The department is proposing to modify the prohibited contaminants list for the quality timothy seed program to include all of the silene species in the Caryophyllaceae family.

Hearing Location(s): Washington State Department of Natural Resources, Main Conference Room, 713 East Bowers Road, Ellensburg, WA 98926, on Wednesday, September 22, 2010, at 11:00 a.m.

Date of Intended Adoption: October 6, 2010.

Submit Written Comments to: Teresa Norman, Washington State Department of Agriculture (WSDA), P.O. Box 42560, Olympia, WA 98504-2560, e-mail wsdarules.comments@agr.wa.gov, fax (360) 902-2043, by 5:00 p.m., September 22, 2010.

Assistance for Persons with Disabilities: Contact the agency receptionist, TTY 1-800-833-6388.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this proposal is to address issues raised by the timothy hay growers and timothy seed distributors of Washington. These issues revolve around the fact that currently white cockle and

bladder campion are the only silene species declared detrimental contaminant. Currently, white cockle and bladder campion are the only declared detrimental silene contaminants although there are other closely related silene species that have the same detrimental impact on timothy hay production.

Reasons Supporting Proposal: High quality seed is paramount for the Timothy hay industry. The fact that there have been weed species identified that are closely related to weed species already listed are detrimental to Timothy hay production is of concern to the industry. The plants of these other species resemble white cockle so closely that they are often mistaken as such. Yet if these other species are identified in a seed test for the quality timothy program, the seed lot would qualify. It is the desire of the Timothy hay industry to have these other species included as detrimental contaminants.

Additionally, since this proposal is specific to the quality timothy program there will be no impact [to] other seed crops and therefore, would not impact the commerce of said seeds.

Statutory Authority for Adoption: Chapters 15.49 and 34.05 RCW.

Statute Being Implemented: Chapter 15.49 RCW.

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

Name of Proponent: Organization of Kittitas County Timothy Hay Growers and Suppliers, private; and WSDA, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Victor Shaul, Yakima, Washington, (509) 249-6940; and Enforcement: Fawad Shah, Yakima, Washington, (509) 249-6959.

No small business economic impact statement has been prepared under chapter 19.85 RCW. RCW 19.85.030 (1)(a) requires an agency to prepare a small business economic impact statement (SBEIS) for proposed rules that impose a more than minor cost on the businesses in an industry. Information provided to the department from members of the timothy hay industry and timothy seed distributors indicated that the current practice is that if any silene species are disclosed on the test report for the quality timothy program, they will not purchase that lot. With that in mind there will be no economic loss to the wholesale seed companies. The concern is that the department would tag these lots as eligible for the quality timothy program and at some point one of these lots will end up being sold as quality timothy seed and planted for hay production. When this happens there will be a net economic loss to the industry. With these factors taken into consideration the department has concluded that this proposal will not impose cost to industry and will in fact have the opposite impact of preventing economic harm. Therefore, the department has concluded that the timothy seed industry does not consider the costs imposed by this proposal to be "more than minor" and therefore, has not prepared a formal SBEIS.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state department of agriculture is not a listed agency under RCW 34.05.328 (5)(a)(i).

August 3, 2010

Jim Quigley

for Brad Avy

Director

AMENDATORY SECTION (Amending WSR 08-23-055, filed 11/14/08, effective 12/15/08)

WAC 16-302-755 Standards for quality timothy seed. (1) Seed standards for quality timothy grass seed are as follows:

	Minimum Purity	Minimum Viability by Germination or TZ Test	Maximum Other Crop*	Maximum Weed**
Timothy seed	97%	85%	0.2%	.02%
Purity component percentages are based on 1 gram sample size as prescribed by the AOSA rules.				

*	Must be free of ryegrass, orchardgrass, <i>Agrostis</i> sp., <i>Poa</i> sp., brome, reed canarygrass, tall fescue, and meadow foxtail.
Must be free of the above listed contaminants based upon a 50 gram examination.	

**	Must be free of alfilaria (redstem filaree), bromus sp., Chickweed <u>including all other species in the Caryophyllaceae family</u> , Henbit, <i>Poa</i> sp., wild carrot, and prohibited noxious weeds listed in WAC 16-301-045 and restricted noxious weeds listed in WAC 16-301-050.
Must be free of the above listed contaminants based upon a 50 gram examination.	

(2) A quality timothy seed analysis certificate is the basis of determining if a lot meets the quality timothy seed standards. This certificate is issued by the certifying agency and represents a purity test, a 50 gram noxious, all weed, all crop exam, and a viability test.

(3) Seed meeting quality timothy seed standards will be tagged with a "quality timothy seed" tag.

WSR 10-17-040
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Order 08-12—Filed August 10, 2010, 11:39 a.m.]

Continuance of WSR 10-13-122.

Preproposal statement of inquiry was filed as WSR 08-15-021.

Title of Rule and Other Identifying Information: Upper Kittitas ground water rule, chapter 173-539A WAC.

Date of Intended Adoption: October 15, 2010.

Submit Written Comments to: Mark Schuppe, Department of Ecology, Central Regional Office, 15 West Yakima Avenue, Suite 200, Yakima, WA 98902-3452, e-mail msch461@ecy.wa.gov, fax (509) 575-2809, by August 25, 2010.

Assistance for Persons with Disabilities: Contact Judy Beitel at (360) 407-6878. Persons with hearing loss, call 711 for Washington relay service. Persons with a speech disability, call 877-833-6341.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To extend the public comment period to August 25, 2010.

Statutory Authority for Adoption: RCW 90.54.050, 90.03.360, chapters 43.27A, 90.44 RCW.

Statute Being Implemented: RCW 90.54.050, 90.03.-360, chapters 43.27A, 90.44 RCW.

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

Name of Proponent: Department of ecology.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mark Schuppe, Central Regional Office, (509) 454-4258.

August 9, 2010

Polly Zehm

Deputy Director

WSR 10-17-042

PROPOSED RULES

BEEF COMMISSION

[Filed August 11, 2010, 7:21 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-13-119.

Title of Rule and Other Identifying Information: Washington Beef Commission Act rules, WAC 60-12-010 Levy of assessment and new section WAC 60-12-020 Collection of assessment.

Hearing Location(s): Washington Cattlemen's Association, 1301 North Dolarway Road, Ellensburg, WA 98926, on September 28, 2010, at 11:30 a.m.; and at the Washington State Department of Agriculture, Natural Resources Building, Conference Room 259, 1111 Washington Street S.E., Olympia, WA 98504, on September 29, 2010, at 9:00 a.m.

Date of Intended Adoption: October 15, 2010.

Submit Written Comments to: Kelly Frost, P.O. Box 42560, Olympia, WA 98504-2560, e-mail kfrost@agr.wa.gov, fax (360) 902-2092, by 5:00 p.m., on September 30, 2010.

Assistance for Persons with Disabilities: Contact WSDA receptionist by September 10, 2010, TTY 1-800-833-6388 or (360) 902-1976.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The change will align the assessment rate found in WAC 60-12-010 with the

rates listed in RCW 16.67.120 and 16.67.122, which is the accurate amount currently being assessed. The change will also ensure consistency with the federal Beef Promotion Act and clarify when assessments are to be collected. WAC 60-12-020 Collection of assessments, sets forth the procedures for collecting state-authorized assessments as described in RCW 16.67.120, 16.67.122 and 16.67.130 including penalties for past due assessments.

Reasons Supporting Proposal: Clarifies the amount of the assessment, under what circumstances it is collected, when assessments are due and the consequences of not paying assessments when due.

Statutory Authority for Adoption: Chapters 16.67 and 34.05 RCW, and RCW 43.17.240.

Statute Being Implemented: Chapter 16.67 RCW.

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

Name of Proponent: [Department of agriculture], governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patti Brumbach, 14240 Interurban Avenue South, #224, Seattle, WA 98169, (206) 444-2902.

No small business economic impact statement has been prepared under chapter 19.85 RCW. RCW 19.85.030 (1)(a) requires an agency to prepare a small business economic impact statement (SBEIS) for proposed rules that impose a more than minor cost on the business in an industry. The proposed change would not impose "more than minor impact" upon the regulated industry and, in fact, some producers would realize a cost savings by not having to pay an assessment under certain conditions.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington beef commission is not a listed agency under RCW 34.05.328 (5)(a)(i).

August 11, 2010

Patti Brumbach

Executive Director

AMENDATORY SECTION (Amending WSR 95-10-097, filed 5/3/95, effective 6/3/95)

WAC 60-12-010 Levy of assessment. (1) Pursuant to the National Beef Promotion and Research Program, 7 USC S 2901, et seq., RCW 16.67.120 and 16.67.122, the Washington state beef commission levies an assessment of one dollar and fifty cents per head on all Washington cattle sold in this state or elsewhere, provided that no assessment shall be collected with reference to the following:

(a) Sales by a person who purchased cattle solely for resale when such resale occurs within ten days from such person's purchase of the cattle and when any assessment due in connection with that original purchase has been paid. In order to qualify for this exception, such persons additionally must present ((a)) the designated collecting person with their certification of ((their)) nonproducer status ((under this section)) form, along with a brand inspection certificate, a bill of sale or other documentation establishing the date of their purchase of the cattle. Such documentation must be presented at the

time of sale to the ~~((person responsible for collecting the assessment))~~ designated collection person.

(b) Sales of cattle where the cattle that have been transported into Washington from another state for the purpose of sale and the sale takes place within thirty days of the cattle entering the state.

(2) Assessments shall be paid by and shall be collected from the seller of the cattle. The term seller shall not include an agent or representative who is compensated in connection with the sale solely on a commission, handling fee or other service fee basis.

(3)(a) A designated collecting person is defined as either a state department of agriculture brand inspector where a brand inspection is conducted in conjunction with a sale or the buyer of the cattle where no brand inspection is conducted in connection with the sale.

(b) Where a brand inspection is conducted in conjunction with a sale, brand inspectors employed by the state department of agriculture may collect the assessment from the seller of the cattle. Where no brand inspection is conducted in connection with the sale, the buyer of the cattle shall collect the assessment from the cattle seller at the time of the sale. All assessments so collected shall be transmitted directly to the Washington state beef commission by the fifteenth of the month after the month of collection.

(4) That portion of each assessment remitted to the Washington state beef commission for purposes of providing funds for a National Beef Promotion and Research Program under 7 USC S 2901, et seq. ~~((and RCW 16.67.122))~~ shall be remitted to the cattlemen's beef promotion and research board by the Washington state beef commission.

NEW SECTION

WAC 60-12-020 Collection of assessment. (1) Collection of the federal beef check-off assessment shall be accomplished as set forth in the Beef Promotion and Research Act of 1985, 7 USC §§ 2901-11 and the federal Beef Promotion and Research Order, 7 C.F.R. §§ 1260.301 - 1260.316 (Subpart B), referred to in chapter 16.67 RCW as "the federal order."

(2) Procedures for collecting state-authorized assessments are not covered by the federal order and shall be as set forth in RCW 16.67.120(2), 16.67.122, 16.67.130 and this rule.

(3) All state-authorized assessments levied under chapter 16.67 RCW shall be due and payable on the 15th day of the month following the month in which the assessed transaction occurred.

(4) Pursuant to RCW 16.67.130, in the event a person who owes a state-authorized assessment fails to pay the full amount within the time set forth in subsection (3) of this section, the commission is authorized to and shall add an amount of ten percent to the unpaid assessments to defray the cost of collecting the assessment.

(5) Interest at the rate of one percent per month shall accrue on past due assessments pursuant to RCW 43.17.240, starting on the date the assessment became past due.

(6) The commission may assign past due assessments to a state-contracted collection agency to pursue collection.

Under RCW 19.16.500, at least thirty days prior to assigning a past due assessment to a collection agency, the commission shall attempt to advise the person who owes the assessment of the existence of the debt and that the debt may be assigned to a collection agency for collection if the debt is not paid.

(7) The commission may bring a civil action under RCW 16.67.130 against any person who owes a past due state-authorized assessment in a state court of competent jurisdiction for the collection thereof, together with ten percent late fee, interest from the date the debt became past due and any other necessary reasonable costs including attorney's fees.

(8) Any civil action for the collection of past due assessments may be combined with an action to collect any past due Washington state department of agriculture brand inspection fees imposed under chapter 16.57 or 16.65 RCW or 16-610 WAC when owed from the same person.

WSR 10-17-043

PROPOSED RULES

DEPARTMENT OF COMMERCE

[Filed August 11, 2010, 8:37 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-10-123.

Title of Rule and Other Identifying Information: Chapter 365-196 WAC, Procedural criteria for adopting comprehensive plans and development regulations; and chapter 365-190 WAC, Minimum guidelines to classify agricultural, forest and mineral lands and critical areas.

Hearing Location(s): Washington State Workforce Training Board, Conference Room, 6th Floor, 128 10th Avenue S.W., Olympia, WA 98504, on September 23, 2010, at 9:30 a.m. to 10:30 a.m.

Date of Intended Adoption: October 30, 2010.

Submit Written Comments to: Dave Andersen, AICP, Growth Management Services, Washington State Department of Commerce, P.O. Box 42525, Olympia, WA 98504-2525, e-mail WACUPDATE@commerce.wa.gov, by September 23, 2010.

Assistance for Persons with Disabilities: Contact Dave Andersen by September 21, 2010, TTY (360) 526-0772 or (360) 725-3052.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Commerce identified twelve issue sets for which proposed amendments were indicated:

- Change the growth management hearings board references from plural to singular under WAC 365-196-030, 365-196-040, and 365-196-570;
- Amend the section on Shoreline Management Act/Growth Management Act (SMA/GMA) integration under WAC 365-196-580;
- Add community facilities districts to the list of funding sources in urban areas under WAC 365-196-745;
- Add regional transit facilities to the list of essential public facilities under WAC 365-196-550;

- Modify procedural recommendations for subarea plans and change update timeline table to reflect new deadlines under WAC 365-196-610 and 365-196-640;
- Amend the section on public facilities land capacity under WAC 365-196-325;
- Amend the sections that reference UGA expansions into floodplains under WAC 365-196-310 and 365-196-485;
- Add a new section on affordable housing incentives under WAC 365-196-870;
- Amend the guidance on land use element petition for rule amendments under WAC 365-196-405 (2)(c);
- Amend the guidance on rural cluster subdivisions petition for rule amendments, WAC 365-196-425;
- Amend the sections on agricultural resource lands under WAC 365-190-050(3); and
- Amend the sections on agricultural resource lands under WAC 365-190-050(5).

Reasons Supporting Proposal:

- To bring the rules into conformance with legislative changes to the Growth Management Act, which occurred in 2009 and 2010.
- To adopt rules guiding implementation of RCW 36.70A.540 Affordable housing incentive programs.
- To address a petition to the agency requesting modifications to WAC 365-190-050 Agricultural resource lands, 365-196-425 Rural element, and 365-196-405 Land use element.

Statutory Authority for Adoption: RCW 36.70A.050 and 36.70A.190.

Statute Being Implemented: Chapter 36.70A RCW.

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

Name of Proponent: Washington state department of commerce, governmental.

Name of Agency Personnel Responsible for Drafting: Dave Andersen, 906 Columbia Street S.W., Olympia, WA 98504, (360) 725-3052; Implementation: Leonard Bauer, 906 Columbia Street S.W., Olympia, WA 98504, (360) 725-3000; and Enforcement: The rules contain no enforcement authority.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Chapters 365-190 and 365-195 WAC provide guidance to counties and cities regarding implementation of the Growth Management Act (GMA). Counties and cities consider these rules, but they are not binding on counties and cities. In choosing how to implement the GMA, using the guidance in the rules, counties and cities may or may not decide to revise their comprehensive plans, development regulations, and other local land use ordinances. The rules are not substantive, and if the local government does not follow the rules, they are not subject to any penalty or sanction nor do the rules establish standards for the issuance of a license.

Although the choices made by local governments may result in some impacts to many types and sizes of businesses, these rules do not directly regulate any businesses. Instead,

they provide guidance to local governments in developing their plans and regulations. Thus, it can be determined that the rules do not impose more than minor costs on businesses in an industry, and a small business economic impact statement is not required.

A cost-benefit analysis is not required under RCW 34.05.328. The department of commerce is not listed as one of the agencies to which this section applies and does not wish to make this section voluntarily applicable to the rule per subsection (5)(a)(ii). Therefore, unless subsection (5)(a)(ii) is invoked by the joint administrative rules review committee after the filing of the CR-102, no cost-benefit analysis needs to be prepared for this rule.

August 11, 2010

Nick Demerice

Director of Government Affairs

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-190-050 Agricultural resource lands. (1) In classifying and designating agricultural resource lands, counties must approach the effort as a county-wide or area-wide process. Counties and cities should not review resource lands designations solely on a parcel-by-parcel process. Counties and cities must have a program for the transfer or purchase of development rights prior to designating agricultural resource lands in urban growth areas. Cities are encouraged to coordinate their agricultural resource lands designations with their county and any adjacent jurisdictions.

(2) Once lands are designated, counties and cities planning under the act must adopt development regulations that assure the conservation of agricultural resource lands. Recommendations for those regulations are found in WAC 365-196-815.

(3) Lands should be considered for designation as agricultural resource lands based on three factors:

(a) The land is not already characterized by urban growth. To evaluate this factor, counties and cities should use the criteria contained in WAC 365-196-310.

(b) The land is used or capable of being used for agricultural production. This factor evaluates whether lands are well suited to agricultural use based primarily on their physical and geographic characteristics. Some agricultural operations are less dependent on soil quality than others, including some livestock production operations.

(i) Lands that are currently used for agricultural production and lands that are capable of such use must be evaluated for designation. The intent of a landowner to use land for agriculture or to cease such use is not the controlling factor in determining if land is used or capable of being used for agricultural production. Land enrolled in federal conservation reserve programs is recommended for designation based on previous agricultural use, management requirements, and potential for reuse as agricultural land.

(ii) In determining whether lands are used or capable of being used for agricultural production, counties and cities shall use the land-capability classification system of the United States Department of Agriculture Natural Resources Conservation Service as defined in relevant Field Office

Technical Guides. These eight classes are incorporated by the United States Department of Agriculture into map units described in published soil surveys, and are based on the growing capacity, productivity and soil composition of the land.

(c) The land has long-term commercial significance for agriculture. In determining this factor, counties and cities should consider the following nonexclusive criteria, as applicable:

(i) The classification of prime and unique farmland soils as mapped by the Natural Resources Conservation Service;

(ii) The availability of public facilities, including roads used in transporting agricultural products;

(iii) Tax status, including whether lands are enrolled under the current use tax assessment under chapter 84.34 RCW and whether the optional public benefit rating system is used locally, and whether there is the ability to purchase or transfer land development rights;

(iv) The availability of public services;

(v) Relationship or proximity to urban growth areas ((and to markets and suppliers));

(vi) Predominant parcel size;

(vii) Land use settlement patterns and their compatibility with agricultural practices;

(viii) Intensity of nearby land uses;

(ix) History of land development permits issued nearby; ((and))

(x) Land values under alternative uses; and

(xi) Proximity to markets.

(4) When designating agricultural resource lands, counties and cities may consider food security issues, which may include providing local food supplies for food banks, schools and institutions, vocational training opportunities in agricultural operations, and preserving heritage or artisanal foods.

(5) When applying the criteria in subsection (3)(c) of this section, the process should result in designating ((at least the minimum)) a sufficient amount of agricultural resource lands needed to maintain economic viability for the agricultural industry and to retain supporting agricultural businesses, such as processors, farm suppliers, and equipment maintenance and repair facilities. Economic viability in this context is that amount of designated agricultural resource land needed to maintain the economic viability of the agricultural sector in the county over the long term.

(6) Counties and cities may further classify additional agricultural lands of local importance. Classifying additional agricultural lands of local importance should include, in addition to general public involvement, consultation with the board of the local conservation district and the local committee of the farm service agency. It may also be useful to consult with any existing local organizations marketing or using local produce, including the boards of local farmers markets, school districts, other large institutions, such as hospitals, correctional facilities, or existing food cooperatives.

These additional lands may include designated critical areas, such as bogs used to grow cranberries or farmed wetlands. Where these lands are also designated critical areas, counties and cities planning under the act must weigh the compatibility of adjacent land uses and development with the

continuing need to protect the functions and values of critical areas and ecosystems.

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-030 Applicability. (1) Where these guidelines apply.

(a) This chapter applies to all counties and cities that are required to plan or choose to plan under RCW 36.70A.040.

(b) WAC 365-196-830 addressing protection of critical areas applies to all counties and cities, including those that do not fully plan under RCW 36.70A.040.

(c) As of May 1, 2009, the following counties and cities within them are not required to fully plan under RCW 36.70A.040: Adams, Asotin, Cowlitz, Grays Harbor, Klickitat, Lincoln, Okanogan, Wahkiakum, Skamania, and Whitman.

(2) Compliance with the procedural criteria is not a prerequisite for compliance with the act. This chapter makes recommendations for meeting the requirements of the act, it does not set a minimum list of actions or criteria that a county or city must take. Counties and cities can achieve compliance with the goals and requirements of the act by adopting other approaches.

(3) How the growth management hearings board((s)) use these guidelines. The growth management hearings board((s)) must determine, in cases brought before them, whether comprehensive plans or development regulations are in compliance with the goals and requirements of the act. When doing so, board((s)) must consider the procedural criteria contained in this chapter, but determination of compliance must be based on the act itself.

(4) When a county or city should consider the procedural criteria. Counties and cities should consider these procedural criteria when amending or updating their comprehensive plans, development regulations or county-wide planning policies. Since adoption of the act, counties and cities and others have adopted a variety of agreements and frameworks to collaboratively address issues of local concern and their responsibilities under the act. The procedural criteria do not trigger an independent obligation to revisit those agreements. Any local land use planning agreements should, where possible, be construed as consistent with these procedural criteria. Changes to these procedural criteria do not trigger an obligation to review and update local plans and regulations to be consistent with these criteria.

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-040 Standard of review. (1) Comprehensive plans and development regulations adopted under the act are presumed valid upon adoption. No state approval is required.

(2) An appeal of a local comprehensive plan or development regulation alleging a violation of the act must be filed with the ((appropriate)) growth management hearings board (the board). The board must find compliance unless it determines that the action by the state agency, county, or city is clearly erroneous in view of the entire record before the board

and in light of the goals and requirements of the act. To find an action clearly erroneous, the board must be left with a firm and definite conclusion that a mistake was made.

(3) Although a county or city does not have to prove compliance, if challenged, it must provide to the hearings board an index of "the record" - all material used in taking the action which is the subject of the challenge. See WAC 242-02-520. This record should include the documents containing the factual basis for determining that the challenged action complies with the act. This information may be contained in the comprehensive plan or development regulations, in the findings of the adopting ordinance or resolution, or in accompanying background documents, such as staff reports.

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-310 Urban growth areas. (1)(a) Except as provided in (b) of this subsection, counties and cities may not expand the urban growth area into the one hundred-year flood plain of any river or river segment that:

(i) Is located west of the crest of the Cascade mountains; and

(ii) Has a mean annual flow of one thousand or more cubic feet per second as determined by the department of ecology.

(b) Subsection (1)(a) of this section does not apply to:

(i) Urban growth areas that are fully contained within a flood plain and lack adjacent buildable areas outside the flood plain;

(ii) Urban growth areas where expansions are precluded outside flood plains because:

(A) Urban governmental services cannot be physically provided to serve areas outside the flood plain; or

(B) Expansions outside the flood plain would require a river or estuary crossing to access the expansion; or

(iii) Urban growth area expansions where:

(A) Public facilities already exist within the flood plain and the expansion of an existing public facility is only possible on the land to be included in the urban growth area and located within the flood plain;

(B) Urban development already exists within a flood plain as of July 26, 2009, and is adjacent to, but outside of, the urban growth area, and the expansion of the urban growth area is necessary to include such urban development within the urban growth area; or

(C) The land is owned by a jurisdiction planning under this chapter or the rights to the development of the land have been permanently extinguished, and the following criteria are met:

(I) The permissible use of the land is limited to one of the following: Outdoor recreation; environmentally beneficial projects including, but not limited to, habitat enhancement or environmental restoration; storm water facilities; flood control facilities; or underground conveyances; and

(II) The development and use of such facilities or projects will not decrease flood storage, increase storm water runoff, discharge pollutants to fresh or salt waters during normal operations or floods, or increase hazards to people and property.

(c) Under (a)(i) of this subsection, "one hundred-year flood plain" means the same as "special flood hazard area" as set forth in WAC 173-158-040 as it exists on July 26, 2009.

(2) Requirements.

(a) Each county planning under the act must designate an urban growth area or areas within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature. Each county must designate an urban growth area in its comprehensive plan.

(b) Each city that is located in such a county shall be included within an urban growth area. An urban growth area may include more than a single city.

(c) An urban growth area may include territory that is located outside a city if such territory already is characterized by urban growth or is adjacent to territory already characterized by urban growth.

(d) Based upon the growth management planning population projection selected by the county from within the range provided by the office of financial management, and based on a county-wide employment forecast developed by the county at its discretion, the urban growth areas shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county for the succeeding twenty-year period. Counties and cities may provide the office of financial management with information they deem relevant to prepare the population projections, and the office shall consider and comment on such information and review projections with cities and counties before they are adopted. Counties and cities may petition the office to revise projections they believe will not reflect actual population growth.

(e) The urban growth area may not exceed the areas necessary to accommodate the growth management planning projections, plus a reasonable land market supply factor, or market factor. In determining this market factor, counties and cities may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth. Each urban growth area shall permit urban densities and shall include greenbelt and open space areas.

(f) Counties and cities should facilitate urban growth as follows:

(i) Urban growth should be located first in areas already characterized by urban growth that have existing public facilities and service capacities adequate to serve urban development.

(ii) Second, urban growth should be located in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources.

(iii) Third, urban growth should be located in the remaining portions of the urban growth area.

(g) In general, cities are the units of local government most appropriate to provide urban governmental services. In general, it is not appropriate that urban governmental services be extended to or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development. Recommendations governing

the extension of urban services into rural areas are found in WAC 365-196-425.

(h) Each county that designates urban growth areas must review, at least every ten years, its designated urban growth areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. This review should be conducted jointly with the affected cities. The purpose of the ten-year urban growth area review is to assess the capacity of the urban land to accommodate population growth projected for the succeeding twenty-year planning period. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas.

~~((2))~~ (3) General procedure for designating urban growth areas.

(a) The designation process shall include consultation by the county with each city located within its boundaries. The adoption, review and amendment of the urban growth area should reflect a cooperative effort among jurisdictions to accomplish the requirements of the act on a regional basis, consistent with the county-wide planning policies and, where applicable, multicounty planning policies.

(b) Each city shall propose the location of an urban growth area.

(c) The county shall attempt to reach agreement with each city on the location of an urban growth area within which the city is located.

(d) If an agreement is not reached with each city located within the urban growth area, the county shall justify in writing why it so designated an urban growth area.

(e) As growth occurs, most lands within the urban growth area should ultimately be provided with urban governmental services by cities, either directly or by contract. Other service providers are appropriate within urban growth areas for regional or county-wide services, or for isolated unincorporated pockets characterized by urban growth. Counties and cities should provide for development phasing within each urban growth area to ensure the orderly sequencing of development and that services are provided as growth occurs.

(f) Counties and cities should develop and evaluate urban growth area proposals with the purpose of accommodating projected urban growth through infill and redevelopment within existing municipal boundaries or urban areas. In some cases, expansion will be the logical response to projected urban growth.

(g) Counties, cities, and other municipalities, where appropriate, should negotiate interlocal agreements to coordinate land use management with the provision of adequate public facilities to the urban growth area. Such agreements should facilitate urban growth in a manner consistent with the cities' comprehensive plans and development regulations, and should facilitate a general transformation of governance over time, through annexation or incorporation, and transfer of nonregional public services to cities as the urban area develops.

~~((2))~~ (4) Recommendations for meeting requirements.

(a) Selecting and allocating county-wide growth forecasts. This process should involve at least the following:

(i) The total county-wide population is the sum of the population allocated to each city; the population allocated to any portion of the urban growth area associated with cities; the population allocated to any portion of the urban growth area not associated with a city; and the population growth that is expected outside of the urban growth area.

(ii) RCW 43.62.035 directs the office of financial management to provide a reasonable range of high, medium and low twenty-year population forecasts for each county in the state, with the medium forecast being most likely. Counties and cities must plan for a total county-wide population that falls within the office of financial management range.

(iii) Consideration of other population forecast data, trends, and implications. In selecting population forecasts, counties and cities may consider the following:

(A) Population forecasts from outside agencies, such as regional or metropolitan planning agencies, and service providers.

(B) Historical growth trends and factors which would cause those trends to change in the future.

(C) General implications, including:

(I) Public facilities and service implications. Counties and cities should carefully consider how to finance the necessary facilities and should establish a phasing plan to ensure that development occurs at urban densities; occurs in a contiguous and orderly manner; and is linked with provision of adequate public facilities. These considerations are particularly important when considering forecasts closer to the high end of the range. Jurisdictions considering a population forecast closer to the low end of the range should closely monitor development and population growth trends to ensure actual growth does not begin to exceed the planned capacity.

(II) Overall land supplies. Counties and cities facing immediate physical or other land supply limitations may consider these limitations in selecting a forecast. Counties and cities that identify potential longer term land supply limitations should consider the extent to which current forecast options would require increased densities or slower growth in the future.

(III) Implications of short term updates. The act requires that twenty-year growth forecasts and designated urban growth areas be updated at a minimum every ten years. Counties and cities should consider the likely timing of future updates, and the opportunities this provides for adjustments.

(D) Counties and cities are not required to adopt forecasts for annual growth rates within the twenty-year period, but may choose to for planning purposes. If used, annual growth projections may assume a consistent rate throughout the planning period, or may assume faster or slower than average growth in certain periods, as long as they result in total growth consistent with the twenty-year forecasts selected.

(iv) Selection of a county-wide employment forecast. Counties, in consultation with cities, should adopt a twenty-year county-wide employment forecast to be allocated among urban growth areas, cities, and the rural area. The following should be considered in this process:

(A) The county-wide population forecast, and the resulting ratio of forecast jobs to persons. This ratio should be compared to past levels locally and other regions, and to desired policy objectives; and

(B) Economic trends and forecasts produced by outside agencies or private sources.

(v) Projections for commercial and industrial land needs. When establishing an urban growth area, counties should designate sufficient commercial and industrial land. Although no office of financial management forecasts are available for industrial or commercial land needs, counties and cities should use a county-wide employment forecast, available data on the current and projected local and regional economies, and local demand for services driven by population growth. Counties and cities should consider establishing a county-wide estimate of commercial and industrial land needs to ensure consistency of local plans.

Counties and cities should consider the need for industrial lands in the economic development element of their comprehensive plan. Counties and cities should avoid conversion of areas set aside for industrial uses to other incompatible uses, to ensure the availability of suitable sites for industrial development.

(vi) Selection of community growth goals with respect to population, commercial and industrial development and residential development.

(vii) Selection of the densities the community seeks to achieve in relation to its growth goals. Inside the urban growth areas densities must be urban. Outside the urban growth areas, densities must be rural.

(b) General considerations for determining the need for urban growth areas expansions to accommodate projected population and employment growth.

(i) Estimation of the number of new persons and jobs to be accommodated based on the difference between the twenty-year forecast and current population and employment.

(ii) Estimation of the capacity of current cities and urban growth areas to accommodate additional population and employment over the twenty-year planning period. This should be based on a land capacity analysis, which may include the following:

(A) Identification of the amount of developable residential, commercial and industrial land, based on inventories of currently undeveloped or partially developed urban lands.

(B) Identification of the appropriate amount of greenbelt and open space to be preserved or created in connection with the overall growth pattern and consistent with any adopted levels of service. See WAC 365-196-335 for additional information.

(C) Identification of the amount of developable urban land needed for the public facilities, public services, and utilities necessary to support the likely level of development. See WAC 365-196-320 for additional information.

(D) Based on allowed land use development densities and intensities, a projection of the additional urban population and employment growth that may occur on the available residential, commercial and industrial land base. The projection should consider the portion of population and employment growth which may occur through redevelopment of pre-

viously developed urban areas during the twenty-year planning period.

(E) The land capacity analysis must be based on the assumption that growth will occur at urban densities inside the urban growth area. In formulating land capacity analyses, counties and cities should consider data on past development, as well as factors which may cause trends to change in the future. For counties and cities subject to RCW 36.70A.215, information from associated buildable lands reports should be considered. If past development patterns have not resulted in urban densities, or have not resulted in a pattern of desired development, counties and cities should use assumptions aligned with desired future development patterns. Counties and cities should then implement strategies to better align future development patterns with those desired.

(F) The land capacity analysis may also include a reasonable land market supply factor, also referred to as the "market factor." The purpose of the market factor is to account for the estimated percentage of developable acres contained within an urban growth area that, due to fluctuating market forces, is likely to remain undeveloped over the course of the twenty-year planning period. The market factor recognizes that not all developable land will be put to its maximum use because of owner preference, cost, stability, quality, and location. If establishing a market factor, counties and cities should establish an explicit market factor for the purposes of establishing the amount of needed land capacity. Counties and cities may consider local circumstances in determining an appropriate market factor. Counties and cities may also use a number derived from general information if local study data is not available.

(iii) An estimation of the additional growth capacity of rural and other lands outside of existing urban growth areas compared with future growth forecasted, and current urban and rural capacities.

(iv) If future growth forecasts exceed current capacities, counties and cities should first consider the potential of increasing capacity of existing urban areas through allowances for higher densities, or for additional provisions to encourage redevelopment. If counties and cities find that increasing the capacity of existing urban areas is not feasible or appropriate based on the evidence they examine, counties and cities may consider expansion of the urban growth area to meet the future growth forecast.

(c) Determining the appropriate locations of new or expanded urban growth area boundaries. This process should consider the following:

(i) Selection of appropriate densities. For all jurisdictions planning under the act, the urban growth area should represent the physical area where that jurisdiction's urban development vision can be realized over the next twenty years. The urban growth area should be based on densities which accommodate urban growth, served by adequate public facilities, discourage sprawl, and promote goals of the act. RCW 36.70A.110 requires that densities specified for land inside the urban growth area must be urban densities. See WAC 365-196-300 for recommendations on determining appropriate urban densities.

(ii) The county should attempt to define urban growth areas to accommodate the growth plans of the cities. Urban

growth areas should be defined so as to facilitate the transformation of services and governance during the planning period. However, physical location or existing patterns of service make some unincorporated areas which are characterized by urban growth inappropriate for inclusion in any city's potential growth area.

(iii) Identifying the location of any new lands added to the urban growth area. Lands should be included in the urban growth area in the following priority order:

- (A) Existing incorporated areas;
- (B) Land that is already characterized by urban growth and has adequate public facilities and services;
- (C) Land already characterized by urban growth, but requiring additional public facilities and urban services; and
- (D) Lands adjacent to the above, but not meeting those criteria.

(iv) Designating industrial lands. Counties and cities should consult with local economic development organizations when identifying industrial lands to identify sites that are particularly well suited for industry, considering factors such as:

- (A) Rail access;
- (B) Highway access;
- (C) Large parcel size;
- (D) Location along major electrical transmission lines;
- (E) Location along pipelines;
- (F) Location near or adjacent to ports and commercial navigation routes;
- (G) Availability of needed infrastructure; or
- (H) Absence of surrounding incompatible uses.

(v) Consideration of resource lands issues. Urban growth areas should not be expanded into designated agricultural, forest or resource lands unless no other option is available. Prior to expansion of the urban growth area, counties and cities must first review the natural resource lands designation and conclude the lands no longer meet the designation criteria for resource lands of long-term commercial significance. Designated agricultural or forest resource lands may not be located inside the urban growth area unless a city or county has enacted a program authorizing transfer or purchase of development rights.

(vi) Consideration of critical areas issues. Although critical areas exist within urban areas, counties and cities should avoid expanding the urban growth areas into areas with known critical areas extending over a large area. See RCW 36.70A.110(8) for legislative direction on expansion of urban growth areas into the one hundred-year (~~floodplain~~) flood plain of river segments that are located west of the crest of the Cascade mountains and have a mean annual flow of one thousand or more cubic feet per second.

(vii) If there is physically no land available into which a city might expand, it may need to revise its proposed urban densities or population levels in order to accommodate growth on its existing land base.

(d) Evaluating the feasibility of the overall growth plan. Counties and cities should perform a check on the feasibility of the overall plan to accommodate growth. If, as a result of this evaluation, the urban growth area appears to have been drawn too small or too large, the proposal should be adjusted accordingly. Counties and cities should evaluate:

(i) The anticipated ability to finance the public facilities, public services, and open space needed in the urban growth area over the planning period. When conducting a review of the urban growth areas, counties and cities should develop an analysis of the fiscal impact of alternative land use patterns that accommodate the growth anticipated over the succeeding twenty-year period. This provides the public and decision makers with an estimate of the fiscal consequences of various development patterns. This analysis could be done in conjunction with the analysis required under the State Environmental Policy Act.

(ii) The effect that confining urban growth within the areas defined is likely to have on the price of property and the impact thereof on the ability of residents of all economic strata to obtain housing they can afford.

(iii) Whether the level of population and economic growth contemplated can be achieved within the capacity of available land and water resources and without environmental degradation.

(iv) The extent to which the comprehensive plan of the county and of adjacent counties and cities will influence the area needed.

(e) County actions in adopting urban growth areas.

(i) A change to the urban growth area is an amendment to the comprehensive plan and requires, at a minimum, an amendment to the land use element. Counties and cities should also review and update the transportation, capital facilities, utilities, and housing elements to maintain consistency and show how any new areas added to the urban growth area will be provided with adequate public facilities. A modification of any portion of the urban growth area affects the overall urban growth area size and has county-wide implications. Because of the significant amount of resources needed to conduct a review of the urban growth area, and because some policy objectives require time to achieve, frequent, piecemeal expansion of the urban growth area should be avoided. Site-specific proposals to expand the urban growth area should be deferred until the next comprehensive review of the urban growth area.

(ii) Counties and cities that are required to participate in the buildable lands program must first have adopted and implemented reasonable measures as required by RCW 36.70A.215 before considering expansion of an urban growth area.

(iii) Consistent with county-wide planning policies, counties and cities consulting on the designation of urban growth areas should consider the following implementation steps:

(A) Establishment of agreements regarding land use regulations and the provision of services in that portion of the urban growth area outside of an existing city into which it is eventually expected to expand.

(B) Negotiation of agreements for appropriate allocation of financial burdens resulting from the transition of land from county to city jurisdiction.

(C) Provision for an ongoing collaborative process to assist in implementing county-wide planning policies, resolving regional issues, and adjusting growth boundaries.

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-325 Providing sufficient land capacity suitable for development. (1) Requirements.

(a) RCW 36.70A.115 requires counties and cities to ensure that, taken collectively, comprehensive plans and development regulations provide sufficient capacity of land suitable for development within their jurisdictions to accommodate their allocated housing and employment growth, including the accommodation of, as appropriate, the medical, governmental, educational, institutional, commercial, and industrial facilities related to such growth, as adopted in the applicable county-wide planning policies and consistent with the twenty-year population forecast (~~(for)~~) from the office of financial management. To demonstrate this requirement is met, counties and cities must conduct an evaluation of land capacity sufficiency that is commonly referred to as a "land capacity analysis."

(b) Counties and cities must, at minimum, complete a land capacity analysis that demonstrates sufficient land for development or redevelopment to meet their adopted growth allocation targets during the ten-year review of urban growth areas required by RCW 36.70A.130 (3)(a). See WAC 365-196-310 for guidance in estimating and providing sufficient land capacity.

(c) Counties and cities subject to RCW 36.70A.215 must determine land capacity sufficiency as part of the buildable lands reporting required at least every five years, and adopt and implement measures that are reasonably likely to increase the consistency between land capacity and growth allocations. See WAC 365-196-315 for guidance.

(d) Although it is not required, counties and cities may elect to conduct a land capacity analysis during the periodic review and update of comprehensive plans required under RCW 36.70A.130(1).

(e) A complete land capacity analysis is not required to be undertaken for every amendment to a comprehensive plan or development regulation outside of the act's required periodic reviews. However, when considering amendments to the comprehensive plan or development regulations which increase or decrease allowed densities, counties and cities should estimate the degree of increase or decrease in development capacity on lands subject to the amendments, and estimate if the capacity change may affect its ability to provide sufficient capacity of land suitable for development. If so, the county or city should complete a land capacity analysis.

(2) Recommendations for meeting requirement.

(a) Determining land capacity sufficiency. The land capacity analysis is a comparison between the collective effects of all development regulations operating on development and the assumed densities established in the land use element. In order to achieve sufficiency, the development regulations must allow at least the low end of the range of assumed densities established in the land use element. This assures a city or county can meet its obligation to accommodate the growth allocated through the county-wide population allocation process.

(b) Appropriate area for analysis. The focus of the analysis is on the county or city's ability to meet its obligation to accommodate the growth allocated through the county-wide

population or employment allocation process. Providing sufficient land capacity for development does not require a county or city to achieve or evaluate sufficiency for every parcel of a future land use designation provided the area as a whole ensures sufficient land capacity for development.

(c) The land capacity analysis should evaluate what the development regulations allow, rather than what development has actually occurred. Many factors beyond the control of counties and cities will control the amount and pace of actual development, what density it is built at and what types and densities of development are financially viable for any set of economic conditions. Counties and cities need not ensure that particular types of development are financially feasible in the context of short term market conditions. Counties and cities should, however, consider available information on trends in local markets to inform its evaluation of sufficient land capacity for the twenty-year planning period.

(d) Development phasing. RCW 36.70A.115 does not create an obligation to ensure that all land in the urban growth area is available for development at the same time. When counties or cities establish mechanisms for development phasing, zoned densities in the short term may be established that are substantially lower than called for in the future land use designations. In these cases, a county or city ensures a sufficient land capacity suitable for development by implementing its development phasing policies to allow development to occur within the twenty-year planning period. Development phasing is described in greater detail in WAC 365-196-330.

(e) The department recommends the following means of implementing the requirements of RCW 36.70A.115.

(i) Periodic evaluation. Counties and cities ensure sufficient land capacity for development by comparing the achieved density of development that has been permitted in each zoning category to the assumed densities established in the land use element using existing permitting data. If existing permitting data shows that the densities approved are lower than assumed densities established in the land use element, counties and cities should review their development regulations to determine if regulatory barriers are preventing development at the densities as envisioned. This could occur as part of the seven-year review and update required in RCW 36.70A.130 (1)(a). It must occur at a minimum as part of the ten-year urban growth area review required in RCW 36.70A.-130 (3)(a) and as part of the buildable lands review and evaluation program conducted under RCW 36.70A.215.

(ii) Flexible development standards. Counties and cities could ensure sufficient land capacity for development by establishing development regulations to allow development proposals that transfer development capacity from unbuildable portions of a development parcel to other portions of the development parcel so the underlying zoned density is still allowed. This may provide for flexibility in some dimensional standards provided development is consistent with state law and all impacts are mitigated.

(iii) Evaluation of development capacity impacts of proposed development regulation amendments. Counties and cities may also consider evaluation of whether proposed amendments to development regulations will have a signifi-

cant impact on the ability of a county or city to provide sufficient capacity of land for development.

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-405 Land use element. (1) Requirements. The land use element must contain the following features:

(a) Designation of the proposed general distribution and general location and extent of the uses of land, where appropriate, for agricultural, timber, and mineral production, for housing, commerce, industry, recreation, open spaces, public utilities, public facilities, general aviation airports, military bases, rural uses, and other land uses.

(b) Population densities, building intensities, and estimates of future population growth.

(c) Provisions for protection of the quality and quantity of ground water used for public water supplies.

(d) Wherever possible, consideration of urban planning approaches to promote physical activity.

(e) Where applicable, a review of drainage, flooding, and storm water runoff in the area covered by the plan and nearby jurisdictions, and guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

(2) Recommendations for meeting requirements. The land use assumptions in the land use element form the basis for all growth-related planning functions in the comprehensive plan, including transportation, housing, capital facilities, and, for counties, the rural element. Preparing the land use element is an iterative process. Linking all plan elements to the land use assumptions in the land use element helps meet the act's requirement for internal consistency. The following steps are recommended in preparing the land use element:

(a) Counties and cities should integrate relevant county-wide planning policies and, where applicable, multicounty planning policies, into the local planning process, and ensure local goals and policies are consistent.

(b) Counties and cities should identify the existing general distribution and location of various land uses, the approximate acreage, and general range of density or intensity of existing uses.

(c) Counties and cities should ~~((conduct an inventory of vacant, partially used and underutilized land to determine))~~ estimate the extent to which existing buildings and housing, together with development or redevelopment of vacant, partially used and underutilized land, can support anticipated growth over the planning period. ~~((Growth anticipated through redevelopment of developed lands should also be considered. This information))~~ Redevelopment of fully built properties may also be considered.

(i) Estimation of development or redevelopment capacity may include:

(A) Identification of individual properties or areas likely to convert because of market pressure or because they are built below allowed densities; or

(B) Use of an estimated percentage of area-wide growth during the planning period anticipated to occur through rede-

velopment, based on likely future trends for the local area or comparable jurisdictions; or

(C) Some combination of (c)(i)(A) and (B) of this subsection.

(ii) Estimates of development or redevelopment capacity should be ~~((provided through))~~ included in a land capacity analysis as part of a county-wide process described in WAC 365-196-305 and 365-196-310 or, as applicable, WAC 365-196-315.

(d) Counties and cities should identify special characteristics and uses of the land which may influence land use or regulation. These may include:

(i) The location of agriculture, forest and mineral resource lands of long-term commercial significance.

(ii) The general location of any known critical areas that limit suitability of land for development.

(iii) Influences or threats to the quality and quantity of ground water used for public water supplies. These may be identified from information sources such as the following:

(A) Designated critical aquifer recharge areas that identify areas where potentially hazardous material use should be limited, or for direction on where managing development practices that influence the aquifer would be important;

(B) Watershed plans approved under chapter 90.82 RCW; ground water management plans approved under RCW 90.44.400; coordinated water system plans adopted under chapter 70.116 RCW; and watershed plans adopted under chapter 90.54 RCW as outlined in RCW 90.03.386.

(C) Instream flow rules prepared by the department of ecology and limitations and recommendations therein that may inform land use decisions.

(iv) Areas adjacent to general aviation airports where incompatible uses should be discouraged, as required by RCW 36.70A.510 and 36.70.547, with guidance in WAC 365-196-455.

(v) Areas adjacent to military bases where incompatible uses should be discouraged, as required by RCW 36.70A.530 with guidance in WAC 365-196-475.

(vi) Existing or potential open space corridors within and between urban growth areas as required by RCW 36.70A.160 for recreation, wildlife habitat, trails, and connection of critical areas as defined in RCW 36.70A.030. Counties and cities may consult WAC 365-196-335 for additional information.

(vii) Where applicable, sites that are particularly well suited for industry. Counties and cities should consult WAC 365-196-310 (3)(c)(iv) for information on industrial land uses. For counties, the process described in WAC 365-196-465 and 365-196-470 may be relevant for industrial areas outside of an urban growth area.

(viii) Other features that may be relevant to this information gathering process may include view corridors, brown-field sites, national scenic areas, historic districts, or other opportunity sites, or other special characteristics which may be useful to inform future land use decisions.

(e) Counties and cities must review drainage, flooding, and storm water runoff in the area or nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound. Water quality information may be integrated from the following sources:

(i) Planning and regulatory requirements of municipal storm water general permits issued by the department of ecology that apply to the county or city.

(ii) Local waters listed under Washington state's water quality assessment and any water quality concerns associated with those waters.

(iii) Interjurisdictional plans, such as total maximum daily loads.

(f) Counties and cities must obtain twenty-year population allocations for their planning area as part of a county-wide process described in WAC 365-196-305(4) and 365-196-310. Using information from the housing needs analysis, identify the amount of land suitable for development at a variety of densities consistent with the number and type of residential units likely to be needed over the planning period. At a minimum, cities must plan for the population allocated to them, but may plan for additional population within incorporated areas.

(g) Counties and cities should estimate the level of commercial space, and industrial land needed using information from the economic development element, if available, or from other relevant economic development plans.

(h) Counties and cities should identify the general location and estimated quantity of land needed for public purposes such as utility corridors, landfills or solid waste transfer stations, sewage treatment facilities, storm water management facilities, recreation, schools, and other public uses. Counties and cities should consider corridors needed for transportation including automobile, rail, and trail use in and between planning areas, consistent with the transportation element and coordinate with adjacent jurisdictions for connectivity.

(i) Counties and cities should select land use designations and implement zoning. Select appropriate commercial, industrial, and residential densities and their distribution based on the total analysis of land features, population to be supported, implementation of regional planning strategies, and needed capital facilities.

(i) It is strongly recommended that a table be included showing the acreage in each land use designation, the acreage in each implementing zone, the approximate densities that are assumed, and how this meets the twenty-year population projection.

(ii) Counties and cities should prepare a future land use map including land use designations, municipal and urban growth area boundaries, and any other relevant features consistent with other elements of the comprehensive plan.

(j) Wherever possible, counties and cities should consider urban planning approaches that promote physical activity. Urban planning approaches that promote physical activity may include:

(i) Higher intensity residential or mixed-use land use designations to support walkable and diverse urban, town and neighborhood centers.

(ii) Transit-oriented districts around public transportation transfer facilities, rail stations, or higher intensity development along a corridor served by high quality transit service.

(iii) Policies for siting or colocating public facilities such as schools, parks, libraries, community centers and athletic

centers to place them within walking or cycling distance of their users.

(iv) Policies supporting linear parks and shared-use paths, interconnected street networks or other urban forms supporting bicycle and pedestrian transportation.

(v) Policies supporting multimodal approaches to concurrency consistent with other elements of the plan.

(vi) Traditional or main street commercial corridors with street front buildings and limited parking and driveway interruption.

(vii) Opportunities for promoting physical activity through these and other policies should be sought in existing as well as newly developing areas. Regulatory or policy barriers to promoting physical activity for new or existing development should also be removed or lessened where feasible.

(k) Counties and cities may prepare an implementation strategy describing the steps needed to accomplish the vision and the densities and distributions identified in the land use element. Where greater intensity of development is proposed, the strategy may include a design scheme to encourage new development that is compatible with existing or desired community character.

(l) Counties and cities may prepare a schedule for the phasing of the planned development contemplated consistent with the availability of capital facilities as provided in the capital facilities element. WAC 365-196-330 provides additional information regarding development phasing.

(m) Counties and cities should reassess the land use element in light of:

(i) The projected capacity for financing the needed capital facilities over the planning period; and

(ii) An assessment of whether the planned densities and distribution of growth can be achieved within the capacity of available land and water resources and without environmental degradation.

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-425 Rural element. Counties must include a rural element in their comprehensive plan. This element shall include lands that are not designated for urban growth, agriculture, forest, or mineral resources. The rural element shall permit land uses that are compatible with the rural character of such lands and provide for a variety of rural densities.

(1) Developing a written record. When developing the rural element, a county may consider local circumstances in establishing patterns of rural densities and uses, but must develop a written record explaining how the rural element harmonizes the planning goals in the act and meets the requirements of the act. This record should document local circumstances the county considered and the historic patterns of development in the rural areas.

(2) Establishing a definition of rural character.

(a) The rural element shall include measures that apply to rural development and protect rural character. Counties must define rural character to guide the development of the rural element and the implementing development regulations.

(b) The act identifies rural character as patterns of land use and development that:

- (i) Allow open space, the natural landscape, and vegetation to predominate over the built environment;
- (ii) Foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- (iii) Provide visual landscapes that are traditionally found in rural areas and communities;
- (iv) Are compatible with the use of land by wildlife and for fish and wildlife habitat;
- (v) Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- (vi) Generally do not require the extension of urban governmental services; and
- (vii) Are consistent with protection of natural surface water flows and ground water and surface water recharge and discharge areas.

(c) Counties should adopt a locally appropriate definition of rural character. Rural areas are diverse in visual character and in density, across the state and across a particular county. Rural development may consist of a variety of densities and uses. It may, for example, include clustered residential development at levels consistent with the preservation of rural character. Counties should define rural development both in terms of its visual character and in terms of the density and intensity of uses. Defining rural development in this way allows the county to use its definition of rural development both in its future land use designations and in its development regulations governing rural development.

(3) Rural densities.

(a) The rural element should provide for a variety of densities that are consistent with the pattern of development established in its definition of rural character. The rural comprehensive plan designations should be shown on the future land use map. Rural densities are a range of densities that:

- (i) Are compatible with the primary use of land for natural resource production;
- (ii) Do not make intensive use of the land;
- (iii) Allow open space, the natural landscape, and vegetation to predominate over the built environment;
- (iv) Foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- (v) Provide visual landscapes that are traditionally found in rural areas and communities;
- (vi) Are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- (vii) Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- (viii) Generally do not require the extension of urban governmental services;
- (ix) Are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas; and
- (x) Do not create urban densities in rural areas or abrogate the county's responsibility to encourage new development in urban areas.

(b) Counties should perform a periodic analysis of development occurring in rural areas, to determine if patterns of rural development are protecting rural character and encouraging development in urban areas. This analysis should occur

at least every ten years, along with the ten-year urban growth area review required in RCW 36.70A.130 (3)(a). The analysis may include the following:

- (i) Patterns of development occurring in rural areas.
- (ii) The percentage of new growth occurring in rural versus urban areas.
- (iii) Patterns of rural comprehensive plan or zoning amendments.
- (iv) Numbers of permits issued in rural areas.
- (v) Numbers of new approved wells and septic systems.
- (vi) Growth in traffic levels on rural roads.
- (vii) Growth in public facilities and public services costs in rural areas.
- (viii) Changes in rural land values and rural employment.
- (ix) Potential build-out at the allowed rural densities.
- (x) The degree to which the growth that is occurring in the rural areas is consistent with patterns of rural land use and development established in the rural element.

(4) Rural governmental services.

(a) Rural governmental services are those public facilities and services historically and typically delivered at intensities usually found in rural areas, and may include the following:

- (i) Domestic water system;
- (ii) Fire and police protection;
- (iii) Transportation and public transportation; and
- (iv) Public utilities, such as electrical, telecommunications and natural gas lines.

(b) Rural services do not include storm or sanitary sewers. Urban governmental services that pass through rural areas when connecting urban areas do not constitute an extension of urban services into a rural area provided those public services are not provided in the rural area. Sanitary sewer service may be provided only if it:

- (i) Is necessary to protect basic public health and safety and the environment;
- (ii) Is financially supportable at rural densities; and
- (iii) Does not permit urban development.

(c) When establishing levels of service in the capital facilities and transportation element, each county should establish rural levels of service, for those rural services that are necessary for development, to determine if it is providing adequate public facilities. Counties are not required to use a single level of service for the entire rural area and may establish varying levels of service for public services in different rural areas. Where private purveyors or other public entities provide rural services, counties should coordinate with them to establish and document appropriate levels of service.

(d) Rural areas typically rely on natural systems to adequately manage storm water and typically rely on on-site sewage systems to treat wastewater. Development in rural areas also typically relies on individual wells, exempt wells or small water systems for water. Counties should ensure the densities it establishes in rural areas do not overwhelm the ability of natural systems to provide these services without compromising either public health or the vitality of the surrounding ecosystem.

(e) Rural road systems are not typically designed to handle large traffic volumes. Local conditions may influence

varying levels of service for rural road system, and level of service standards for rural arterials should be set accordingly. Generally, level of service standards should reflect the expectation that high levels of local traffic and the associated road improvements are not usually associated with rural areas.

(f) Levels of public services decrease, and corresponding costs increase when demand is spread over a large area. This is especially true for public safety services and both school and public transportation services. Counties should provide clear expectations to the public about the availability of rural public services. Counties should ensure the densities it establishes in rural areas do not overwhelm the capacity of rural public services.

(5) Innovative zoning techniques.

(a) Innovative zoning techniques allow greater flexibility in rural development regulations to create forms of development that are more consistent with rural character than forms of development generated by conventional large-lot zoning. Innovative zoning techniques may allow forms of rural development that:

(i) Result in rural development that is more visually compatible with the surrounding rural areas;

(ii) Maximize the availability of rural land for either resource use or wildlife habitat;

(iii) Increase the operational compatibility of the rural development with use of the land for resource production;

(iv) Decrease the impact of the rural development on the surrounding ecosystem;

(v) Does not allow urban growth; and

(vi) Does not require the extension of urban governmental services.

(b) Rural clusters. One common form of innovative zoning technique is the rural cluster. A rural cluster can create smaller individual lots than would normally be allowed in exchange for open space that preserves a significant portion of the original parcel.

(i) When calculating the density of development for zoning purposes, counties should calculate density based on the number of dwelling units over the entire development parcel, rather than the size of the individual lots created.

(ii) The open space portion of the original parcel should be held by an easement, parcel or tract for open space or resource use. This should be held in perpetuity, without an expiration date.

(iii) If a county allows bonus densities in a rural cluster, the resulting density after applying the bonus must be a rural density.

(iv) Rural clusters may not create a pattern of development that relies on or requires urban governmental services. Counties should establish a limit on the size of the residential cluster so that a cluster does not constitute urban growth in a rural area. A very large project may create multiple smaller clusters that are separated from each other and use a different access point to avoid creating a pattern of development that would constitute urban growth.

(v) Development regulations governing rural clusters should include design criteria that preserve rural visual character.

(6) Limited areas of more intense rural development. The act allows counties to plan for isolated pockets of more

intense development in the rural area. These are referred to in the act as limited areas of more intense rural development or LAMIRDS.

(a) LAMIRDS serve the following purposes:

(i) To recognize existing areas of more intense rural development and to minimize and contain these areas to prevent low density sprawl;

(ii) To allow for small-scale commercial uses that rely on a rural location;

(iii) To allow for small-scale economic development and employment consistent with rural character; and

(iv) To allow for redevelopment of existing industrial areas within rural areas.

(b) An existing area or existing use is one that was in existence on the date the county became subject to all of the provisions of the act:

(i) For a county initially required to fully plan under the act, on July 1, 1990.

(ii) For a county that chooses to fully plan under the act, on the date the county adopted the resolution under RCW 36.70A.040(2).

(iii) For a county that becomes subject to all of the requirements of the act under RCW 36.70A.040(5), on the date the office of financial management certifies the county's population.

(c) Counties may allow for more intensive uses in a LAMIRD than would otherwise be allowed in rural areas and may allow public facilities and services that are appropriate and necessary to serve LAMIRDS subject to the following requirements:

(i) Type 1 LAMIRDS - Isolated areas of existing more intense development. Within these areas, rural development consists of infill, development, or redevelopment of existing areas. These areas may include a variety of uses including commercial, industrial, residential, or mixed-use areas. These may be also characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) Development or redevelopment in LAMIRDS may be both allowed and encouraged provided it is consistent with the character of the existing LAMIRD in terms of building size, scale, use, and intensity. Counties may allow new uses of property within a LAMIRD, including development of vacant land.

(B) When establishing a Type I LAMIRD, counties must establish a logical outer boundary. The purpose of the logical outer boundary is to minimize and contain the areas of more intensive rural development to the existing areas. Uses, densities or intensities not normally allowed in a rural area may be allowed inside the logical outer boundary consistent with the existing character of the LAMIRD. Appropriate and necessary levels of public facilities and services not otherwise provided in rural areas may be provided inside the logical outer boundary.

(C) The logical outer boundary must be delineated primarily by the built environment as it existed on the date the county became subject to the planning requirements of the act.

(I) Some vacant land may be included within the logical outer boundary provided it is limited and does not create a significant amount of new development within the LAMIRD.

(II) Construction that defines the built environment may include above or below ground improvements. The built environment does not include patterns of vesting or preexisting zoning, nor does it include roads, clearing, grading, or the inclusion within a sewer or water service area if no physical improvements are in place. Although vested lots and structures built after the county became subject to the act's requirements should not be considered when identifying the built environment, they may be included within the logical outer boundary as infill.

(III) The logical outer boundary is not required to strictly follow parcel boundaries. If a large parcel contains an existing structure, a county may include part of the parcel in the LAMIRD boundary without including the entire parcel, to avoid a significant increase in the amount of development allowed within the LAMIRD.

(D) The fundamental purpose of the logical outer boundary is to minimize and contain the LAMIRD. Counties should favor the configuration that best minimizes and contains the LAMIRD to the area of existing development as of the date the county became subject to the planning requirements of the act. When evaluating alternative configurations of the logical outer boundary, counties should determine how much new growth will occur at build out and determine if this level of new growth is consistent with rural character and can be accommodated with the appropriate level of public facilities and public services. Counties should use the following criteria to evaluate various configurations when establishing the logical outer boundary:

(I) The need to preserve the character of existing natural neighborhoods and communities;

(II) Physical boundaries such as bodies of water, streets and highways, and land forms and contours;

(III) The prevention of abnormally irregular boundaries; and

(IV) The ability to provide public facilities and public services in a manner that does not permit low-density sprawl.

(E) Once a logical outer boundary has been adopted, counties may consider changes to the boundary in subsequent amendments. When doing so, the county must use the same criteria used when originally designating the boundary. Counties should avoid adding new undeveloped parcels as infill, especially if doing so would add to the capacity of the LAMIRD.

(ii) Type 2 LAMIRDs - Small-scale recreational uses. Counties may allow small-scale tourist or recreational uses in rural areas. Small-scale recreational or tourist uses rely on a rural location and setting and need not be principally designed to serve the existing and projected rural population.

(A) Counties may allow small-scale tourist or recreational uses through redevelopment of an existing site, intensification of an existing site, or new development on a previously undeveloped site, but not new residential development. Counties may allow public services and facilities that are limited to those necessary to serve the recreation or tourist uses and that do not permit low-density sprawl. Small-scale recreational or tourist uses may be added as accessory uses for

resource-based industry. For accessory uses on agricultural lands of long-term commercial significance, see WAC 365-196-815.

(B) Counties are not required to designate Type 2 LAMIRDs on the future land use map and may allow them as a conditional use. If using a conditional use process, counties should include in their development regulations conditions that address all the statutory criteria for the location of a Type 2 LAMIRD. Conditions must assure that Type 2 LAMIRDs:

(I) Are isolated, both from urban areas and from each other. Conditions should include spacing criteria to avoid creating a pattern of strip development;

(II) Are small in scale;

(III) Are consistent with rural character;

(IV) Rely on a rural location or a natural setting;

(V) Do not include new residential development;

(VI) Do not require services and facilities beyond what is available in the rural area; and

(VII) Are operationally compatible with surrounding resource-based industries.

(iii) Type 3 LAMIRDs - Small-scale businesses and cottage industries. Counties may allow isolated small-scale businesses and cottage industries that are not principally designed to serve the existing and projected rural population and non-residential uses, but do provide job opportunities for rural residents, through the intensification of development on existing lots or on undeveloped sites.

(A) Counties may allow the expansion of small-scale businesses in rural areas as long as those small-scale businesses are consistent with the rural character of the area as defined by the county in the rural element. Counties may also allow new small-scale businesses to use a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area. Any public services and public facilities provided to the cottage industry or small-scale business must be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl.

(B) Counties are not required to designate Type 3 LAMIRDs on the future land use map and may allow them as a conditional use. If using a conditional use process, counties should include in their development regulations conditions that address all the statutory criteria for the location of a Type 3 LAMIRD. Conditions must assure that Type 3 LAMIRDs:

(I) Are isolated, both from urban areas and from each other. Conditions should include spacing criteria to avoid creating a pattern of strip development;

(II) Are small in scale;

(III) Are consistent with rural character;

(IV) Do not include new residential development;

(V) Do not require public services and facilities beyond what is available in the rural area; and

(VI) Are operationally compatible with surrounding resource-based industries.

(d) Major industrial developments and master planned resorts governed by other requirements. Counties may not use the provisions of RCW 36.70A.070 (5)(d)(iii) to permit a major industrial development or a master planned resort. These types of development must comply with the require-

ments of RCW 36.70A.360 through 36.70A.368. For more information about major industrial developments, see WAC 365-196-465. For more information about master planned resorts, see WAC 365-196-460.

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-485 Critical areas. (1) Relationship to the comprehensive plan.

(a) The act requires that the planning goals in RCW 36.70A.020 guide the development and adoption of comprehensive plans and development regulations. These goals include retaining open space; enhancing recreation opportunities; conserving fish and wildlife habitat; protecting the environment and enhancing the state's high quality of life, including air and water quality, and the availability of water.

(b) Jurisdictions are required to include the best available science in developing policies and development regulations to protect the functions and values of critical areas.

(c) Counties and cities are required to identify open space corridors within and between urban growth areas for multiple purposes, including those areas needed as critical habitat by wildlife.

(d) RCW 36.70A.070(1) requires counties and cities to provide for protection of the quality and quantity of ground water used for public water supplies in the land use element. Where applicable, the land use element must review drainage, flooding, and storm water runoff in the area and in nearby jurisdictions, and provide guidance to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

(e) Because the critical areas regulations must be consistent with the comprehensive plan, each comprehensive plan should set forth the underlying policies for the jurisdiction's critical areas program.

(f) In pursuing the environmental protection and open space goals of the act, such policies should identify nonregulatory measures for protecting critical areas as well as regulatory approaches. Nonregulatory measures include but are not limited to: Incentives, public education, and public recognition, and could include innovative programs such as the purchase or transfer of development rights. When such policies are incorporated into the plan (either in a separate element or as a part of the land use element), the consistency of the regulations can be readily assessed.

(2) Requirements. Prior to the original development of comprehensive plans under the act, counties and cities were required to designate critical areas and adopt development regulations protecting them. Any previous designations and regulations must be reviewed in the comprehensive plan process to ensure consistency between previous designations and the comprehensive plan. Critical areas include the following areas and ecosystems:

- (a) Wetlands;
- (b) Areas of critical recharging effect on aquifers used for potable water;
- (c) Fish and wildlife habitat conservation areas;
- (d) Frequently flooded areas; and
- (e) Geologically hazardous areas.

(3) Recommendations for meeting requirements.

(a) In the initial period following adoption of the act, much of the analysis which was the basis for the comprehensive plan came later than the initial identification and regulation of critical areas. Upon the adoption of the initial comprehensive plans, such designations and regulations were to be reviewed and, where necessary, altered to achieve consistency with the comprehensive plan. Subsequently, jurisdictions updating local critical areas ordinances are required to include the best available science.

(b) The department has issued guidelines for the classification and designation of critical areas which are contained in chapter 365-190 WAC.

(c) Critical areas should be designated and protected wherever the applicable environmental conditions exist, whether within or outside of urban growth areas. Critical areas may overlap each other, and requirements to protect critical areas apply in addition to the requirements of the underlying zoning.

(d) The review of existing designations during the comprehensive plan adoption process should, in most cases, be limited to the question of consistency with the comprehensive plan, rather than a revisiting of the entire prior designation and regulation process. However, counties and cities must address the requirements to include the best available science in developing policies and development regulations to protect the functions and values of critical areas, and give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries. To the extent that new information is available or errors have been discovered, the review process should take this information into account.

(e) The department recommends that planning jurisdictions identify the policies by which decisions are made on when and how regulations will be used and when and how other means will be employed (purchases, development rights, etc.). See WAC 365-196-855.

(4) Avoiding impacts through appropriate land use designations.

(a) Many existing data sources can identify, in advance of the development review process, the likely presence of critical areas. When developing and reviewing the comprehensive plan and future land use designations, counties and cities should use available information to avoid directing new growth to areas with a high probability of conflicts between new development and protecting critical areas. Identifying areas with a high probability of critical areas conflicts can help identify lands that are likely to be unsuitable for development and help a county or city better provide sufficient capacity of land that is suitable for development as required by RCW 36.70A.115. Impacts to these areas could be minimized through measures such as green infrastructure planning, open space acquisition, open space zoning, and the purchase or transfer of development rights.

(b) When considering expanding the urban growth area, counties and cities should avoid including lands that contain large amounts of mapped critical areas. Counties and cities should not designate new urban areas within the one hundred-year flood plain unless no other alternatives exist, and if included, impacts on the flood plain must be mitigated((

including the provisions in RCW 36.70A.110(8)). RCW 36.70.110(8) prohibits expansion of the urban growth area into the one hundred-year flood plain in some cases. See WAC 365-196-310.

(c) If critical areas are included in urban growth areas, they still must be designated and protected. See WAC 365-196-310.

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-550 Essential public facilities. (1) Determining what facilities are essential public facilities.

(a) The term "essential public facilities" refers to public facilities that are typically difficult to site. Consistent with county-wide planning policies, counties and cities should create their own lists of "essential public facilities," to include at a minimum those set forth in RCW 36.70A.200.

(b) For the purposes of identifying facilities subject to the "essential public facilities" siting process, it is not necessary that the facilities be publicly owned.

(c) Essential public facilities include both new and existing facilities. It may include the expansion of existing essential public facilities or support activities and facilities necessary for an essential public facility.

(d) The following facilities and types of facilities are identified in RCW 36.70A.200 as essential public facilities:

- (i) Airports;
- (ii) State education facilities;
- (iii) State or regional transportation facilities;
- (iv) Transportation facilities of statewide significance as defined in RCW 47.06.140. These include:
 - (A) The interstate highway system;
 - (B) Interregional state principal arterials including ferry connections that serve statewide travel;
 - (C) Intercity passenger rail services;
 - (D) Intercity high-speed ground transportation;
 - (E) Major passenger intermodal terminals excluding all airport facilities and services;
 - (F) The freight railroad system;
 - (G) The Columbia/Snake navigable river system;
 - (H) Marine port facilities and services that are related solely to marine activities affecting international and interstate trade;
 - (I) High capacity transportation systems.

(v) Regional transit authority facilities as defined under RCW 81.112.020;

- (vi) State and local correctional facilities;
- ~~((vi))~~ (vii) Solid waste handling facilities;
- ~~((vii))~~ (viii) In-patient facilities, including substance abuse facilities;
- ~~((viii))~~ (ix) Mental health facilities;
- ~~((ix))~~ (x) Group homes;
- ~~((x))~~ (xi) Secure community transition facilities;
- ~~((xi))~~ (xii) Any facility on the state ten-year capital plan maintained by the office of financial management.

(e) Essential public facility criteria apply to the facilities and not the operator. Cities and counties may not require applicants who operate essential public facilities to use an essential public facility siting process for projects that would

otherwise be allowed by the development regulations. Applicants who operate essential public facilities may not use an essential public facility siting process to obtain approval for projects that are not essential public facilities.

(f) Regardless of whether it is a new, existing or an expansion or modification of an existing public facility, the major component in the identification of an essential public facility is whether it provides or is necessary to provide a public service and whether it is difficult to site.

(2) Criteria to determine if the facility is difficult to site. Any one or more of the following conditions is sufficient to make a facility difficult to site.

(a) The public facility needs a specific type of site of such as size, location, available public services, which there are few choices.

(b) The public facility needs to be located near another public facility or is an expansion of an essential public facility at an existing location.

(c) The public facility has, or is generally perceived by the public to have, significant adverse impacts that make it difficult to site.

(d) Use of the normal development review process would effectively preclude the siting of an essential public facility.

(e) Development regulations require the proposed facility to use an essential public facility siting process.

(3) Preclusion of essential public facilities.

(a) Cities and counties may not use their comprehensive plan or development regulations to preclude the siting of essential public facilities. Comprehensive plan provisions or development regulations preclude the siting of an essential public facility if their combined effects would make the siting of an essential public facility impossible or impracticable.

(i) Siting of an essential public facility is "impracticable" if it is incapable of being performed or accomplished by the means employed or at command.

(ii) Impracticability may also include restrictive zoning; comprehensive plan policies directing opposition to a regional decision; or the imposition of unreasonable conditions or requirements.

(iii) Limitations on essential public facilities such as capacity limits; internal staffing requirements; resident eligibility restrictions; internal security plan requirements; and provisions to demonstrate need may be considered preclusive in some circumstances.

(b) A local jurisdiction may not include criteria in its land use approval process which would allow the essential public facility to be denied, but may impose reasonable permitting requirements and require mitigation of the essential public facility's adverse effects.

(c) An essential public facility is not precluded simply because the comprehensive plan provisions would be too costly or time consuming to comply with.

(d) If the essential public facility and its location have been evaluated through a state or regional siting process, the county or city may not require the facility to go through the local siting process.

(e) Essential public facilities that are sited through a regional or state agency are distinct from those that are "sited by" a city or county or a private organization or individual.

When a city or county is siting its own essential public facility, public or private, it is free to establish a nonpreclusive siting process with reasonable criteria.

(4) Comprehensive plan.

(a) Requirements:

(i) Each comprehensive plan shall include a process for identifying and siting essential public facilities. This process must be consistent with and implement applicable county-wide planning policies.

(ii) No local comprehensive plan may preclude the siting of essential public facilities.

(b) Recommendations for meeting requirements:

(i) Identification of essential public facilities. When identifying essential public facilities, counties and cities should take a broad view of what constitutes a public facility, involving the full range of services to the public provided by the government, substantially funded by the government, contracted for by the government, or provided by private entities subject to public service obligations.

(ii) Agreements among jurisdictions should be sought to mitigate any disproportionate financial burden which may fall on the county or city which becomes the site of a facility of a statewide, regional, or county-wide nature.

(iii) Where essential public facilities may be provided by special districts, the plans under which those districts operate must be consistent with the comprehensive plan of the city or county. Counties and cities should adopt provisions for consultation to ensure that such districts exercise their powers in a way that does not conflict with the relevant comprehensive plan.

(c) The siting process should take into consideration the need for county-wide, regional, or statewide uniformity in connection with the kind of facility under review.

(5) Development regulations governing essential public facilities.

(a) Development regulations governing the siting of essential public facilities must be consistent with and implement the process set forth in the comprehensive plan.

(b) Except where county-wide planning policies have otherwise dictated siting choices, provision should be made for the possibility of siting each of the listed essential public facilities somewhere within each county's or city's planning area.

(c) Counties and cities should consider the criteria established in their comprehensive plan, in consultation with this section to determine if a project is an essential public facility. Counties and cities may also adopt criteria for identifying an essential public facility.

(d) If an essential public facility does not present siting difficulties and can be permitted through the normal development review process, project review should be through the normal development review process otherwise applicable to facilities of its type.

(e) If an essential public facility presents siting difficulties, the application should be reviewed using the essential public facility siting process.

(6) The essential public facility siting process.

(a) The siting process may not be used to deny the approval of the essential public facility. The purpose of the essential public facility siting process is to allow a county or

city to impose reasonable conditions on an essential public facility necessary to mitigate the impacts of the project while ensuring that its development regulations do not preclude the siting of an essential public facility.

(b) The review process for siting essential public facilities should include a requirement for notice and an opportunity to comment to other interested counties and cities and the public.

(c) The permit process may include reasonable requirements such as a conditional use permit, but the process used must ensure a decision on the essential public facility is completed without unreasonable delay.

(d) The essential public facility siting process should identify what conditions are necessary to mitigate the impacts associated with the essential public facility. The combination of any existing development regulations and any new conditions may not render impossible or impracticable, the siting, development or operation of the essential public facility.

(e) Counties and cities should consider the extent to which design conditions can be used to make a facility compatible with its surroundings. Counties and cities may also consider provisions for amenities or incentives for neighborhoods in which facilities are sited. Any conditions imposed must be necessary to mitigate an identified impact of the essential public facility.

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-570 Secure community transition facilities. Requirements.

(1) Secure community transition facilities are essential public facilities.

(2) Counties and cities must either establish an essential public facility siting process, or amend their existing process to allow for the siting of secure community transition facilities, or be subject to preemption by the Washington state department of social and health services consistent with RCW 71.09.342.

(3) A failure to act before the September 1, 2002, deadline does not constitute noncompliance for the purposes of grants and loans, and does not subject a county or city to a failure to act challenge to ((a)) the growth management hearings board.

(4) If a county or city does not adopt an essential public facility siting process or does not amend its existing process to allow for the siting of a secure community transition facility, then the Washington state department of social and health services may preempt local development regulations as necessary to site and operate a secure community transition facility under RCW 71.09.285 through 71.09.342. If the Washington state department of social and health services preempts local development regulations, the county or city may still participate in the siting process as provided in RCW 71.09.-342.

(5) A local secure community transition facility siting process established by a city or county must be consistent with, and no more restrictive than, the siting process established in RCW 71.09.285 through 71.09.342. The Washington state department of social and health services has final

authority to determine if a locally adopted siting process allows for the siting of secure community transition facilities in compliance with RCW 71.09.285.

NEW SECTION

WAC 365-196-580 Integration with the Shoreline Management Act. (1) For shorelines of the state, the goals and policies of the Shoreline Management Act as set forth under RCW 90.58.020 are added as one of the goals of this chapter as set forth under RCW 36.70A.020 without creating an order of priority among the fourteen goals. The goals and policies of a shoreline master program for a county or city approved under chapter 90.58 RCW shall be considered an element of the county or city's comprehensive plan. All other portions of the shoreline master program for a county or city adopted under chapter 90.58 RCW, including use regulations, shall be considered a part of the county or city's development regulations.

(2) The shoreline master program shall be adopted pursuant to the procedures under chapter 90.58 RCW rather than the goals, policies, and procedures set forth in chapter 36.70A RCW for the adoption of a comprehensive plan or development regulations.

(3)(a) The policies, goals, and provisions of chapter 90.58 RCW and applicable guidelines shall be the sole basis for determining compliance of a shoreline master program with chapter 36.70A RCW except as the shoreline master program is required to comply with the internal consistency provisions of RCW 36.70A.070, 36.70A.040(4), 35.63.125, and 35A.63.105.

(b) Except as otherwise provided in (c) of this subsection, development regulations adopted under chapter 36.70A RCW to protect critical areas within shorelines of the state apply within shorelines of the state until the department of ecology approves one of the following: A comprehensive master program update, as defined under RCW 90.58.030; a segment of a master program relating to critical areas, as provided under RCW 90.58.090; or a new or amended master program approved by the department of ecology on or after March 1, 2002, as provided under RCW 90.58.080. The adoption or update of development regulations to protect critical areas under chapter 36.70A RCW prior to department of ecology approval of a master program update as provided in this subsection is not a comprehensive or segment update to the master program.

(c)(i) Until the department of ecology approves a master program or segment of a master program as provided in (b) of this subsection, a use or structure legally located within shorelines of the state that was established or vested on or before the effective date of the local government's development regulations to protect critical areas may continue as a conforming use and may be redeveloped or modified if:

(A) The redevelopment or modification is consistent with the local government's master program; and

(B) The local government determines that the proposed redevelopment or modification will result in no net loss of shoreline ecological functions. The local government may waive this requirement if the redevelopment or modification

is consistent with the master program and the local government's development regulations to protect critical areas.

(ii) For purposes of (c) of this subsection, an agricultural activity that does not expand the area being used for the agricultural activity is not a redevelopment or modification. "Agricultural activity," as used in (c) of this subsection, has the same meaning as defined under RCW 90.58.065.

(d) Upon department of ecology approval of a shoreline master program or critical area segment of a shoreline master program, critical areas within shorelines of the state are protected under chapter 90.58 RCW and are not subject to the procedural and substantive requirements of chapter 36.70A RCW, except as provided in subsection (6) of this section. Nothing in chapter 321, Laws of 2003 or the act is intended to affect whether or to what extent agricultural activities, as defined under RCW 90.58.065, are subject to chapter 36.70A RCW.

(e) The provisions under RCW 36.70A.172 shall not apply to the adoption or subsequent amendment of a local government's shoreline master program and shall not be used to determine compliance of a local government's shoreline master program with chapter 90.58 RCW and applicable guidelines. Nothing in this section; however, is intended to limit or change the quality of information to be applied in protecting critical areas within shorelines of the state, as required under chapter 90.58 RCW and applicable guidelines.

(4) Shoreline master programs shall provide a level of protection to critical areas located within shorelines of the state that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources as defined by department of ecology guidelines adopted pursuant to RCW 90.58.060.

(5) Shorelines of the state shall not be considered critical areas under chapter 36.70A RCW except to the extent that specific areas located within shorelines of the state qualify for critical area designation based on the definition of critical areas provided under RCW 36.70A.030(5) and have been designated as such by a local government pursuant to RCW 36.70A.060(2).

(6) If a local jurisdiction's master program does not include land necessary for buffers for critical areas that occur within shorelines of the state, as authorized under RCW 90.58.030 (2)(f), then the local jurisdiction shall continue to regulate those critical areas and their required buffers pursuant to RCW 36.70A.060(2).

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-610 Periodic review and update of comprehensive plans and development regulations. (1) Requirements.

(a) Counties and cities must periodically take legislative action to review and, if necessary, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of the act. This review and revision, required under RCW 36.70A.130(1), is referred to in this section as the periodic update.

(b) Deadlines for periodic update. Comprehensive plans and development regulations are subject to periodic update every seven years on a schedule established in RCW 36.70A.130(4).

(i) Deadlines for completion of periodic review are as follows:

Table WAC 365-196-610.1

Deadlines for Completion of Periodic Review 2010 - 2021

Update must be complete by December 1 of:	Affected counties and the cities within:
((2011/2018)) <u>2014/2021</u>	Clallam, Clark, Jefferson, King, Kitsap, Pierce, Snohomish, Thurston, Whatcom
((2012/2019)) <u>2015/2022</u>	Cowlitz, Island, Lewis, Mason, San Juan, Skagit, Skamania
((2013/2020)) <u>2016/2023</u>	Benton, Chelan, Douglas, Grant, Kittitas, Spokane, Yakima
((2014/2021)) <u>2017/2024</u>	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Orielle, Stevens, Wahkiakum, Walla Walla, Whitman

(ii) Certain counties and cities may take up to an additional three years to complete the update.

(A) The eligibility of a county for the three-year extension does not affect the eligibility of the cities within the county.

(B) A county is eligible if it has a population of less than fifty thousand and a growth rate of less than seventeen percent.

(C) A city is eligible if it has a population of less than five thousand, and either a growth rate of less than seventeen percent or a total population growth of less than one hundred persons.

(D) Growth rates are measured using the ten-year period preceding the due date listed in RCW 36.70A.130(4).

(E) If a city or county qualifies for the extension on the statutory due date, they remain eligible for the entire three-year extension period, even if they no longer meet the criteria due to population growth.

(c) Taking legislative action.

(i) The periodic update must be accomplished through legislative action. Legislative action means the adoption of a resolution or ordinance following notice and a public hearing including, at a minimum, a finding that a review and evaluation has occurred and identifying the revisions made, or that a revision was not needed and the reasons therefore.

(ii) Legislative action includes two components. It includes a review of the comprehensive plan and development regulations and it includes the adoption of any amendments necessary to bring the comprehensive plan and development regulations into compliance with the requirements of the act.

(d) What must be reviewed.

(i) Counties and cities that plan under RCW 36.70A.040 must review and, if needed, revise their comprehensive plans and development regulations for compliance with the act. This includes the critical areas ordinance.

(ii) Counties and cities that do not plan under RCW 36.70A.040 must review and, if needed, revise their resource lands designations and their development regulations designating and protecting critical areas.

(e) The required scope of review. The purpose of the review is to determine if revisions are needed to bring the comprehensive plan and development regulation into compliance with the requirements of the act. The update process provides the method for bringing plans into compliance with the requirements of the act that have been added or changed since the last update and for responding to changes in land use and in population growth. This review is necessary so that comprehensive plans are not allowed to fall out of compliance with the act over time through inaction. This review must include at least the following:

(i) Consideration of the critical areas ordinance;

(ii) Analysis of the population allocated to a city or county from the most recent ten-year urban growth area review;

(iii) Review of mineral resource lands designations and mineral resource lands development regulations adopted pursuant to RCW 36.70A.040 and 36.70A.060; and

(iv) Changes to the act or other applicable laws since the last review that have not been addressed in the comprehensive plan and development regulations.

(2) Recommendations for meeting requirements.

(a) Public participation program.

(i) Counties and cities should establish a public participation program that includes a schedule for the periodic update and identifies when legislative action on the review and update component are proposed to occur. The public participation program should also inform the public of when to comment on proposed changes to the comprehensive plan and clearly identify the scope of the review. Notice of the update process should be broadly disseminated as required by RCW 36.70A.035.

(ii) Counties and cities may adjust the public participation program to best meet the intent of the requirement. RCW 36.70A.140 notes that errors in exact compliance with the established program and procedures shall not render the comprehensive land use plan or development regulations invalid if the spirit of the program and procedures is observed. For example, if an established public participation program included one public hearing on all actions having to do with the seven-year update process, the public participation program could be adjusted later to provide additional public hearings to accommodate strong public interest.

(b) Review of relevant statutes and local information and analysis of whether there is a need for revisions.

(i) Amendments to the act. Counties and cities should first review amendments to the act that have occurred since the initial adoption or previous periodic update, and determine if local amendments are needed to maintain compliance with the act. The department will maintain a comprehensive

list of legislative amendments and a checklist to assist counties and cities with this review.

(ii) Review and analysis of relevant plans, regulations and information. Although existing comprehensive plans and development regulations are considered compliant, counties and cities should consider reviewing development and other activities that have occurred since adoption to determine if the comprehensive plans and development regulations remain consistent with, and implement, the act. This should include at least the following:

(A) Analysis of the population allocated to a city or county during the most recent ten-year urban growth area review;

(B) Consideration of critical areas and resource lands ordinances;

(C) Review of mineral resource lands designations and development regulations adopted pursuant to RCW 36.70A.-040 and 36.70A.060;

(D) Capital facilities plans. Changes in anticipated circumstances and needs should be addressed by updating the ten-year transportation plan and six-year capital facilities elements. This includes a reassessment of the land use element if funding falls short;

(E) Land use element;

(F) Changes to comprehensive plans and development regulations in adjacent jurisdictions, special purpose districts, or state plans that create an inconsistency with the county or city's comprehensive plan or development regulations;

(G) Basic assumptions underlying key calculations and conclusions in the existing comprehensive plan. If recent data demonstrates that key existing assumptions are no longer appropriate for the remainder of the twenty-year plan, counties and cities should consider updating them as part of the seven-year periodic update, or the ten-year urban growth area update (see WAC 365-196-310). Counties and cities required to establish a review and evaluation program under RCW 36.70A.215, should use that information in this review (see WAC 365-196-315); and

(H) Inventories. Counties and cities should review required inventories and to determine if new data or analysis is needed. Table 2 contains summary of the inventories required in the act.

Table WAC 365-196-610.2
Inventories Required by the Act

Requirement	RCW Location	WAC Location
Housing Inventory	36.70A.070(2)	365-196-430
Inventory and analyze existing and projected housing needs, identifying the number of housing units necessary to manage project growth.		
Capital Facilities	36.70A.070(3)	365-196-445
Inventory existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities, and forecast future needs and proposed locations and capacities of expanded or new facilities.		
Transportation	36.70A.070(6)	365-196-455

Table WAC 365-196-610.2
Inventories Required by the Act

Requirement	RCW Location	WAC Location
An inventory of air, water and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels and a basis for future planning. This inventory must include state-owned transportation facilities within the city's or county's jurisdictional boundaries.		

(c) Take legislative action.

(i) Any legislative action that completes a portion of the review and update process, either in whole or in part, must state in its findings that it is part of the update process.

(ii) Any public hearings on legislative actions that are, either in whole or in part, legislative actions completing the update must state in the notice of hearing that the actions considered are part of the update process.

(iii) At the end of the review and update process, counties and cities should take legislative action declaring the update process complete, either as a separate legislative action, or as a part of the final legislative action that occurs as part of the update process. This action should reference all prior legislative actions occurring as part of the update process.

(d) Submit notice of completion to the department. When adopted, counties and cities should transmit the notice of adoption to the department, consistent with RCW 36.70A.106. RCW 36.70A.130 requires compliance with the review and update requirement as a condition of eligibility for state grant and loan programs. The department tracks compliance with this requirement for agencies managing these grant and loan programs. Providing notice of completion to the department will help maintain access to these grant and loan programs.

(3) Relationship to other review and amendment requirements in the act.

(a) Relationship to the comprehensive plan amendment process. Cities and counties may amend the comprehensive plan no more often than once per year, as required in RCW 36.70A.130(2), and referred to as the docket. If a city or county conducts a comprehensive plan docket cycle in the year in which the review of the comprehensive plan is completed, it must be combined with the seven-year periodic review process. Cities and counties may not conduct the seven-year periodic review and a docket of amendments as separate processes in the same year.

(b) Relationship to the ten-year urban growth area (UGA) review.

(i) At least every ten years, cities and counties must review the areas and densities contained in the urban growth area and, if necessary, revise their comprehensive plan to accommodate the growth projected to occur in the county for the succeeding twenty-year period, as required in RCW 36.70A.130(3). This is referred to in this section as the ten-year urban growth area review.

(ii) The ten-year urban growth area review and the seven-year periodic update may be combined or may occur

separately. The seven-year periodic update requires an assessment of the most recent twenty-year population forecast by the office of financial management, but does not require that land use plans or urban growth areas be updated to accommodate existing or future growth forecasts, which must be undertaken as part of the ten-year UGA review. Counties and cities may consider the most recent forecast from the office of financial management, and the adequacy of existing land supplies to meet their existing growth forecast allocations, in determining when to initiate the ten-year urban growth area review.

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-640 Comprehensive plan amendment procedures. (1) Each county or city should provide for an ongoing process to ensure:

(a) The comprehensive plan is internally consistent and consistent with the comprehensive plans of adjacent counties and cities. See WAC 365-196-500 and 365-196-510; and

(b) The development regulations are consistent with and implement the comprehensive plan.

(2) Counties and cities should establish procedures governing the amendment of the comprehensive plan. The location of these procedures may be either in the comprehensive plan, or clearly referenced in the plan.

(3) Amendments.

(a) All proposed amendments to the comprehensive plan must be considered by the governing body concurrently and may not be considered more frequently than once every year, so that the cumulative effect of various proposals can be ascertained. If a county or city's final legislative action is taken in a subsequent calendar year, it may still be considered part of the prior year's docket so long as the consideration of the amendments occurred within the prior year's comprehensive plan amendment process.

(b) Amendments may be considered more often under the following circumstances:

(i) ~~The initial adoption of a subarea plan ((that does not modify the comprehensive plan policies and designations applicable to the subarea)).~~ Subarea plans adopted under this subsection (3)(b)(i) must clarify, supplement, or implement jurisdiction-wide comprehensive plan policies, and may only be adopted if the cumulative impacts of the proposed plan are addressed by appropriate environmental review under chapter 43.21C RCW:

(ii) The development of an initial subarea plan for economic development located outside of the one hundred-year flood plain in a county that has completed a state-funded pilot project that is based on watershed characterization and local habitat assessment;

~~((iii))~~ (iii) The adoption or amendment of a shoreline master program under the procedures set forth in chapter 90.58 RCW;

~~((iii))~~ (iv) The amendment of the capital facilities element of a comprehensive plan that is part of the adoption or amendment of a county or city budget;

~~((iv))~~ (v) The adoption of comprehensive plan amendments necessary to enact a planned action under RCW

43.21C.031(2), provided that amendments are considered in agreement with the public participation program established by the county or city under RCW 36.70A.140, and all persons who have requested notice of a comprehensive plan update are given notice of the amendments and an opportunity to comment;

~~((v))~~ (vi) To resolve an appeal of the comprehensive plan filed with the growth management hearings board; or

~~((vi))~~ (vii) In the case of an emergency.

(4) Emergency amendments. Public notice and an opportunity for public comment must precede the adoption of emergency amendments to the comprehensive plan. Provisions in RCW 36.70A.390 apply only to moratoria or interim development regulations. They do not apply to comprehensive plans amendments. If a comprehensive plan amendment is necessary, counties and cities should adopt a moratoria or interim zoning control. The county or city should then consider the comprehensive plan amendment concurrently with the consideration of permanent amendments and only after public notice and an opportunity for public comment.

(5) Evaluating cumulative effects. RCW 36.70A.130 (2)(b) requires that all proposed amendments in any year be considered concurrently so the cumulative effect of the proposals can be ascertained. The amendment process should include an analysis of all proposed amendments evaluating their cumulative effect. This analysis should be prepared in conjunction with analyses required to comply with the State Environmental Policy Act under chapter 43.21C RCW.

(6) Docketing of proposed amendments.

(a) RCW 36.70A.470(2) requires that comprehensive plan amendment procedures allow interested persons, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest amendments of comprehensive plans or development regulations. This process should include a means of docketing deficiencies in the comprehensive plan that arise during local project review. These suggestions must be docketed and considered at least annually.

(b) A consideration of proposed amendments does not require a full analysis of every proposal within twelve months if resources are unavailable.

(c) As part of this process, counties and cities should specify what information must be submitted and the submittal deadlines so that proposals can be evaluated concurrently.

(d) Once a proposed amendment is received, the county or city may determine if a proposal should receive further consideration as part of the comprehensive plan amendment process.

(e) Some types of proposed amendments require a significant investment of time and expense on the part of both applicants and the county or city. A county or city may specify in its policies certain types of amendments that will not be carried forward into the amendment process on an annual basis. This provides potential applicants with advance notice of whether a proposed amendment will be carried forward and can help applicants avoid the expense of preparing an application.

AMENDATORY SECTION (Amending WSR 10-03-085, filed 1/19/10, effective 2/19/10)

WAC 365-196-745 Explicit statutory directions. (1)

The legislature expressly amended numerous statutes outside of chapter 36.70A RCW that relate to the act. These amendments define the relationship of such existing statutes to comprehensive plans and development regulations under the act. Examples include:

(a) RCW 19.27.097 (state building code - evidence of adequate supply of potable water);

(b) RCW 35.13.005 (annexation of unincorporated areas - prohibited beyond urban growth areas);

(c) RCW 35.58.2795 (municipal corporations - six-year transit plan consistent with comprehensive plans);

(d) RCW 35.77.010 (city streets - six-year comprehensive street program consistent with comprehensive plans);

(e) RCW 35A.14.005 (annexation by code cities - prohibited beyond urban growth areas);

(f) Section 201, chapter 7, Laws of 2010 (community facilities districts may only include land within urban growth areas);

(g) RCW 36.81.121 (county roads - six-year comprehensive road program consistent with act comprehensive plans);

~~((g))~~ (h) RCW 36.94.040 (sewerage, water, drainage systems - incorporation of relevant comprehensive plan provisions into sewer or water general plan);

~~((h))~~ (i) RCW 43.20.260 (water system plans consistent with comprehensive plans and development regulations);

~~((i))~~ (j) RCW 43.21C.240 (project review under the act);

~~((j))~~ (k) RCW 57.16.010 (water districts - district comprehensive water plan consistent with urban growth area restrictions);

~~((k))~~ (l) RCW 58.17.060 (short plats - written findings about appropriate provisions for infrastructure);

~~((l))~~ (m) RCW 58.17.110 (subdivisions - written findings about appropriate provisions for infrastructure);

~~((m))~~ (n) RCW 59.18.440 (land development - authority of entities planning under the act to require relocation assistance);

~~((n))~~ (o) RCW 70.118B.040(3) (requirements for large on-site sewage systems to be consistent with the requirements of any comprehensive plans or development regulations adopted under the act);

~~((o))~~ (p) RCW 86.12.200 (comprehensive flood control management plans - may be incorporated into comprehensive plans under the act); and

~~((p))~~ (q) RCW 90.46.120 (use of water from wastewater treatment facility - consideration in regional water supply plan or potable water supply service planning).

(2) As enacted, the act included the creation of a new chapter (chapter 47.80 RCW) authorizing and assigning duties to regional transportation planning organizations. These organizations were expressly given responsibilities for ensuring the consistency of transportation planning throughout a region containing multiple local governmental jurisdictions.

(3) As enacted, the act included the addition of new sections (RCW 82.02.050 through 82.02.090) concerning impact fees on development in counties or cities that plan

under the act. These sections explicitly authorize and condition the use of such fees as part of the financing of public facility system improvements needed to serve new development.

NEW SECTION

WAC 365-196-870 Affordable housing incentives. (1)

Background.

(a) The act calls on counties and cities to encourage the availability of affordable housing. Addressing the need for affordable housing will require a broad variety of tools to address local needs. This section describes certain affordable housing incentive programs (incentive programs) that counties and cities may implement.

(b) The powers granted in RCW 36.70A.540 are supplemental and additional to the powers otherwise held by local governments, and nothing in RCW 36.70A.540 shall be construed as a limit on such powers.

(c) Counties and cities may use incentive programs to implement other policies in their comprehensive plan in addition to affordable housing; for instance, encouraging higher densities that reduce the need for land and increase the efficiency of providing public services.

(d) Incentive programs may apply to residential, commercial, industrial and/or mixed-use developments.

(e) Incentive programs may be implemented through development regulations, conditions on rezoning or permit decisions, or any combination of these.

(f) Incentive programs may apply to part or all of a city or county. A county or city may apply different standards to different areas within their jurisdiction, or to different development types.

(g) Incentive programs may be modified to meet local needs.

(h) Incentive programs may include provisions not expressly provided in RCW 36.70A.540 or 82.02.020.

(2) Counties and cities may establish an incentive program that is either required or optional.

(a) Counties and cities may establish an optional incentive program. If a developer chooses not to participate in an optional incentive program, a county or city may not condition, deny or delay the issuance of a permit or development approval that is consistent with zoning and development standards on the subject property absent the optional incentive provisions of this program.

(b) Counties and cities may establish an incentive program that requires a minimum amount of affordable housing that must be provided by all residential developments built under the revised regulations. The minimum amount of affordable housing may be a percentage of the units or floor area in a development or of the development capacity of the site under the revised regulations. These programs may be established as follows:

(i) The county or city identifies certain land use designations within a geographic area where increased residential development will help achieve local growth management and housing policies.

(ii) The city or county adopts revised regulations to increase development capacity through zoning changes,

bonus densities, height and bulk increases, parking reductions, or other regulatory changes or other incentives.

(iii) The county or city determines that the increased residential development capacity resulting from the revised regulations can be achieved in the designated area, taking into consideration other applicable development regulations.

(3) Steps in establishing an incentive program.

(a) When developing incentive programs, counties and cities should start with the gaps identified in the housing element and develop incentive programs as a strategy to implement the housing element and close some of the identified gaps.

(b) Counties and cities should identify incentives that can be provided to residential, commercial, industrial or mixed-use developments providing affordable housing. Incentives could include density bonuses within the urban growth area, height and bulk bonuses, fee waivers or exemptions, parking reductions, expedited permitting, or other benefits to a development. Counties and cities may provide a variety of incentives and may tailor the type of incentive to the circumstances of a particular development project.

(c) Counties and cities may choose to offer incentives through development regulations, or through conditions on rezones or permit decisions.

(4) Criteria for determining income eligibility of prospective tenants or buyers. When developing an affordable housing incentive program, counties and cities must establish standards for low-income renter or owner occupancy housing consistent with RCW 36.70A.540 (2)(b). The housing must be affordable to and occupied by low-income households.

(a) Low-income renter households are defined as households with incomes of fifty percent or less of the county median family income, adjusted for family size.

(b) Low-income owner households are defined as households with incomes of eighty percent or less of the county median family income, adjusted for family size.

(c) Adjustments to income levels: Counties and cities may, after holding a public hearing, establish lower or higher income levels based on findings that such higher income and corresponding affordability limits are needed to address local housing market. The higher income level may not exceed eighty percent of county median family income for rental housing or one hundred percent of median county family income for owner-occupied housing.

(5) Maximum rent or sales prices: Counties and cities must establish the maximum rent level or sales prices for each low-income housing unit developed under the terms of their affordable housing programs. Counties and cities may adjust these levels based on the average size of the household expected to occupy the unit. These levels may be adjusted over time with changes in median income and factors affecting the affordability of sales prices to low-income households.

(a) For renter-occupied housing units, the total housing costs, including basic utilities as determined by the jurisdiction, may not exceed thirty percent of the income limit for the low-income housing unit.

(b) For owner-occupied housing units, affordable home prices should be based on conventional or FHA lending standards applicable to low-income first-time homebuyers.

(6) Types of units provided when a developer is using incentives to develop both market rate housing and affordable housing.

(a) Market-rate housing projects participating in the affordable housing incentive program should provide low-income units in a range of sizes comparable to those units that are available for other residents. To the extent practicable, the number of bedrooms in low-income units should be in the same proportion as the number of bedrooms in units within the entire development.

(b) The provision of units within the developments for which a bonus or incentive is provided is encouraged. However, programs may allow units to be provided in a building located in the general area of the development for which a bonus or incentive is provided.

(c) The low-income units should have substantially the same functionality as the other units in the development.

(7) Enforcement of conditions: Conditions may be enforced using covenants, options or other agreements executed and recorded by owners and developers of the affordable housing units. Affordable units developed under an incentive program should be committed to affordability for fifty years; however, a local government may accept payments in lieu of continuing affordability.

(8) Payment in lieu of providing units allowed. Counties and cities may also allow a payment of money or property in lieu of low-income housing units if the jurisdiction determines that the payment achieves a result equal to or better than providing the affordable housing on-site. The payment must not exceed the approximate costs of developing the same number and quality of housing units that would otherwise be developed. The funds or property must be used to support the development of low-income housing, including support provided through loans or grants to public or private owners or developers of housing.

WSR 10-17-045

PROPOSED RULES

LIQUOR CONTROL BOARD

[Filed August 11, 2010, 10:46 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-13-009.

Title of Rule and Other Identifying Information: Chapter 314-44 WAC, Licensed agents.

Hearing Location(s): Washington State Liquor Control Board, 3000 Pacific Avenue S.E., Olympia, WA 98504, on September 22, 2010, at 10:00 a.m.

Date of Intended Adoption: September 29, 2010.

Submit Written Comments to: Karen McCall, 3000 Pacific Avenue S.E., Olympia, WA 98504, e-mail rules@liq.wa.gov, fax (360) 664-9689, by September 22, 2010.

Assistance for Persons with Disabilities: Contact Karen McCall by September 22, 2010, (360) 664-1631.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: As part of the liquor control board's on-going rules review process, chapter

314-44 WAC was reviewed for relevance, clarity, and accuracy.

Reasons Supporting Proposal: The rules needed to be revised to reflect current laws and policy.

Statutory Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: RCW 66.28.010.

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

Name of Proponent: Washington state liquor control board, governmental.

Name of Agency Personnel Responsible for Drafting: Karen McCall, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1631; Implementation: Alan Rathbun, Director of Licensing, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1615; and Enforcement: Pat Parmer, Enforcement Chief, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1726.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposal does not change the impact on liquor licensees or stakeholders.

A cost-benefit analysis is not required under RCW 34.05.328.

August 11, 2010
Sharon Foster
Chairman

AMENDATORY SECTION (Amending WSR 98-18-097, filed 9/2/98, effective 10/3/98)

WAC 314-44-005 Agent's license required—Eligible employers defined—Certain classes limited—Bona fide entity defined—Prohibited practices. (1) No person shall canvass for, solicit, receive or take orders for the purchase or sale of any liquor, or act as the agent for the purchase or sale of liquor, nor contact any licensees of the board in goodwill activities, unless such person is holder of an agent's license ~~((as provided in RCW 66.24.310, and this regulation))~~.

(2) An agent's license may be issued to the accredited representative of a person, firm, or corporation holding:

(a) A certificate of approval ~~((issued pursuant to RCW 66.24.270 or 66.24.206,))~~;

(b) A beer distributor's license~~((;))~~;

(c) A brewer's license~~((;))~~;

(d) A beer importer's license~~((;))~~;

(e) A domestic winery license~~((;))~~;

(f) A wine importer's license~~((;))~~;

(g) Or a wine distributor's license within the state of Washington~~((;))~~;

(h) Or the accredited representative of a distiller, manufacturer, importer, or distributor of spirituous liquor, domestic produced beer or wine, or foreign produced beer or wine.

(3) A person, firm, or corporation so qualified, is ~~((herein defined to be))~~ an eligible employer. ~~((Such))~~ An eligible employer shall apply to the board for such an agent's license for his accredited representatives on application forms prescribed and furnished by the board.

~~((3))~~ (4) Every firm which applies for an agent's license under the provisions of this section shall furnish the board with satisfactory proof that such firm is in fact a bona fide business entity.

~~((4))~~ (5) Only the licensed agent of a distiller, manufacturer, importer, or distributor of spirituous liquor may contact retail licensees in goodwill activities when such contacts pertain to spirituous liquor products.

~~((5))~~ (6) No distiller, manufacturer, importer, distributor of liquor, or agent thereof, shall solicit either in person, by mail or otherwise, any liquor vendor or employee of the board, except the purchasing agent thereof, for the purpose or with the intent of furthering the sale of a particular brand or brands of merchandise as against another brand or brands of merchandise.

~~((6))~~ (7) No distiller, manufacturer, importer, distributor of liquor, or agent thereof, shall visit any state liquor store or agency for the purpose of exerting influence on employees for sales promotion or to secure information regarding inventory or any other matter relating to sales. They may deliver, or have delivered, and assemble where required, consumer offers and display material that have been approved by the board or its designee. Violation of this section will result in a penalty against all company items, which in appropriate cases could mean a partial or total delisting of those items.

~~((7))~~ (8) No distiller, manufacturer, importer, or distributor of liquor, or agent thereof, shall give or offer to any employee of the board any entertainment, gratuity or other consideration for the purpose of inducing or promoting the sale of merchandise.

~~((8))~~ (9) No distiller, manufacturer, importer, or distributor, or agent thereof, shall allow, pay or rebate, directly or indirectly, any cash or merchandise to any retail licensee to induce or promote the sale of liquor, including the payment of tips to such licensees or their employees and the purchasing of drinks "for the house." Such persons, firms and licensees must operate in conformity with WAC 314-12-140, RCW 66.28.010, 66.28.040, and other applicable laws and rules.

~~((9))~~ (10) Upon the infraction of any law or regulation by any distiller, manufacturer, importer, distributor, or agent, the board may, in addition to imposing other penalties as prescribed by law, remove such firm's products from the sales list of the board, and/or prohibit the sale of any brand or brands of beer or wine involved as provided in RCW 66.28.030.

~~((10))~~ (11) Upon the termination of the employment of a licensed agent, his employer shall immediately notify the board and with such notice return to the board the agent's license issued to such person.

NEW SECTION

WAC 314-44-011 Who needs an agent's license? (1)
Sole proprietors:

(a) The sole proprietor does not need an agent's license;

(b) Any employee of a sole proprietor who calls or e-mails their appointed distributor does not need an agent's license;

(c) Any employee of a sole proprietor who calls, visits, or e-mails retailers needs an agent's license.

(2) Partnerships, limited liability companies, corporations, and their employees: Licensees and their employees who call, e-mail, take orders, pour or visit businesses with a liquor license need an agent's license.

(3) Out-of-state certificate of approval holders: If the out-of-state certificate of approval holder has an endorsement to ship directly to retailers and call or e-mail retailers, they need an agent's license (unless they are a sole proprietor).

(4) Wine shipper to consumer: A wine shipper to consumer does not need an agent's license.

WSR 10-17-046
PROPOSED RULES
LIQUOR CONTROL BOARD

[Filed August 11, 2010, 10:46 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-13-008.

Title of Rule and Other Identifying Information: Chapter 314-36 WAC, Liquor importers, public storage warehouses and importation of liquor.

Hearing Location(s): Washington State Liquor Control Board, 3000 Pacific Avenue S.E., Olympia, WA 98504, on September 22, 2010, at 10:00 a.m.

Date of Intended Adoption: September 29, 2010.

Submit Written Comments to: Karen McCall, 3000 Pacific Avenue S.E., Olympia, WA 98504, e-mail rules@liq.wa.gov, fax (360) 664-9689, by September 22, 2010.

Assistance for Persons with Disabilities: Contact Karen McCall by September 22, 2010, (360) 664-1631.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: As part of the liquor control board's on-going rules review process, chapter 314-36 WAC was reviewed for relevance, clarity, and accuracy.

Reasons Supporting Proposal: The rules needed to be revised to reflect current laws and policy.

Statutory Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: RCW 66.24.160.

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

Name of Proponent: Washington state liquor control board, governmental.

Name of Agency Personnel Responsible for Drafting: Karen McCall, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1631; Implementation: Alan Rathbun, Director of Licensing, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1615; and Enforcement: Pat Parmer, Enforcement Chief, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1726.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposal does not change the impact on liquor licensees or stakeholders.

A cost-benefit analysis is not required under RCW 34.05.328.

August 11, 2010
Sharon Foster
Chairman

AMENDATORY SECTION (Amending Order 238, Resolution No. 247, filed 3/9/88)

WAC 314-36-010 Sales between ~~((liquor))~~ importers. One licensed ~~((liquor))~~ importer may sell to, or purchase from, or exchange with, another licensed ~~((liquor))~~ importer, ~~((intoxicating))~~ liquor for purposes of export only.

AMENDATORY SECTION (Amending Order 238, Resolution No. 247, filed 3/9/88)

WAC 314-36-020 Liquor importation—General. (1) No liquor shall be imported into this state unless ~~((such))~~:

(a) Liquor ~~((be))~~ is consigned to the Washington state liquor control board; ~~((or unless such))~~

(b) Liquor ~~((be))~~ is consigned to a holder of a liquor, beer or wine importer's license and delivered at a public storage warehouse authorized by the Washington state liquor control board to store liquor~~((or at))~~; or

(c) Liquor is consigned to the warehouse of the holder of the liquor, beer or wine importer's license in those cases where the board has authorized storage at such warehouse.

"Consigned" as used in this section means to turn over to another's control.

(2) No carrier shall accept or deliver liquor except in accordance with this regulation.

AMENDATORY SECTION (Amending Order 238, Resolution No. 247, filed 3/9/88)

WAC 314-36-040 Principal office—Record. (1) Each liquor, beer or wine importer shall establish and maintain a principal office within the state ~~((at which shall be kept))~~ where full and complete records are kept for three years of:

(a) All importations~~((:))~~;

(b) All storage~~((:))~~;

(c) All removals~~((:))~~; and

(d) All exportations of liquor~~((, such))~~.

(2) Records are to be kept in such manner and in such form as ~~((the board shall from time to time prescribe))~~ required by the board.

(3) Each liquor, beer or wine importer shall keep the board informed at all times of the location of such principal office.

AMENDATORY SECTION (Amending Order 238, Resolution No. 247, filed 3/9/88)

WAC 314-36-060 Public storage warehouses. (1) No public storage warehouse shall accept, receive, or store or otherwise handle any liquor, including beer or wine, without first obtaining from the Washington state liquor control board a letter of authorization ~~((so to do))~~.

(2) No consumption of liquor, including beer or wine, is allowed at public storage warehouses.

AMENDATORY SECTION (Amending Order 238, Resolution No. 247, filed 3/9/88)

WAC 314-36-080 Authorization for private liquor storage warehouse. ~~((Any))~~ A holder of a liquor, beer or

wine importer's license, who maintains a storage warehouse (~~(exclusively for the storage of goods, wares or merchandise belonging to such holder,))~~ and who desires to store liquor imported under such liquor, beer or wine importer's license, shall apply to the board for a letter of authorization (~~(so to do. Such authorization shall be granted only upon such terms and conditions as the board shall from time to time prescribe)).~~ If ~~((such))~~ authorization ~~((be))~~ is granted, ~~((such))~~ the warehouse shall ~~((thereafter))~~ be known as a private liquor storage warehouse.

AMENDATORY SECTION (Amending Order 238, Resolution No. 247, filed 3/9/88)

WAC 314-36-090 Liquor shall be stored in original packages. No shipments of liquor shall be accepted or stored in ~~((a private or public))~~ an approved storage warehouse except in original packages or combinations of original packages as authorized by the board.

AMENDATORY SECTION (Amending Order 238, Resolution No. 247, filed 3/9/88)

WAC 314-36-100 Removal of liquor. (1) No liquor importer or public storage warehouse shall ((be removed)) remove liquor from any storage warehouse, ((either public or private,)) except:

(a) For sale and delivery to the board ((or));

(b) For export from the state ((or));

(c) For delivery to persons, firms or corporations authorized by Title 66 RCW to receive such liquor products((Provided, however, That)); or

(d) Liquor may be removed from an authorized private liquor storage warehouse to ((a)) an authorized public storage warehouse~~((or may be removed from one authorized public storage warehouse to another authorized public storage warehouse, or may be removed from an authorized public storage warehouse to the authorized private liquor storage warehouse of the owner of the liquor. Liquor, beer or wine importers may remove liquor for sample purposes only, but only after permission thereto has been specifically granted by the board or its accredited representatives)).~~

(2) Any and all removals of liquor must be made in full compliance with the Washington state liquor laws~~((Title 66 RCW (Alcoholic beverage control,))~~ and the rules ~~((and regulations))~~ of the board.

AMENDATORY SECTION (Amending Order 238, Resolution No. 247, filed 3/9/88)

WAC 314-36-130 Complete records kept. (1) Each public storage warehouse shall keep full and complete records showing:

(a) All liquor received for storage~~((, together with)); and~~

(b) All removals and exportations ~~((thereof, such records to be kept in such manner and in such form as the board shall prescribe, and in case of removal, releases or shipments, shall)).~~

(2) Records shall preserve for ~~((two))~~ three years, ~~((subject to the order of the board,))~~ all bills of lading or certified

copies thereof, and all authorizations of the board for withdrawals of samples.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 314-36-030	Importation by licensed liquor importer.
WAC 314-36-050	Customs bonded locker.
WAC 314-36-070	Storage of liquor.
WAC 314-36-110	Release of liquor.
WAC 314-36-150	Special importation permit.

WSR 10-17-047

PROPOSED RULES

LIQUOR CONTROL BOARD

[Filed August 11, 2010, 10:47 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-13-010.

Title of Rule and Other Identifying Information: Chapter 314-45 WAC, Serving and donating of liquor by suppliers at trade conventions.

Hearing Location(s): Washington State Liquor Control Board, 3000 Pacific Avenue S.E., Olympia, WA 98504, on September 22, 2010, at 10:00 a.m.

Date of Intended Adoption: September 29, 2010.

Submit Written Comments to: Karen McCall, 3000 Pacific Avenue S.E., Olympia, WA 98504, e-mail rules@liq.wa.gov, fax (360) 664-9689, by September 22, 2010.

Assistance for Persons with Disabilities: Contact Karen McCall by September 22, 2010, (360) 664-1631.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: As part of the liquor control board's on-going rules review process, chapter 314-45 WAC was reviewed for relevance, clarity, and accuracy.

Reasons Supporting Proposal: The rules needed to be revised to reflect current laws and policy.

Statutory Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: RCW 66.28.010.

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

Name of Proponent: Washington state liquor control board, governmental.

Name of Agency Personnel Responsible for Drafting: Karen McCall, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1631; Implementation: Alan Rathbun, Director of Licensing, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1615; and Enforcement: Pat Parmer, Enforcement Chief, 3000 Pacific Avenue S.E., Olympia, WA 98504, (360) 664-1726.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposal does not change the impact on liquor licensees or stakeholders.

A cost-benefit analysis is not required under RCW 34.05.328.

August 11, 2010
Sharon Foster
Chairman

AMENDATORY SECTION (Amending WSR 98-18-097, filed 9/2/98, effective 10/3/98)

WAC 314-45-010 Convention defined—Hospitality rooms, display booths, receptions and similar activities—Permits required—Fees—Procedures. Activities pursuant to RCW 66.20.010 (8), (9), a manufacturer, importer, distributor, or agent thereof, may serve or donate liquor without charge to delegates and guests at a bona fide convention of a trade association composed of licensees of the board, subject to conditions set forth in this regulation.

(1) For the purposes of this section a "convention" is defined as a bona fide session or assembly of the general membership of a trade association composed of licensees of the board.

(2) Such manufacturer, importer, distributor, or agent thereof, must hold a special permit issued by the board to engage in such an activity at such convention. The fee for each such special permit shall be \$25.00. A permit is required for each booth or room a manufacturer, importer, distributor, or agent thereof is serving or donating liquor. Application for such permit shall be submitted on a form prescribed by the board. The statutory permits applicable to such activities are:

(a) A special permit provided for in RCW 66.20.010(8) which authorizes the holder thereof to serve liquor without charge to delegates and guests in a hospitality room or from a booth in a board-approved suppliers' display room at such convention.

(b) A special permit provided for in RCW 66.20.010(9) which authorizes the holder thereof to donate liquor for a reception, breakfast, luncheon, or dinner for delegates and guests at such convention.

(3) Any liquor served or donated as provided herein is authorized only for consumption within a specific area designated on an application for permit and approved by the board.

(4) A special permit holder who serves or donates any beer or wine on which state taxes have not been paid, must file a report of the quantity so served or donated and remit the amount of the taxes to the board, in conformity with RCW 66.20.010 (8), (9).

(5) Any spirituous liquor served or donated shall be purchased from the board or a spirit, beer and wine restaurant licensee.

(6) Any licensee promoting a trade show event shall submit a list of all suppliers attending the event.

WSR 10-17-050
WITHDRAWAL OF PROPOSED RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed August 11, 2010, 11:41 a.m.]

Please withdraw proposed rule CR-102, WSR 10-14-045, filed June 29, 2010. The proposal as filed affects other sections and the agency has determined that all of these sections must be addressed at the same time.

David Brenna
Legislative Policy Coordinator

WSR 10-17-057
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed August 12, 2010, 9:56 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-09-080.

Title of Rule and Other Identifying Information: WAC 392-300-050 Access to record check data base and 392-300-070 Private school fingerprint process.

Hearing Location(s): Office of Superintendent of Public Instruction (OSPI), Wanamaker Conference Room, 600 South Washington Street, Olympia, WA 98504, on September 21, 2010, at 10:00 a.m.

Date of Intended Adoption: September 21, 2010.

Submit Written Comments to: Catherine Slagle, 600 Washington Street, Olympia, WA 98504, e-mail Catherine.slagle@k12.wa.us, fax (360) 753-4201, by September 20, 2010.

Assistance for Persons with Disabilities: Contact Kristin Collins by September 20, 2010, TTY (360) 664-3631 or (360) 725-6270.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Passing of HB 2996 by the 2010 Washington state legislature directs OSPI to provide administrators of approved private schools in Washington state with access to OSPI's electronic record check data base.

Reasons Supporting Proposal: Passing of HB 2996.

Statutory Authority for Adoption: RCW 28A.400.305.

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

Name of Proponent: OSPI, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Catherine Slagle, Old Capitol Building, 600 South Washington Street, (360) 725-6136; and Enforcement: Martin T. Mueller, Old Capitol Building, 600 South Washington Street, (360) 725-6175.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not necessary for this rule change.

August 9, 2010
Randy Dorn
State Superintendent

AMENDATORY SECTION (Amending WSR 07-19-012, filed 9/7/07, effective 10/8/07)

WAC 392-300-050 Access to record check data base.

School districts, the state school for the deaf, the state school for the blind, educational service districts, Bureau of Indian Affairs funded schools, approved private schools, colleges and universities shall establish written policies or procedures to determine which employees are authorized to access the data base. Access to the superintendent of public instruction's record check data base shall be limited to:

(1) Employees of the superintendent of public instruction processing record check information including employees within the fingerprint records section, the office of professional practices, the legal services section, the certification section or their equivalents in case of future agency reorganization.

(2) Authorized employees of school districts.

(3) Authorized employees of educational service districts.

(4) Authorized employees of college or universities with state board of education approved certification programs.

(5) Authorized employees of the state school for the deaf.

(6) Authorized employees of the state school for the blind.

(7) Authorized employees of Bureau of Indian Affairs funded schools.

(8) Authorized employees of approved private schools.

(9) Other authorized individuals as determined by the superintendent of public instruction or designee.

Access to the data base will be controlled by a confidential password issued by the superintendent of public instruction.

AMENDATORY SECTION (Amending WSR 09-04-031, filed 1/29/09, effective 3/1/09)

WAC 392-300-070 Private school fingerprint process. Fingerprinting of subject individuals employed by private schools.

(1) Definitions of private school terms.

(a) "Subject individual" means: Any person, certified or classified employed by a private school in a position having regularly scheduled, unsupervised access to children;

(b) "Regularly scheduled, unsupervised access to children" means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision;

(c) "Fee" means the total charges assessed to process fingerprint cards through the Washington state patrol and Federal Bureau of Investigation records check;

(d) "Information to be required" means all information requested by the office of the superintendent of public instruction;

(e) "Convictions of crimes" means, notwithstanding any other statutes or Washington administrative rule, conviction of a crime listed in WAC 180-86-013, or being under indictment for any of the crimes listed in WAC 180-86-013;

(f) "Private school" means a school that is approved with the Washington state board of education under chapter 180-90 WAC.

(2) The office of the superintendent of public instruction shall request criminal information from the Washington state patrol and the Federal Bureau of Investigation in the manner prescribed by law. A fee shall be charged for such services.

(3) Upon the private school's submission of the completed fingerprint cards and information form, the office of the superintendent of public instruction shall review the criminal records of subject individual.

(4) The office of the superintendent of public instruction shall not provide copies of criminal records to anyone except as provided by law. The private school will receive a copy of subject individual's record of arrest and prosecution (RAP) sheet from the Washington state patrol. The subject individual will be sent a copy of his or her personal criminal records.

(5) For the Federal Bureau of Investigation portion, the superintendent of public instruction or designee shall notify the private school if the subject individual has been convicted of a crime listed in WAC 180-86-013, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Washington under a different statutory name or number; if the subject individual falsified information on the application form; or if the subject individual has no conviction of crimes as listed in WAC 180-86-013.

(6) The office of the superintendent of public instruction shall assure the destruction of all fingerprint cards, facsimiles or other materials from which fingerprints can be reproduced used by Washington state patrol or Federal Bureau of Investigation.

(7) Only cards and forms approved by the office of the superintendent of public instruction will be accepted. The office of the superintendent of public instruction will hold fingerprint cards on file and notify the private school and subject individual when there is no fee, an incorrect fee, when necessary information is missing from the fingerprint cards, or the information form was not received.

(8) The office of the superintendent of public instruction will return to the private school any fingerprint cards that the Washington state patrol or Federal Bureau of Investigation rejects for poor quality prints. The private school will be responsible for having the subject individual submit additional prints as required.

(9) The superintendent's office shall maintain a record of all properly submitted fingerprint cards in the current records data base for a period of at least two years. The record shall include at least the following:

(a) Card sequence number;

(b) Name of private school submitting the cards;

(c) Date cards received at the Washington state patrol;

(d) Date letter regarding incomplete card was sent to the subject individual with a copy to the private school (only if applicable);

(e) Date Washington state patrol received fingerprint cards;

(f) Date private school was notified of Washington state patrol criminal history record or clearance;

(g) Date private school was notified of Federal Bureau of Investigation record or lack of record.

This WAC will remain in effect through June 30, 2011.

WSR 10-17-058
PROPOSED RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed August 12, 2010, 2:48 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-11-097.

Title of Rule and Other Identifying Information: Amends WAC 181-79A-221, provides clarification for professional certification for school counselors and psychologists. Removes initial certification category.

Hearing Location(s): Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, on September 22, 2010, at 8:30 a.m.

Date of Intended Adoption: September 22, 2010.

Submit Written Comments to: David Brenna, Legislative and Policy Coordinator, P.O. Box 47236, Olympia, WA 98504, e-mail david.brenna@k12.wa.us, fax (360) 586-4548, by September 15, 2010.

Assistance for Persons with Disabilities: Contact David Brenna by September 15, 2010, TTY (360) 664-3631 or (360) 725-6238.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amends rules for educator service associates (ESA) in line with professional certification in the areas of counseling and psychological testing. Removes initial certification from definitions of certificates for ESAs.

Reasons Supporting Proposal: Stakeholder support.

Statutory Authority for Adoption: RCW 28A.410.210.

Statute Being Implemented: RCW 28A.410.270.

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

Name of Proponent: Professional educator standards board, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David Brenna, P.O. Box 42736 [47236], Olympia, WA 98504, (360) 725-6238.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendment does not have an impact on small business and therefore does not meet the requirements for a statement under RCW 19.85.030 (1) or (2).

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting David Brenna, P.O. Box 47236, Olympia, WA 98504, phone (360) 725-6238, fax (360) 586-3631, e-mail david.brenna@k12.wa.us

August 12, 2010
David Brenna
Legislative and
Policy Coordinator

AMENDATORY SECTION (Amending WSR 08-12-055, filed 6/2/08, effective 7/3/08)

WAC 181-79A-221 Academic and experience requirements for certification—School counselors, school psychologists, and school social workers. Candidates for school counselor, school psychologist and school social worker certification shall complete the following requirements in addition to those set forth in WAC 181-79A-150 and 181-79A-226: ~~((Provided, That it shall not be necessary for any candidate who holds a master's or doctorate degree to obtain the specified master's degree if the candidate provides satisfactory evidence to the superintendent of public instruction that he or she has completed all course work requirements relevant to the required master's degree and has satisfactorily completed a comprehensive written examination required in such master's degree program.))~~ Provided, That if any candidate has been awarded a master's degree without a comprehensive ((written)) examination, the candidate, as a condition for certification, shall ((arrange to take such an examination with any accredited college or university and provide the superintendent of public instruction with an affidavit from the chair of the department of such academic field that he or she has successfully completed the above noted comprehensive examination)) take the Praxis II exam administered by ETS.

(1) School counselor.

(a) ~~((Initial.~~

~~(i) The candidate shall have completed all requirements for the master's degree (except special projects or thesis) with a major in counseling.~~

~~(ii) The candidate shall have successfully completed a written comprehensive examination of the knowledge included in the course work for the required master's degree. This examination shall be an examination of a regionally accredited institution of higher education or the National Counselor Examination (NCE) of the National Board of Certified Counselors (NBCC).~~

~~((b)))~~ Residency.

(i) The candidate shall hold a master's degree with a major in counseling.

(ii) The candidate shall have successfully completed a ~~((written))~~ comprehensive examination of the knowledge included in the course work for the required master's degree. This examination shall be a proctored ~~((written))~~ examination of a regionally accredited institution of higher education or the candidate may meet this requirement by receiving a passing score on the Praxis II guidance and counseling examination administered by Educational Testing Service (ETS).

~~((c)))~~ ~~((b))~~ Continuing.

(i) The candidate shall hold a master's degree with a major in counseling.

(ii) The candidate shall provide documentation of one hundred eighty days or full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(iii) The candidates must demonstrate their respective knowledge ~~((s))~~ and skills while employed in that role by

passing a one-quarter or one-semester college or university course that includes peer review. The college or university shall establish the procedures for the peer review with advice from the respective professional education advisory board.

~~((c))~~ (c) Professional. The candidate shall have completed an approved professional certificate program, provided, that an individual who holds a school counseling certificate issued by the National Board for Professional Teaching Standards (NBPTS) shall be deemed to have met the requirement for completion of a professional certificate program, in recognition that NBPTS certification is issued only to individuals who have demonstrated highly advanced skills as a school counselor.

(2) School psychologist.

(a) ~~(Initial)~~.

~~(i) The candidate shall have completed all requirements for the master's degree (except special projects or thesis) with a major or specialization in school psychology.~~

~~(ii) The candidate shall have successfully completed a written comprehensive examination of the knowledge included in the course work for the required master's degree. This examination shall be an examination from a regionally accredited institution of higher education or the National Certification of School Psychologist (NCSP) examination.~~

~~(b))~~ Residency.

(i) The candidate shall hold a master's degree with a major or specialization in school psychology.

(ii) The candidate shall have successfully completed a ~~((written))~~ comprehensive examination of the knowledge included in the course work for the required master's degree. This examination shall be a proctored ~~((written))~~ examination of a regionally accredited institution of higher education or the candidate may meet this requirement by receiving a passing score on the Praxis II school psychology examination administered by Educational Testing Service (ETS).

~~((b))~~ (b) Continuing.

(i) The candidate shall hold a master's degree with a major or specialization in school psychology.

(ii) The candidate shall provide documentation of one hundred eighty days or full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(iii) The candidates must demonstrate their respective knowledge ~~((s))~~ and skills while employed in that role by passing a one-quarter or one-semester college or university course that includes peer review. The college or university shall establish the procedures for the peer review with advice from the respective professional education advisory board.

~~((c))~~ (c) Professional. The candidate shall have completed an approved professional certificate program. Provided, That an individual who holds an NCSP certificate issued by the National Association of School Psychologists (NASP) shall be deemed to have met the requirement for completion of a professional certificate program, in recognition that NCSP certification is issued only to individuals who have demonstrated highly advanced skills as a school psychologist.

(3) School social worker.

(a) Initial.

(i) The candidate shall have completed all requirements for a master's degree in social work except special projects or thesis.

(ii) The candidate shall have successfully completed a ~~((written))~~ comprehensive examination of the knowledge included in the course work for the required master's degree. This examination shall be an examination from a regionally accredited institution of higher education, the social worker examination of the Academy of Certified Social Workers ~~((or))~~, the National Teacher Examination—School Social Worker Specialty Area examination required for certification as a school social worker by the National Association of Social Workers, or the Praxis II school social work examination administered by Educational Testing Service (ETS).

(b) Residency.

(i) The candidate shall hold a master's degree in social work.

(ii) The candidate shall have successfully completed a ~~((written))~~ comprehensive examination of the knowledge included in the course work for the required master's degree. This examination shall be a proctored, ~~((written))~~ examination of a regionally accredited institution of higher education or the candidate may meet the requirement by receiving a passing score on the Praxis II school social work examination administered by Educational Testing Service (ETS).

(c) Continuing.

(i) The candidate shall hold a master's degree in social work.

(ii) The candidate shall provide documentation of one hundred eighty days or full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(iii) The candidates must demonstrate their respective knowledge ~~((s))~~ and skills while employed in that role ~~((by passing a one-quarter or one-semester college or university course that includes peer review. The college or university shall establish the procedures for the peer review with advice from the respective professional education advisory board)).~~

(d) Professional. The candidate shall have completed an approved professional certificate program.

WSR 10-17-073

PROPOSED RULES

PUBLIC DISCLOSURE COMMISSION

[Filed August 16, 2010, 8:18 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-12-110.

Title of Rule and Other Identifying Information: Amend WAC 390-13-100 Duties of elections officials receiving copies of campaign finance reports, 390-16-011 Forms—Registration statement for political committees, 390-16-012 Forms—Registration statement for candidates, 390-16-041

Forms—Summary of total contributions and expenditures, 390-16-115 Mini campaign reporting—Conditions for granting use, and 390-19-030 Electronic filing—Reporting threshold; and repealing WAC 390-16-314 Independent expenditure—Disclosure.

Hearing Location(s): Commission Hearing Room, 711 Capitol Way, Room 206, Olympia, WA 98504, on September 23, 2010, at 9:30 a.m.

Date of Intended Adoption: September 23, 2010.

Submit Written Comments to: Lori Anderson, Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, e-mail lori.anderson@pdc.wa.gov, fax (360) 753-1112, by September 21, 2010.

Assistance for Persons with Disabilities: Contact Jana Greer by phone (360) 586-0544.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To implement SB 6243 (chapter 205, Laws of 2010), including removing references to county filing requirement, amending candidates' and political committees' registration and summary of contributions and expenditures forms, and amending the instructions for county elections officials who receive campaign finance disclosure forms.

Reasons Supporting Proposal: To provide guidance and clarification to candidates, political committees, and county elections officials affected by 2010 statutory changes.

Statutory Authority for Adoption: RCW 42.17.370(1).

Statute Being Implemented: Chapter 205, Laws of 2010.

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: The rule amendments and repealer are designed to clarify the filing requirements under SB 6344 (chapter 205, Laws of 2010).

Name of Proponent: Public disclosure commission (PDC), governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Lori Anderson, 711 Capitol Way, Room 206, Olympia, WA 98504, (360) 664-2737; and Enforcement: Phil Stutzman, 711 Capitol Way, Room 206, Olympia, WA 98504, (360) 664-8853.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The implementation of these rule amendments and repealer has minimal impact on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. The PDC is not an agency listed in subsection (5)(a)(i) of section 201. Further, the PDC does not voluntarily make section 201 applicable to the adoption of these rules pursuant to subsection (5)(a)(i) of section 201, and, to date, the joint administrative rules review committee has not made section 201 applicable to the adoption of these rules.

August 16, 2010

Lori Anderson
Communications and
Training Officer

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

WAC 390-13-100 Duties of elections officials receiving copies of campaign finance reports. (1) Pursuant to RCW 42.17.375, when arranging, indexing, handling and providing access to reports filed with the county as required by chapter 42.17 RCW prior to June 10, 2010, county election officers shall adhere to the following:

(a) Each report on receipt shall be marked with the date (or some means of determining the date) the report was post-marked and/or the date on which it was received by the elections office.

(b) Files for these reports shall be maintained separate from all other reports and documents in the office and shall be arranged alphabetically by the name of the candidate or committee. Elections officers may segregate files into additional categories, if desired.

(c) Files may be maintained in paper or electronic form or on micrographics. If files are maintained in electronic form or on micrographics, equipment for viewing and reproducing reports on paper must be made available to the public.

(d) A separate, special index shall be maintained showing the name of each candidate or committee for whom reports are on file. The index need not list each report subsequently filed. The index shall be readily available for public inspection.

(e) Reports shall be placed in the files and available for public inspection by the end of the next business day following receipt.

(f) Mindful that the public's right to know of the financing of political campaigns is paramount, elections officials shall give priority attention to and promptly honor each request for public inspection of the campaign finance report files.

(2) Copies of reports must be maintained by elections officers for a period of at least six years, in accordance with RCW 42.17.450, and records retention schedules prepared pursuant to chapter 40.14 RCW.

(3) A description of the county's method of filing and indexing campaign finance reports shall be updated and sent to the public disclosure commission within thirty days of a revision to the filing and indexing system.

AMENDATORY SECTION (Amending WSR 08-01-069, filed 12/14/07, effective 1/14/08)

WAC 390-16-011 Forms—Registration statement for political committees. The official form for providing the statement of organization by political committees for designating a campaign treasurer and depository and for reporting information required to qualify for mini campaign finance reporting is designated "C-1pc," revised (~~(1/08)~~) 11/10. Copies of this form are available at the Commission Office, 711 Capitol Way, Room 206, P.O. Box 40908, Olympia, Washington 98504-0908. Any attachments shall be on 8-1/2" x 11" white paper.

((STRICKEN GRAPHIC))

 PUBLIC DISCLOSURE COMMISSION 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 Toll Free 1-877-601-2828		Political Committee Registration		C1PC (1/2008)	
Committee Name (Show entire official name.)				Acronym:	
Mailing Address				Telephone: ()	
City		County		Zip + 4	
NEW OR AMENDED REGISTRATION? <input type="checkbox"/> NEW. Complete entire form. <input type="checkbox"/> AMENDS previous report. Complete entire form.				COMMITTEE STATUS <input type="checkbox"/> Continuing (On-going; not established in anticipation of any particular campaign election.) <input type="checkbox"/> _____ election year only. Date of general or special election: _____ (Year)	
1. What is the purpose or description of the committee? <input type="checkbox"/> Bona Fide Political Party Committee - official state or county central committee or legislative district committee. If you are not supporting the entire party ticket, attach a list of the names of the candidates you support. <input type="checkbox"/> Ballot Committee - Initiative, Bond, Levy, Recall, etc. Name or description of ballot measure: _____ Ballot Number _____ FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> <input type="checkbox"/> Other Political Committee - PAC, caucus committee, political club, etc. If committee is related or affiliated with a business, association, union or similar entity, specify name: _____					
For single election-year only committees (not continuing committees): Is the committee supporting or opposing (a) one or more candidates? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach a list of each candidate's name, office sought and political party affiliation. (b) the entire ticket of a political party? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, identify the party: _____					
2. Related or affiliated committees. List name, address and relationship. <input type="checkbox"/> Continued on attached sheet.					
3. How much do you plan to spend during this entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. (If your committee status is continuing, estimate spending on a calendar year basis.) If no box is checked you are obligated to use Full Reporting. See instruction manuals for information about reports required and changing reporting options. <input type="checkbox"/> MINI REPORTING Mini Reporting is selected. No more than \$5,000 will be raised or spent and no more than \$500 in the aggregate will be accepted from any one contributor. <input type="checkbox"/> FULL REPORTING Full Reporting is selected. The frequent, detailed campaign reports mandated by law will be filed as required.					
4. Campaign Manager's or Media Contact's Name and Address				Telephone Number: ()	
5. Treasurer's Name and Address. Does treasurer perform <u>only</u> ministerial functions? Yes ___ No ___ See WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet. <input type="checkbox"/> Continued on attached sheet.				Daytime Telephone Number: ()	
6. Persons who perform only ministerial functions on behalf of this committee <u>and</u> on behalf of candidates or other political committees. List name, title, and address of these persons. See WAC 390-05-243 and next page for details. <input type="checkbox"/> Continued on attached sheet.					
7. Committee Officers and other persons who authorize expenditures or make decisions for committee. List name, title, and address. See next page for definition of "officer." <input type="checkbox"/> Continued on attached sheet.					
8. Campaign Bank or Depository		Branch		City	
9. Campaign books must be open to the public by appointment between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. In the space below, provide contact information for scheduling an appointment and the address where the inspection will take place. It is not acceptable to provide a post office box or an out-of-area address. Street Address, Room Number, City where campaign books will be available for inspection In order to make an appointment, contact the campaign at (telephone, fax, e-mail): ()					
10. Eligibility to Give to State Office Candidates: During the 180 days prior to making a contribution to a state office candidate, your committee must have received contributions of \$10 or more from at least ten persons registered to vote in Washington State. <input type="checkbox"/> A check here indicates your awareness of and pledge to comply with this provision. Absence of a check mark means your committee does not qualify to give to state office candidates (legislative and statewide executive candidates).				11. Signature and Certification. I certify that this statement is true, complete and correct to the best of my knowledge. Committee Treasurer's Signature Date	

SEE INSTRUCTIONS ON NEXT PAGE

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Please consult PDC instruction manuals when completing this report. Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.



Who Must File – Persons, committees, organizations or groups that receive contributions or make expenditures in support of or opposition to: candidates in jurisdictions of 5,000 or more registered voters as of the last general election; statewide ballot issues; or local ballot issues in jurisdictions with 1,000 or more registered voters as of the last general election.

When To File – Within 2 weeks of organizing a committee or first expecting to receive contributions or make expenditures, whichever occurs first. **(Committees that organize within three weeks of an election must file within three business days of forming or of expecting to receive contributions or make expenditures.)**

File an amended C-1pc form within 10 calendar days of any material change to the registration information furnished previously. For single election-year only committees, a material change includes providing or modifying the list of candidates the committee is supporting or opposing.

Continuing political committees using Mini Reporting must also file a C-1pc annually in January. Reports are considered filed as of the postmark date or date hand-delivered to PDC.

Where To File – Send the **original to PDC** at the above address. Send a **copy to County Auditor** (county elections office) of the county in which the committee headquarters is located. If there is no headquarters, send to the County Auditor of the county in which the treasurer resides. Keep a copy as part of the committee’s records.

“Officer” of a Political Committee – Officer of a political committee includes the following persons:

- any person designated as an officer on the C-1pc registration statement, and
- any person who alone or in conjunction with other persons makes, directs, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee. [WAC 390-05-245]

Persons who perform “Ministerial Functions” for two or more campaigns


A person may perform ministerial functions for a candidate and a political committee without jeopardizing that political committee’s eligibility to make independent expenditures or electioneering communications regarding that candidate as long as:

- the person performs solely ministerial functions for both the candidate and the political committee;
- the person is identified on both the candidate’s and political committee’s registration statements as a person performing ministerial functions for the campaign; and
- the person does not share information from or about one of the campaigns with the other campaign, or does not use information from or about one of the campaigns to assist the other campaign. [See RCW 42.17.020 (15)(b)(ix) and WAC 390-05-243 for more detailed information.]

“Ministerial functions” means activities carried out as part of the duties of an administrative office without exercise of personal judgment or discretion. RCW 42.17.020(34). Also see WAC 390-05-243 for a non-exclusive list of ministerial functions and a definition of administrative office. Typically, persons performing ministerial functions may, under the supervision of a candidate or committee officer, file PDC reports, make deposits, pay bills and maintain campaign finance records. However, if a person performs functions for both a candidate and a political committee and those functions for one or both campaigns entail duties beyond those deemed ministerial, any expenditure by the committee benefiting the candidate may be a contribution, rather than an independent expenditure or electioneering communication. [RCW 42.17.020(34) and WACs 390-05-243 and 390-05-210]

For Instruction Manuals and Reporting Forms click on the “Filer Resources” tab at www.pdc.wa.gov

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 <p>PUBLIC DISCLOSURE COMMISSION 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 Toll Free 1-877-601-2828</p>	<h2>Political Committee Registration</h2>	<h1>C1PC</h1> <p>(11/10)</p>	
Committee Name (Show entire official name.)		Acronym:	
Mailing Address		Telephone: ()	
City County Zip + 4		Fax: ()	
E-mail:			
NEW OR AMENDED REGISTRATION? <input type="checkbox"/> NEW. Complete entire form. <input type="checkbox"/> AMENDS previous report. Complete entire form.		COMMITTEE STATUS <input type="checkbox"/> Continuing (On-going; not established in anticipation of any particular campaign election.) <input type="checkbox"/> _____ election year only. Date of general or special election: _____ (Year)	
1. What is the purpose or description of the committee? <input type="checkbox"/> Bona Fide Political Party Committee - official state or county central committee or legislative district committee. If you are not supporting the entire party ticket, attach a list of the names of the candidates you support.			
<input type="checkbox"/> Ballot Committee - Initiative, Bond, Levy, Recall, etc. Name or description of ballot measure:			Ballot Number FOR AGAINST _____ <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Other Political Committee - PAC, caucus committee, political club, etc. If committee is related or affiliated with a business, association, union or similar entity, specify name:			
For single election-year only committees (not continuing committees): Is the committee supporting or opposing (a) one or more candidates? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach a list of each candidate's name, office sought and political party affiliation. (b) the entire ticket of a political party? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, identify the party:			
2. Related or affiliated committees. List name, address and relationship. <input type="checkbox"/> Continued on attached sheet.			
3. How much do you plan to spend during this entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. (If your committee status is continuing, estimate spending on a calendar year basis.) If no box is checked you are obligated to use Full Reporting. See instruction manuals for information about reports required and changing reporting options. <input type="checkbox"/> MINI REPORTING Mini Reporting is selected. No more than \$5,000 will be raised or spent <u>and</u> no more than \$500 in the aggregate will be accepted from any one contributor.			
<input type="checkbox"/> FULL REPORTING Full Reporting is selected. The frequent, detailed campaign reports mandated by law will be filed as required.			
4. Campaign Manager's or Media Contact's Name and Address		Telephone Number: ()	
5. Treasurer's Name and Address. Does treasurer perform <u>only</u> ministerial functions? Yes ___ No ___. See WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet.		Daytime Telephone Number: ()	
6. Persons who perform only ministerial functions on behalf of this committee <u>and</u> on behalf of candidates or other political committees. List name, title, and address of these persons. See WAC 390-05-243 and next page for details. <input type="checkbox"/> Continued on attached sheet.			
7. Committee Officers and other persons who authorize expenditures or make decisions for committee. List name, title, and address. See next page for definition of "officer." <input type="checkbox"/> Continued on attached sheet.			
8. Campaign Bank or Depository	Branch	City	
9. Campaign books must be open to the public by appointment between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. In the space below, provide contact information for scheduling an appointment and the address where the inspection will take place. It is not acceptable to provide a post office box or an out-of-area address. Street Address, Room Number, City where campaign books will be available for inspection In order to make an appointment, contact the campaign at (telephone, fax, e-mail): ()			
10. Eligibility to Give to State Office Candidates: During the 180 days prior to making a contribution to a state office candidate, your committee must have received contributions of \$10 or more from at least ten persons registered to vote in Washington State. <input type="checkbox"/> A check here indicates your awareness of and pledge to comply with this provision. Absence of a check mark means your committee does not qualify to give to state office candidates (legislative and statewide executive candidates).		11. Signature and Certification. I certify that this statement is true, complete and correct to the best of my knowledge. Committee Treasurer's Signature Date	

SEE INSTRUCTIONS ON NEXT PAGE

Please consult PDC instruction manuals when completing this report. Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.



Who Must File – Persons, committees, organizations or groups that receive contributions or make expenditures in support of or opposition to: candidates in jurisdictions of 5,000 or more registered voters as of the last general election; statewide ballot issues; or local ballot issues in jurisdictions with 1,000 or more registered voters as of the last general election.

When To File – Within 2 weeks of organizing a committee or first expecting to receive contributions or make expenditures, whichever occurs first. **(Committees that organize within three weeks of an election must file within three business days of forming or of expecting to receive contributions or make expenditures.)**

File an amended C-1pc form within 10 calendar days of any material change to the registration information furnished previously. For single election-year only committees, a material change includes providing or modifying the list of candidates the committee is supporting or opposing.

Continuing political committees using Mini Reporting must also file a C-1pc annually in January. Reports are considered filed as of the postmark date or date hand-delivered to PDC.

Where To File – Send the **original to PDC** at the address on the reverse side. Keep a copy as part of the committee's records.

“Officer” of a Political Committee – Officer of a political committee includes the following persons:

- any person designated as an officer on the C-1pc registration statement, and
- any person who alone or in conjunction with other persons makes, directs, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee. [WAC 390-05-245]

Persons who perform “Ministerial Functions” for two or more campaigns

A person may perform ministerial functions for a candidate and a political committee without jeopardizing that political committee's eligibility to make independent expenditures or electioneering communications regarding that candidate as long as:

- the person performs solely ministerial functions for both the candidate and the political committee;
- the person is identified on both the candidate's and political committee's registration statements as a person performing ministerial functions for the campaign; and
- the person does not share information from or about one of the campaigns with the other campaign, or does not use information from or about one of the campaigns to assist the other campaign. [See RCW 42.17.020(15)(b)(ix) and WAC 390-05-243 for more detailed information.]


“Ministerial functions” means activities carried out as part of the duties of an administrative office without exercise of personal judgment or discretion. RCW 42.17.020(34). Also see WAC 390-05-243 for a non-exclusive list of ministerial functions and a definition of administrative office. Typically, persons performing ministerial functions may, under the supervision of a candidate or committee officer, file PDC reports, make deposits, pay bills and maintain campaign finance records. However, if a person performs functions for both a candidate and a political committee and those functions for one or both campaigns entail duties beyond those deemed ministerial, any expenditure by the committee benefiting the candidate may be a contribution, rather than an independent expenditure or electioneering communication. [RCW 42.17.020(34) and WACs 390-05-243 and 390-05-210]

For Instruction Manuals and Reporting Forms click on the “Filer Resources” tab at www.pdc.wa.gov

AMENDATORY SECTION (Amending WSR 08-01-069, filed 12/14/07, effective 1/14/08)

WAC 390-16-012 Forms—Registration statement for candidates. The official form for providing the statement of organization by candidates and candidate's committees, for designating a campaign treasurer and depository and for reporting information required to qualify for mini campaign finance reporting is designated "C-1," revised ((4/08)) 11/10. Copies of this form are available at the Commission Office, 711 Capitol Way, Room 206, P.O. Box 40908, Olympia, Washington, 98504-0908. Any attachments shall be on 8-1/2" x 11" white paper.

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 <p>PUBLIC DISCLOSURE COMMISSION 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 Toll Free 1-877-601-2828</p>		<h2>Candidate Registration</h2>		<h1>C1</h1> <p>(1/2008)</p>	
Candidate's Name (Give candidate's full name.)				Telephone Number ()	
Candidate's Committee Name (Do not abbreviate.)				Fax Number ()	
Mailing Address				Candidate's E-Mail Address	
City		County		Zip + 4	
1. What office are you running for?		Legislative District, County or City		Position No. Do you now hold this office? Yes <input type="checkbox"/> No <input type="checkbox"/>	
2. Political party (if partisan office)			3. Date of general or special election		
<p>4. How much do you plan to spend during your entire election campaign, including the primary and general elections? Based on that estimate, choose the reporting options below. If no box is checked you are obligated to use Option II, Full Reporting. See instruction manuals for information about reports and changing reporting options.</p> <p><input type="checkbox"/> Option I MINI REPORTING: In addition to my filing fee of \$_____, I will raise and spend no more than \$5,000, including any charges for inclusion in state and local voters pamphlets. I will not accept more than \$500 in the aggregate from any contributor except myself.</p> <p><input type="checkbox"/> Option II FULL REPORTING: I will use the Full Reporting system. I will file the frequent, detailed campaign reports required by law.</p>					
5. Treasurer's Name and Address. Does treasurer perform <u>only</u> ministerial functions? Yes ___ No ___ See WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet.				Daytime Telephone Number ()	
6. Persons who perform only ministerial functions on your behalf <u>and</u> on behalf of other candidates or political committees. List name, title and address of these persons. WAC 390-05-243 and next page for details. <input type="checkbox"/> Continued on attached sheet.					
7. Committee Officers and other persons who authorize expenditures or make decisions on your behalf. List name, title and address. See next page for definition of "officer." <input type="checkbox"/> Continued on attached sheet.					
8. Campaign Bank or Depository		Branch		City	
9. Related or Affiliated Political Committees. List name, address and relationship. <input type="checkbox"/> Continued on attached sheet.					
10. Campaign books must be open to the public by appointment between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. In the space below, provide contact information for scheduling an appointment and the address where the inspection will take place. It is not acceptable to use a post office box or an out-of-area address.					
Street Address, Room Number, City where campaign books will be available for inspection					

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Please consult PDC instruction manuals when completing this report. Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.



Who Must File – Candidates who seek:

- state office (legislative or statewide executive),
- a state supreme court or state court of appeals position,
- local office in jurisdictions having 5,000 or more registered voters as of the last general election or in jurisdictions covering an entire county,
- local office in jurisdictions of any size if the candidate receives or expects to receive \$5,000 or more in contributions.

When To File – Within 2 weeks of becoming a candidate. A person becomes a candidate for PDC purposes when he or she **first** does any of the following:

- receives contributions, makes expenditures, or reserves space or facilities with intent to promote his or her candidacy;
- purchases commercial advertising space or broadcast time to promote his or her candidacy;
- authorizes another person to take one of these above actions on his or her behalf;
- announces publicly that he or she is seeking office; or
- files a declaration of candidacy with the appropriate elections official.

File an amended registration within 10 days of a material change to information provided on previously filed C-1. Reports are considered filed as of the postmark date or date hand-delivered to PDC.

Where To File – Send the **original to PDC** at the above address. Send a **copy to County Auditor** (county elections office) of the county in which the candidate resides. Candidates for city offices are advised to contact their City Clerk to learn if local filing is required by local ordinance. Keep a copy for the campaign's records.

“Officer” of a Candidate’s Committee – Officer of a candidate’s committee includes the following persons:

- any person designated as an officer on the C-1 registration statement, and
- any person who alone or in conjunction with other persons makes, directs, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee. [WAC 390-05-245]

Persons who perform “Ministerial Functions” for two or more campaigns


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 <p>PUBLIC DISCLOSURE COMMISSION 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 Toll Free 1-877-601-2828</p>	<h2 style="margin: 0;">Candidate Registration</h2>	<h1 style="margin: 0;">C1</h1> <p style="font-size: small;">(11/10)</p>	
Candidate's Name (Give candidate's full name.)		Telephone Number ()	
Candidate's Committee Name (Do not abbreviate.)		Fax Number ()	
Mailing Address		Candidate's E-Mail Address	
City	County	Zip + 4	Campaign E-Mail Address
1. What office are you running for?		Legislative District, County or City	Position No. Do you now hold this office? Yes <input type="checkbox"/> No <input type="checkbox"/>
2. Political party (if partisan office)		3. Date of general or special election	
4. How much do you plan to spend during your entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. If no box is checked you are obligated to use Option II, Full Reporting. See instruction manuals for information about reports required and changing reporting options.			
<input type="checkbox"/> Option I MINI REPORTING: In addition to my filing fee of \$_____, I will raise and spend no more than \$5,000, including any charges for inclusion in state and local voters pamphlets. I will not accept more than \$500 in the aggregate from any contributor except myself.			
<input type="checkbox"/> Option II FULL REPORTING: I will use the Full Reporting system. I will file the frequent, detailed campaign reports required by law.			
5. Treasurer's Name and Address. Does treasurer perform <u>only</u> ministerial functions? Yes ___ No ___ See WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet.		Daytime Telephone Number ()	
6. Persons who perform only ministerial functions on your behalf <u>and</u> on behalf of other candidates or political committees. List name, title and address of these persons. See WAC 390-05-243 and next page for details.		<input type="checkbox"/> Continued on attached sheet.	
7. Committee Officers and other persons who authorize expenditures or make decisions on your behalf. List name, title and address.		<input type="checkbox"/> Continued on attached sheet.	
8. Campaign Bank or Depository	Branch	City	
9. Related or Affiliated Political Committees. List name, address and relationship.		<input type="checkbox"/> Continued on attached sheet.	
10. Campaign books must be open to the public by appointment between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. In the space below, provide contact information for scheduling an appointment and the address where the inspection will take place. It is not acceptable to provide a post office box or an out-of-area address.			
Street Address, Room Number, City where campaign books will be available for inspection In order to make an appointment, contact the campaign at (telephone, fax, e-mail): ()			
11. CERTIFICATION: I certify that this report is true, complete and correct to the best of my knowledge.		Date	
Candidate's Signature			

SEE INSTRUCTIONS ON NEXT PAGE

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Who Must File – Candidates who seek:

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- a state supreme court or state court of appeals position,
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- authorizes another person to take one of these above actions on his or her behalf;
- announces publicly that he or she is seeking office; or
- files a declaration of candidacy with the appropriate elections official.

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- the person does not share information from or about one of the campaigns with the other campaign, or does not use information from or about one of the campaigns to assist the other campaign. [See RCW 42.17.020 (15)(b)(ix) and WAC 390-05-243 for more detailed information.]

“Ministerial functions” means activities carried out as part of the duties of an administrative office without exercise of personal judgment or discretion. RCW 42.17.020(34). Also see WAC 390-05-243 for a non-exclusive list of ministerial functions and a definition of administrative office. Typically, persons performing ministerial functions may, under the supervision of a candidate or committee officer, file PDC reports, make deposits, pay bills and maintain campaign finance records. However, if a person performs functions for both a candidate and a political committee and those functions for one or both campaigns entail duties beyond those deemed ministerial, any expenditure by the committee benefiting the candidate may be a contribution, rather than an independent expenditure or electioneering communication. [RCW 42.17.020(34) and WACs 390-05-243 and 390-05-210]

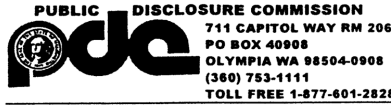
For Instruction Manuals and Reporting Forms click on the “Filer Resources” tab at www.pdc.wa.gov

AMENDATORY SECTION (Amending WSR 04-01-132, filed 12/18/03, effective 1/18/04)

WAC 390-16-041 Forms—Summary of total contributions and expenditures. (1) The official form for reports of contributions and expenditures by candidates and political committees who use the "full" reporting option is designated "C-4," revised ((4/02)) 11/10, and includes Schedule A, revised 1/04, Schedule B, revised 1/04, Schedule C, revised 3/93, and Schedule L, revised 1/02.

(2) Copies of these forms are available at the Commission Office, 711 Capitol Way, Room 206, P.O. Box 40908, Olympia, Washington 98504-0908. Any paper attachments shall be on 8-1/2" x 11" white paper.

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CAMPAIGN SUMMARY RECEIPTS & EXPENDITURES

C4 (1/02) PDC OFFICE USE

Candidate or Committee Name (Do not abbreviate. Include full name)
Mailing Address City

Zip + 4 Office Sought (Candidates) Election Date
Report Period Covered From (last C-4) To (end of period) Final Report? Yes No

*For PACs, Parties & Caucus Committees: During this report period, did the committee make an independent expenditure (i.e., an expense not considered a contribution) supporting or opposing a state or local candidate?
*See reverse Yes No

RECEIPTS
1. Previous total cash and in kind contributions (From line 8, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) \$
2. Cash received (From line 2, Schedule A) \$
3. In kind contributions received (From line 1, Schedule B)
4. Total cash and in kind contributions received this period (Line 2 plus 3)
5. Loan principal repayments made (From line 2, Schedule L) ()
6. Corrections (From line 1 or 3, Schedule C) Show + or (-)
7. Net adjustments this period (Combine line 5 & 6) Show + or (-)
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7)
9. Total pledge payments due (From line 2, Schedule B) []

EXPENDITURES
10. Previous total cash and in kind expenditures (From line 17, last C-4) (if beginning a new campaign or calendar year, see instruction booklet)
11. Total cash expenditures (From line 4, Schedule A)
12. In kind expenditures (goods & services) (From line 1, Schedule B)
13. Total cash and in kind expenditures made this period (Line 11 plus line 12)
14. Loan principal repayments made (From line 2, Schedule L) ()
15. Corrections (From line 2 or 3, Schedule C) Show + or (-)
16. Net adjustments this period (Combine lines 14 & 15) Show + or (-)
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16)

CANDIDATES ONLY
Name not on ballot
Primary election Won Lost Unopposed
General election
Treasurer's Daytime Telephone No.: ()

CASH SUMMARY
18. Cash on hand (Line 8 minus line 17) [Line 18 should equal your bank account balance(s) plus your petty cash balance.]
19. Liabilities: (Sum of loans and debts owed) ()
20. Balance (Surplus or deficit) (Line 18 minus line 19)

CERTIFICATION: I certify that the information herein and on accompanying schedules and attachments is true and correct to the best of my knowledge.
Candidate's Signature Date Treasurer's Signature Date

SEE INSTRUCTIONS ON REVERSE
((STRICKEN GRAPHIC))

~~((STRICKEN GRAPHIC))~~

Page 2	C4 <small>(1/02)</small>	CAMPAIGN SUMMARY RECEIPTS & EXPENDITURES
---------------	------------------------------------	---

**Please consult PDC instruction manuals when completing this report.
Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.**

- WHO MUST FILE** Each candidate and political committee using Full Reporting.
- FILING DATES**
- 1) File with C-1 or C-1pc (Registration form) if you received contributions or made expenditures before registering.
 - 2) File on the 10th of each month if contributions or expenditures are over \$200 since last C-4 was filed. (These 10th-of-the-month reports are not required if another C-4 must be filed during that month. See #3 below.)
 - 3) For each primary, general and special election in which the candidate or political committee makes an expenditure, file
 - 21 days prior to the election
 - 7 days prior to the election
 - 10th of the first month after the election -- see note below

(Note: Not required after primary election from candidates who will be in the general election or from continuing political committees.)
 - 4) File final report when campaign is finished or committee closes operation. Often, this coincides with the primary or general post-election, 10th-of-the-month report.

All reports are considered filed as of the postmark date or the date hand-delivered to PDC.

WHERE TO SEND REPORTS Send original C-4 reports, along with all schedules and attachments, to PDC. Candidates send a duplicate copy to their County Auditor (County Elections Department). Political committees send a copy to County Auditor of the county in which their headquarters is located or, if no headquarters, the county in which their treasurer resides.

Candidates for city offices, city ballot issue committees and other political committees who give to city candidates or ballot issue committees should check with city clerk regarding any local filing requirements.

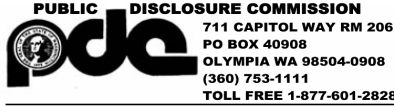
***FOR ALL PACS, POLITICAL PARTIES & CAUCUS POLITICAL COMMITTEES** The question posted near the top of the first page of this form regarding independent expenditures applies to **ALL POLITICAL COMMITTEES** required to file C-4 reports, **except ballot issue committees** that neither contribute to candidates nor make independent expenditures regarding them **and candidate committees** (because they are prohibited from making expenditures that are not directly related to their own campaigns).

All other Political Committees and PACs must indicate whether they made any independent expenditures supporting or opposing one or more candidates for state or local office.

If the response is "yes," the independent expenditure(s) **MUST** be itemized on the appropriate schedule (either Schedule A, or Part 3 of Schedule B), showing:

- the date of the expense;
- the name and address of the vendor or recipient of the funds;
- if using Schedule A, an "I" in the Code column;
- the name and office sought of the candidate supported or opposed;
- an indication of support or opposition; and
- a brief description of the expense (e.g., brochure mailed to absentee voters).

~~STRICKEN GRAPHIC))~~



**CAMPAIGN SUMMARY
RECEIPTS & EXPENDITURES**

C4 <small>(11/10)</small>	<small>PDC OFFICE USE</small>
-------------------------------------	-------------------------------

Candidate or Committee Name (Do not abbreviate. Include full name)

Mailing Address City

Zip + 4	Office Sought (Candidates)	Election Date
Report Period Covered	From (last C-4) To (end of period)	Final Report? Yes <input type="checkbox"/> No <input type="checkbox"/>

***For PACs, Parties & Caucus Committees:** During this report period, did the committee make an **independent expenditure** (i.e., an expense not considered a contribution supporting or opposing a state or local candidate?)

RECEIPTS

*See reverse Yes No

1. Previous total cash and in kind contributions (From line 8, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) \$ _____
2. Cash received (From line 2, Schedule A) \$ _____
3. In kind contributions received (From line 1, Schedule B)..... _____
4. Total cash and in kind contributions received this period (Line 2 plus 3)..... _____
5. Loan principal repayments made (From line 2, Schedule L)..... () _____
6. Corrections (From line 1 or 3, Schedule C)..... Show + or (-) _____
7. Net adjustments this period (Combine line 5 & 6)..... Show + or (-) _____
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7) _____
9. Total pledge payments due (From line 2, Schedule B)

EXPENDITURES

10. Previous total cash and in kind expenditures (From line 17, last C-4) (If beginning a new campaign or calendar year, see instruction booklet)..... _____
11. Total cash expenditures (From line 4, Schedule A) _____
12. In kind expenditures (goods & services) (From line 1, Schedule B) _____
13. Total cash and in kind expenditures made this period (Line 11 plus line 12)..... _____
14. Loan principal repayments made (From line 2, Schedule L)..... () _____
15. Corrections (From line 2 or 3, Schedule C)..... Show + or (-) _____
16. Net adjustments this period (Combine lines 14 & 15)..... Show + or (-) _____
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16)..... _____

CANDIDATES ONLY

	Won	Lost	Unopposed	Name not on ballot
Primary election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Treasurer's Daytime Telephone No.:
() _____

CASH SUMMARY

18. Cash on hand (Line 8 minus line 17).....	_____
<small>[Line 18 should equal your bank account balance(s) plus your petty cash balance.]</small>	
19. Liabilities: (Sum of loans and debts owed).....	() _____
20. Balance (Surplus or deficit) (Line 18 minus line 19).....	_____

CERTIFICATION: I certify that the information herein and on accompanying schedules and attachments is true and correct to the best of my knowledge.

Candidate's Signature	Date	Treasurer's Signature	Date
-----------------------	------	-----------------------	------

SEE INSTRUCTIONS ON REVERSE

Page 2

C4

(11/10)

**CAMPAIGN SUMMARY
RECEIPTS &
EXPENDITURES**

**Please consult PDC instruction manuals when completing this report.
Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.**

WHO MUST FILE	Each candidate and political committee using Full Reporting.
FILING DATES	<ol style="list-style-type: none"> 1) <u>File with C-1 or C-1pc</u> (Registration form) if you received contributions or made expenditures before registering. 2) <u>File on the 10th of each month</u> if contributions or expenditures are over \$200 since last C-4 was filed. (These 10th-of-the-month reports are not required if another C-4 must be filed during that month. See #3 below.) 3) For each primary, general and special election in which the candidate or political committee makes an expenditure, file <ul style="list-style-type: none"> • 21 days prior to the election • 7 days prior to the election • 10th of the first month after the election -- see note below <p>(Note: Not required after primary election from candidates who will be in the general election or from continuing political committees.)</p> 4) <u>File final report</u> when campaign is finished or committee closes operation. Often, this coincides with the primary or general post-election, 10th-of-the-month report. <p>All reports are considered filed as of the postmark date or the date hand-delivered to PDC.</p>
WHERE TO SEND REPORTS	<p>Send original C-4 reports, along with all schedules and attachments, to PDC. Keep a copy for the campaign's records.</p> <p>Candidates for city offices, city ballot issue committees and other political committees who give to city candidates or ballot issue committees should check with city clerk regarding any local filing requirements.</p>
*FOR ALL PACS, POLITICAL PARTIES & CAUCUS POLITICAL COMMITTEES	<p>The question posted near the top of the first page of this form regarding independent expenditures applies to ALL POLITICAL COMMITTEES required to file C-4 reports, except ballot issue committees that neither contribute to candidates nor make independent expenditures regarding them and candidate committees (because they are prohibited from making expenditures that are not directly related to their own campaigns).</p> <p>All other Political Committees and PACs must indicate whether they made any independent expenditures supporting or opposing one or more candidates for state or local office.</p> <p><u>If the response is "yes,"</u> the independent expenditure(s) MUST be itemized on the appropriate schedule (either Schedule A, or Part 3 of Schedule B), showing:</p> <ul style="list-style-type: none"> • the date of the expense; • the name and address of the vendor or recipient of the funds; • if using Schedule A, an "I" in the Code column; • the name and office sought of the candidate supported or opposed; • an indication of support or opposition; and • a brief description of the expense (e.g., brochure mailed to absentee voters).

CASH RECEIPTS AND EXPENDITURE

SCHEDULE **A**
to C4
(1/04)

Candidate or Committee Name (Do not abbreviate. Use full name.) Report Date

1 CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit made since last C4 report was submitted.

Date of deposit	Amount	Date of deposit	Amount	Date of deposit	Amount	Total deposits
						\$

2. TOTAL CASH RECEIPTS Enter also on line 2 of C4 \$

CODES FOR CLASSIFYING EXPENDITURES: If one of the following codes is used to describe an expenditure, no other description is generally needed.

The exceptions are:

- 1) If expenditures are **in-kind or earmarked contributions** to a candidate or committee or **independent expenditures** that benefit a candidate or committee, identify the candidate or committee in the Description block;
- 2) When reporting payments to vendors for travel expenses, identify the traveler and travel purpose in the Description block; and
- 3) If expenditures are made directly or indirectly to compensate a person or entity for soliciting signatures on a statewide initiative or referendum petition, use code "V" and provide the following information in the Description block: name and address of each person/entity compensated, amount paid each during the reporting period, and cumulative total paid all persons to date to gather signatures.

CODE DEFINITIONS ON NEXT PAGE	C - Contributions (monetary, in-kind & transfers) I - Independent Expenditures L - Literature, Brochures, Printing B - Broadcast Advertising (Radio, TV) N - Newspaper and Periodical Advertising O - Other Advertising (yard signs, buttons, etc.) V - Voter Signature Gathering	P - Postage, Mailing Permits S - Surveys and Polls F - Fundraising Event Expenses T - Travel, Accommodations, Meals M - Management/Consulting Services W - Wages, Salaries, Benefits G - General Operation and Overhead
----------------------------------	---	---

3. EXPENDITURES

- a) Expenditures of **\$50 or less**, including those from petty cash, need not be itemized. Add up these expenditures and show the total in the amount column on the first line below.
- b) Itemize each expenditure of **more than \$50** by date paid, name and address of vendor, code/description, and amount.
- c) For each payment to a candidate, campaign worker, PR firm, advertising agency, consultant or credit card company, provide a detailed breakdown in the Description block of expenses included in the payment.

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Amount
N/A	Expenses of \$50 or less	N/A	N/A	
				\$

Total from attached pages \$

4. TOTAL CASH EXPENDITURES

Enter also on line 11 of C4 \$

CODE DEFINITIONS ON NEXT PAGE

Page 2 - For information only. Do not file as part of report.

EXPENDITURE CODE DEFINITIONS AND USES

(for use on Schedule A and Schedule B)

NOTE: Expenditures (including debts) for payments to a candidate, campaign worker, PR firm, advertising agency, consultant or credit card company require further detail in the Description block. See expenditure description on Schedule A, WAC 390-16-037 and WAC 390-16-205.

- C MONETARY, IN-KIND AND EARMARKED CONTRIBUTIONS** your campaign legally makes to other campaigns. Put a "C" in the Code column, in the Description column specify who was benefited and, if in-kind, what was purchased.
- I INDEPENDENT EXPENDITURES** (those expenditures that benefit other candidates or committees but are made independently of them). Put an "I" in the Code column and fully describe purpose.
- L LITERATURE.** Use "L" for expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use "P" for literature mailing costs.
- B BROADCAST ADVERTISING** Use "B" for expenditures associated with the production and purchase of radio and television advertising.
- N NEWSPAPER & PERIODICAL ADVERTISING.** Use "N" for expenditures associated with the production and purchase of advertising in newspapers, periodicals and other publications.
- O OTHER ADVERTISING.** Use "O" for expenditures associated with the production and purchase of advertising on billboards, yard signs and campaign paraphernalia such as buttons, bumper stickers, T-shirts, etc.
- V VOTER SIGNATURE GATHERING.** Use "V" for expenditures made directly or indirectly to compensate a person or entity for soliciting or pro-curing signatures on a statewide initiative or referendum petition. Attach itemization of each such payment.
- P POSTAGE.** Use "P" for expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services (postage only). Use "L" for design and other production costs associated with producing campaign literature.
- F FUNDRAISING EVENTS.** Use "F" for expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers. Use "L" for expenditures for printed matter produced in connection with fundraising events.
- S SURVEYS AND POLLS.** Use "S" for expenditures associated with designing or producing polls, reports on election trends, voter surveys, telemarketing, telephone banks, GOTV drives, etc.
- T TRAVEL, ACCOMMODATIONS, MEALS.** Use "T" for expenditures associated with travel. If vendor has been paid directly, identify the traveler in Description column. If travel payment was made to credit card company or traveler (for out-of-pocket expenses), itemize expenses on separate sheet and attach to Schedule A.
- M MANAGEMENT AND CONSULTING SERVICES.** Use "M" for salaries, fees and commissions paid to campaign management companies and contract consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).
- W WAGES, SALARIES, BENEFITS.** Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than campaign management or consulting.
- G GENERAL OPERATION AND OVERHEAD.** Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture for the campaign.

**IN KIND CONTRIBUTIONS, PLEDGES,
ORDERS, DEBTS, OBLIGATIONS**

**SCHEDULE
TO C4**

B
(1/04)

Candidate or Committee Name (Do not abbreviate. Use full name.)

Report Date

1. IN KIND CONTRIBUTIONS RECEIVED (goods, services, discounts, etc.)

Date Received	Contributor's Name and Address	Description of Contribution*	Fair Market Value	Aggregate Total	P R I		G E N		If more than \$100, Employer Name, City, State & Occup.
									Occupation
									Occupation
									Occupation
<input type="checkbox"/> Check here if additional pages are attached.			TOTAL (Enter also on line 3 and line 12 of C4)						

2. PLEDGES RECEIVED BUT NOT YET PAID. List each pledge of \$100.00 or more.

Date Notified of Pledge	Name and Address of Pledge Maker	Fair Market Value	Aggregate Total	P R I		G E N		If more than \$100, Employer Name, City, State & Occup.
								Occupation
								Occupation
<input type="checkbox"/> Check here if additional pages are attached.			TOTAL (include new pledges above and all other outstanding pledges.) (Enter also on line 9 of C4)		\$			

3. ORDERS PLACED, DEBTS, OBLIGATIONS. If debt is owed to a candidate, campaign worker, PR firm, advertising agency, consultant or credit card company, provide a detailed breakdown of expenses included in the debt. (Give estimate if actual amount not known. Exclude loans. Report loans on Schedule L.)

Expenditure Date	Vendor's/Recipient's Name and Address	Amount Owed	Code	OR	Description of Obligation*
		\$			
		\$			
		\$			
		\$			
		\$			
		\$			
<input type="checkbox"/> Check here if additional pages are attached.			TOTAL (Include in line 19 of C4)		\$

*SEE NOTE AND CODE DEFINITIONS ON REVERSE

EXPENDITURE CODE DEFINITIONS AND USES

(for use on Schedule A and Schedule B)

NOTE: Expenditures (including debts) for payments to a candidate, campaign worker, PR firm, advertising agency, consultant or credit card company require further detail in the Description block. See expenditure description on Schedule A, WAC 390-16-037 and WAC 390-16-205.

- C MONETARY, IN-KIND AND EARMARKED CONTRIBUTIONS** your campaign legally makes to other campaigns. Put a "C" in the Code column, in the Description column specify who was benefited and, if in-kind, what was purchased.
- I INDEPENDENT EXPENDITURES** (those expenditures that benefit other candidates or committees but are made independently of them). Put an "I" in the Code column and fully describe purpose.
- L LITERATURE**. Use "L" for expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use "P" for literature mailing costs.
- B BROADCAST ADVERTISING**. Use "B" for expenditures associated with the production and purchase of radio and television advertising.
- N NEWSPAPER & PERIODICAL ADVERTISING**. Use "N" for expenditures associated with the production and purchase of advertising in newspapers, periodicals and other publications.
- O OTHER ADVERTISING**. Use "O" for expenditures associated with the production and purchase of advertising on billboards, yard signs and campaign paraphernalia such as buttons, bumper stickers, T-shirts, etc.
- V VOTER SIGNATURE GATHERING**. Use "V" for expenditures made directly or indirectly to compensate a person or entity for soliciting or procuring signatures on a statewide initiative or referendum petition. Attach itemization of each such payment.
- P POSTAGE**. Use "P" for expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services (postage only). Use "L" for design and other production costs associated with producing campaign literature.
- F FUNDRAISING EVENTS**. Use "F" for expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers. Use "L" for expenditures for printed matter produced in connection with fundraising events.
- S SURVEYS AND POLLS**. Use "S" for expenditures associated with designing or producing polls, reports on election trends, voter surveys, telemarketing, telephone banks, GOTV drives, etc.
- T TRAVEL, ACCOMMODATIONS, MEALS**. Use "T" for expenditures associated with travel. If vendor has been paid directly, identify the traveler in Description column. If travel payment was made to credit card company or traveler (for out-of-pocket expenses), itemize expenses on separate sheet and attach to Schedule A.
- M MANAGEMENT AND CONSULTING SERVICES**. Use "M" for salaries, fees and commissions paid to campaign management companies and contract consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).
- W WAGES, SALARIES, BENEFITS**. Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than campaign management or consulting.
- G GENERAL OPERATION AND OVERHEAD**. Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture for the campaign.

CORRECTIONS

SCHEDULE **C**
to C4

Candidate or Committee Name (Do not abbreviate. Use full name.)

Date

1. CONTRIBUTIONS AND RECEIPTS (Include mathematical corrections.)

Date of report	Contributor's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)
Total corrections to contributions Enter on line 6 of C4. Show + or (-).				

2. EXPENDITURES (Include mathematical corrections.)

Date of report	Vendor's 's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)
Total corrections to expenditures Enter on line 15 of C4. Show + or (-).				

3. REFUNDS FROM VENDORS. The below listed amounts have been received as refunds on expenditures previously reported. The refund has been deposited and reported on C3 report, Line 1d.

Date of refund	Source /person making refund	Amount of refund
Total refunds Enter as (-) on line 6 & line 15 of C4.		

LOANS

See Instructions and Example on reverse

**SCHEDULE
TO C3
OR C4**

L
(1/02)

Candidate or Committee Name _____ Report Date _____

1. MONETARY OR IN-KIND LOAN RECEIVED. Loans are considered contributions and are subject to any applicable limit.

Date Loaned	Lender's Name and Address	P R I N T I O N A L	G E N E R A L	Amount of Loan	Annual Interest Rate	Repayment Schedule	Date Due

If monetary loan, also include this amount on line 1c, C3 report. →
If in-kind loan, itemize in Part 1 of Schedule B.

If Total Contributed is more than \$
Show Lender's Occupation and
Name, City & State of Employer

Name and Address of Each Loan Endorser, Co-Signer	P R I N T I O N A L	G E N E R A L	Amount Liable For (Same as Loan Amount)	Aggregate Total	If Total Contributed is more than \$ Show Endorser's Occupation and Name, City, & State of Employer

Continued on attached sheet

2. LOAN PAYMENTS. Candidates may be repaid no more than amount loaned or permitted by WAC 390-05-400, whichever is less. See instruction manual.

Date Paid	Lender's Name and Address	Principal Paid	Interest Paid	Total Payment	Balance Ow

Total Principal Paid → Enter also on lines 5 and 14, C-4 report
Total Payments → Enter as an expenditure on Schedule A

3. LOANS FORGIVEN.

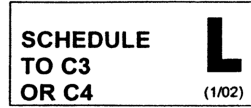
Date	Lender's Name and Address	Original Amount	Principal Repaid	Amount Forgiven	Balance Ow

4. LOANS STILL OWED. List each loan that has previously been reported and still has a balance due.

Date	Lender's Name and Address	Original Amount	Principal Repaid or Forgiven	Amount Ow

Subtotal _____
New Loans Received (and listed in Item 1 above) _____

LOANS



Please consult PDC instruction manuals when completing this schedule.
Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.

WHO MUST FILE Each candidate and political committee using full reporting that receives one or more campaign loans.

FILING DATES When a monetary loan is received by the campaign, complete Part 1 and file the Schedule L with the C-3 report that corresponds with the loan's deposit into the account. **Use a separate schedule for each loan received.**

When an in-kind loan is received, complete Part 1 and file Schedule L along with the Schedule B (to the C-4) that itemizes the in-kind contribution.

When a loan is paid or forgiven, in whole or in part, complete Part 2 and/or Part 3 and file the Schedule L with the C-4 covering the period when the payment or forgiveness occurred.

When one or more loans remain unpaid, complete Part 4 and file the schedule with each C-4 report until all loans are repaid in full or forgiven. (The same schedule may be used to show loan payments, forgiveness information and to show which loans remain unpaid.)

LOAN RECEIVED
(Information would appear on separate Schedule L)



LOAN PAYMENTS



LOANS FORGIVEN



LOANS STILL OWED



Example LOANS

SCHEDULE TO C3 OR C4 L
(1/02)

Candidate or Committee Name		Adrian Adams for State Representative		Report Date	12/22/XXXX									
1. MONETARY OR IN-KIND LOAN RECEIVED. Loans are considered contributions and are subject to any applicable limit.														
Date Loaned	Lender's Name and Address	<table border="1" style="display: inline-table; vertical-align: middle;"><tr><td>P</td><td>R</td><td>E</td><td>N</td></tr><tr><td>X</td><td></td><td></td><td></td></tr></table>	P	R	E	N	X				Amount of Loan	Annual Interest Rate	Repayment Schedule	Date Due
P	R	E	N											
X														
2/12/XXXX	Tyler Adams PO Box 123 Olympia, WA		\$ 500.00	12%	\$100/month	Not fixed								
If monetary loan, also include this amount on line 1c, C3 report.				\$ 500.00										
If in-kind loan, itemize in Part 1 of Schedule B.														
Name and Address of Each Loan Endorser, Co-Signer		<table border="1" style="display: inline-table; vertical-align: middle;"><tr><td>P</td><td>R</td><td>E</td><td>N</td></tr><tr><td></td><td></td><td></td><td></td></tr></table>	P	R	E	N					Amount Liable For (Same as Loan Amount)	Aggregate Total	If Total Contributed is more than \$100, Show Endorser's Occupation and Name, City, & State of Employer	
P	R	E	N											
<input type="checkbox"/> Continued on attached sheet														
2. LOAN PAYMENTS. Candidates may be repaid no more than amount loaned or permitted by WAC 390-05-400, which ever is less. See instruction manual.														
Date Paid	Lender's Name and Address	Principal Paid	Interest Paid	Total Payment	Balance Owed									
3/30/XXXX	Tyler Adams PO Box 123, Olympia, WA	\$ 100.00	\$ 10.00	\$ 110.00	\$ 400.00									
3/31/XXXX	Michael Murray 201 Westway Rd, Tacoma, WA	100.00	\$ 0	100.00	250.00									
		Total Principal Paid Enter also on lines 5 and 14, C-4 report	\$ 200.00	Total Payments Enter as an expenditure on Schedule A	\$ 210.00									
3. LOANS FORGIVEN.														
Date	Lender's Name and Address	Original Amount	Principal Repaid	Amount Forgiven	Balance Owed									
3/15/XXXX	Kelly Adams 2222 Riverfront Rd, Olympia, WA	\$ 250.00	\$ 0	\$ 150.00	\$ 100.00									
4. LOANS STILL OWED. List each loan that has previously been reported and still has a balance due.														
Date	Lender's Name and Address	Original Amount	Principal Repaid or Forgiven	Amount Owed										
1/22/XXXX	Tyler Adams PO Box 123, Olympia, WA	\$ 500.00	\$ 100.00	\$ 400.00										
2/12/XXXX	Michael Murray 201 Westway Rd, Tacoma, WA	350.00	100.00	250.00										
3/01/XXXX	Kelly Adams 2222 Riverfront Rd, Olympia, WA	250.00	150.00	100.00										
3/11/XXXX	K.M. Lawrence PO Box 3456, Olympia, WA	1,000.00	0	1,000.00										
				Subtotal	\$ 1,750.00									
				New Loans Received (and listed in item 1 above)	\$ 0									
				Total Loans Owed Include in total on line 19, C-4 report	\$ 1,750.00									
<input type="checkbox"/> Continued on attached sheet.														

AMENDATORY SECTION (Amending WSR 01-22-051, filed 10/31/01, effective 1/1/02)

WAC 390-16-115 Mini campaign reporting—Conditions for granting use. The exemptions allowed in WAC 390-16-105 shall be granted to a candidate or political committee, including a continuing political committee, only upon compliance with the following conditions.

(1) A candidate shall, within fourteen days of first:

(a) Receiving contributions, making expenditures, reserving space or facilities or purchasing commercial advertising space or broadcast time to promote his or her candidacy;

(b) Giving his or her consent to another person to take on behalf of the candidate any of the action in (a) of this subsection; or

(c) Announcing publicly or filing a declaration of candidacy with the appropriate elections official, file the C-1 registration statement with the commission (~~and his or her county elections office~~). The statement must declare that the candidate will not exceed the contribution or expenditure limits set out in WAC 390-16-105.

(2) A political committee shall, within fourteen days after its organization or after the date when it first has the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier, file the C-1pc registration statement with the commission (~~and with the appropriate county elections office as specified below:~~

~~(a) For a political committee, the elections office of the county in which the treasurer resides, unless the treasurer resides out of state, in which case the elections office of Thurston county; or~~

~~(b) For a continuing political committee, the elections office of the county in which the committee's in-state office or headquarters is located; if there is no in-state office or headquarters, the elections office of the county in which the committee treasurer resides, unless the treasurer resides out of state, in which case the elections office of Thurston county).~~

(3) The statement filed under subsection (2) of this section shall declare that the political committee will not exceed the contribution or expenditure limits set out in WAC 390-16-105.

(4) In addition to complying with subsections (2) and (3) of this section, a continuing political committee shall also file a C-1pc between January 1 and January 31 for each year in which the committee intends to use the mini reporting system. Failure to file a new registration statement during January will automatically terminate the committee's entitlement to use the mini reporting system until such time as a new C-1pc is filed.

(5) A candidate or political committee shall keep current records in sufficient detail to allow the candidate or political committee to make reports otherwise required by RCW 42.17.040 through 42.17.090 in the event that the filing of such reports becomes necessary as a result of exceeding the contribution or expenditure limitation pursuant to the provisions of WAC 390-16-125.

(6) A candidate or political committee treasurer shall, during the eight days immediately preceding the date of the election, maintain records of contributions and expenditures

current within one business day. These records shall be open for public inspection during the hours designated on the registration statement at the principal campaign headquarters or, if there is no campaign headquarters, at a local address of the campaign treasurer or such other place as may be authorized by the commission.

(7) The records of contributions and expenditures shall be available for audit or examination by representatives of the public disclosure commission at any time upon request from the commission.

AMENDATORY SECTION (Amending WSR 05-11-001, filed 5/4/05, effective 6/4/05)

WAC 390-19-030 Electronic filing—Reporting threshold. (1) The "electronic reporting threshold" that requires electronic filing of all contribution and expenditure reports is met when a candidate or political committee has expended \$10,000 or more in the preceding calendar year or expects to expend \$10,000 or more in the current calendar year.

(2) It is presumed that a filer "expects to expend" \$10,000 or more when any one of the following first occurs:

(a) A filer spends at least \$10,000;

(b) A filer is a candidate for the same office last sought, the filer's election is in the current calendar year, and his or her campaign expenditures in the previous election for the same office were \$10,000 or more;

(c) A filer's expenditures meet or exceed \$2,500 on or before March 31 of the current calendar year;

(d) A filer's expenditures meet or exceed \$5,000 on or before June 30 of the current calendar year;

(e) A filer's expenditures meet or exceed \$7,500 on or before September 30 of the current calendar year; or

(f) A filer otherwise projects that \$10,000 or more will be spent during the current calendar year.

(3) The following expenditures or transactions are excluded from the electronic reporting threshold calculation:

(a) Expenditures made to pay outstanding debts carried forward from a previous election;

(b) Surplus funds disposed of in accordance with RCW 42.17.095; and

(c) The value of in-kind contributions pledged or received within eight days of a special or general election.

(4) Candidate committees or political committees supporting or opposing ballot propositions that meet, exceed or expect to meet or exceed the electronic reporting threshold shall report electronically for the duration of the campaign.

~~((5) A report that is filed with the commission electronically need not also be filed with the county auditor or elections officer pursuant to RCW 42.17.080-))~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 390-16-314

Independent expenditure—
Disclosure.

WSR 10-17-074

PROPOSED RULES

PUBLIC DISCLOSURE COMMISSION

[Filed August 16, 2010, 8:19 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-12-110.

Title of Rule and Other Identifying Information: Amend WAC 390-16-038 Definition—Aggregate, 390-16-309 Identification of affiliated entities, and 390-17-302 Contributions after the primary election.

Hearing Location(s): Commission Hearing Room, 711 Capitol Way, Room 206, Olympia, WA 98504, on September 23, 2010, at 9:30 a.m.

Date of Intended Adoption: September 23, 2010.

Submit Written Comments to: Lori Anderson, Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, e-mail lori.anderson@pdc.wa.gov, fax (360) 753-1112, by September 21, 2010.

Assistance for Persons with Disabilities: Contact Jana Greer by phone (360) 586-0544.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To implement SB 6344 (chapter 206, Laws of 2010), including ensuring that contribution limits are consistently applied to all affected candidates and giving guidance to candidates who, through recent legislative amendments, are now subject to contribution limits.

Reasons Supporting Proposal: To provide guidance and clarification to candidates affected by 2010 legislation.

Statutory Authority for Adoption: RCW 42.17.370(1).

Statute Being Implemented: Chapter 206, Laws of 2010.

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: The rule amendments are designed to clarify the contribution limits imposed by SB 6344 (chapter 206, Laws of 2010).

Name of Proponent: Public disclosure commission (PDC), governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Lori Anderson, 711 Capitol Way, Room 206, Olympia, WA 98504, (360) 664-2737; and Enforcement: Phil Stutzman, 711 Capitol Way, Room 206, Olympia, WA 98504, (360) 664-8853.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The implementation of these rule amendments has minimal impact on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. The PDC is not an agency listed in subsection (5)(a)(i) of section 201. Further, the PDC does not voluntarily make section 201 applicable to the adoption of these rules pursuant to subsection (5)(a)(i) of section 201, and, to

date, the joint administrative rules review committee has not made section 201 applicable to the adoption of these rules.

August 16, 2010

Lori Anderson

Communications and
Training Officer

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

WAC 390-16-038 Definition—Aggregate. The term "aggregate" means, for purposes of:

(1) A candidate for state or local office subject to contribution limits under RCW 42.17.640, the total amount of contributions received by the candidate, an agent of the candidate and any political committee affiliated with the candidate from the beginning of the election cycle;

(2) A candidate for local office not subject to contribution limits under RCW 42.17.640 or judicial office, the total amount of contributions received by the candidate, an agent of the candidate and any political committee affiliated with the candidate from the beginning of the candidate's campaign;

(3) A bona fide political party or caucus political committee, the total amount of contributions received by the committee from January 1 of the current calendar year;

(4) A political committee, the total amount of contributions received by the committee from the date of organization;

(5) A continuing political committee, the total amount of contributions received by the committee from January 1 of the current calendar year;

(6) A contributor, the total amount of all contributions received from a person, and any person affiliated with the person, to any one candidate or political committee;

(7) A person making independent expenditures with respect to a candidate and the reporting and disclosure provisions of RCW 42.17.100, (~~(42.17.180)~~) 42.17.180, (~~(42.17.510)~~) 42.17.510 and (~~(42.17.550)~~) 42.17.550, an independent expenditure made by a person in support of a candidate shall be added to any independent expenditure by the same person in opposition to one or more of the candidate's opponents; and, for purposes of a person making independent expenditures with respect to a ballot proposition, an independent expenditure made by a person in support of a ballot proposition shall be added to any independent expenditure by the same person in opposition to the ballot proposition or in support of an alternative ballot proposition;

(8) The special reports required by RCW 42.17.105 and 42.17.175, the total amount of contributions received or expenditures made by a single person or entity during the special reporting period;

(9) An employer of a registered lobbyist, the total amount of all contributions made to a political committee supporting or opposing a candidate for state office, or to a political committee supporting or opposing a statewide ballot proposition during the preceding calendar year;

(10) The sponsor of a grass roots lobbying campaign, the total amount of contributions received since the beginning of

the campaign and the total amount of expenditures made during the time frames specified in RCW 42.17.200(1);

(11) RCW 42.17.245, the total amount of all time and demand deposits in each financial institution on December 31;

(12) RCW 42.17.395(4), the total amount of monetary penalty that the commission may impose for multiple violations of the act.

AMENDATORY SECTION (Amending WSR 94-11-016, filed 5/5/94, effective 6/5/94)

WAC 390-16-309 Identification of affiliated entities.

(1) Two or more entities are treated as a single person and share one contribution limit under RCW 42.17.640 and 42.17.645 if one of the entities is:

(a) A corporation and the other is a subsidiary, branch or division of the corporation;

(b) A national or international labor union, or state body of such national or international labor union, and the other is a local union or other subordinate organization of such national or international labor union or state body;

(c) A trade association or state body of such trade association and the other is a branch or local unit of such trade association;

(d) A national or state collective bargaining organization and the other is a branch or local unit of such national or state collective bargaining organization;

(e) A national or international federation of labor unions, or a state federation of labor unions, and the other is a local body of such federation;

(f) A membership organization and the other is a local unit or branch of such membership organization;

(g) Any entity referenced in (a) through (f) above and a political committee established, financed, maintained or controlled by that entity.

(2) For purposes of RCW 42.17.640 and 42.17.645, two entities shall not be treated as a single entity solely because one of the entities is a dues paying member of the other entity.

(3) In addition to paragraph (1) above, two or more entities shall be treated as one entity and share a contribution limit under RCW 42.17.640 and 42.17.645 if one of the entities is established, financed, maintained or controlled by the other, as evidenced by any one of the following factors:

(a) Whether one entity owns a controlling interest in the voting stock or securities of another entity; or

(b) Whether one entity has authority or the ability to direct or participate, other than through a vote as a member, in the governance of another entity through provisions of constitution, bylaws, contract or other formal or informal procedure or has authority or the ability to hire, appoint, demote or otherwise control, other than through a vote as a member, the officers or other decision making employees or members of another entity; or

(c) Whether (i) one entity has a common or overlapping membership with another which indicates either a formal or ongoing relationship between the two organizations or the creation of a successor entity and (ii) the entity has an active or significant role in the formation of the other entity and (iii)

the entities have similar patterns of contributions or contributors which indicate a formal or ongoing relationship between the entities; or

(d) Whether one entity provides, causes or arranges, funds, services or goods in a significant amount or on an ongoing basis, through direct or indirect means to the other entity, for less than full consideration. Full consideration includes the payment of membership dues.

AMENDATORY SECTION (Amending WSR 07-07-005, filed 3/8/07, effective 4/8/07)

WAC 390-17-302 Contributions after the primary election.

(1) Pursuant to RCW 42.17.640 and 42.17.645, the date of the primary is the last day for making primary-related contributions unless a (~~state office~~) candidate subject to contribution limits loses in the primary, that candidate's authorized committee has insufficient funds to pay debts outstanding as of the date of the primary, and the contributions are used to satisfy this outstanding debt.

(2) For purposes of the contribution limit in RCW 42.17.640 and 42.17.645, any contribution made up to thirty days after the primary election pursuant to RCW 42.17.640 and 42.17.645 is aggregated with contributions made on or before the date of the primary from the same contributor and any person with whom that contributor shares a limit under RCW 42.17.660 and WAC 390-16-309.

(3) The day following the primary election is considered the first day of the thirty-day period during which contributions may be made to (~~state office~~) candidates subject to contribution limits who lose in the primary election and who have outstanding primary debts.

(4) For purposes of RCW 42.17.640 and 42.17.645, "outstanding primary debts," "outstanding debts" and "debts outstanding" all mean:

(a) Unpaid primary-election related debts incurred on or before the date of the primary by the authorized committee of a candidate who lost the primary election for (~~a state~~) an office subject to contribution limits; and

(b) Reasonable costs associated with activities of the losing candidate's authorized committee necessary to retire the primary-related debts it incurred on or before the date of the primary. Examples of such reasonable costs include:

(i) Necessary administrative expenses (office space rental, staff wages, taxes, supplies, telephone and computer costs, postage, and the like) for activities actually and directly related to retiring the committee's debt; and

(ii) Necessary expenses actually and directly related to the fund-raising activities undertaken to retire the debt, as long as all persons solicited for contributions are notified that the contributions are subject to that contributor's primary election limit for that losing candidate.

(5) Nothing in this section is to be construed as authorizing contributors to make, or (~~state office~~) candidates subject to contribution limits who lose the primary to receive, contributions that are used for a purpose not specifically authorized by RCW 42.17.640 or 42.17.645, including use for some future election or as surplus funds.

(6) All contributions received in excess of the sum needed to satisfy outstanding primary debts shall be returned

to the original contributors in an amount not to exceed the amount contributed in accordance with the first in, first out accounting principle wherein the most recent contribution received is the first to be returned until all excess funds are returned to contributors.

WSR 10-17-075
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Disability Services Administration)
[Filed August 16, 2010, 9:26 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-24-028.

Title of Rule and Other Identifying Information: WAC 388-106-1000 through 388-106-1055, private duty nursing.

Hearing Location(s): Office Building 2, Auditorium, DSHS Headquarters, 1115 Washington, Olympia, WA 98504 (public parking at 11th and Jefferson. A map is available at <http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html> or by calling (360) 664-6094), on September 22, 2010, at 10:00 a.m.

Date of Intended Adoption: Not earlier than September 23, 2010.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, delivery 1115 Washington Street S.E., Olympia, WA 98504, e-mail DSHSRPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m., September 22, 2010.

Assistance for Persons with Disabilities: Contact Jennisha Johnson, DSHS rules consultant, by September 10, 2010, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at johnsj14@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is amending rules to change the frequency of the comprehensive assessment reporting evaluation (CARE) assessment and skilled nursing task log.

Other policy changes that arise during this rule making may be incorporated. Other WAC chapters may also need to be updated as a result of this rule making.

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520.

Statute Being Implemented: RCW 74.08.090, 74.09.-520.

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: Doris Barret, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-2553.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The preparation of a small business economic impact statement is not required, as

no new costs will be imposed on small businesses or nonprofits as a result of this rule amendment.

A cost-benefit analysis is not required under RCW 34.05.328. Rules are exempt per RCW 34.05.328 (5)(b)(vii), relating only to client medical or financial eligibility.

August 2, 2010

Katherine I. Vasquez

Rules Coordinator

AMENDATORY SECTION (Amending WSR 05-24-091, filed 12/6/05, effective 1/6/06)

WAC 388-106-1010 Am I eligible for medicaid-funded private duty nursing services? In order to be eligible for medicaid-funded private duty nursing (PDN)~~((you must))~~:

(1) You must be eighteen years of age or older and financially eligible, which means you:

(a) Meet medicaid requirements under the categorically needy program or the medically needy program ~~((MNP))~~; and

(b) Use private insurance as first payer, as required by medicaid rules. Private insurance benefits, which cover hospitalization and in-home services, must be ruled out as the first payment source to PDN.

(2) ~~((Be medically eligible, which means an ADSA department's community nurse consultant (CNC) or ADSA's division of disabilities services' (DDS) nursing care consultant (NCC) must assess you using the CARE assessment and the PDN skilled nursing task log for initial eligibility determination and thereafter every six months, and determine that you:))~~ You must be medically eligible, which means:

(a) The department has received the skilled nursing task log or ADSA-approved equivalent completed by a nurse licensed under chapter 18.79 RCW.

(b) You have been assessed by an ADSA community nurse consultant (CNC) or nursing care consultant (NCC) and determined medically eligible for PDN.

(3) The department must assess you using the CARE assessment tool, as provided in chapter 388-106 WAC to determine that you:

(a) Require care in a hospital or meet nursing facility level of care, as defined in WAC 388-106-0310; and

(b) Have unmet skilled nursing needs that cannot be met in a less costly program or less restrictive environment; and

(c) Are not able to have your care tasks provided through nurse delegation, WAC 246-840-910 through 246-840-970; ~~((through))~~ COPEs skilled nursing, WAC 388-515-1505; DDD waiver skilled nursing, WAC 388-845-0215 or ((through)) self-directed care RCW 74.39.050; and

(d) Have a complex medical need that requires four or more hours every day of continuous skilled nursing care ~~((which))~~ that can be safely provided outside a hospital or nursing facility; and

(e) Require skilled nursing care that is medically necessary, per WAC 388-500-0005; and

(f) ~~((Be))~~ Are able to supervise your care ~~((provider))~~ or have a guardian who is authorized and able to supervise your care; and

(g) Have a family member or other appropriate informal support who is responsible for assuming a portion of your care; and

(h) ~~((Have))~~ Are medically stable and appropriate for PDN services, as reflected by your primary care ((physician or ARNP document your medical stability and appropriateness for PDN and)) provider's:

(i) ~~((Provide))~~ Orders for medical services; and

(ii) Documentation of approval ((of)) for the service provider's PDN ((plan of)) care plan.

~~((i))~~ Do not have any other resources or means ((for obtaining this)) to obtain PDN services; and

(j) ~~((dependant))~~ dependent upon technology every day((s)) with at least one of the following skilled care needs:

(i) ~~((You need))~~ Mechanical ventilation((, and the use of a mechanical device to fill the lungs with oxygenated air and then allow time for passive exhalation)) which takes over active breathing due to your inability to breathe on your own due to injury or illness. A tracheal tube is in place and is hooked up to a ventilator that pumps air into the lungs; or

(ii) ~~((You need))~~ Complex respiratory support, which means that you require two of the following treatment needs:

(A) ~~((You require two of the following treatment needs:~~

~~((H))~~ Postural drainage and chest percussion; ((of))

~~((HH))~~ (B) Application of respiratory vests; ((of))

~~((HH))~~ (C) Nebulizer treatments with or without medications; ((of))

~~((HV))~~ (D) Intermittent positive pressure breathing; ((of))

~~((V))~~ (E) O2 saturation measurement with treatment decisions dependent on the results; ((and)) or

(F) Tracheal suctioning.

~~((B))~~ Your treatment needs must be assessed and provided by an RN or LPN; and

~~((C))~~ Your treatment needs cannot be nurse delegated or self directed;

~~((iii))~~ You need tracheostomy care, and tracheal suctioning;

~~((iv))~~ (iii) Intravenous/parenteral administration of multiple medications, and care is occurring on a continuing or frequent basis; or

~~((v))~~ (iv) Intravenous administration of nutritional substances, and care is occurring on a continuing or frequent basis.

AMENDATORY SECTION (Amending WSR 05-24-091, filed 12/6/05, effective 1/6/06)

WAC 388-106-1025 Who can provide my PDN services? ~~((In addition to a family member(s) or an individual provider providing self-directed care under RCW 74.39.050 or an individual provider or home care agency caregiver providing nurse delegation per WAC 246-840-910 through 246-840-970))~~ PDN services can be provided by:

(1) A home health agency licensed by the Washington state department of health ((can provide your PDN services as long as it also has a PDN contract with DSHS's aging and disability services administration.)) chapter 246-335 WAC that has a contract with the medicaid agency to provide PDN services; or

~~((2))~~ ((If a home health agency described in subsection (1) is not willing to provide your PDN services, or is not available due to your geographic location, an ADSA private registered nurse (RN) or licensed practical nurse (LPN) who meets the requirements of WAC 388-106-1040 may be able to provide your PDN services)) A Washington state licensed RN, or LPN under the direction of an RN who has a contract with the medicaid agency to provide PDN services and meets the requirements set forth in WAC 388-106-1040.

AMENDATORY SECTION (Amending WSR 05-24-091, filed 12/6/05, effective 1/6/06)

WAC 388-106-1030 Are there limitations or other requirements for PDN? ~~((The limits))~~ Limitations and other requirements to PDN services are as follows:

(1) ~~((You))~~ You may be authorized to receive PDN services ((can be authorized)) for between four to sixteen hours per day, except as noted in WAC 388-106-1045(4). ((This authorization is based on a combination of skilled nursing tasks identified in CARE, the department designated PDN skilled nursing task log or equivalent which has been approved by ADSA prior to use, and detailed information provided to CNC or NCC. The CNC or NCC determines initial eligibility for PDN, up to a maximum of sixteen hours per day. After the initial determination of eligibility is made by the CNC or NCC, the PDN skilled nursing task log or its approved equivalent will be initiated and completed by the agency or private nurse(s) for fourteen days and submitted to the CNC or NCC for review. At the end of the fourteen-day review period, a final determination will be made on the number of PDN hours required to meet your care needs. PDN skilled task logs or their approved equivalent will also be completed for fourteen days prior to the six-month reassessment for review by the CNC or NCC to determine ongoing eligibility and required PDN hours.))

(2) PDN hours will be deducted from the personal care hours generated by CARE to account for services that meet your need for personal care services (i.e., one hour from the available hours for each hour of PDN authorized). WAC 388-106-0130 (9)(e).

(3) Trained family members must provide for any hours above your assessment determination, or you or your family must pay for these additional hours.

~~((3))~~ (4) In instances where your family is temporarily absent due to vacations, additional PDN hours must be:

(a) Paid for by you or your family; or

(b) Provided by other trained family members. If this is not possible, you may ((need)) require placement in a long-term care facility during their absence.

~~((4))~~ (5) You may use respite care if you and your unpaid family caregiver meet the eligibility criteria defined in WAC 388-106-1210 (for LTC clients) or WAC 388-832-0145 (for DDD individual and family services clients) or WAC 388-845-1605 (for DDD waiver clients).

~~((5))~~ You may receive additional hours, up to thirty days only)) (6) There may be a onetime approval for additional hours for a period not to exceed thirty days when:

(a) Your family is being trained in care and procedures;

- (b) You have an acute episode that would otherwise require hospitalization;
- (c) Your caregiver is ill or temporarily unable to provide care; or
- (d) There is a family emergency.

AMENDATORY SECTION (Amending WSR 05-24-091, filed 12/6/05, effective 1/6/06)

WAC 388-106-1035 What requirements must a home health agency meet in order to provide and ~~(get)~~ be paid for my PDN? ~~((A))~~ In order for a home health agency to provide and be paid for your PDN, the home health agency must:

- (1) Be licensed by the Washington state department of health pursuant to chapter 246-335 WAC and have a contract with the medicaid agency to provide ~~((private duty nursing))~~ PDN services ~~((with aging and disability services administration));~~
- (2) Operate under ~~((physician))~~ primary care provider orders;
- (3) Develop and follow a detailed service plan that is reviewed and signed at least every six months by the client's ~~((physician))~~ primary care provider and submitted to CNC or NCC for review;
- (4) Initiate and complete the PDN skilled nursing task log or an approved equivalent for ~~((fourteen))~~ seven days and ~~((submitted))~~ submit it to the CNC or NCC for review for an initial eligibility determination and ~~((fourteen days prior to the six month reassessments))~~ for ongoing eligibility every six months thereafter;
- (5) Meet all documentation ~~((requirement))~~ required by DOH ~~((in-home))~~ for in-home licensing, WAC 246-335-055, 246-335-080, and 246-335-110; and
- (6) Submit timely and accurate invoices ~~((to the social services payment system (SSPS)))~~ for payments.

AMENDATORY SECTION (Amending WSR 05-24-091, filed 12/6/05, effective 1/6/06)

WAC 388-106-1040 What requirements must a ~~((private duty))~~ RN, or LPN under the supervision of an RN, meet in order to provide and get paid for my PDN services? In order to be paid by the department, a private RN under the supervision of a ~~((physician/ARNP,))~~ primary care provider or an LPN under the supervision of an RN, must:

- (1) ~~((Have a))~~ Be licensed and in good standing, ~~((per))~~ as provided in RCW 18.79.030 (1)(3);
- (2) ~~((Complete a PDN contract with ADSA;~~
- ~~(3) Provide services according to the plan of care under the supervision/direction of a physician;~~
- ~~(4))~~ Have a contract with the medicaid agency to provide PDN services;
- (3) Complete a background ~~((inquiry application. This will))~~ check which requires fingerprinting if the RN or LPN has lived in ~~((the state of))~~ Washington state less than three years;
- ~~((5))~~ (4) Have no conviction for a disqualifying crime, as ~~((stated))~~ provided in RCW 43.43.830 and 43.43.842 and WAC 388-71-0500 through 388-71-05640 series;

~~((6))~~ (5) Have no ~~((stipulated))~~ finding of fact and conclusion of law ~~((stipulated or otherwise)),~~ ~~((an))~~ agreed order, ~~((or finding of fact, conclusion of law;))~~ or final order issued by a disciplining authority, a court of law, or entered into a state registry with a finding of abuse, neglect, abandonment or exploitation of a minor or vulnerable adult;

~~((7))~~ (6) Provide services according to the care plan under the supervision/direction of the primary care provider;

(7) Document all PDN services provided by the care plan as required by WAC 388-502-0020 and WAC 246-840-700;

(8) Meet provider requirements under WAC 388-71-0510, 388-71-0515, 388-71-0540, 388-71-0551, and 388-71-0556;

~~((8))~~ (9) Complete time sheets on a monthly basis;

~~((9))~~ Complete documentation regarding all PDN services provided per the plan of care as required in WAC 388-502-0020 and 246-840-700;)

(10) Complete the PDN seven-day look back skilled nursing task log ~~((or its approved equivalent must be initiated and completed by the licensed nurse for fourteen days and submitted))~~ and submit it to the CNC or NCC for review for initial eligibility determination, and ~~((fourteen days prior to the six month reassessment determination. The licensed nurse is responsible to submit these logs to the NCC or CNC when they are completed))~~ for ongoing eligibility every six-months; and

(11) Submit timely and accurate invoices ~~((to SSPS))~~ for payment.

AMENDATORY SECTION (Amending WSR 05-24-091, filed 12/6/05, effective 1/6/06)

WAC 388-106-1045 Can I receive PDN services in a licensed adult family home (AFH)? You may be eligible to receive PDN services if you are residing in an adult family home (AFH) if the AFH provider (owner and operator) ~~((meets the following requirements)):~~

(1) Possesses a current Washington state registered nurse license and is in good standing;

(2) Signs a contract amendment with ADSA ~~((in))~~ by which the provider agrees to ensure provision of twenty-four-hour personal care and nursing care services. Nursing care ~~((service will))~~ services must be provided in accordance with chapter 18.79 RCW;

(3) Provides your PDN service through an RN~~((;))~~ or an LPN under the supervision of an RN. The level of PDN services ~~((are))~~ provided to you is based on the CARE assessment, the department-designated PDN skilled task log or its approved equivalent, and other documentation ~~((which))~~ that determines eligibility and the number of PDN hours to be authorized;

(4) Provides the PDN services to you. Your service plan may ~~((be authorized for))~~ authorize you to receive four to eight hours per day and cannot exceed ~~((a maximum of))~~ eight PDN care hours per day ~~((based on the CARE assessment, the department-designated PDN skilled task log or its approved equivalent, and other documentation));~~

(5) ~~((Have))~~ Has a nursing service plan prescribed for you by your primary ~~((physician or ARNP))~~ care provider.

The ~~((physician/ARNP is responsible for))~~ primary care provider must:

(a) ~~Oversee((ing)) your ((plan of))~~ care plan, which must be updated at least once every six months; and

(b) ~~Monitor((ing)) your~~ client's medical stability~~((and))~~.

(6) ~~Document the services provided ((per the plan of)) in the care ((and the department designated PDN skilled task log or its approved equivalent at initial eligibility determination and fourteen days prior to the six-month reassessment determination and other documentation))~~ plan, including the submission of the PDN seven-day look back skilled nursing task log by the licensed nursing to the CN or NCC for review for initial eligibility and ongoing eligibility every six months; and

(7) ~~((Keep))~~ Maintain records in ~~((accordance))~~ compliance with AFH licensing and contract requirements.

AMENDATORY SECTION (Amending WSR 05-24-091, filed 12/6/05, effective 1/6/06)

WAC 388-106-1050 May I receive other long-term care services in addition to PDN? (1) In addition to PDN services, you may be eligible to receive care through community options program entry system (COPEs), the medically needy residential waiver (MNRW), the medically needy in-home waiver (MNIW), or medicaid personal care (MPC), for unmet personal needs not performed by ~~((your family/informal support system))~~ informal supports.

(2) ~~((If you receive personal care services in addition to PDN services, you cannot receive your personal care and household tasks from an individual provider, personal aide, or home care agency provider at the same time that your PDN provider is providing your care. The agency or privately contracted nurse is responsible for providing personal care and/or household tasks that occur during the time that they are providing your PDN services, unless you have an informal support that is providing or assisting you at the same time))~~ PDN hours will be deducted from the personal care hours generated by CARE to account for services that meet some of your need for personal care services (i.e., one hour from the available hours for each hour of PDN authorized per WAC 388-106-1030).

(3) Services may not be duplicated. PDN hours may not be scheduled during the same time that personal care hours are being provided by an individual provider or home care agency provider.

(4) The PDN provider is responsible for providing assistance with activities of daily living (ADL) and instrumental activities of daily living (IADL) unless there is an informal support that is providing or assisting at the same time.

Preproposal statement of inquiry was filed as WSR 08-01-117.

Title of Rule and Other Identifying Information: Chapter 135-110 WAC, Election and replacement of conservation district supervisors.

Hearing Location(s): Main Auditorium (ROA-34/36), Department of Ecology, 300 Desmond Drive, Lacey, WA 98503, on September 21, 2010, at 6 p.m.; and at the Spokane County Conservation District, Conference Room, 210 North Havana, Spokane, WA 99202, on September 23, 2010, at 6 p.m.

Date of Intended Adoption: October 7, 2010.

Submit Written Comments to: Lori Gonzalez, P.O. Box 47721, Olympia, WA 98504-7721, e-mail commission@sc.c.wa.gov, fax (360) 407-6215.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposal establishes procedures in rule governing the election and replacement of conservation district supervisors, including the conduct of conservation district elections and removal of conservation district supervisors from office.

Reasons Supporting Proposal: The Washington state conservation commission is required by statute to adopt procedures for conservation district elections. The proposed rule is intended to establish procedures for how individuals enter and exit the office of conservation district supervisor, for the conduct of elections by conservation districts, to clarify statutory language, and to provide statewide consistency in the election and replacement of conservation district supervisors.

Statutory Authority for Adoption: RCW 89.08.040, 89.08.190, 89.08.200.

Statute Being Implemented: RCW 89.08.190, 89.08.-200.

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

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule will not impose costs on businesses in an industry, so no small business economic impact statement is required per RCW 19.85.030(1).

A cost-benefit analysis is not required under RCW 34.05.328. A cost-benefit analysis is not required because the propose[d] rule relates only to internal governmental operations that are not subject to violation by a nongovernmental party, RCW 34.05.328 (5)(b)(ii).

August 16, 2010

Mark Clark

Executive Director

Chapter 135-110 WAC

ELECTION AND REPLACEMENT OF CONSERVATION DISTRICT SUPERVISORS

GENERAL

NEW SECTION

WAC 135-110-100 Purpose and authority. This rule provides direction for the election and replacement of conser-

WSR 10-17-083

PROPOSED RULES

CONSERVATION COMMISSION

[Filed August 16, 2010, 11:56 a.m.]

Original Notice.

vation district supervisors in the state of Washington as authorized by RCW 89.08.190 and 89.08.200.

NEW SECTION

WAC 135-110-110 Definitions. "Absentee ballot" or "mail-in ballot" means a ballot issued to a voter before election day that can be delivered to the conservation district or designated election supervisor on or before the day of the election.

"Ballot" or "official ballot" means the final, preprinted ballot containing the name of each declared, nominated candidate found eligible, and at least one line where a voter may enter the name of a write-in candidate.

"Ballot box" means a container secured against tampering into which paper ballots are placed.

"Candidate" means a person seeking the office of elected conservation district supervisor who has provided the required candidate information to the conservation district by the filing deadline and whose eligibility to run and to serve has been verified by the conservation district.

"Canvass" and "canvassing" means to examine carefully or scrutinize the election returns for authenticity and proper count.

"Certify" and "certification" means the canvassing of returns and the verification of substantial compliance with these procedures by the conservation commission.

"Conservation commission" means the Washington state conservation commission governing board and all deputies and representatives authorized to act on its behalf.

"Conservation commission board" and "conservation commission governing board" means the governing board of the Washington state conservation commission.

"Conservation district" means a governmental subdivision of the state of Washington organized under the provisions of chapter 89.08 RCW Conservation districts.

"Conservation district supervisors" and "district supervisors" means the governing board of a conservation district, composed of elected and appointed supervisors.

"Declared nominated candidate" and "nominated candidate" means an individual found to be a qualified district elector who is eligible and who has submitted the candidate information required, including a qualified nominating petition, to the conservation district by the filing deadline, and the conservation district has verified the eligibility of the candidate.

"Declared vacant" means a declaration by the conservation commission that a conservation district supervisor position is vacant.

"Declared write-in candidate" means a person seeking the office of elected supervisor who has provided the required candidate information to the conservation district by the filing deadline, and the conservation district has found the person eligible.

"Double envelope balloting" means a paper balloting system consisting of an inner and an outer envelope, where a ballot is placed in an inner envelope with no personally identifying marks on it, and then the inner envelope with ballot is placed in the outer envelope upon which the voter has pro-

vided sufficient information to allow polling officers to verify the eligibility of the voter.

"Due notice" or "notice" means a notice published at least twice, with at least six days between publications, in a publication of general circulation within the affected area. If there is no such publication, a notice may be posted at a reasonable number of public places within the area where it is customary to post notices concerning county and municipal affairs. There is no requirement for publication of a legal advertisement in a newspaper of record. However, if a legal advertisement is published, a copy of the announcement as published, showing the date of publication, is sufficient proof of publication.

"Elected supervisor" means a qualified district elector:

- (a) Who received more valid votes than any other candidate; and
- (b) Whose election has been certified and announced by the conservation commission.

"Election supervisor" means an individual or entity appointed by conservation district supervisors to organize, coordinate, and manage tasks related to the election of conservation district supervisors. Only the conservation district board of supervisors may set election dates and appoint the election supervisor.

"Electioneering" means the act of soliciting or advocating votes for a specific candidate, or speaking for or against a specific candidate within three hundred feet of a ballot box or voting place.

"Farm and agricultural land" is defined in RCW 89.08-020 as follows: "Farm and agricultural land" means either:

- (a) Land in any contiguous ownership of twenty or more acres devoted primarily to agricultural uses;
- (b) Any parcel of land five acres or more, but less than twenty acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to one hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter; or
- (c) Any parcel of land of less than five acres devoted primarily to agricultural uses which has produced a gross income of one thousand dollars or more per year for three of the five calendar years preceding the date of application for classification under this chapter.

(d) Agricultural lands shall also include farm woodlots of less than twenty and more than five acres and the land on which appurtenances necessary to production, preparation or sale of the agricultural products exist in conjunction with the lands producing such products.

(e) Agricultural lands shall also include any parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral part of farming operations being conducted on land qualifying under this section as "farm and agricultural lands."

"Farm operator" or "operator of a farm" means a person who operates farm and agricultural land.

"Filing deadline" means four weeks before election day in the current election cycle, or, if a local filing deadline that is more than four weeks before election day is adopted by formal action of the conservation district supervisors, that adopted filing deadline.

"Full term," "regular term," and "full term of office" means a three-year term of office.

"Incumbent" means the person in present possession of the office of conservation district supervisor.

"Landowner" means a person with legal title of record to real property in the conservation district at the time of filing for election or applying for appointment.

"Mail-in election" means an election in which mail-in ballots are provided before election day to qualified voters. Voters return completed ballots to a receiving location or address authorized by the conservation district board of supervisors.

"Malfeasance" means wrongful conduct that affects, interrupts, or interferes with the performance of a supervisor's official duty. Such conduct includes, but is not limited to, the commission of some act which is wrongful or unlawful, or the unjust performance of some act which the party had no right to do, or the unjust performance of some act which the party had contracted not to do.

"Mid-term" and "mid-term vacancy" means a vacancy in the office of conservation district supervisor, when such vacancy occurs before the full term of office has been fulfilled.

"Municipal officer" means all elected and appointed officers of a conservation district, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of a municipal officer.

"Neglect of duty" means failure by a supervisor or supervisors to perform mandatory duties. Such duties include, but are not limited to:

- (a) Compliance with laws and rules imposed by local, state, and federal government entities;
- (b) Attendance at a sufficient number of board meetings so as to not impede the work of the conservation district;
- (c) Maintaining a full and accurate record of district business;
- (d) Securing of surety bonds for board officers and employees;
- (e) Carrying out an annual financial audit;
- (f) Providing for keeping current a comprehensive long-range program;
- (g) Providing for preparation of an annual work plan;
- (h) Providing for informing the general public, agencies, and occupiers of lands within the conservation district of conservation district plans and programs;
- (i) Providing for including affected community members in regard to current and proposed plans and programs; and
- (j) Providing for the submission of the conservation district's proposed long-range program and annual work plan to the conservation commission.

"Nominating petition" means a list of signatures of nominators who desire a candidate's name be placed on the official ballot for a conservation district election.

"Nominator" means a qualified district elector who signs a petition nominating an individual seeking the office of elected supervisor.

"Poll list" or "polling list" means a list of voters who voted in an election.

"Polling officer" means a person appointed by the election supervisor to verify voter eligibility, assure compliance with this rule in and around the polling place, issue ballots, count ballots, and verify the unofficial ballot count in writing to conservation district supervisors.

"Poll site" and "polling site" means a location where votes are collected in a ballot box.

"Poll-site election" and "walk-in election" means an election in which a voter signs in on a poll list, receives a ballot from a polling officer, enters a vote for a candidate on the ballot, and places the ballot in a ballot box at a polling place supervised or monitored by polling officers.

"Provisional ballot" or "contested ballot" means a paper ballot issued to a voter whose qualifications as a qualified district elector cannot be determined at the time the paper ballot is issued. A provisional ballot consists of two envelopes and a paper ballot.

"Qualified district elector" means a registered voter in the county where the district is located and who resides within the conservation district boundary. Qualified district elector means an individual residing within the boundary of the conservation district and registered to vote in a county where the conservation district is located.

"Qualified nominating petition" means a nominating petition which contains at least twenty-five signatures of nominators.

"Remote election" means an election in which ballots are returned by some means other than for a poll-site election. A mail-in election is a type of remote election.

"Short term" or "short term of office" means a term of office less than three years in duration.

"Supervisor" means an elected or appointed board member of a local conservation district governing board, in which the governing board is referred to as the board of supervisors.

"Supervisor-elect" means a supervisor who received more valid votes than any of the other candidates running for the same position in a conservation district election, but the election has not yet been certified by the conservation commission.

"Tie" or "election tie" means an election where no candidate has received a simple majority of votes cast by qualified district electors, and two or more candidates have received the same number of votes cast by qualified district electors.

"Undeclared write-in candidate" means an individual who has not submitted required candidate information to the conservation district and who has not submitted a qualified nominating petition by the filing deadline.

"Voter" means a person who submits a ballot in a conservation district election.

"Withdrawal of candidacy" and "to withdraw" means a written notice, signed and dated by the candidate, and delivered to the conservation district, stating the person's desire to be removed from consideration for the office of conservation district supervisor.

NEW SECTION

WAC 135-110-120 Compliance. (1) The conservation commission may make a determination of significant non-compliance when parties act in variance of this section.

(2) Significant noncompliance is the failure to follow the requirements in this rule that may affect the outcome of an election or deny voters their right of privacy in voting.

(3) The conservation commission may decline to certify an election found in significant noncompliance.

NEW SECTION

WAC 135-110-130 Documents provided to conservation commission to be copies. (1) All election forms and documents submitted to the conservation commission must be copies. Original documents must remain in the care and custody of the conservation district.

(2) The conservation commission may inspect original documents upon request.

NEW SECTION

WAC 135-110-140 Records retention. (1) Unissued or undeliverable ballots must be retained for ten days after the election is certified and the official results announced, and then may be destroyed.

(2) All ballots submitted by voters, and all candidate filing records (including candidate information, nominating petitions, verification of eligibility, and withdrawals of candidacy), must be retained for six months after the election is certified and the official results announced, and then may be destroyed.

NEW SECTION

WAC 135-110-150 Conservation district must remain impartial. No conservation district supervisors, municipal officers or employees may adopt or state an official position about any candidate that promotes, or is prejudicial to, a candidate.

NEW SECTION

WAC 135-110-160 Legal boundaries of conservation district to be available. The election supervisor and polling officer(s) must be able to produce the legal boundary of the conservation district to any person at a physical poll site or at the conservation district office.

NEW SECTION

WAC 135-110-170 Only one ballot per voter may be counted. In the event more than one ballot is submitted by a voter, the first ballot tallied is the only vote counted. Any subsequent ballots from the same voter will be disqualified and must not be counted.

NEW SECTION

WAC 135-110-180 Disruptive acts prohibited. (1) Behavior that disrupts or interferes with the election of conservation district supervisors is prohibited.

(2) A conservation district supervisor, polling officer, or election supervisor may require disruptive persons to leave a physical poll-site election. Such disruptive persons must

remain at least three hundred feet away from the polling place or facility where official election functions are being performed.

(3) A conservation district supervisor, polling officer, or election supervisor may enlist the aid of law enforcement personnel to assist in identifying disruptive persons and preventing such persons from disrupting or interfering with any election processes.

ESTABLISHING ELECTION, PROVIDING NOTICE

NEW SECTION

WAC 135-110-200 Conservation district must hold election. A conservation district must hold an election during January, February, or March in the year a three-year term of an elected supervisor will expire.

NEW SECTION

WAC 135-110-210 Conservation district must adopt election resolution. (1) Each year the conservation district supervisors must adopt a resolution establishing the election.

(2) The election resolution adopted by the conservation district supervisors must include the following information:

- (a) The name of the conservation district;
 - (b) The date(s), the physical location(s), and the times polls will open and close for each polling place;
 - (c) The election methods selected for the election;
 - (d) A list showing the name of each elected and appointed conservation district supervisor with a term expiring in the election and appointment cycle covered by the resolution;
 - (e) The filing deadline for candidates;
 - (f) Identification of an individual appointed by the conservation district to fulfill the duties of election supervisor; and
 - (g) The dated signature of at least one conservation district supervisor attesting to this information.
- (3) This information must be provided to the conservation commission by the candidate filing deadline.

NEW SECTION

WAC 135-110-220 Due notice required before and after election resolution. (1) Due notice of the intent to adopt a resolution establishing the election must be provided by the conservation district to potential qualified district electors of the conservation district prior to adopting the resolution.

(2) Following the conservation district's adoption of the election resolution, due notice containing all election information in the resolution must be published, using the filing deadline as the date for determining compliance with due notice requirements.

(3) If a conservation district adopts a standing resolution establishing a repeating annual election schedule, due notice of expiring terms and the filing deadline must be provided to constituents, using the filing deadline as the date for determining compliance with due notice requirements.

NEW SECTION

WAC 135-110-230 Conservation district appoints election supervisor. (1) The conservation district supervisors must appoint a person or firm as the election supervisor.

(2) The election supervisor:

(a) Serves as the primary point of contact between the conservation district and the conservation commission for the conservation district election;

(b) Organizes, coordinates, and facilitates election-related activities of the conservation district;

(c) Assures that required election procedures are properly conducted; and

(d) Assures that required information is properly transmitted to the conservation commission.

(3) Conservation district supervisors remain responsible for conducting an election in compliance with this section.

NEW SECTION

WAC 135-110-240 Election may be on-site, remote, or both. (1) The conservation district supervisors must choose the method of the election using physical poll sites, or by remote methods, or by any combination of these methods that assures fair treatment of candidates and voters, provides privacy in voting, and complies with all other parts of this rule.

(2) Every physical poll site must be open for at least four hours at a time convenient for voters, and every physical poll site must have at least two polling officers present during the hours the polls are open.

(3) Ballots submitted by mail or physical delivery service must be postmarked or sent by the last day of election. Remote ballots transmitted by any other means must be transmitted by the last day of election.

NEW SECTION

WAC 135-110-250 Voting must be accessible. Disabled voters must be offered with a voting method accessible to them.

CANDIDATE ELIGIBILITY, FILING, NOMINATION, VERIFICATION, WITHDRAWALNEW SECTION

WAC 135-110-300 Every candidate must be a qualified district elector. A candidate for election to the office of conservation district supervisor must be a qualified district elector at the time of filing.

NEW SECTION

WAC 135-110-310 Some candidates must be landowners or farm operators. If the election of a candidate would cause a conservation district board of supervisors to contain less than two elected supervisors who are landowners or farm operators, the candidate is not eligible to be elected.

NEW SECTION

WAC 135-110-320 Submission of candidate information required to be elected. (1) Only persons who file candidate information with the conservation district by the filing deadline and who are found by the conservation district to be eligible to be elected may be elected, unless no person has filed for the office by the filing deadline.

(2) The name of a person who files candidate information by the filing deadline but does not file a qualified nominating petition must not be printed on the official ballot, but may be elected as a declared write-in candidate.

(3) Information to be submitted to the conservation district by a person seeking to be a candidate for election must include:

(a) The name of the conservation district;

(b) The person's name, residential address, mailing address (if different), and phone number;

(c) Whether the person is a registered voter in the county where the conservation district is located;

(d) Whether the person resides inside the conservation district boundary;

(e) Whether the person is a landowner or an operator of a farm; and

(f) The dated signature of the person attesting to the accuracy of the information so provided.

NEW SECTION

WAC 135-110-330 Filing deadline. (1) The filing deadline for candidates is four weeks before election day.

(2) By formal action the conservation district supervisors may make the filing deadline on a day more than four weeks before the election.

NEW SECTION

WAC 135-110-340 Only nominated candidates may appear on official ballot. (1) A qualified nominating petition is required for each candidate who wishes for his or her name to appear on the official ballot.

(2) The qualified nominating petition must contain at least twenty-five signatures of nominators and provide the following information:

(a) The name of the conservation district;

(b) The name of the candidate;

(c) The name and address of each nominator sufficient to allow verification of the nominator as a qualified district elector; and

(d) The signature of each nominator, who by his or her signature, states his or her wish for the candidate named in the petition to be placed on the official ballot.

NEW SECTION

WAC 135-110-350 Types of candidacy. (1) A declared candidate is a qualified district elector who has submitted candidate information to the conservation district by the filing deadline.

(2) A declared nominated candidate is a declared candidate who has submitted a qualified nominating petition to the conservation district by the filing deadline.

(3) An undeclared write-in candidate is a person who has not submitted candidate information to the conservation district by the filing deadline, and who has not submitted a qualified nominating petition by the filing deadline.

NEW SECTION

WAC 135-110-355 Election supervisor must verify candidate eligibility. (1) The election supervisor must verify the eligibility of each person who submits candidate information required by WAC 135-110-320. The election supervisor may call upon the county auditor or the conservation commission for assistance in verifying eligibility.

(2) For a candidate to be eligible, the election supervisor must make a determination that:

(a) The name of the person who filed candidate information is the correct legal name of the individual;

(b) That the person submitted candidate information by the filing deadline;

(c) That the person submitted a valid nominating petition by the filing deadline;

(d) That the person was a qualified district elector on the day of filing; and

(e) That at least two of the three elected conservation district supervisors on the conservation district board of supervisors will be landowners or operators of farms if the person is elected.

(3) For a nominated candidate, the conservation district must also verify that at least twenty-five eligible nominators signed the nominating petition.

NEW SECTION

WAC 135-110-360 Undeclared write-in candidate may be elected if no person files. (1) If no person has filed by the filing deadline, or if the election supervisor finds ineligible all persons who filed, then only undeclared write-in candidates may be elected.

(2) The undeclared write-in candidate, deemed the unofficial winner, must submit required candidate information to the conservation district, and within four weeks (twenty-eight calendar days) following the first date of election, the election supervisor must verify the eligibility of the unofficial winner to be elected and to serve.

(3) If the conservation district is unable to verify eligibility of the unofficial winner within four weeks of the election, the unofficial winner is disqualified. The person receiving the next highest vote count must then submit required candidate information and the conservation district must verify his or her eligibility as described above.

(4) If the undeclared write-in candidate who is unofficial winner is found ineligible and no other persons received votes, the conservation commission will officially announce another full term of office for the incumbent on the third Thursday in May, but only upon verification by the conservation district of the eligibility of the incumbent to serve in the office of elected conservation district supervisor.

NEW SECTION

WAC 135-110-370 Incumbent automatically reelected if no other person files. (1) The incumbent is automatically reelected to another three-year term if:

(a) Due notice of the election resolution and the election have been duly published by the conservation district;

(b) The only person filing by the filing deadline is the incumbent;

(c) The conservation district verifies the continued eligibility of the incumbent to serve another term of office; and

(d) The incumbent has not resigned on or before the last date of election.

(2) When an incumbent is automatically reelected, no other election activities at physical poll sites or through remote election processes may be performed.

(3) Before election day, the conservation district must inform the voting public that the incumbent has been reelected by reason of being the only person filing for the position, and that no poll site, mail, or absentee balloting will be performed, and on election day, signs containing this information must be posted at poll sites.

(4) Within four weeks of the first date of election as scheduled in the election resolution, the conservation district must inform the conservation commission of the automatic reelection of the incumbent.

NEW SECTION

WAC 135-110-380 Candidate may withdraw candidacy in writing. (1) Before election day, a candidate may withdraw his or her candidacy by submitting a written request to the conservation district.

(2) A person who withdraws his or her candidacy is not eligible to be elected in the current election.

(3) If a person withdraws his or her candidacy, the conservation district is not required to revise official ballots.

PREPARING FOR ELECTION DAY, BALLOTING, POLLING OFFICERS

NEW SECTION

WAC 135-110-400 Conservation district to obtain list of registered voters. By the first election day, the conservation district must obtain a current list of registered voters from the county auditor for all territory within the conservation district boundary.

NEW SECTION

WAC 135-110-410 Conservation district must set deadline for requesting absentee and mail-in ballots. To provide sufficient time for voters to obtain and return ballots to the conservation district, the conservation district must set a reasonable deadline for voters to request an absentee or mail-in ballot.

NEW SECTION

WAC 135-110-420 Conservation district must not use certain lists. When a conservation district provides unrequested ballots to a population that is less than all the eligible voters within the conservation district boundary, the conservation district must not use lists obtained from an individual conservation district supervisor or employee, nor from any candidate, nor from any trade, company, church, union, fraternal or other organization.

NEW SECTION

WAC 135-110-430 Conservation district may publish candidate-provided information. (1) To assist voters in the selection of a candidate during voting, a conservation district may publish information provided by nominated and declared write-in candidates.

(2) If a conservation district chooses to publish information about candidates, it must provide equal opportunity for publication and equivalent space to each nominated and declared write-in candidate.

(3) Candidate information provided by candidates and published by the conservation district may be mailed or delivered to voters before election day, but may not be provided to voters at poll sites on election day.

NEW SECTION

WAC 135-110-440 Employees and municipal officers of district must not be polling officers. A conservation district supervisor, employee or municipal officer may not serve as a polling officer in the conservation district election, unless the person is the election supervisor appointed by the conservation district supervisors.

NEW SECTION

WAC 135-110-450 Polling officers monitor poll-site activities. (1) During a poll-site election, polling officers must monitor the voting place for compliance with this section, and also serve as guardians of all issued and unissued ballots, under the supervision and direction of the election supervisor.

(2) If the election supervisor is present, the election supervisor may also perform these functions as described in WAC 135-110-470.

NEW SECTION

WAC 135-110-460 Polling officers verify voters, issue ballots and count votes. (1) A polling officer must verify a voter is a qualified district elector before issuing a ballot to the voter.

(2) At a poll-site election, at least two polling officers must be present and in control of the ballot box(es) at all times while the polls are open.

(3) At a poll-site election, a provisional ballot must be issued if the voter's eligibility to vote cannot be determined during polling. A voter whose eligibility cannot be determined may only vote on a provisional ballot.

(4) Polling officers count votes cast by voters.

NEW SECTION

WAC 135-110-470 Election supervisor may perform polling officer duties. The election supervisor may serve as a polling officer at one poll site.

BALLOTS, VOTING, POLL SITES, MAIL-IN ELECTIONSNEW SECTION

WAC 135-110-500 Conservation district must create official ballot. (1) A conservation district must create a ballot and provide a ballot to each person who wishes to vote in the conservation district election.

(2) The official ballot must:

(a) List the name of each candidate the conservation district has verified as eligible and who has submitted a qualified nominating petition;

(b) List names on the ballot in alphabetical order by last name, from top to bottom, with an empty checkbox or blank space next to each candidate's name; and

(c) Contain at least one blank line where a voter can enter the name of a declared write-in candidate, or if there are no declared candidates, the name of an undeclared write-in candidate.

NEW SECTION

WAC 135-110-515 Conservation district must make ballots available. (1) The conservation district must provide a ballot to any person who requests a ballot.

(2) The conservation district may make ballots available to all potential voters within the conservation district.

(3) Ballots may be provided electronically if a suitable means of determining voter eligibility and preventing voter fraud are utilized.

(4) The conservation district may send or provide ballots to all individuals who, in the three years preceding the election, have voted in a conservation district election or have participated in conservation district services or programs.

NEW SECTION

WAC 135-110-520 Absentee ballots must be provided on request. (1) Absentee ballots must be provided to eligible voters upon request, and voters need not provide proof of any special condition to obtain an absentee ballot.

(2) Absentee ballots may be returned to the conservation district by mail, by personal delivery, or by electronic means previously approved by the election supervisor.

NEW SECTION

WAC 135-110-530 Provisional ballots must be provided when voter eligibility is in question. At a poll-site election, a provisional ballot must be provided to any individual wishing to vote when the individual cannot be verified as eligible to vote prior to the issuance of a ballot.

NEW SECTION

WAC 135-110-540 Functional equivalent of paper ballot required. For electronic voting, the functional equivalent of a paper ballot must be utilized.

NEW SECTION

WAC 135-110-550 Poll lists must be used. (1) In every conservation district election, the conservation district must create a record of who has submitted a ballot and whether the person was found eligible or ineligible to vote.

(2) Each poll list must contain:

(a) The name of the conservation district;

(b) Whether the poll list is for a poll-site or mail-in election, and if a poll-site election, the location of the poll site and the date of polling must be specified;

(3) For poll lists at poll sites, each voter must provide:

(a) His or her name, sufficient to allow identification in the voter registration list;

(b) An address sufficient to allow identification in the voter registration list; and

(c) The signature of the voter.

(4) For poll lists in mail-in elections, the name and address of the voter must be recorded.

NEW SECTION

WAC 135-110-560 Mail-in, absentee, and provisional ballots must be double-envelope balloting. Ballots cast in a mail-in election, or as a paper absentee ballot, or as a paper provisional ballot, must use a double-envelope paper balloting system, in which:

(1) The voter places the completed ballot inside the inner envelope;

(2) The inner envelope is sealed to prevent tampering, and no personally identifying marks are to be placed on the inner envelope;

(3) The inner envelope containing the completed ballot is placed in the outer envelope; and

(4) The voter provides sufficient identifying information on the outer envelope to allow polling officers to verify the eligibility of the voter.

NEW SECTION

WAC 135-110-570 Election supervisor safeguards ballots except in a poll-site election. Ballots cast by mail-in or absentee methods are to be received and safeguarded by the election supervisor.

NEW SECTION

WAC 135-110-580 Poll sites must be accessible. No poll site selected by the conservation district may appear on the county auditor's list of inaccessible polling sites as described in RCW 29A.16.140.

ELECTION DAYNEW SECTION

WAC 135-110-600 Electioneering prohibited. (1) On election day, information provided by candidates may not be provided to voters within three hundred feet of the poll site.

(2) Names of nominated and declared write-in candidates must not be publicly posted at the polls.

NEW SECTION

WAC 135-110-610 Every voter must be verified as eligible. (1) Every individual requesting a ballot for any conservation district election must be verified as a qualified district elector before his or her ballot is counted.

(2) At a poll-site election, a provisional ballot must be issued if the voter's eligibility to vote cannot be determined during polling and the individual wishes to vote.

NEW SECTION

WAC 135-110-620 Conservation district must provide polling officers at each poll site. The conservation district must provide at least two polling officers at each poll site, except the election supervisor may substitute for one polling officer at one poll site.

NEW SECTION

WAC 135-110-630 Each poll site must have ballot box and signage. (1) Each poll site must have at least one ballot box.

(2) Each poll site must be conspicuously identified to voters as the place to vote.

NEW SECTION

WAC 135-110-640 Conservation district must assure privacy in voting. (1) The ballot choice made by a voter must not be seen by any other person during the act of voting or the placing of the ballot in the ballot box.

(2) Paper ballots must be placed into ballot boxes. Electronic ballots must assure at least the same level of security and privacy as provided by paper balloting.

NEW SECTION

WAC 135-110-650 Polls to close at published time but may be extended. (1) Polling officers are to close the polls at the published time, unless the polls are extended by the election supervisor.

(2) The election supervisor may extend the time polls are open, if needed to accommodate voters.

(3) Persons waiting in line at a poll site when the polls are scheduled to be closed must be allowed to check in and vote.

(4) Poll times may not be less than advertised unless the incumbent was automatically reelected as allowed under WAC 135-110-370.

AFTER VOTING CLOSESNEW SECTION

WAC 135-110-700 Opening ballots. (1) Only polling officers and the election supervisor may open and count ballots.

(2) Mail-in and provisional ballots must be verified as having been submitted by a qualified district elector before the outer envelope is opened, and upon verification, the outer envelope must be opened and set aside, and the inner envelope placed into the ballot box.

NEW SECTION

WAC 135-110-710 Polling officers to retain custody of ballots until counted. Ballots cast in a poll-site election are to remain in the custody and control of polling officers until all ballots have been counted and properly tallied.

NEW SECTION

WAC 135-110-720 Polling officers may announce unofficial results. (1) Polling officers may announce the unofficial results of the election, subject to certification and official announcement by the conservation commission.

(2) The unofficial winner is known as the supervisor-elect and may not be seated until after the conservation commission certifies the election and announces the official winner.

NEW SECTION

WAC 135-110-730 Tie in unofficial election results. (1) In the case of two or more candidates receiving the most votes, and each receives an equal number of votes, polling officers must recount the ballots.

(2) If a tie is verified by the recount, the winner of the election must be determined by drawing of names as provided under RCW 29A.60.221 to ensure the drawing is equitable to all affected candidates.

(a) If no more than two candidates are tied, a coin toss may be used in lieu of drawing names to determine the unofficial winner.

(b) If more than two candidates are tied, only a drawing of names may be used to determine the unofficial winner.

(c) A representative of the conservation commission must be present for any drawing of names or coin toss.

(d) The candidate whose name is drawn (or who wins the coin toss) becomes the supervisor-elect.

NEW SECTION

WAC 135-110-740 When no eligible candidate is elected. (1) When no eligible candidate is elected, the conservation commission will officially announce another full term of office for the incumbent on the third Thursday in May, but only upon verification by the conservation district of the eligibility of the incumbent to serve in the office of elected conservation district supervisor.

(2) If the conservation district determines the incumbent conservation district supervisor is no longer eligible to serve in the office of elected conservation district supervisor, or if the incumbent has resigned, the position is deemed vacant and the conservation district may appoint an eligible successor following the official announcement by the conservation commission.

NEW SECTION**WAC 135-110-750 Ballot results must be reported.**

(1) The results of balloting must be reported to the conservation commission within twenty-eight days of the election.

(2) Ballot results must be reported separately for each poll site, for each mail-in or remote election, and for all absentee ballots. If the same poll site is open on more than one day, separate reports for each day are required.

(3) Information provided about the election must include:

(a) The name of the conservation district; and

(b) Whether the report is for a specific particular poll site or to a mail-in election, and if for a poll site, the location of the poll site and the date of polling must be specified.

(4) Information provided about candidates must include:

(a) The name of each candidate; and

(b) For each candidate, the number of eligible votes counted and the total number of votes cast for the person.

(5) The total number of ballots invalidated must be reported.

(6) The conservation district must identify the unofficial winner and whether the unofficial winner is a nominated candidate, a declared write-in candidate, or an undeclared write-in candidate.

(7) The ballot results report must be signed and dated by the polling officers who counted the ballots. If the election supervisor participated in counting ballots, the election supervisor must also sign the report.

NEW SECTION**WAC 135-110-760 Conservation commission canvasses returns, determines compliance, announces winners.**

(1) The conservation commission must canvass the returns of conservation district elections to verify election results and to determine if the election was properly conducted according to the requirements in these procedures.

(2) The conservation commission must announce the official election results for each conservation district election the conservation commission has certified as being substantially in compliance with this rule. The conservation commission may decline to announce the official results of elections found not to be substantially in compliance with this rule.

(3) The conservation commission must act on elections for full-term positions annually at its regular meeting on the third Thursday in May.

(4) Action at any other time will be for short terms of office.

NEW SECTION

WAC 135-110-770 Elections are final when certified and announced. (1) Elections are final when certified by the conservation commission and the official results are announced by the conservation commission in May of each year.

(2) A person may not perform the duties of a conservation district supervisor before the third Thursday in May and until the conservation commission has announced that person as the official winner of a conservation district election, unless the person is an incumbent conservation district supervisor.

EMERGENCIESNEW SECTION

WAC 135-110-800 Emergency relocation or rescheduling of election. (1) A conservation district may change the date(s) or location(s) or times for poll sites only in an emergency.

(2) The election supervisor may declare an emergency when adverse conditions may negatively affect the health or safety of voters or the timely return of absentee ballots. Such conditions may include, but are not limited to:

- (a) Weather conditions;
- (b) Damage to roads, buildings, or other infrastructure;
- (c) Chemical spills;
- (d) Fire and smoke;
- (e) Volcanic eruption, earthquake, landslides, mudflows, and floods; or
- (f) Disruptions in information network infrastructure.

(3) When an emergency is so declared, the election supervisor should make reasonable efforts to inform all conservation district supervisors and candidates listed on the ballot.

NEW SECTION

WAC 135-110-810 Signage and notice required. (1) When a polling site is changed in response to an emergency, signage sufficient to notify potential voters must be provided to redirect voters to the new polling site(s). Poll times should be extended to allow for additional travel time to the relocated polls.

(2) When the election date or location is changed in response to an emergency, due notice should be given to the public of the change. If due notice is not possible, the conservation district must take reasonable measures to inform the public of the change. Such measures may include, but are not limited to: Announcements on local radio or television; posting on web pages; announcements in newspapers; and posting of handbills or flyers.

NEW SECTION

WAC 135-110-820 Conservation commission to be informed. The conservation commission must be informed of all emergency changes to poll locations or dates before voting begins.

VACANCIES, REMOVAL, AND REPLACEMENTNEW SECTION

WAC 135-110-900 Only vacant offices may be filled. The office of conservation district supervisor may not be filled by election or appointment unless the term of office has expired, or the position has been immediately vacated as described in this section, or the conservation commission has declared the position vacant.

NEW SECTION

WAC 135-110-910 Supervisors must be eligible to serve. (1) A conservation district supervisor must be eligible to serve in the office of conservation district supervisor throughout the term of office.

(2) If an incumbent no longer meets the minimum eligibility requirements to serve as a conservation district supervisor, the office is deemed vacant.

NEW SECTION

WAC 135-110-920 Resignation from office. (1) A conservation district supervisor may resign from public office at any time, and for any reason.

(2) Resignations must be made in writing to the conservation commission or to the conservation district.

(3) Resignations are effective on the date received, unless the incumbent has specified a future date for the resignation to become effective.

NEW SECTION

WAC 135-110-930 Ceasing to be a registered voter. (1) The office held by an elected conservation district supervisor is immediately vacant upon that supervisor no longer meeting the definition of a qualified district elector.

(2) The office held by an appointed conservation district supervisor is immediately vacant upon that supervisor no longer being a registered voter in the state of Washington.

NEW SECTION

WAC 135-110-940 Death of the incumbent. The office held by a conservation district supervisor is immediately vacant upon the death of the incumbent.

NEW SECTION

WAC 135-110-950 Declaration voiding an election. The office held by a conservation district supervisor is vacant upon the decision of a competent tribunal declaring void his or her election.

NEW SECTION

WAC 135-110-960 Removal from office. (1) A conservation district supervisor may be removed from office by the conservation commission governing board upon notice and hearing, for neglect of duty or malfeasance.

(2) The conservation commission must provide due notice at its expense in the area served by the conservation district supervisor being considered for removal from office.

(3) The conservation commission must hold at least one public hearing in the area served by the conservation district supervisor before acting to remove the incumbent from office.

NEW SECTION

WAC 135-110-970 Replacement. A vacancy in the office of elected conservation district supervisor is filled by the conservation district board of supervisors for the remainder of the unexpired term. While due notice to the affected community is strongly recommended, it is not required.

WSR 10-17-090

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(By the Code Reviser's Office)

[Filed August 17, 2010, 8:35 a.m.]

WAC 388-478-0030, proposed by the department of social and health services in WSR 10-04-107 appearing in issue 10-04 of the State Register, which was distributed on February 17, 2010, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 10-17-100

PROPOSED RULES DEPARTMENT OF FISH AND WILDLIFE

[Filed August 17, 2010, 11:41 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-13-121 on June 22, 2010.

Title of Rule and Other Identifying Information: WAC 220-55-160 Free fishing weekend, 220-55-220 Two pole endorsement, 220-55-230 Columbia River endorsement, 220-56-240 Daily limits forage fish and other food fish not otherwise provided for, 220-56-270 Smelt—Areas and seasons, and 232-28-619 Washington food fish and game fish—Freshwater exceptions to statewide rules.

Hearing Location(s): Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA 98504, on October 1-2, 2010, at 8:30 a.m.

Date of Intended Adoption: On or after December 3, 2010.

Submit Written Comments to: Lori Preuss, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091,

e-mail Lori.Preuss@dfw.wa.gov, fax (360) 902-2155, by September 24, 2010.

Assistance for Persons with Disabilities: Contact Susan Yeager by September 24, 2010, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: **WAC 220-55-160** Free fishing weekend, language added to clarify that the two-pole endorsement and the Columbia River endorsement are not needed during free fishing weekend.

WAC 220-55-220 Two pole endorsement, a portion of Swift Reservoir is removed from the areas where anglers may fish with two poles, due to bull trout holding in this area.

WAC 220-55-230 Columbia River endorsement, stream sections are added to the rule for clarification. Gobar Creek, a Kalama River tributary, was added to the list where the endorsement is required. Swift Reservoir was removed from the list.

WAC 220-56-240 Daily limits forage fish and other food fish not otherwise provided for, clarifies the daily limit of 15 for shiner perch. During the last rule change cycle, shiner perch were inadvertently included in the species that have a two fish daily limit.

WAC 220-56-270 Smelt—Areas and seasons, closes fishing for eulachon smelt state-wide, due to their "threatened" listing under the Endangered Species Act.

WAC 232-28-619 Washington food fish and game fish—Freshwater exceptions to statewide rules, establishes the following rules:

- Black River and tributaries west of I-5 - open first Saturday in June through October 31, selective gear rules, trout minimum size 14. Provides trout fishing opportunity.
- Minter Creek - open first Saturday in June through October 31, trout minimum size 14. Provides sea-run cutthroat trout fishing opportunity.
- Lower Deschutes River - year round season provided to match other sections. Selective gear rules added for protection of cutthroat trout.
- South Fork Stillaguamish River from Mountain Loop Highway upstream - open first Saturday in June through November 30. Provides fishing for hatchery summer steelhead and other trout.
- Purdy Creek - open first Saturday in June through October 31 with selective gear rules. Provides trout fishing opportunity.
- Clover Creek season begins July 1 (not July 2) - typo in WAC.
- Chambers Creek - two listings were conflicting; one was removed.
- Rocky Creek - county reference corrected.
- Phillipa Creek - name spelled incorrectly in current rule. Columbia River sturgeon sanctuary boundary adjusted to reflect new landmark necessary to protect brood stock.
- Cougar Lake - selective gear rules added to catch-and-release fishery to ease release of fish.
- Ferry Lake (Ferry County), Swan Lake (Ferry County), Long Lake (Ferry County), Pierre Lake (Stevens County), Big Meadow Lake (Pend Oreille

County), Yocum Lake (Pend Oreille County), South Skookum Lake (Pend Oreille County), Lost Lake (Okanogan County), Blue Lake (Okanogan County), Bonaparte Lake (Okanogan County), Calligan Lake (King County), Hancock Lake (King County), Lake Hozomeen (Whatcom County) - unlawful to use lead tackle in these waters. Provides protection to loons nesting on these lakes.

Reasons Supporting Proposal: See Purpose above.

Statutory Authority for Adoption: RCW 77.04.012 and 77.12.047.

Statute Being Implemented: RCW 77.04.012 and 77.12.047.

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

Name of Proponent: Washington department of fish and wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Patricia Michael, 1111 Washington Street, Olympia, (360) 902-2628; Implementation: James Scott, 1111 Washington Street, Olympia, (360) 902-2736; 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. These rules affect recreational fishers. There is no direct regulation of small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. These proposals do not affect hydraulics.

August 17, 2010
Lori Preuss
Rules Coordinator

AMENDATORY SECTION (Amending Order 06-135, filed 6/13/06, effective 7/14/06)

WAC 220-55-160 Free fishing weekend. The Saturday and Sunday following the first Monday in June is declared to be free fishing weekend in Washington. On this weekend a fishing license is not required for any person, regardless of age or residency, to fish for or possess fish and shellfish and a fish and wildlife lands vehicle use permit is not required to utilize department parking facilities except that it is unlawful to fish for or possess any species for which a catch record is required without a valid catch record card in possession. Anglers may fish with two poles in all lakes where it is legal to do so without purchasing a two-pole endorsement, and may also fish in all open areas of the Columbia River and tributaries without purchasing a Columbia River endorsement. During free fishing weekend only the license, endorsements, and permit provided for in this section are affected, and all other rules including the catch record card requirement remain in effect.

AMENDATORY SECTION (Amending Order 10-64, filed 3/19/10, effective 5/1/10)

WAC 220-55-220 Two pole endorsement. Anglers who are in possession of a valid two pole endorsement may fish with two lines in all lakes and ponds open to fishing, with the following exceptions:

Water Body	County
Para-juvenile Lake	Adams
Quail Lake	Adams
Headgate Pond	Asotin
Columbia Park Pond	Benton
Blackbird Island Pond	Chelan
Lake Wenatchee	Chelan
Aldwell Lake	Clallam
Beaver Lake	Clallam
Carrie Blake Pond	Clallam
Dickey Lake	Clallam
Lake Pleasant	Clallam
Lincoln Pond	Clallam
Sutherland Lake	Clallam
Vancouver Lake	Clark
Big Four Lake	Columbia
Dayton Pond	Columbia
Blue Lake	Cowlitz
Castle Lake	Cowlitz
Coldwater Lake	Cowlitz
Lewis River Power Canal	Cowlitz
Merrill Lake	Cowlitz
Silver Lake	Cowlitz
Grimes Lake	Douglas
Pit Lake	Douglas
Long Lake	Ferry
Beda Lake	Grant
Brookies Lakes	Grant
Dry Falls Lake	Grant
Dusty Lake	Grant
Homestead Lake	Grant
Lenice Lake	Grant
Lenore Lake	Grant
Merry Lake	Grant
Nunnally Lake	Grant
Ping Pond	Grant
Damon Lake	Grays Harbor
Mill Creek Pond	Grays Harbor
Promised Land Pond	Grays Harbor
Quigg Lake	Grays Harbor
Shye Lake	Grays Harbor
Vance Creek Pond #1	Grays Harbor
Vance Creek Pond #2	Grays Harbor
Wynoochee Reservoir	Grays Harbor
Anderson Lake	Jefferson
Gibbs Lake	Jefferson
Horseshoe Lake	Jefferson
Teal Lake	Jefferson
Lake Sammamish	King
Lake Union	King

Includes all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River

Includes old Lewis River streambed between Swift No.1 powerhouse and Swift No. 2 powerhouse

Located at Friends Landing near Montesano

Water Body	County		Water Body	County	
Lake Washington	King	Including that portion of Sammamish River from 68th Ave. NE bridge downstream	Browns Lake	Pend Oreille	
Lake Washington Ship Canal	King	(Including Lake Union, Portage Bay, and Salmon Bay) waters east of a north-south line 400' west of the Chittenden Locks to the MontLake Bridge	Muskegon Lake	Pend Oreille	
Mill Pond	King	Auburn	Bradley Lake	Pierce	
Old Fishing Hole Pond	King	Kent	De Coursey Pond	Pierce	
Portage Bay	King		Ohop Lake	Pierce	
Rattlesnake Lake	King		Tanwax Lake	Pierce	
Ravensdale Lake	King		Wapato Lake	Pierce	
Salmon Bay	King		Granite Lakes	Skagit	Near Marblemount
Swans Mill Pond	King		Northern State Hospital Pond	Skagit	
Koeneman Lake	Kitsap	Formerly Fern Lake	Pass Lake	Skagit	
Easton Lake	Kittitas		Vogler Lake	Skagit	
Kachess Lake	Kittitas		Drano Lake	Skamania	(Little White Salmon River) downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of Hwy. 14 bridge
Keechelus Lake	Kittitas		Swift Reservoir	Skamania	((From dam to markers approximately 1 mile below Eagle Cliff Bridge))
Kiwanis Pond	Kittitas		Ebey Lake	Snohomish	Little Lake
Naneum Pond	Kittitas		Fortson Mill Pond #2	Snohomish	
Cowlitz Falls Reservoir	Lewis		Jennings Park Pond	Snohomish	
Fort Borst Park Pond	Lewis		Monte Cristo Lake	Snohomish	
Mayfield Lake	Lewis	Mayfield Dam to Mossyrock Dam	North Gissburg Pond	Snohomish	
Packwood Lake	Lewis		Spada Lake	Snohomish	
Scanewa Lake	Lewis	Cowlitz Falls Reservoir	Amber Lake	Spokane	
Walupt Lake	Lewis		Bear Lake	Spokane	
Willame Lake	Lewis		Medical Lake	Spokane	
Coffeepot Lake	Lincoln		North Silver Lake	Spokane	
Cady Lake	Mason		Bayley Lake	Stevens	
Cushman Reservoir	Mason		Lucky Duck Pond	Stevens	
Prices Lake	Mason		Mcdowell Lake	Stevens	
Stump Lake	Mason		Rigley Lake	Stevens	
Aeneas Lake	Okanogan		Kennedy Creek Pond	Thurston	
Big Twin Lake	Okanogan		Long's Pond	Thurston	
Black Lake	Okanogan		Mclane Creek Ponds	Thurston	
Blue Lake	Okanogan	Near Wannacut Lake	Munn Lake	Thurston	
Blue Lake	Okanogan	Sinlahekin Creek	Jefferson Park Pond	Walla Walla	
Campbell Lake	Okanogan		Lions Park Pond	Walla Walla	College Place
Chopaka Lake	Okanogan		Diablo Lake	Whatcom	
Cougar Lake	Okanogan	Lost River	Gorge Lake	Whatcom	
<u>Cougar Lake</u>	<u>Okanogan</u>	<u>Near Winthrop</u>	Lake Whatcom	Whatcom	
Davis Lake	Okanogan		Ross Lake	Whatcom	
Ell Lake	Okanogan		Squalicum Lake	Whatcom	
Green Lake	Okanogan		Garfield Juvenile Pond	Whitman	
Green Lake	Okanogan	Lower Green Lake	Bumping Lake	Yakima	
Hidden Lake	Okanogan	Lost River	Clear Lake	Yakima	
Rat Lake	Okanogan		Leech Lake	Yakima	White Pass area
Silvernail Lake	Okanogan		Mud Lake	Yakima	
Cases Pond	Pacific		Myron Lake	Yakima	
Middle Nemah Pond	Pacific		Rimrock Lake	Yakima	
Mooses Pond	Pacific		Sarge Hubbard Park Pond	Yakima	
Owens Pond	Pacific		Yakima Sportsmen's Park Ponds	Yakima	
South Bend Mill Pond	Pacific				

Note: The two pole endorsement is not valid in the Columbia and Snake rivers except as noted in Lake Roosevelt and Rufus Woods Lake.

AMENDATORY SECTION (Amending Order 10-64, filed 3/19/10, effective 5/1/10)

WAC 220-55-230 Columbia River endorsement.

Anglers fifteen years of age or older must be in possession of a valid Columbia River endorsement to fish for salmon or steelhead in the following waters:

Mainstem Columbia River from the Rocky Point/Tongue Point line to Chief Joseph Dam
Deep River (Wahkiakum County)

Grays River (Wahkiakum County) mouth to mouth of South Fork

Grays River, West Fork mouth to hatchery intake foot-bridge

Grays River, East Fork

Skamokawa River (Wahkiakum County) mouth (Hwy 4 Bridge) to forks below Oatfield and Middle Valley Road

Elochoman River (Wahkiakum County) mouth to mouth of West Fork

Mill Creek (Lewis County)

Abernathy Creek (Cowlitz County) mouth to Abernathy Falls

Germany Creek (Cowlitz County) mouth to end of Germany Creek Road

Coal Creek (Cowlitz County) mouth to 400 feet below falls

Cowlitz River (Cowlitz County) mouth to mouth of Ohanapecosh and Muddy forks

Blue Creek mouth to Spencer Road

Lacamas Creek

Mill Creek mouth to hatchery road crossing culvert

Olequa Creek

Tilton River mouth to West Fork

Tilton River, East Fork

Tilton River, North Fork

Tilton River, South Fork

Tilton River, West Fork

Mayfield Lake

~~((Riffe Lake))~~

Lake Scanewa

Cispus River (Lewis County) mouth to North Fork

Coweeman River (Cowlitz County)

Toutle River (Cowlitz County) mouth to forks

Toutle River, North Fork

Toutle River, South Fork

Green River (Cowlitz County) mouth to Miner's Creek
~~((Green River (Cowlitz County)))~~

Kalama River (Cowlitz County) mouth to Kalama Falls

Gobar Creek (Cowlitz County)

Lewis River (Clark/Cowlitz counties) mouth to mouth of East Fork

Lewis River, North Fork mouth to Merwin Dam

Lewis River, East Fork

Cedar Creek (Clark County)

Salmon Creek (Clark County) mouth to 72nd Ave. N.E.

Washougal River (Clark County)

Washougal River West, North Fork

Little Washougal

Camas Slough (Clark County) (waters outside the mouth of the Washougal River, north of Lady Island, and downstream of the Highway 14 Bridge at the upstream end of Lady Island)

Drano Lake (Skamania County) (little White Salmon River downstream of the markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of Highway 14 Bridge)

Hamilton Creek (Skamania County)

Rock Creek (Skamania County)

Wind River (Skamania County)

White Salmon River (Klickitat/Skamania counties) mouth to Northwestern (Condit) Dam

Klickitat River (Klickitat County)

Walla Walla River (Walla Walla County) and tributaries

Mill Creek (Walla Walla County)

Touchet River (Columbia/Walla Walla counties) mouth to confluence of North Fork and South Fork

Touchet River, North Fork

Touchet River, South Fork

Touchet River, Wolf Fork

Grande Ronde River (Asotin County)

Snake River mainstem

Palouse River (Whitman County) (below the falls)

Tucannon River (Columbia/Garfield counties)

Yakima River (Benton/Yakima/Kittitas counties) mouth to 400 feet below Prosser Dam and Sunnyside (Parker) Dam to Roza Dam

Wenatchee River mouth to Lake Wenatchee (including Lake Jolanda)

Chelan River (Chelan County) mouth (railroad bridge) to Chelan PUD safety barrier below the powerhouse

Icicle River (Chelan County) mouth to Leland Creek

Lake Wenatchee (Chelan County)

Entiat River (Chelan County) mouth to Entiat Falls

Methow River (Okanogan County) mouth to Foghorn Dam

Okanogan River (Okanogan County)

Lake Osoyoos (Okanogan County)

Similkameen River (Okanogan County) mouth to Enloe Dam

AMENDATORY SECTION (Amending Order 10-64, filed 3/19/10, effective 5/1/10)

WAC 220-56-240 Daily limits forage fish and other food fish not otherwise provided for. It is unlawful for any person to retain more than the following quantities and sizes of food fish taken for personal use. Unless otherwise provided, other food fish fishing is open the entire year:

(1) Forage fish: 10 pounds in the aggregate. The possession limit is two daily limits in fresh form. Additional forage fish may be possessed in frozen or processed form.

(2) Shiner perch: Daily limit 15 fish.

(3) All other marine food fish not otherwise provided for in this chapter except albacore, yellowfin, skipjack, and northern bluefin tuna and all mackerel: Daily limit two fish.

AMENDATORY SECTION (Amending Order 06-67, filed 4/11/06, effective 5/12/06)

WAC 220-56-270 Smelt—Areas and seasons. (1) ~~((Smelt))~~ Unlawful to fish for or possess Columbia River smelt (eulachon).

(2) Fishing for smelt other than Columbia River smelt (eulachon) 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))~~ (3) Fishing for smelt other than Columbia River smelt (eulachon) 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))~~ (4) 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—Penalty, 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—Penalty.

AMENDATORY SECTION (Amending Order 10-137, filed 5/27/10, effective 6/27/10)

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 to fishing for salmon.

(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 anti-snagging rules, 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) 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 Barn-

aby and Nancy creeks: Saturday before Memorial Day through October 31 season. Trout: Daily limit 5, no minimum size.

(d) 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.

(e) Kitsap County and Mason County east of Belfair-Bremerton Highway (S.R. 3): Beaver ponds: First Saturday in June through October 31 season. Trout: No minimum length.

(4) Rivers, streams, and beaver ponds that drain into Puget Sound or the Strait of Juan de Fuca are closed to fishing unless listed as open below.

(5) Specific freshwater exceptions to statewide rules:

Aberdeen Lake (Grays Harbor County): Last Saturday in April through October 31 season. Trout: No more than two over 15 inches in length may be retained per day.

Abernathy Creek (Cowlitz County):

From mouth to a point five hundred feet downstream from salmon hatchery: The first Saturday in June 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. Unlawful to fish from a floating device equipped with an internal combustion motor. North Fork from Grey Rock Trailhead Bridge crossing to Shellneck Creek and Middle Fork from the A2000 Road Bridge at Tree Phones Campground downstream to the A2000 Spur Road Bridge in NE Section 34: Closed waters.

Alder Creek (Cowlitz County): Closed waters.

Alder Lake (Thurston County): Kokanee not included in trout daily limit. Kokanee daily limit 10. All tributaries: The first Saturday in June through October 31 season. Trout: Minimum size fourteen inches.

Aldrich Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Aldwell Lake (Clallam County): Last Saturday in April through October 31 season. Selective gear rules. 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.

All Creek (Skagit County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Alma Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Amon Creek (Benton County): Selective gear rules.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

American Lake (Pierce County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Chumming permitted.

American River (Yakima County): Closed waters: From Highway 410 Bridge at river mile 5.4 to the Mesatchee Creek Trail crossing at river mile 15.8 July 16 through September 15. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Anderson Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Anderson Creek (Whatcom County) (Nooksack River tributary): First Saturday in June through October 31 season. 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 all 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. Unlawful to fish from a floating device equipped with an internal combustion motor.

North Fork from USFS boundary upstream and all other tributaries: Closed waters.

South Fork and tributaries: Closed waters.

Bacon Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and

release all fish except up to two hatchery steelhead may be retained.

Bacus Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

B.C. Mill Pond (Stevens County): Last Saturday in April through October 31 season.

Badger Lake (Spokane County): Last Saturday in April through September 30 season.

Bainbridge Island - all streams (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

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. Anti-snagging rule 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.

Highway 20 Bridge to Baker River fish barrier dam: Closed waters.

From fish barrier dam to headwaters, including all tributaries and their tributaries except Channel Creek: First Saturday in June through October 31 season.

Banks Lake (Grant County): Chumming allowed. Perch: Daily limit twenty-five. Crappie: Daily limit 10, minimum size 9 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 reduced fee licenses or designated harvester cards, and licensed adults accompanied by a juvenile only.

Bear River (Pacific County): The first Saturday in June through March 31 season. Anti-snagging rule 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. From the Lime Quarry Road to the Longview Fiber Bridge: Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through March 31. All species: Release all fish, except up to two hatchery steelhead may be retained per 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 chum and wild Chinook. Upstream of Longview Fiber Bridge: Closed waters.

Beaver Creek (Pierce County) (South Prairie Creek tributary): First Saturday in June through October 31 season.

Beaver Creek (tributary to Elochoman River) (Wahkiakum County): Closed waters.

Beaver Lake (Clallam County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Maximum size 12 inches in length.

Beaver Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Beaver Lake (King County): Trout: Daily limit 5, no more than 2 over 15 inches in length.

Beda Lake (Grant County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Unlawful to fish from a floating device equipped with an internal combustion motor.

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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

~~((Berry Creek (tributary to Nisqually River) (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.))~~

Bertrand Creek (Whatcom County) (Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Big Bear Creek (tributary of Sammamish River) (Snohomish/King counties): The first Saturday in June through August 31 season. Juveniles only.

Big Beaver Creek (Whatcom County):

From one-quarter mile upstream of closed water markers on Ross Lake upstream including tributary streams, and beaver ponds that are tributary to Big Beaver Creek: July 1 through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Big Beef Creek (Kitsap County) from Seabeck Highway Bridge to Lake Symington: The first Saturday in June through August 31 season. Closed waters August 1 through August 31: Waters within 100 feet of the Seabeck Highway NW Bridge. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

From Lake Symington upstream: First Saturday in June through October 31 season. All species: Selective gear rules. Release all trout.

Big Creek (Skagit County) (Suiattle River tributary): From TeePee falls to source: First Saturday in June through October 31 season. Selective gear rules.

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. Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line.

Big Mission Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Big Quilcene River (Jefferson County): See Quilcene River.

Big River (Clallam County): The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches.

Big Scandia Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Big Tiffany Lake (Okanogan County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Release all cutthroat.

Big Twin Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Bird Creek (Klickitat County): Trout: Daily limit five.

Blackjack Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Blackbird Island Pond (Chelan County): July 1 through September 30 season. Juveniles only.

Black Lake (Okanogan County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

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): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Crappie: Daily limit ten, minimum length nine inches.

Black Lake Ditch (Thurston County) from the confluence with Percival Creek upstream to Black Lake: First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen 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: Last Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Blackman's Lake (Snohomish County): Trout: Daily limit 3.

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. Anti-snagging rule and night closure. Only anglers who permanently use a wheelchair 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.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line. Selective gear rules. Unlawful to fish from a floating device

equipped with an internal combustion motor. Trout: Daily limit one.

Blue Lake (near Wannacut Lake) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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: The first Saturday in June through April 30 season. The first Saturday in June through November 30, selective gear rules and December 1 through April 30, selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor 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. February 16 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. July 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sock-eye, and chum salmon.

Boise Creek (King County) (White River tributary) upstream of Highway 410 crossing: First Saturday in June through October 31 season.

Bonaparte Creek (Okanogan County): Closed Waters from mouth to falls one mile upstream.

Bonaparte Lake (Okanogan County): Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line. 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.

Boulder Creek and tributaries (Okanogan County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten, no minimum size. Release all cutthroat.

Boulder Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Boulder River (Snohomish County) (NF Stillaguamish River tributary): Mouth to Boulder Falls. First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

From Boulder Falls upstream: First Saturday in June through October 31 season.

Bowman Creek (Klickitat County): Trout: Daily limit five.

Box Canyon Creek (Kittitas County), from mouth to waterfall approximately 2 miles upstream (including the portion flowing through the dry lakebed): Closed waters. From waterfall approximately 2 miles upstream of mouth to USFS Road #4930 Bridge: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Boxley Creek (North Bend) (King County), from the falls located at approximately river mile 0.9 upstream: First Saturday in June through October 31 season.

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. May 15 through the last day of Free Fishing Weekend (as defined in WAC 220-55-160): Juveniles only.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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 Creek (Skagit County) (Suiattle River tributary): From upstream boundary of Buck Creek campground to source: First Saturday in June through October 31 season. Selective gear rules.

Buck Lake (Kitsap County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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 and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June 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): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Butter Creek (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches.

Buttermilk Creek, mouth to confluence of East and West Forks (Okanogan County): Closed waters.

Buzzard Lake (Okanogan County): Last Saturday in April through October 31 season. All species: Selective gear rules. Trout: Daily limit 1.

Cadet Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules.

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: The first Saturday in June through April 30 season. December 1 through April 30, selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor 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. February 16 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. July 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

Calawah River, South Fork (Clallam County) from mouth to Olympic National Park boundary: The first Saturday in June through last day in February season. First Saturday in June through last day in February, selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor December 1 through last day in February. 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.

California Creek (Whatcom County): First Saturday in June through October 31 season. Selective gear rules.

Calispell Creek (Calispell River) (Pend Oreille County):
From mouth to Calispell Lake: Year around season.

From Calispell Lake upstream to source: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

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. Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line.

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: Open when the adjacent mainstem Columbia or Washougal rivers are open to fishing for salmon. Daily limit same as most liberal regulation of either area, except for salmon, only hatchery Chinook and hatchery coho may be retained.

Camp Creek (Snohomish County) (Whitechuck River tributary): First Saturday in June through October 31 season. Selective gear rules.

Campbell Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Campbell Lake (Okanogan County): April 1 through August 31: Selective gear rules and all species: Release all fish. Unlawful to fish from a floating device equipped with an internal combustion motor.

Campbell Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches.

Canyon Creek (Clark County): Trout: Daily limit five.

Canyon Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Canyon Creek (S.F. Stillaguamish River) (Snohomish County), mouth to forks: The first Saturday in June through February 15 season. Release all fish except up to two hatchery steelhead may be retained.

Canyon Creek (Whatcom County) (North Fork Nooksack River): From Canyon Creek Road Bridge upstream: First Saturday in June through October 31 season. Selective gear rules.

Canyon River (Mason County and Grays Harbor County): Closed waters.

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. Year-round season. Selective

gear rules. Anti-snagging rule and night closure August 1 through November 30. Trout: Release all trout.

Carbon River (Pierce County), from its mouth to Voight Creek: September 1 through last day in February season. Anti-snagging rule, night closure and single point barbless hooks required September 1 through November 30. Trout: Minimum length fourteen inches September 1 through November 30. December 1 through last day of February selective gear rules and release all fish except up to two hatchery steelhead may be retained. Voight Creek to Highway 162 Bridge: November 1 through last day in February season: Selective gear rules and release all fish except up to two hatchery steelhead may be retained. 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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. 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: June 1 through July 15 and September 16 through last day in February season. All species: Anti-snagging rule and night closure June 1 through July 15 and 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 June 1 through July 15. Daily limit 4 hatchery Chinook, of which no more than 2 may be adult hatchery Chinook. Open September 16 through November 30. Daily limit 4 coho salmon.

From the Rockport-Cascade Road Bridge upstream: The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one, minimum length sixteen inches.

Cattail Lake (Grant County): April 1 through September 30 season.

Cavanaugh Lake (Skagit County): Chumming permitted.

Cayada Creek (Pierce County)(Carbon River tributary): First Saturday in June through October 31 season.

Cedar Creek (tributary of N.F. Lewis) (Clark County), from mouth to Grist Mill Bridge: First Saturday in June 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. From the Grist Mill Bridge to 100 feet upstream of the falls: Closed waters. From 100 feet upstream of the falls upstream: The first Saturday in June through August 31 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cedar Creek (Jefferson County): The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches.

Cedar Creek (Mason County): First Saturday in June through October 31 season.

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: The first Saturday in June through August 31 season. Selective gear rules and night closure. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Cedar River (Pacific County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. All species: Selective gear rules and night closure. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.))~~

Chambers Creek from the mouth to markers 400 feet below the Boise-Cascade Dam (Pierce County): July 1 through November 15 season. Night closure and anti-snagging rule. 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.

From Boise-Cascade Dam to Steilacoom Lake: July 1 through October 31 season. Night closure and anti-snagging rule. Selective gear rules. Trout: Minimum size fourteen inches.

Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Channel Creek (Skagit County) (Baker River tributary): First Saturday in June through September 15 season.

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): The first Saturday in June through April 15 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: From mouth to Fuller Bridge: Open September 16 through January 31. September 16 through October 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum and Chinook. November 1 through January 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, Chinook, and wild coho. From Fuller Bridge to Porter Bridge: Open September 16 through January 31. September 16 through November 30, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum and Chinook. December 1 through January 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, Chinook, and wild coho. From Porter Bridge to high bridge on Weyerhaeuser 1000 line: Open September 16 through January 31. September 16 through November 30, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum and Chinook. December 1 through January 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, Chinook, and wild coho. Sturgeon: Open year-round, and no night closure from mouth to high bridge on Weyerhaeuser 1000 line.

From the High Bridge on Weyerhaeuser 1000 line, upstream, including all forks and tributaries: The first Saturday in June through April 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish, except up to two hatchery steelhead may be retained per day.

Chehalis River, South Fork (Lewis County), from mouth to Highway Bridge at Boistfort School: The first Saturday in June 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 game fish: Release all fish except lake trout. Salmon and lake trout: Open year-round: Salmon 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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Anti-snagging rule. Trout: Release all trout.

Chewuch River (Chewack River) (Okanogan County), from mouth to Eight Mile Creek: The first Saturday in June through August 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Upstream from Eight Mile Creek to Pasayten Wilderness boundary: Closed waters the first Saturday in June 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. Unlawful to fish from a floating device equipped with an internal combustion motor.

Chiliwack River (Whatcom County) including all tributaries and their tributaries: First Saturday in June through October 31 season.

Chimacum Creek (Jefferson County):

From mouth to Ness's Corner Road: The first Saturday in June through August 31 season. Selective gear rules and release all fish.

From Ness's Corner Road to headwaters: First Saturday in June through October 31 season. Selective gear rules and release all fish.

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.

Church Creek (Mason County) upstream of bridge on U.S. Forest Service Road #2361: First Saturday in June through October 31 season.

Cispus River (Lewis County), from mouth to North Fork: Trout: Release all cutthroat. Additional season November 1 through the Friday before the first Saturday in June. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Salmon: Open year around. Salmon minimum size 8 inches. January 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho and wild Chinook. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho.

Cispus River, North Fork (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: No more than one over twelve inches in length. Release cutthroat.

Clallam River (Clallam County): The first Saturday in June through October 31 season. Selective gear rules and release all fish. Additional November 1 through last day in February season. Trout: Minimum length fourteen inches.

Clara Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Clear Creek (Chelan County): Closed waters.

Clear Creek (Snohomish County) (Sauk River tributary): From Asbestos Creek Falls to source: First Saturday in June through October 31 season.

Clear Lake (Chelan County): Last Saturday in April through October 31 season. From July 5 through October 31, selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Clear Lake (Pierce County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Salmon: Landlocked 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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Clearwater River (Jefferson County):

From mouth to Snahapish River: The first Saturday in June through April 15 season. Trout: Minimum length fourteen inches. February 16 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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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 Hvas Lake except Tucquala Lake: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Cliff Lake (Grant County): March 1 through July 31 season.

Cloquallum Creek (Grays Harbor County):

From mouth to second bridge on Cloquallum Road: The first Saturday in June 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.

Clover Creek (Pierce County) upstream of Steilacoom Lake, including all tributaries: July ((2)) 1 through October 31 season.

Coal Creek (Cowlitz County), from mouth to four hundred feet below falls: The first Saturday in June 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): The first Saturday in June through August 31 season. Juveniles only.

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.

From Highway I-90 upstream. First Saturday in June through October 31 season.

Coffee Pot Lake (Lincoln County): March 1 through September 30 season. Selective gear rules. Trout: Daily limit one, minimum length eighteen inches. Crappie: Daily limit ten, minimum length nine inches.

Coldwater Lake (Cowlitz County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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 Rocky Coulee Wasteway: April 1 through September 30 season. Juveniles and holders of reduced fee licenses or designated harvester cards only. Trout: No minimum size, daily limit three.

Columbia Park Pond (Benton County): Juveniles and holders of reduced fee licenses or designated harvester cards 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 McNary 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. Whitefish: Daily limit 15 fish. All other game fish: No daily limit, except release all grass carp. Effective January 1, 2011: Salmon and steelhead - barbless hooks required from mouth to McNary Dam.

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, upstream to a line projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank: Trout: Release all trout except hatchery steelhead. 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 both Area 1 and Buoy 10 salmon season openings, (barbed hooks allowed through December 31, 2010) and the daily limit is the more liberal if both areas are open. Salmon and steelhead: Open only June 16 through March 31. June 16 through July 31, daily limit 6 fish, of which no more than 2 may be adult hatchery Chinook or hatchery steelhead, or one of each. Release all salmon other than hatchery Chinook. Closed to fishing for salmon and steelhead from Buoy 10 to the Megler-Astoria Bridge. August 1 through August 31, daily limit 2 salmon or 2 hatchery steelhead or one of each; only 1 may be a Chinook. Release all salmon except Chinook and hatchery

coho. Chinook minimum length 24 inches. Coho minimum length 16 inches. September 1 through September 30, daily limit 2 hatchery coho or 2 hatchery steelhead or one of each. Release all salmon other than hatchery coho. Coho minimum length 16 inches. October 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult hatchery coho or hatchery steelhead, or one of each. Release all salmon except hatchery coho. January 1 through March 31, daily limit 6 fish, of which no more than 2 may be adult hatchery Chinook salmon or hatchery steelhead or one of each. Release all salmon except hatchery Chinook. Fishing from the north jetty for salmon open during both Area 1 and Buoy 10 fishery openings, (barbed hooks allowed through December 31, 2010) and the daily limit is the more liberal if both areas are open. Sturgeon: Release sturgeon May 1 through May 8, June 29 through July 1, and July 6 through December 31. Minimum size when open to retain sturgeon is 38 inches fork length January 1 through April 30, and 41 inches fork length May 9 through July 5. Bottomfish: Daily limits, seasons, size restrictions and gear restrictions are the same as those in the adjacent portion of Marine Area 1.

From a line projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank, upstream to the I-5 Bridge: Trout: Release all trout except hatchery steelhead and hatchery 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 and steelhead: Open only May 16 through March 31. May 16 through July 31, daily limit 6 fish, of which no more than 2 may be adult hatchery Chinook or hatchery steelhead or one of each. Release all salmon except hatchery Chinook. May 16 through June 15, release adult Chinook. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each; of the adult salmon, only 1 may be a Chinook. Release all salmon except Chinook and hatchery coho. September 12 through December 31, release Chinook downstream of a line projected from the Warrior Rock Lighthouse, through Red Buoy #4, to the orange marker atop the dolphin on the Washington shore. January 1 through March 31, daily limit 6 fish, of which no more than 2 may be adult hatchery Chinook or hatchery steelhead or one of each. Release all salmon except hatchery Chinook. (1) Release sturgeon May 1 through May 8, June 29 through July 1, and July 6 through December 31 downstream from the Wauna powerlines. Minimum size when open to retain sturgeon is 38 inches fork length January 1 through April 30, and 41 inches fork length May 9 through July 5; (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 Hamil-

ton 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: Salmon and steelhead: Anti-snagging rule from Bonneville Dam to McNary Dam and night closure from Bonneville Dam to The Dalles Dam. Trout: Release all trout except hatchery steelhead. 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. Snake River Confluence Protection Area: From the first powerline crossing the Columbia upstream of Sacajawea State Park to the railroad bridge between Burbank and Kennewick: All species: Daily limits, seasons, size restrictions and gear restrictions are the same as those in the adjacent portion of the Snake River. 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 at a right angle to the thread of the river to the Oregon shore, from 400 feet below McNary Dam to the Highway 82 Bridge and from John Day Dam downstream to a line crossing the Columbia at a right angle to the thread of the river from the west end of the grain silo at Rufus, Oregon. (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 downstream to the navigation marker 85 line. Release sturgeon on other days and during other time periods. (4) Release sturgeon August 1 through December 31 from the upstream line of Bonneville Dam and 400 feet below McNary Dam. (5) From the Hamilton Island boat launch (USACE boat restricted zone boundary) to Bonneville Dam, anglers must stop fishing for sturgeon once a daily limit has been retained. (6) Release sturgeon from August 1 through January 31 from McNary Dam to Priest Rapids Dam. Closed to fishing for sturgeon from May 1 through July 31 from the ~~((trolley cableway 2.5 miles))~~ boundary marker on the river bank 400 feet downstream from Priest Rapids ~~((Dam))~~ Hatchery outlet channel (Jackson Creek) to Priest Rapids Dam. Salmon and steelhead: From I-5 Bridge to Bonneville Dam: Open June 16 through December 31 except salmon 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 hatchery Chinook or hatchery steelhead or one of each. Release all salmon except hatchery Chinook. August 1

through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each; of the adult salmon, only 1 may be a Chinook. Release all salmon except Chinook and hatchery coho. Steelhead: Additional season January 1 through March 31. Daily limit 2. From Bonneville Dam to Highway 395 Bridge at Pasco: Open June 16 through December 31. June 16 through July 31, daily limit 6 fish, of which no more than 2 may be adult hatchery Chinook or hatchery steelhead or one of each. Release all salmon except hatchery Chinook. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each. Release all salmon except Chinook and coho. Release wild coho from Bonneville Dam to Hood River Bridge. Steelhead: Additional season January 1 through March 31. Daily limit 2.

From the Highway 395 Bridge at Pasco to the old Hanford townsite (wooden towers) powerline crossing, in Sec. 30, T13N, R28E except Ringold Area Bank Fishery waters: Closed waters: Ringold Springs Creek (Hatchery Creek). Trout: Release all trout, except up to two hatchery steelhead having both adipose and ventral fin clips may be retained per day, October 1 through October 31. Release all trout, except up to two hatchery steelhead may be retained per day, November 1 through March 31. Salmon: Open June 16 through July 31. Daily limit 6 fish, of which no more than 2 may be adult hatchery Chinook. Release all salmon other than hatchery Chinook. Open August 1 through October 22. Daily limit 6 fish, of which no more than 2 may be adult salmon. Release sockeye. 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 Area Bank Fishery 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, except closed for salmon fishing. Fishing allowed only from the bank and only on the hatchery side of the river. Trout: Release all trout, except hatchery steelhead. Salmon: Open only May 1 through June 30. Fishing allowed only from the bank and only on the hatchery side of the river. Daily limit two hatchery Chinook. Night closure.

From the old Hanford townsite (wooden towers) powerline crossing in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24): 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 June 16 through July 31. Daily limit 6 fish of which no more than 2 fish may be adult hatchery Chinook. Release all salmon except hatchery Chinook. Open August 1 through October 22. Daily limit 6 fish, of which no more than 2 may be adult salmon. Release sockeye.

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 June 16 through July 31. Daily limit 6 fish of which no more than 2 may be adult hatchery salmon. Release all salmon except hatchery Chinook. Open August 1 through October 22. Daily limit 6 fish, of which no more than 2 may be adult salmon. Release sockeye.

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. All species: Anti-snagging rule and night closure from Rocky Reach Dam to the most upriver edge of Turtle Rock. Salmon: From Priest Rapids Dam to Wanapum Dam, open July 1 through October 22. July 1 through August 31, daily limit 6 fish, of which no more than 3 may be adult salmon, and of the 3 adult salmon, only 1 may be a wild adult salmon. Release coho and sockeye. September 1 through October 22, daily limit 6 fish, of which no more than 2 may be adult salmon. Release coho and sockeye. From Wanapum Dam to Wells Dam, open July 1 through October 15. Daily limit 6 fish, of which no more than 3 may be adult salmon, and of the 3 adult salmon, only 1 may be a wild adult salmon. Release coho and sockeye. From Wells Dam to Highway 173 Bridge at Brewster: Open July 16 through August 31. Daily limit 6 fish, of which no more than 3 may be adult salmon, and of the 3 adult salmon, only 1 may be a wild adult salmon. Release coho and sockeye. From Highway 173 Bridge at Brewster to Highway 17 Bridge at Bridgeport: Open July 1 through October 15. Daily limit 6 fish, of which no more than 3 may be adult salmon, and of the 3 adult salmon, only 1 may be a wild adult salmon. Release coho and sockeye. 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: Daily limit 8 fish. No minimum size. Not more than one walleye greater than 22 inches may be retained. Sturgeon: Unlawful to fish for or retain sturgeon.

From bridge at Valley upstream and tributaries: Saturday before Memorial Day through October 31 season. Selec-

tive gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

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. Unlawful to fish from a floating device equipped with an internal combustion motor.

Coot Lake (Grant County): April 1 through September 30 season.

Copalis River (Grays Harbor County): The first Saturday in June 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 chum and adult Chinook.

Corral Canyon Creek (Benton County): Selective gear rules.

Cottage Lake (King County): Last Saturday in April through October 31 season.

Cottonwood Creek (Lincoln County): Year-round season.

Cottonwood Creek (Walla Walla County): Closed waters.

Cougar Creek (tributary to Yale Reservoir) (Cowlitz County): The first Saturday in June through August 31 season.

Cougar Lake (Pasayten Wilderness) (Okanogan County): All species: Selective gear rules.

Cougar Lake (near Winthrop) (Okanogan County): April 1 through August 31 - all species: Selective gear rules. Release all fish.

Coulter Creek (Kitsap/Mason counties): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

County Line Ponds (Skagit County): Closed waters.

Coweeman River (Cowlitz County), from mouth to Mulholland Creek: The first Saturday in June 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 Mulholland Creek upstream: The first Saturday in June through August 31 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cowiche Creek (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

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: Open only June 1 through last day in February. January 1 through last day in February and June 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho and wild Chinook. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho.

Cowlitz River (Lewis County):

From mouth to Mayfield Dam: Closed waters: (1) 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. (2) From 400 feet below the Mayfield powerhouse upstream to Mayfield Dam. (3) Within a 100 foot radius of the new Cowlitz Trout Hatchery outfall structure except anglers who permanently use a wheelchair may fish within posted markers when adjacent waters are open. 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. Anti-snagging rule 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 the Friday before the first Saturday in June. Trout: The first Saturday in June through March 31, daily limit five, minimum length twelve inches, no more than two over twenty inches, except release wild cutthroat. Salmon: Open year-round. January 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release all salmon except hatchery Chinook and hatchery coho. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release all salmon except hatchery coho and hatchery Chinook. 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 Friday

before the first Saturday in June season. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Salmon: Open year-round from upstream boundary of Lake Scanewa. Salmon minimum size 12 inches. January 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho and wild Chinook. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho.

Cowlitz River, Clear and Muddy Forks (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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: April 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): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

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 Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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.

Dakota Creek (Whatcom County): First Saturday in June through October 31 season. Selective gear rules. Salmon: Open only October 1 through December 31 from mouth to Giles Road Bridge. Daily limit 2 salmon.

Dalton Lake (Franklin County): Trout: No more than two over 13 inches in length may be retained.

Damon Lake (Grays Harbor County): The first Saturday in June through October 31 season.

Dan's Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Davis Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dayton Pond (Columbia County): Juveniles, anglers with reduced-fee licenses or designated harvesters 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: Landlocked salmon rules apply.

Deep Creek (Clallam County): December 1 through last day in February season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained per day.

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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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. January 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild Chinook and wild coho. August 1 through December 31, daily limit 6 fish of which no more than 2 may be adult Chinook. Release chum and wild coho. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Deer Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

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): March 1 through October 31 season. Trout: No more than two over thirty inches in length may be retained.

De Roux Creek (Kittitas County): Mouth to the USFS Trail #1392 (De Roux Cr. Trail) stream crossing (approximately one river mile): Closed waters. Upstream of USFS Trail #1392 stream crossing: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Deschutes River (Thurston County): From old U.S. Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park: ~~((The first Saturday in June through October 15))~~ Year-round season. Selective gear rules. Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through October 15. 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. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout. Salmon: Open only July 1 through October 15. 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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Devil's Lake (Jefferson County): Last Saturday in April through October 31 season.

Dewatto River (Mason County): First Saturday in June through August 15 and October 1 through October 31 season.

Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Night closure October 1 through October 31 from mouth to Dewatto-Holly Road Bridge. Game fish: Release all fish. Salmon: Open only October 1 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): The first Saturday in June through April 30 season in mainstem Dickey outside Olympic National Park and East Fork Dickey upstream to D5200 road and the first Saturday in June through March 15 in East Fork Dickey upstream from D5200 road and West Fork Dickey. Trout: Minimum length fourteen inches. February 16 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. July 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

Dillacort Creek (Klickitat County): Trout: Release all trout.

Diobsud Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Dog Lake (Yakima County): Trout: Daily limit may contain no more than 1 fish over 14 inches in length.

Dogfish Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Donovan Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Dosewallips River (Jefferson County), from mouth to Olympic National Park boundary about three-quarters mile downstream of falls: The first Saturday in June through August 31 season mouth to park boundary and November 1 through December 15 season mouth to Highway 101 Bridge. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June 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.

Downey Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Downs Lake (Lincoln/Spokane counties): March 1 through September 30 season. Crappie: Daily limit ten, minimum length nine inches.

Dry Creek (Walla Walla County): Upstream from the middle Waitsburg Road: Closed waters.

Dry Falls Lake (Grant County): April 1 through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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: The first Saturday in June 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 and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June 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.

Dune Lake (Grant County): All species: Selective gear rules. Trout: Daily limit 1.

Dungeness River (Clallam County):

From mouth to forks at Dungeness Campground: 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 Gold Creek upstream to headwaters: First Saturday in June through October 31 season.

Dusty Lake (Grant County): March 1 through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one fish.

Dyes Inlet (Kitsap County) - all streams: First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Eaton Creek (Thurston County) (Lake St. Clair tributary): First Saturday in June through October 31 season. Selective gear rules.

Early Winters Creek (Okanogan County): Closed waters.

East Little Walla Walla River (Walla Walla County): Closed waters.

East Twin River (Clallam County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

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.

Eglon Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

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: The first Saturday in June 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 2 fish. Release chum, Chinook, and wild coho.

Ell Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Ellen Lake (Ferry County): Last Saturday in April through October 31 season. All species: Catch and release except up to five rainbow trout may be retained.

Elliot Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules.

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: The first Saturday in June through March 15 season. Anti-snagging rule, night closure, and stationary gear restriction August 1 through October 31. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only from the first Saturday in June through December 31. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through December 31, daily limit 6 fish, of which no more than 2 may

be adult Chinook. Release chum, wild coho, and wild Chinook.

Eloika Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Elwha River (Clallam County): From mouth to two hundred feet below the south spillway on the Aldwell Dam: October 1 through last day in February season. 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: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout except Eastern brook trout: Minimum length twelve inches. Eastern brook trout: No minimum size.

Empire Lake (Ferry County): Last Saturday in April through October 31 season.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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.

Evans Creek (Pierce County) (Carbon River tributary) from Carbon River-Fairfax Road upstream: First Saturday in June through October 31 season.

Failor Lake (Grays Harbor County): Last Saturday in April through October 31 season. Trout: No more than two over 15 inches in length may be retained per day.

Falls Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules.

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.

Ferry Lake (Ferry County): Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line.

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. Perch: Daily limit 25.

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): Mouth to I-5 Bridge: First Saturday in June through October 31 season. 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: First Saturday in June through October 31 season. Juveniles only.

Fishtrap Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season.

Fiske Creek (Pierce County) (Puyallup River tributary) upstream from Fiske Road: First Saturday in June through October 31 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.

Found Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

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.

Fox Creek (Pierce County) (Puyallup River tributary) upstream from Fiske Road: First Saturday in June through October 31 season.

Franz Lake (Skamania County): Closed waters.

Framer Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Frenchman Hills Lake (Grant County): February 1 through September 30 season.

Friday Creek (Whatcom County) (Samish River tributary): First Saturday in June through October 31 season. Selective gear rules.

Fulton Creek (Mason County) from mouth to falls at river mile 0.8: First Saturday in June through October 31 season. Selective gear rules and release all fish.

From falls at river mile 0.8 upstream: First Saturday in June through October 31 season.

Gadwall Lake (Grant County): April 1 through September 30 season.

Gale Creek (Pierce County) (South Prairie Creek tributary) upstream of confluence with Wilkeson Creek: First Saturday in June through October 31 season.

Gamble Creek (Kitsap County): First Saturday in June through October 31 season: Selective gear rules and release all fish.

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): The first Saturday in June 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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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): The first Saturday in June through March 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Golf Course Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

Goodell Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Goodman Creek (Jefferson County) outside Olympic National Park: The first Saturday in June through last day in February season. Trout, minimum length fourteen inches.

Goodwin Lake (Snohomish County): Chumming permitted.

Goose Creek (Lincoln County), within the city limits of Wilbur: Year around season. Juveniles and holders of reduced fee licenses or designated harvester cards only.

Goose Lake, Lower (Adams County): Crappie: Daily limit ten, minimum length nine inches. Bluegill: Not more than five over six inches in length.

Goss Lake (Island County): Last Saturday in April through October 31 season.

Grade Creek (Snohomish County) (Suittle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Grande Ronde River (Asotin County):

From mouth to County Road Bridge about two and one-half miles upstream: Year-round season. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor September 1 through May 31. Trout: Minimum length ten inches, maximum length twenty inches. Channel catfish: No daily limit mouth to Oregon state line.

From County Road Bridge upstream to Oregon state line and all tributaries: Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June 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 bridge at river mile 1.0 upstream: First Saturday in June through October 31 season. All species: Selective gear rules and release all fish. Unlawful to fish from a floating device equipped with an internal combustion motor.

Grays River (Wahkiakum County), from mouth to Highway 4 Bridge: First Saturday in June through October 15 and November 15 through March 15 season; and from Highway 4 Bridge to mouth of South Fork: First Saturday in June through October 15 and December 1 through March 15 season. Anti-snagging rule, night closure and stationary gear restriction August 1 through October 15. All game fish:

Release all fish except hatchery steelhead. Salmon: From mouth to Highway 4 Bridge: Open first Saturday in June through October 15 and November 15 through December 31. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through October 15 and November 15 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release chum, wild coho, and unmarked Chinook. Unmarked Chinook are Chinook without either a clipped ventral fin or a clipped adipose fin. From Highway 4 Bridge to South Fork: Open first Saturday in June through October 15 and December 1 through December 31. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through October 15 and December 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release chum, wild coho and unmarked Chinook. Unmarked Chinook are Chinook without either a clipped ventral fin or a clipped adipose fin.

Grays River, East Fork (Wahkiakum County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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: The first Saturday in June - October 15 season. August 1 through October 15: Anti-snagging rule, night closure and stationary gear restriction. Additional December 1 through March 15 season downstream from hatchery intake footbridge. Release all fish other than hatchery steelhead. Salmon: Open only from first Saturday in June through October 15 and December 1 through December 31. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through October 15 and December 1 through December 31, daily limit 6 fish of which not more than 2 may be adult Chinook. Release chum, wild coho and unmarked Chinook. Unmarked Chinook are Chinook without either a clipped ventral fin or a clipped adipose fin.

Green Lake (Okanogan County): April 1 through November 30: Selective gear rules, and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Green Lake (Lower) (Okanogan County): April 1 through November 30: Selective gear rules, and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Green River (Cowlitz County): Closed waters: All tributaries.

From mouth to 2800 Bridge: The first Saturday in June 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. Anti-snagging rule and night closure September 1 through October 31 from mouth to 400 feet below salmon hatchery rack. All species: When anti-snagging rule in effect,

only fish hooked inside the mouth may be retained. Trout: Release all trout except hatchery steelhead. Salmon: Open August 1 through November 30. Daily limit 6 fish, of which not more than 2 may be adult Chinook. Release chum, wild coho, and wild Chinook.

From 2800 Bridge to Miner's Creek: Closed waters.

From Miner's Creek upstream: All species: Catch and release and selective gear rules.

Green (Duwamish) River (King County):

From the First Avenue South Bridge to Tukwila International Boulevard/Old Highway 99: The first Saturday in June through July 31 and September 1 through February 15 season. In years ending in odd numbers, additional season August 22 through August 31 with the following restrictions: Night closure, bait prohibited, only 1 single-point hook may be used, and hook must measure less than 1/2 inch from point to shank. Anti-snagging rule and night closure September 16 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. Salmon: In years ending in odd numbers, open August 22 through December 31. Daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, open September 1 through December 31. Daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

From Tukwila International Boulevard/Old Highway 99 to the Interstate 405 Bridge: The first Saturday in June through July 31 and September 1 through February 15 season. Anti-snagging rule and night closure September 1 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. In years ending in odd numbers, daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum, release Chinook. In years ending in even numbers, daily limit 6 salmon, no more than 3 may be adult salmon, and only 1 may be a Chinook.

From the Interstate 405 Bridge to South 277th Street Bridge in Auburn: Open only the first Saturday in June through July 31 and October 1 through February 15. In years ending in odd numbers, additional season September 1 through September 30 with the following restrictions: Night closure, bait prohibited, only 1 single-point hook may be used, and hook must measure less than 1/2 inch from point to shank. Anti-snagging rule and night closure October 1 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. Salmon: In years ending in odd numbers, open September 1 through December 31. Daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, open October 1 through December 31. Daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

From the 277th Street Bridge to Auburn-Black Diamond Road Bridge: Open only the first Saturday in June through August 15 and October 16 through last day in February. In years ending in odd numbers, additional season September 16 through October 15 with the following restrictions: Night

closure, bait prohibited, only 1 single-point hook may be used, and hook must measure less than 1/2 inch from point to shank. Anti-snagging rule 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. Salmon: In years ending in odd numbers, open September 16 through December 31. Daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, open October 16 through December 31. Daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

From the Auburn-Black Diamond Road Bridge to the water pipeline walk bridge (1/2 mile downstream of Tacoma Headworks Dam): The first Saturday in June through last day in February season. Anti-snagging rule 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. Salmon: Open only November 1 through December 31. In years ending in odd numbers, daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

From Friday Creek upstream, including all tributaries and their tributaries: First Saturday in June through October 31 season.

Greenwater River (King County), from mouth to Greenwater Lakes: November 1 through January 31 season. Release all fish except whitefish. Whitefish gear rules.

From Greenwater Lakes upstream: First Saturday in June through October 31 season.

Grimes Lake (Douglas County): June 1 through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Grizzly Lake (Skamania County): Closed waters.

Groves Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

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: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

From falls upstream: First Saturday in June through October 31 season.

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. Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line.

Hansen Creek (Skagit County) including all tributaries and their tributaries: First Saturday in June through October 31 season. Selective gear rules.

Harris Lake (Grant County): All species: Selective gear rules. Trout: Daily limit 1.

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. Unlawful to fish from a floating device equipped with an internal combustion motor.

Hatch Lake (Stevens County): December 1 through March 31 season. All species: Catch and release except up to five rainbow trout may be retained.

Hatchery Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Haven Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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 reduced fee licenses or designated harvester cards 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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Hilt Creek (Skagit County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

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), outside of Olympic National Park:

From Olympic National Park boundary upstream to DNR Oxbow Campground Boat Launch: May 16 through April 15 season. May 16 through the Friday before the first Saturday in June, open Wednesday through Sunday only each week, and catch and release, except up to two hatchery steelhead may be retained on open days. First Saturday in June through April 15, trout: Minimum length fourteen inches. November 1 through February 15, daily limit may include 1 additional hatchery steelhead. February 16 through April 15, one wild steelhead per day may be retained. Salmon: Open May 16 through August 31, Wednesday through Sunday only each week, daily limit 6 fish of which no more than 1 may be an adult salmon, and release wild Chinook. Open September 1 through November 30, daily limit 6 fish of which no more than 2 may be adult salmon.

From DNR Oxbow Campground Boat Launch to Willoughby Creek: May 16 through April 15 season. Selective gear rules August 1 through October 15 and December 1 through April 15, and unlawful to fish from a floating device equipped with an internal combustion motor. Release all game fish except up to two hatchery steelhead may be retained. May 16 through the Friday before the first Saturday in June, open Wednesday through Sunday only each week. Salmon: Open May 16 through August 31, Wednesday through Sunday only each week, daily limit 6 fish of which no more than 1 may be an adult salmon, and release wild Chinook. Open October 16 through November 30, daily limit 6 fish of which no more than 2 may be adult salmon.

From Willoughby Creek to Morgan's Crossing boat launch site: First Saturday in June through April 15 season. Selective gear rules August 1 through October 15 and December 1 through April 15, and unlawful to fish from a floating device equipped with an internal combustion motor. Release all game fish except up to two hatchery steelhead may be retained. Salmon: Open October 16 through November 30, daily limit 6 fish of which no more than 2 may be adult salmon.

From Morgan's Crossing boat launch site upstream to Olympic National Park boundary below mouth of South Fork Hoh River: First Saturday in June through April 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Release all fish except up to two hatchery steelhead may be retained.

Hoh River South Fork (Jefferson County), outside Olympic National Park: The first Saturday in June through April 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches.

Hoko River (Clallam County): From mouth to upper Hoko Bridge: First Saturday in June through March 15 season. Fly fishing only September 1 through October 31. Trout: Minimum length fourteen inches.

From upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5): The first Saturday in June through March 31 season. Fly fishing only. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Homestead Lake (Grant County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one fish.

Hoquiam River, including all forks (Grays Harbor County): The first Saturday in June through last day of 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 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. Release chum, Chinook, and wild coho.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit 1.

Horseshoe Lake (Kitsap County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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.

Howe Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Howell Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Hozomeen Lake (Whatcom County): July 1 through October 31 season. Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line.

Huff Lake (Pend Oreille County): Closed waters.

Humptulips River (Grays Harbor County): From mouth to Ocean Beach Road: The first Saturday in June through March 31 season, except closed September 1 through September 30. Night closure and single-point barbless hooks required August 16 through August 31 and October 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open October 1 through January 31. Daily limit of 6 salmon, of which no more than two may be adult salmon, and of the 2 adult salmon, only one may be a Chinook. Release chum and wild coho. From Ocean Beach Road to Highway 101: The first Saturday in June through March 31 season, except closed September 1 through September 15. Night closure and single-point barbless hooks required August 16 through August 31 and September 16 through November 30. All species: Bait prohibited September 16 through September 30. Trout: Minimum length fourteen inches. Salmon: Open September 16 through January 31. Daily limit of 6 salmon, of which no more than two may be adult salmon, and of the 2 adult salmon, only one may be a Chinook. Release chum and wild coho. From Highway 101 Bridge to the confluence of the East and West forks: The first Saturday in June through last day in February season. Night closure and single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Additional season March 1 through March 31 with the following restrictions: Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor. March 1 through March 31, game fish: Release all fish except up to two hatchery steelhead may be retained. Salmon: Open September 16 through January 31. Daily limit of 6 salmon, of which no more than two may be adult salmon, and of the 2 adult salmon, only one may be a Chinook. Release chum and wild coho. Bait prohibited September 16 through September 30.

Humptulips River, East Fork (Grays Harbor County), from mouth to concrete bridge on Forest Service Road between Humptulips Guard Station and Grisdale: Anti-snagging rule and night closure August 16 through October 31. Trout: Minimum length fourteen inches.

Humptulips River, West Fork (Grays Harbor County), from mouth to Donkey Creek: The first Saturday in June through last day in February season. Anti-snagging rule and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Additional season March 1 through March 31. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained.

Hutchinson Creek (Whatcom County) (SF Nooksack tributary): First Saturday in June through October 31 season. All species: Selective gear rules. Trout: Minimum size 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: First Saturday in June through September 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Illabot Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Illahoe Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 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 six miles upstream (including the portion of the creek that flows through the dry lakebed): 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.

Isabella Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Island Lake (Kitsap County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Island Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Issaquah Creek (King County): The first Saturday in June through August 31 season. Juveniles only.

Jackman Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

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 Creek (Mason County): First Saturday in June through October 31 season.

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) mouth to confluence with East Fork: The first Saturday in June through August 31 season. Selective gear rules and release all fish.

From confluence with East Fork upstream, including East Fork: First Saturday in June through October 31 season.

Joe Creek (Grays Harbor County): Upstream from State Highway 109 Bridge to Ocean Beach Road Bridge: The first Saturday in June 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, and chum.

Johns Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Johns River (Grays Harbor County): Mouth to Ballon Creek: The first Saturday in June 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 2 fish. Release chum, Chinook, and wild coho.

Ballon Creek upstream, including North and South Forks: The first Saturday in June 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. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches.

Johnson Creek (Whatcom County), from Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas: First Saturday in June through October 31 season. Juveniles only.

Jones Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Jordan Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. Selective gear rules.

Jorsted Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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 the first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches.

Kalama River (Cowlitz County):

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. Anti-snagging rule and night closure April 1 through October 31 from the mouth to the intake at the lower salmon hatchery. Stationary gear restriction September 1 through October 31 from mouth to the natural gas pipeline at Mahaffey's Campground. All species: When anti-snagging rule in effect only fish hooked inside the mouth may be retained. Fishing from a floating device equipped with an internal combustion 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. All game fish: Release all fish year-round except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31, daily limit 6 hatchery Chinook of which no more than 1 may be an adult salmon. August 1 through December 31, daily limit 6 fish of which no more than 2 may be adult Chinook. Release chum, wild Chinook, and wild coho.

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: The first Saturday in June 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. Unlawful to fish from a floating device equipped with an internal combustion motor.

Kapowsin Lake (Pierce County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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): The first Saturday in June through August 31 season. Juveniles only.

Kendall Creek (Whatcom County) (NF Nooksack tributary) above the hatchery grounds: First Saturday in June through October 31 season. Selective gear rules.

Kennedy Creek (Thurston County), from mouth to four hundred feet below falls: The first Saturday in June through last day in February season. Selective gear rules. Anti-snagging rule 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 wild coho.

From falls upstream: First Saturday in June through October 31 season. Selective gear rules.

Kennedy Creek Pond (Thurston County): Last Saturday in April through October 31 season.

Kettle River (Stevens County):

The Saturday before Memorial Day through October 31 season. All species: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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.

Kindy Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

King's Creek (Pierce County) (Puyallup River tributary): First Saturday in June through October 31 season.

Kings Lake and tributaries (Pend Oreille County): Closed waters.

Kings Lake Bog (King County): Closed waters.

Kitsap Lake (Kitsap County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Kiwanis Pond (Kittitas County): Juveniles and holders of reduced fee licenses or designated harvester cards 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. Anti-snagging rule and night closure April 1 through May 31. Anti-snagging rule August 1 through January 31. Game fish: Closed December 1 through January 31. Release game fish other than hatchery steelhead April 1 through May 31. Trout: Minimum length twelve inches. Steelhead and salmon: Open April 1 through May 31 on Sundays, Mondays, Wednesdays and Saturdays only; daily limit 2 hatchery steelhead or 2 salmon, or 1 of each. Release wild Chinook. Salmon: Open June 1 through January 31. June 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild Chinook. August 1 through January 31, daily limit 6 fish of which no more than 2 may be adult Chinook.

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. Additional December 1 through March 31 season. Whitefish gear rules apply. 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 and release wild Chinook. August 1 through October 31, daily limit 6 fish of which no more than 2 may be adult Chinook. November 1 through November 30, daily limit 6 fish. Release Chinook.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Kokanee Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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): From mouth to footbridge at lower falls: First Saturday in June through August 31 season. From footbridge at lower falls upstream: Lawful to fish upstream to the base of Lacamas Lake Dam.

Lacamas Creek, tributary of Cowlitz River (Lewis County): Trout: Release all trout except up to two hatchery steelhead may be retained per day.

Ladder Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Lake Creek (Okanogan County): Mouth to Black Lake: Closed waters. Black Lake to Three Prong Creek: Closed waters.

Langlois Lake (King County): Last Saturday in April through October 31 season.

Latah (Hangman) Creek (Spokane County): Year-round season.

Lawrence Lake (Thurston County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Leader Lake (Okanogan County): Last Saturday in April through September 30 season.

LeBar Creek (Mason County) from the falls at river mile one upstream: First Saturday in June through October 31 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.

Leland Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Leland Lake (Jefferson County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Lemna Lake (Grant County): April 1 through September 30 season.

Lena Creek (Mason County): First Saturday in June through October 31 season.

Lenice Lake (Grant County): March 1 through November 30 season. Selective gear rules. Unlawful to fish from a floating

device equipped with an internal combustion motor. 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. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. Additional season the first Saturday in June through November 30: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. January 1 through July 31, daily limit six hatchery Chinook of which not more than 1 may be an adult salmon. August 1 through September 30, daily limit 6 hatchery salmon, of which no more than 2 may be adult hatchery Chinook. Release all salmon except hatchery Chinook and hatchery coho. October 1 through December 31, daily limit 6 hatchery coho. 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: The first Saturday in June 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 the Friday before the first Saturday in June season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Anti-snagging rule and night closure April 1 through November 30 from Johnson Creek to Colvin Creek. When anti-snagging rule is in effect, only fish hooked inside the mouth may be retained. October 1 through December 15, fishing from any floating device prohibited from Johnson Creek to Colvin Creek. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31, daily limit 6

hatchery Chinook of which only 1 may be an adult salmon. August 1 through September 30, daily limit 6 hatchery salmon, of which no more than 2 may be adult hatchery Chinook. Release all salmon except hatchery Chinook and hatchery coho. October 1 through December 31, daily limit 6 hatchery coho. 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. Anti-snagging rule and night closure April 1 through September 30. When anti-snagging rule 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 and December 16 through December 31. January 1 through July 31, daily limit 6 hatchery Chinook of which only 1 may be an adult salmon. August 1 through September 30, daily limit 6 hatchery salmon, of which no more than 2 may be adult hatchery Chinook. Release all salmon except hatchery Chinook and hatchery coho. December 16 through December 31, daily limit 6 hatchery coho. 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: From the fishing pier to the access road at Swift Dam: Last Saturday in April through October 31 season. Fishing from a floating device prohibited. Trout: No minimum size, daily limit 5.

From Eagle Cliff Bridge to lower falls including all tributaries: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Liberty Lake (Spokane County): March 1 through October 31 season.

Lilliwaup River (Mason County): Mouth to 200 feet below falls: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

From falls upstream: First Saturday in June through October 31 season.

Lilly Lake (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Lime Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

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): The first Saturday in June through August 31 season. Juveniles only.

Little Hoko River (Clallam County): First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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 Mission Creek (Mason County) from falls upstream: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Little Naches River (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Little Nisqually River (Lewis County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length (~~(ten)~~) fourteen 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: Saturday before Memorial Day through October 31 season. Selective gear rules, and unlawful to fish from a floating device equipped with an internal combustion motor. 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: First Saturday in June through October 31 season. All species: Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish. Closed waters: Mouth to Highway 101 Bridge September 1 through October 31.

From Little Quilcene River Bridge on Penny Creek Road upstream: First Saturday in June through October 31 season.

Little Scandia Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 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 Frideger 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): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

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): Night closure March 16 through June 30. The area west of a line projected from the easternmost pillar of the Highway 14 Bridge to a posted marker on the north shore - open only to bank fishing from April 16 through June 30. Anti-snagging rule August 1 through December 31. Year-round season; except closed Wednesdays beginning the second Wednesday in April through May 31, closed from 6 p.m. Tuesdays through 6 p.m. Wednesdays during October, closed for game fish other than trout during April, release all trout except hatchery steelhead, and trout other than steelhead closed March 16 through July 31. Trout: August 1 through March 15, daily limit of two hatchery steelhead. Salmon and steelhead: March 16 through July 31, daily limit of two hatchery steelhead or two hatchery Chinook, or one of each. Salmon: Open August 1 through December 31. Daily limit six fish of which no more than two may be adult salmon. Release wild coho and wild Chinook.

Lone Lake (Island County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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 use flies containing lead or lead-core line. Unlawful to fish from floating devices equipped with motors.

Long Lake (Okanogan County): Last Saturday in April through September 30 season.

Long Lake (Thurston County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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 (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Lost Lake (Okanogan County): Unlawful to fish from a floating device equipped with an internal combustion engine. Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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 Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Ludlow Lake (Jefferson County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Lyle Lake (Adams County): April 1 through September 30 season.

Lyle Creek (King County) (White River tributary): First Saturday in June through October 31 season.

Lyre River (Clallam County):

From mouth to falls near river mile 3: The first Saturday in June through last day in February season. Trout: Minimum length fourteen inches.

From falls to source: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Salmon: Landlocked salmon rules apply.

Maple Creek (Whatcom County) (NF Nooksack tributary): First Saturday in June through October 31 season. Selective gear rules.

Marble Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Malaney Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

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.

Mattoon Lake (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.

May Creek (tributary of Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

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): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

McCabe Pond (Kittitas County): Fishing from any floating device prohibited. All species: Five fish daily limit for all species combined.

McDonald Creek (Clallam County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

McLane Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules. Night clo-

sure 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): March 1 through October 31 season. Selective gear rules. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two, minimum length fourteen inches.

Medical Lake, West (Spokane County): Last Saturday in April through September 30 season.

Melbourne Lake (Mason County): Last Saturday in April through October 31 season.

Mercer Creek (Kittitas County), that portion within Ellensburg city limits: Juveniles only.

Mercer Slough (tributary of Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Merrill Lake (Cowlitz County): All species: Fly fishing only and release all fish. Unlawful to fish from a floating device equipped with an internal combustion engine.

Merritt Lake (Chelan County): Trout: Daily limit sixteen.

Merry Lake (Grant County): March 1 through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Merwin Lake (Reservoir) (Clark/Cowlitz County): Salmon: Landlocked salmon rules apply.

Methow River (Okanogan County):

Mouth to County Road 1535 (Burma Road) Bridge: Closed waters. County Road 1535 (Burma Road) Bridge to the Hwy 153 Bridge at McFarland Creek: The first Saturday in June through September 15 season: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. Highway 153 Bridge at McFarland Creek to Foghorn Dam: The first Saturday in June through September 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. Foghorn Dam to Weeman Bridge: The first Saturday in June through August 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. Upstream from Weeman Bridge to the falls above Brush Creek: Closed waters the first Saturday in June through October 31. Additional season Gold Creek to falls above Brush Creek: December 1 through March 31. Whitefish gear rules apply.

Methow River tributaries not otherwise provided for: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Maximum length twenty inches.

Middle Nemah Pond (Pacific County): The first Saturday in June through October 31 season.

Milk Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Mill Creek (Chelan County): Closed waters.

Mill Creek (Cowlitz County): The first Saturday in June 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. Anti-snagging rule and night closure. All species: Release all fish except that up to two hatchery steelhead may be retained per day.

Mill Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. 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 Bennington Dam: Closed waters.

From Bennington Dam upstream: All tributaries: Closed waters. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all steelhead.

Mill Creek Pond (Grays Harbor County): Juveniles only.

Mill Pond (Auburn) (King County): Last Saturday in April through October 31 season. Juveniles only except open to all ages during Free Fishing Weekend (as defined in WAC 220-56-160).

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. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length (~~twelve~~) fourteen inches.

Mineral Lake (Lewis County): Last Saturday in April through September 30 season.

Minter Creek (Pierce/Kitsap counties) from the department intake dam upstream: The first Saturday in June through October 31 season. Trout: Minimum length fourteen inches. Salmon: Open only November 1 through December 31 from mouth to 50 feet downstream of the hatchery rack. Night closure. 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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Moclips River (Grays Harbor County), from mouth to the Quinault Indian Reservation: The first Saturday in June 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 Cristo Lake (Snohomish County): The first Saturday in June through August 31 season. All species: Selective gear rules and catch and release except up to two hatchery steelhead may be retained. Unlawful to fish from a floating device equipped with an internal combustion motor.

Mooses Pond (Pacific County): The first Saturday in June 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: December 1 through last day in February season. Trout: Minimum length fourteen inches.

From Port Angeles Dam upstream: First Saturday in June through October 31 season.

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. 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: The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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.

Mud Lake (Mason County): Last Saturday in April through October 31 season.

Mud Lake (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Mudget Lake (Stevens County): Last Saturday in April through October 31 season.

Munn Lake (Thurston County): All species: Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish.

Muskegon Lake (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit two.

Myron Lake (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches, maximum length twenty inches. Release trout the first Saturday in June 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.

Nahwatzel Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Naneum Creek (Kittitas County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

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, and from attraction channel downstream four hundred feet. Waters from the temporary hatchery weir downstream to Highway 4 closed August 16 through October 15.

From Highway 101 Bridge to North Fork: The first Saturday in June through April 15 season, except sturgeon. From Highway 101 Bridge to the Highway 4 Bridge: Night closure and anti-snagging rule August 16 through November 15, stationary gear restriction above mouth of South Fork August 16 through November 30, and selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor above mouth of South Fork March 1 through April 15. From Highway 4 Bridge to Crown Main Line Bridge: Night closure, single point barbless hooks required, and stationary gear restriction August 16 through November 15; and selective gear rules and unlawful to fish from a float-

ing device equipped with an internal combustion motor March 1 through April 15. From Crown Main Line Bridge to North Fork: Night closure and anti-snagging rule August 16 through November 30, and selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor March 1 through April 15. 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 1 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 2 may be wild adult Chinook and no more than 2 may be wild adult coho. Release chum.

Sturgeon: Open year-round from mouth to Highway 4 Bridge.

From mouth of North Fork to source: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead per day may be retained.

South Fork, from mouth to Bean Creek: The first Saturday in June through last day in February season, except sturgeon. Anti-snagging rule 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. Unlawful to fish from a floating device equipped with an internal combustion motor.

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: The first Saturday in June through March 31 season, except closed August 1 through September 30 on North Nemah from Highway 101 Bridge upstream to Nemah Hatchery. 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 and unlawful to fish from a floating device equipped with an internal combustion motor on Middle Nemah above DNR Bridge and South Nemah above confluence with Middle Nemah. Night closure August 16 through November 30 on South Nemah to the confluence with Middle Nemah and Middle Nemah and October 1 through November 30 on North Nemah. Anti-snagging rule on North Nemah upstream from bridge on dead end lower Nemah Road and the Middle Nemah from the DNR Bridge on A-line Road upstream 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 October 1 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 open 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. Release chum, wild coho, and wild Chinook. North Nemah: Daily limit 6 fish of which no more than 3 may be adult salmon. Release chum, wild coho, and wild Chinook.

Newaukum River, main river and South Fork upstream to Highway 508 Bridge near Kearny Creek (Lewis County): The first Saturday in June 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 from mouth to Highway 508 Bridge near Kearny Creek. Salmon: Open only September 16 through last day in February from mouth to Leonard Road. September 16 through November 30, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, and Chinook. December 1 through last day in February, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, Chinook, and wild coho.

Newaukum River, Middle Fork, mouth to Taucher Road Bridge (Lewis County): The first Saturday in June 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: The first Saturday in June through March 31 season. Trout: Minimum length fourteen inches.

From 400 feet below Chehalis city water intake upstream: Closed waters.

Newhalem Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Newhalem Ponds (Whatcom County): Closed waters.

New Pond Creek (Pierce County) (South Prairie Creek tributary): First Saturday in June through October 31 season.

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. Release chum, wild coho, and wild 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: July 1 through January 31 season. Anti-snagging rule 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. July 1 through October 31, daily limit 6 fish of which no more than 3 may be adult salmon, and of the adult salmon only 2 may be any combination of chum and coho. Release wild Chinook. November 1 through January 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild Chinook.

From Military Tank Crossing Bridge to four hundred feet below LaGrande Powerhouse: July 1 through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From Alder Reservoir upstream including all tributaries: ~~((July 1))~~ The first Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Nookachamps Creek (Skagit County) including all tributaries and their tributaries: First Saturday in June through October 31 season. Selective gear rules.

Nooksack River (Whatcom County), from mouth to forks: The first Saturday in June through February 15 season except closed the first Saturday in June through September 30 from yellow marker at the FFA High School barn at Deming to confluence of the North and South Forks. Anti-snagging rule and night closure the first Saturday in June through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31 from Lummi Indian Reservation boundary to yellow marker at the FFA High School barn in Deming. Open only October 1 through December 31 from the FFA barn to the confluence of the North and South Forks. Daily limit 2 salmon, plus 2 additional hatchery coho, except release wild coho and release wild Chinook. In years ending in odd numbers, release pink salmon.

Nooksack River, North Fork (Whatcom County): From mouth to Nooksack Falls: First Saturday in June through February 15 season. November 1 through February 15 - unlawful to fish from a floating device equipped with a motor. First Saturday in June through November 30 night closure and anti-snagging rule from mouth to Maple Creek. Salmon: Open only October 1 through November 30 from mouth to Maple Creek. Minimum size twelve inches, daily limit 2, plus 2 additional hatchery coho. Release wild Chinook and wild coho. In years ending in odd numbers, release pink salmon. From Maple Creek to Nooksack Falls: Selective gear rules.

Above Nooksack Falls including all tributaries and their tributaries: First Saturday in June through October 31 season.

Nooksack River, Middle Fork (Whatcom County) mouth to city of Bellingham diversion dam: First Saturday in June through February 15 season. Selective gear rules. Trout minimum size 14 inches. November 1 through February 15 - motors prohibited.

Above diversion dam, including all tributaries and their tributaries: First Saturday in June through October 31 season.

Nooksack River, South Fork (Skagit/Whatcom counties): From mouth to Skookum Creek: The first Saturday in June through February 15 season. Selective gear rules. Release all game fish except up to two hatchery steelhead may be retained. Unlawful to fish from a floating device equipped with an internal combustion motor. Night closure the first Saturday in June through November 30. Salmon: Open only October 1 through December 31. Daily limit 2 salmon, plus 2 additional hatchery coho, except release chum, wild Chinook and wild coho. In years ending in odd numbers, release pink salmon.

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: Closed waters.

North Creek (tributary of Sammamish River) (Snohomish/King counties): The first Saturday in June through August 31 season. Juveniles only.

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: The first Saturday in June 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. Anti-snagging rule and night closure 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. Release chum and wild Chinook. Sturgeon: Open year-round from Highway 105 Bridge to Salmon Creek.

Upstream from Falls River: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Ohanapecosh Creek (tributary to Cowlitz River) (Lewis/Pierce counties): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Ohop Creek (Pierce County): July 1 through October 31 season. All species: Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish except up to two hatchery steelhead per day may be retained.

Ohop Lake (Pierce County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Okanogan River (Okanogan County):

From the mouth to the Highway 97 Bridge immediately upstream of mouth: Year-round season. Anti-snagging rule and night closure July 1 through October 15. Trout: Release all trout. Salmon: Open July 1 through October 15. Daily limit 6 fish, of which no more than 3 may be adult salmon, and of these three salmon no more than one may be a wild adult salmon. Release coho and sockeye.

From the Highway 97 Bridge immediately upstream of mouth to the highway bridge at Malott: Year-round season. Anti-snagging rule and night closure July 1 through September 15. Trout: Release all trout. Salmon: Open July 1 through September 15. Daily limit 6 fish, of which no more than 3 may be adult salmon, and of these three salmon no more than one may be a wild adult salmon. Release coho and sockeye. Upstream from the highway bridge at Malott: The first Saturday in June through August 31 season. Anti-snagging rule and night closure July 1 through September 15. Trout: Release all trout. Salmon: Open July 1 through September 15. Daily limit 6 fish of which no more than 3 may be adult salmon, and of these three salmon no more than one may be a wild adult salmon. Release coho and sockeye.

Closed waters: From Zosel Dam downstream to first Highway 97 Bridge.

Olalla Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

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): Trout: Release all trout except up to two hatchery steelhead may be retained per day.

Olson Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Osborne Lake (Mason County): Last Saturday in April through October 31 season.

Outlet Creek (Klickitat County): Trout: Daily limit five.

Owens Pond (Pacific County): The first Saturday in June through October 31 season.

Owl Creek (Snohomish County) (Whitechuck River tributary): First Saturday in June through October 31 season. Selective gear rules.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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): The first Saturday in June through March 31 season, except sturgeon. Single point barbless hooks and night closure August 16 through November 30 upstream to the mouth of the Middle Fork. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. South Fork and all waters upstream of the mouth of Middle Fork: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Anti-snagging rule 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 mouth of the Middle Fork. Daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and wild Chinook. Sturgeon: Open year-round from the Highway 101 Bridge to the mouth of the Middle Fork.

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. 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. Trout: No more than two over 13 inches in length may be retained.

Panhandle Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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. Unlawful to fish from a floating device equipped with an internal combustion motor.

Pattison Lake (Thurston County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Peabody Creek (Clallam County): First Saturday in June through October 31 season. Juveniles only.

Penny Creek (Jefferson County): First Saturday in June through October 31 season.

Perry Creek (Thurston County) from mouth to falls: First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

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): First Saturday in June through October 31 season. Selective gear rules. 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. Unlawful to fish from a floating device equipped with an internal combustion motor.

Phillips Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Phillips Lake (Stevens County): Last Saturday in April through October 31 season.

Pierre Lake (Stevens County): Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line.

Pilchuck Creek (Snohomish County), mouth to Highway 9 Bridge: The first Saturday in June through February 15 season. Trout: Minimum length 14 inches. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through November 30.

From Highway 9 Bridge to Pilchuck Falls: First Saturday in June through October 31 season. Selective gear rules. Trout minimum size 14 inches.

From Pilchuck Falls upstream, including all tributaries and their tributaries and all tributaries to Lake Cavanaugh: First Saturday in June through October 31 season.

Pilchuck River (Snohomish County):

From its mouth to five hundred feet downstream from the Snohomish City diversion dam: December 1 through February 15 season. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches.

Pillar Lake (Grant County): April 1 through September 30 season.

Pine Creek (Mason County): First Saturday in June through October 31 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 licenses or designated harvester cards 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.

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.

Potholes Reservoir (Grant County): Crappie: Minimum length nine inches. Crappie and bluegill: Combined daily limit twenty-five fish. Perch: Daily limit twenty-five fish. 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.

Powerline Lake (Franklin County): Trout: Daily limit 2.

Pratt River (tributary to Middle Fork Snoqualmie) (King County): First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Prices Lake (Mason County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Promised Land Pond (Grays Harbor County): The first Saturday in June through October 31 season.

Pugh Creek (Snohomish County) (Whitechuck River tributary): First Saturday in June through October 31 season. Selective gear rules.

Purdy Creek (Mason County): The first Saturday in June through July 31 season. All species: Selective gear rules and release all fish.

Puyallup River (Pierce County):

From mouth to city of Puyallup outfall structure near junction of Freeman Road and North Levee Road: Game fish season is open only when salmon fishing is open. Single-point barbless hooks, anti-snagging rule and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only August 16 through December 31 from mouth to Carbon River, except closed August 22, 29, and 30, and September 5, 6, 7, 12, 13 and 14 from mouth to city of Puyallup outfall structure near junction of Freeman Road and North Levee Road. In years ending in even numbers, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild adult Chinook. In years ending in odd numbers, daily limit 6 fish, of which no more than 4 may be adult salmon, and of the adult salmon, no more than 2 may be any combination of Chinook, coho, and chum. Release wild adult Chinook.

From city of Puyallup outfall structure near junction of Freeman Road and North Levee Road to the Electron power plant outlet: Game fish season is open only when salmon fishing is open. Single-point barbless hooks, anti-snagging rule 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. In years ending in even numbers, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild adult Chinook. In years ending in odd numbers, daily limit 6 fish, of which no more than 4 may be adult salmon, and of the adult salmon, no more than 2 may be any combination of Chinook, coho, and chum. Release wild adult Chinook.

From Carbon River upstream: September 1 through last day of February season. Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Pyramid Creek (King County) upstream of Forest Service Road 7000: First Saturday in June through October 31 season.

Pysht River (Clallam County): The first Saturday in June through October 31 season. Selective gear rules and release all fish. Additional November 1 through last day in February season. 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): The first Saturday in June 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.

Quilcene River (Jefferson County):

From mouth to Rodgers Street: First Saturday in June through August 15 season. Selective gear rules and release all fish. Unlawful to fish from a floating device equipped with an internal combustion motor.

From Rodgers Street to Highway 101 Bridge: First Saturday in June through October 31 season. Release all game fish. First Saturday in June through August 15. Selective gear rules. Salmon: Open only August 16 through October 31 from Rodgers Street to the Highway 101 Bridge. Night closure and only one single point barbless hook may be used. Daily limit 4 coho salmon. Only coho salmon hooked inside the mouth may be retained.

From electric weir at Quilcene National Fish Hatchery to upper boundary of Falls View Campground: First Saturday in June through October 31 season. Selective gear rules and release all fish. Unlawful to fish from a floating device equipped with an internal combustion motor.

From upper boundary of Falls View Campground upstream: First Saturday in June through October 31 season.

Quillayute River (Clallam County): Open year-round outside of Olympic National Park only. May 1 through the Friday before the first Saturday in June release all game 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. February 16 through April 30, one wild steelhead per day may be retained. Salmon: Open only February 1 through November 30. February 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

Quinault River, Upper (Jefferson County), from mouth at upper end of Quinault Lake to the National Park boundary: The first Saturday in June through April 15 season. Trout: Minimum length fourteen inches. February 16 through April 15, one wild steelhead per day may be retained. Salmon: Open only July 1 through October 31. July 1 through September 30, daily limit 6 jack salmon only. Single-point barbless hooks required. October 1 through October 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release sockeye, pink, and chum.

Quincy Lake (Grant County): March 1 through July 31 season.

Racehorse Creek (Whatcom County) (NF Nooksack tributary): First Saturday in June through October 31 season. Selective gear rules.

Radar Ponds (Pacific County): Salmon: Landlocked salmon rules apply.

Raging River (King County), from its mouth to the Highway 18 Bridge: The first Saturday in June through February 15 season. Trout: Minimum length fourteen inches.

From Highway 18 Bridge upstream: First Saturday in June through October 31 season.

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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Rat Lake (Okanogan County): April 1 through November 30: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Rattlesnake Creek (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Rattlesnake Lake (King County): Selective gear rules and catch and release. Unlawful to fish from a floating device equipped with an internal combustion motor.

Ravensdale Lake (King County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit two, minimum length twelve inches.

Red Creek (King County) (White River tributary): First Saturday in June through October 31 season.

Reflection Pond (Okanogan County): Last Saturday in April through October 31 season.

Rendsland Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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.

Ripley Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Robbins Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Upstream from bridge on George Knott Road: Year-round season.

Rock Creek (Chelan County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Rock Creek (Klickitat County): Mouth to the Army Corps of Engineers Park: Year-round season. Daily limits, size restrictions and gear restrictions are the same as those in the adjacent portion of the Columbia River.

Rock Creek (Skamania County): Mouth to falls. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Above falls, additional November 1 through March 15 season.

Rocky Brook Creek (Jefferson County)(Dosewallips River tributary): From falls 1000 feet upstream of mouth upstream: First Saturday in June through October 31 season.

Rocky Creek ((~~Mason~~) Pierce/Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Rocky Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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 waters: (1) March 1 through the Friday immediately preceding Memorial Day weekend from the Little Dalles power line crossing upstream approximately one mile to marked rock point, and from Northport power line crossing upstream to most upstream point of Steamboat Rock; (2) January 1 through May 31 in San Poil arm upstream from outlet of French Johns Lake; and (3) April 1 through Friday before Memorial Day 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 six, no more than two with intact adipose fins. Walleye: 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.

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. Trout: Daily limit three, possession limit six, minimum length thirteen inches.

Ross Lake tributary streams (Whatcom County), except Big Beaver Creek and Ruby Creek: From one mile above their mouths to headwaters: 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 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. Only uninjured trout caught using artificial lures or flies with single barbless

hooks may be released. 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.

Saint Clair Lake (Thurston County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Salmon Creek (Clark County), from mouth to 72nd Avenue N.E.: The first Saturday in June through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Salmon Creek, mainstem (Okanogan County): Closed waters.

Salmon Creek, North Fork and West Fork from mouth to South Fork (Okanogan County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Salmon Creek (tributary of Naselle River) (Pacific County): The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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 Quinault Indian Reservation: The first Saturday in June 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.

Salmonberry Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

Salt Creek (Clallam County): From mouth to bridge on Highway 112: First Saturday in June through last day in February season. Selective gear rules. Release all fish except November 1 through the last day in February up to 2 hatchery steelhead may be retained.

Samish Lake (Whatcom County): Trout: Cutthroat trout daily limit two, minimum length fourteen inches.

Samish River (Whatcom County):

From its mouth to the I-5 Bridge: The first Saturday in June through December 31 season. Stationary gear restriction, anti-snagging rule, and night closure August 1 through December 31. Additional season January 1 through March 31. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

From the I-5 Bridge to the Hickson Bridge: Closed waters from the old Highway 99 Bridge to the WDFW salmon rack. First Saturday in June through March 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

From Hickson Bridge upstream: First Saturday in June through October 31 season. Selective gear rules.

Sammamish Lake (King County): Closed to fishing within 100 yards of the mouth of Issaquah Creek August 16 through November 30. 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: Open only August 16 through November 30. Daily limit four salmon, of which only two may be Chinook. Release sockeye.

Sammamish River (Slough) (King County), from the 68th Avenue N.E. Bridge to Lake Sammamish: January 1 through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Sandysore Lake (Jefferson County): Last Saturday in April to October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

San Poil River (Ferry County): Unlawful to fish for or retain sturgeon.

Sarge Hubbard Park Pond (Yakima County): Juveniles and holders of reduced fee licenses or designated harvester cards 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 anti-snagging rule and night closure August 16 through November 30. Middle and West Forks upstream from Cougar Smith Road anti-snagging rule and night closure August 16 through October 31.

From mouth to bridge at Schafer Park: The first Saturday in June 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. Release chum, Chinook, and wild coho.

Middle Fork (Turnow Branch), from mouth to Cougar Smith Road: The first Saturday in June through last day in February season.

West Fork, from mouth to Cougar Smith Road: The first Saturday in June through last day in February season.

Sauk River (Skagit/Snohomish counties):

From mouth to the mouth of the White Chuck River: The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating

device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From mouth to the Darrington Bridge: Additional March 1 through April 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From the mouth of the White Chuck River to headwaters, including North Fork and South Fork upstream to Elliot Creek: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

South Fork upstream from Elliot Creek: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

Sawyer, Lake (King County): Chumming permitted. Crappie: Daily limit ten, minimum length nine inches.

Scatter Creek (King County) (White River tributary): First Saturday in June through October 31 season.

Schaefer Lake (Chelan County): Trout: Daily limit sixteen.

Schneider Creek (Thurston County) from mouth to falls: First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

Scootenev Reservoir (Franklin County): Walleye: Minimum size 12 inches.

Sedge Lake (Grant County): All species: Selective gear rules. Trout: Daily limit 1.

Sekiu River (Clallam County):

From mouth to forks: First Saturday in June through October 31 season. Selective gear rules and release all fish. Additional November 1 through last day in February season. Trout minimum length 14 inches.

From forks upstream: First Saturday in June through October 31 season. Selective gear rules and release all fish.

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): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

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 first Saturday in June through October 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): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Sherwood Creek Mill Pond (Mason County): The first Saturday in June through October 31 season. Trout: Minimum length 14 inches, daily limit 2 fish.

Shine Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all 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): The first Saturday in June through October 31 season.

Sidley Lake (Okanogan County): Trout: Daily limit two.

Siebert Creek (Clallam County): Trout: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Silent Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Silesia Creek (Chiliwack River tributary) (Whatcom County): First Saturday in June through October 31 season.

Silvas Creek (Klickitat County): Trout: Release all trout.

Silver Creek (tributary to Cowlitz River) (Lewis County), mouth to USFS Road 4778: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Silver Creek (Skagit County) (Samish River tributary): First Saturday in June through October 31 season. Selective gear rules.

Silver Creek (Whatcom County)(Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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.

Silver Nail Lake (Okanogan County): Juveniles only.

Similkameen River (Okanogan County):

From mouth to Enloe Dam: December 1 through March 31 season. Whitefish gear rules apply. Salmon: Open only July 1 through September 15. Daily limit 6 fish, of which no more than 3 may be adult salmon, and of these three adult salmon no more than one may be a wild adult salmon. Release coho and sockeye. Anti-snagging rule and night closure July 1 through September 15.

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: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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 February 15 through May 31. 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: In years ending in even numbers, open September 1 through December 31. Daily limit 3 salmon. Release Chinook and chum. In years ending in odd numbers, open August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook and chum.

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek: June 1 through February 15 season. Night closure rule July 1 through November 30. Anti-snagging rule August 16 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. Additional February 16 through March 15 season. All spe-

cies: Release all fish except up to 2 hatchery steelhead may be retained. Selective gear rules. Unlawful to fish from a floating device while under power. Salmon: In years ending in even numbers, open September 1 through December 31. Daily limit 3 salmon. Release Chinook and chum. In years ending in odd numbers, open August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook and chum.

From Gilligan Creek to the Dalles Bridge at Concrete: June 1 through February 15 season. Anti-snagging rule 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: In years ending in even numbers, open September 16 through December 31. Daily limit 3 salmon. Release Chinook and chum. In years ending in odd numbers, open August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook and chum. Additional season February 16 through March 15. All species: Release all fish except up to 2 hatchery steelhead may be retained. Selective gear rules. Unlawful to fish from a floating device while under power.

From the Dalles Bridge at Concrete to the Highway 530 Bridge at Rockport: June 1 through February 15 season, except closed June 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. Anti-snagging rule 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 September 16 through December 31. In years ending in even numbers, daily limit 3 salmon. Release Chinook and chum. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook and chum. Additional season: February 16 through April 30. Selective gear rules. Unlawful to fish from a floating device while under power. All species: Release all fish except up to two hatchery steelhead may be retained.

From the Highway 530 Bridge at Rockport to the Cascade River: June 1 through February 15 season. Anti-snagging rule and night closure June 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 June 1 through July 15. Daily limit four hatchery Chinook salmon, of which only two may be adult hatchery Chinook. Salmon open September 16 through December 31. In years ending in even numbers, daily limit 3 salmon. Release Chinook and chum. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook and chum. Additional season: February 16 through April 30. Selective gear rules. Unlawful to fish from a floating device while under power. All species: Release all fish except up to two hatchery steelhead may be retained.

From Cascade River to Gorge Powerhouse: June 1 through March 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From Gorge Dam to Ross Dam and all tributaries to this section except Stetattle Creek: First Saturday in June through October 31 season.

Skamokawa Creek (Wahkiakum County), mouth to forks just below Oatfield and Middle Valley Road: June 1 through October 31 season. Trout: Release all trout except up to two hatchery steelhead may be retained.

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 Highway 106 Bridge: Night closure, anti-snagging rule and single point barbless hooks required August 1 through November 30. The first Saturday in June through July 31 and October 1 through December 15 season. All game fish: Release all fish. Salmon: Open only August 1 through December 15. Terminal gear restricted to no closer than 25 feet of a tribal gill net. August 1 through September 30: Daily limit 2 salmon, except release chum and wild Chinook; only fish hooked inside the mouth may be retained; and anglers must keep the first 2 salmon, if legal to do so and stop fishing for the day. Daily limit 6 salmon October 1 through December 15, except daily limit may contain no more than 4 adult fish and release Chinook. October 1 through October 15 release chum salmon.

From Highway 106 Bridge to Highway 101 Bridge: Night closure, anti-snagging rule and single point barbless hooks required August 1 through November 30. The first Saturday in June through July 31 and October 1 through December 15 season. All game fish: Release all fish. Salmon: Open only August 1 through December 15, except closed August 2, 9, 16, 23, and 30, and September 13. Terminal gear restricted to no closer than 25 feet of a tribal gill net. August 1 through September 30: Daily limit 2 salmon, except release chum and wild Chinook; only fish hooked inside the mouth may be retained; and anglers must keep the first 2 salmon, if legal to do so and stop fishing for the day. October 1 through December 15, daily limit 6 salmon, except daily limit may contain no more than 4 adult fish and release Chinook. October 1 through October 15 release chum salmon.

From Highway 101 Bridge to forks: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Skokomish River, North Fork (Mason County):

From mouth to lower dam: The first Saturday in June through October 31 season. All species: Release all fish. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Above Lake Cushman, mouth to Olympic National Park boundary: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Release all fish.

Skokomish River, South Fork (Mason County):

From mouth to mouth of LeBar Creek: First Saturday in June through October 31 season. All species: Release all fish. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

From mouth of Rule Creek to headwaters: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Skookum Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Skookum Lake, North (Pend Oreille County): Last Saturday in April through October 31 season.

Skookumchuck Creek (Klickitat County): Trout: Release all trout.

Skookumchuck Reservoir (Thurston County): The first Saturday in June through October 31 season. Trout: Daily limit two, minimum length twelve inches.

Skookumchuck River (Thurston County):

From mouth to one hundred feet below the outlet of the Trans Alta steelhead rearing pond located at the base of the Skookumchuck Dam: The first Saturday in June through April 30 season. Single point barbless hooks and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 16 through last day in February. September 16 through November 30, daily limit 6 fish of which no more than 2 may be adult salmon, and of the adult salmon, only 1 of which may be wild adult coho. Release chum and Chinook. December 1 through last day in February, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, Chinook, and wild coho.

From Skookumchuck Reservoir upstream and all tributaries: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Skykomish River (Snohomish County):

From mouth to mouth of Wallace River: June 1 through February 15 season. Anti-snagging rule 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 February 15 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 June 1 through July 31 mouth to Wallace River. Daily limit 2 hatchery Chinook. In years ending in even numbers, open September 1 through December 31 mouth to Wallace River. Daily limit 2 coho only. In years ending in odd numbers, open August 16 through December 31 mouth to Lewis Street Bridge in Monroe and open September 1 through

December 31 Lewis Street Bridge to Wallace River. Daily limit 2 salmon plus 2 additional pink. Release Chinook.

From the mouth of the Wallace River to the forks: June 1 through February 15 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. Anti-snagging rule 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 February 15. 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. In years ending in even numbers, daily limit 2 coho only. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook.

Skykomish River, North Fork (Snohomish County):

From mouth to one thousand feet downstream from Bear Creek Falls: The first Saturday in June through February 15 season. Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

From Deer Falls (about 1/4 mile upstream of Goblin Creek) upstream: First Saturday in June through October 31 season.

Skykomish River, South Fork (King/Snohomish counties):

From mouth to six hundred feet downstream from the Sunset Falls Fishway: The first Saturday in June through February 15 season. Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From Sunset Falls to source including all tributaries and their tributaries: The first Saturday in June through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches. Whitefish: Additional December 1 through last day in February season. Release all fish other than whitefish. All tributaries: Closed waters.

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.

Sloan Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Smith Creek (near North River) (Pacific County): The first Saturday in June 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. Release chum and wild Chinook. Sturgeon: Open year-round from mouth to Highway 101 Bridge.

Smith Creek (Whatcom County)(Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Snake River: Year-round season. Closed to the taking of all trout April 1 through June 15. All species: April 24 through June 15 from Texas Rapids boat launch upstream to the Corps of Engineers boat launch approximately 1 mile upstream of Little Goose Dam: Night closure, barbless hooks only, and hooks must measure 5/8 inch or less from point to shank. Trout: Daily limit six, 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: Release all sturgeon from August 1 through January 31 from the mouth to Ice Harbor Dam. Closed to fishing for sturgeon from May 1 through July 31 from the downstream end of Goose Island to Ice Harbor Dam. Unlawful to retain sturgeon in mainstem and tributaries upstream from Lower Granite Dam. 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. Salmon: Open only April 24 through June 15 from Texas Rapids boat launch upstream to the Corps of Engineers boat launch approximately 1 mile upstream of Little Goose Dam. Daily limit 1 hatchery Chinook.

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.

Snipes Creek (Benton County): Selective gear rules.

Snohomish River (Snohomish County), including all channels, sloughs, and interconnected waterways, but excluding all tributaries: The first Saturday in June through February 15 season, except sturgeon. Anti-snagging rule 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: In years ending in even numbers, open only September 1 through December 31. Daily limit 2 coho only. In years ending in odd numbers: Open only August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook. Sturgeon: Open year-round from mouth to Highway 2 Bridge.

Snoqualmie River (King County):

From mouth to the falls: The first Saturday in June through last day in February season, except the first Saturday in June through February 15 from the mouth to the boat launch at Plumb. 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. The first Saturday in June through November 30 selective gear rules. 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 coho only.

From Snoqualmie Falls upstream, including the North and South Forks: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches. Additional November 1 through the Friday before the first Saturday in June season. Selective gear rules. All species: Release all fish. All tributaries except Tate, Sunday and ((Phillapa)) Phillipa creeks: First Saturday in June through October 31 season.

Snoqualmie Middle Fork from mouth to source including all tributaries except Pratt and Taylor rivers: Year-round season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Snyder Creek (Klickitat County): Trout: Release all trout.

Sol Duc River (Clallam County):

From mouth to concrete pump station at the Sol Duc Hatchery: Open year-round. May 1 through the Friday before the first Saturday in June, release all game fish except up to two hatchery steelhead per day may be retained. First Saturday in June through April 30, trout: Minimum length fourteen inches. November 1 through last day in February, daily limit may include 1 additional hatchery steelhead. February 16 through April 30, one wild steelhead per day may be retained. Salmon: Open only February 1 through November 30. February 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

From concrete pump station at Sol Duc Hatchery to Highway 101 Bridge downstream of Snider Creek: First Saturday in June through April 30 season. Trout: Minimum length fourteen inches. November 1 through April 30: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

From Highway 101 Bridge downstream of Snider Creek to Olympic National Park boundary: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Release all fish except up to two hatchery steelhead may be retained.

Sooes River (Suez River) (Clallam County): The first Saturday in June through last day in February season. Trout: Minimum length fourteen inches.

Soos Creek (King County), from mouth to hatchery rack: The first Saturday in June through August 31 season. Trout: Minimum length fourteen inches.

South Bend Mill Pond (Pacific County): Juveniles only.

South Prairie Creek (Pierce County), from city of Buckley diversion dam upstream: First Saturday in June through October 31 season.

South Skookum Lake (Pend Oreille County): Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line.

Spada Lake (Reservoir) (Snohomish County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Spearfish Lake (Klickitat County): Last Saturday in April through last day in February season.

Spectacle Lake (Okanogan County): April 1 through September 30 season.

Spencer Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Spirit Lake (Skamania County): Closed waters.

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 eight, no minimum length, no more than one over twenty-two 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: June 1 through March 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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: The first Saturday in June through March 15 season. Selective gear rules. All species: Release all fish.

Sprague Lake (Adams/Lincoln counties): Closed waters: Waters of Cow Creek, the marsh at the southwest end of the lake from the lakeside edge of the reeds to Danekas Road, the small bay at the southeast end of the lake, and those waters

within 50 feet of Harper Island. All other waters southwest of the southwest tip of Harper Island: Closed waters from October 1 through April 30. Trout: No more than two over twenty inches in length may be retained. Crappie and bluegill: Combined daily limit twenty-five fish. Crappie: Minimum length nine inches.

Spring Creek (Benton County): Selective gear rules.

Spring Creek (Klickitat County): Trout: Daily limit five.

Spring Hill Reservoir (Black Lake, Lower Wheeler Reservoir) (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

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 Creek (Whatcom County): First Saturday in June through October 31 season. Selective gear rules.

Squalicum Lake (Whatcom County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two.

Squire Creek (Snohomish County) (NF Stillaguamish River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fifteen inches. Release cutthroat. Additional March 1 through June 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Steilacoom Lake (Pierce County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Stetattle Creek (Whatcom County) above the mouth of Bucket Creek (one and one-half miles upstream): First Saturday in June through October 31 season.

Stevens Creek (Grays Harbor County), mouth to Highway 101 Bridge: The first Saturday in June through September 30

and December 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. Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. In years ending in even numbers, daily limit 2 coho only. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook.

From Marine Drive to the forks, except from the barrier dam (downstream of I-5) downstream two hundred feet which is closed waters: The first Saturday in June through February 15 season. Night closure August 1 through November 30. Selective gear rules the first Saturday in June through November 30. Game fish: The first Saturday in June 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. In years ending in even numbers, daily limit 2 coho only. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook.

Stillaguamish River, North Fork (Snohomish County), from mouth to Swede Heaven Bridge: The first Saturday in June through February 15 season. Anti-snagging rule 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. The first Saturday in June through November 30: All species: Release all fish except hatchery steelhead. The first Saturday in June through November 30 fly fishing only. December 1 through February 15: Trout: Minimum length fourteen inches.

From Swede Heaven Bridge to falls approximately one mile upstream of Cascade Creek: First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Upstream of falls: First Saturday in June through October 31 season.

Stillaguamish River, South Fork (Snohomish County):

From mouth to four hundred feet downstream of the outlet to fishway at Granite Falls: The first Saturday in June through February 15 season. Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From Mt. Loop Highway Bridge above Granite Falls to source: The first Saturday in June through November 30 sea-

son. Selective gear rules and unlawful to fish from a floating device equipped with a motor. Anti-snagging rule and night closure August 1 through November 30.

Stimson Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Storm Lake (Snohomish County): Last Saturday in April through October 31 season.

Straight Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

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. Trout daily limit 5, no more than 2 over 15 inches in length.

Suiattle River (Skagit County): First Saturday in June through October 31 season. Selective gear rules. 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. Unlawful to fish from a floating device equipped with an internal combustion motor. 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.

Sulphur Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Sultan River (Snohomish County), from its mouth to a point four hundred feet downstream from the diversion dam at river mile 9.7: The first Saturday in June through February 15 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.

Upstream of the diversion dam to Culmback Dam: First Saturday in June through October 31 season.

Sumas River (Whatcom County) including all tributaries except Johnson Creek: First Saturday in June through October 31 season.

Summit Lake (Stevens County): Last Saturday in April through October 31 season.

Summit Lake (Thurston County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Susan Lake (Thurston County): Selective gear rules and release all fish.

Sutherland Lake (Clallam County): Chumming permitted.

Swale Creek (Klickitat County): Trout: Release all trout.

Swamp Creek (tributary to Sammamish River) (Snohomish/King counties): The first Saturday in June through August 31 season. Juveniles only.

Swan Lake (Ferry County): Last Saturday in April through October 31 season. Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line.

Swan's Mill Pond (Stossel Creek) (King County): The first Saturday in June through October 31 season.

Swauk Creek (Kittitas County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Swift Reservoir (Skamania County): Last Saturday in April through November 30 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.

Sylvia Lake (Grays Harbor County): Trout: No more than two over 15 inches in length may be retained per day.

Symington Lake (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

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) from mouth to marker approximately 1 mile upstream of North Shore Road Bridge: First Saturday in June through August 15 and October 1 through October 31 season. Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish except salmon. Night closure October 1 through October 31. Salmon: Open only October 1 through October 31. Daily limit 2 coho salmon.

From marker approximately one mile upstream of North Shore Road Bridge upstream: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Taneum Creek (Kittitas County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Tanwax Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Tanwax Lake (Pierce County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. 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 Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Tarboo Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Taylor River (tributary to the Middle Fork Snoqualmie) (King County): First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Teal Lakes (North and South) (Grant County): April 1 through September 30 season.

Teal Lake (Jefferson County): Fishing from a floating device equipped with an internal combustion engine prohibited. Selective gear rules. Trout daily limit one fish.

Teanaway River (Kittitas County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Teanaway River, North Fork (Kittitas County): Mouth to Beverly Creek including all tributaries: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout. Beverly Creek to impassable waterfall at the end of USFS Road 9737 (about 8 river miles): Closed waters.

Tee Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Tenas Creek (Skagit County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Tenas Lake (Mason County): Last Saturday in April through October 31 season.

Ten Mile Creek (Whatcom County) (Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Tennant Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15.

Tern Lake (Grant County): All species: Selective gear rules. Trout: Daily limit 1.

Terrell Creek (Whatcom County): First Saturday in June through October 31 season. Selective gear rules.

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 Creek (Skagit County) (Samish River tributary): First Saturday in June through October 31 season. Selective gear rules.

Thomas Lake (Stevens County): Last Saturday in April through October 31 season.

Thorndyke Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Thornton Creek (tributary to Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Thorton Creek (Skagit County): First Saturday in June through October 31 season. All species: Release all fish except up to two hatchery steelhead may be retained.

Thread Lake (Adams County): April 1 through September 30 season.

Tibbetts Creek (tributary to Lake Sammamish) (King County): The first Saturday in June through August 31 season. Juveniles only.

Tieton River (Yakima County): Lawful to fish to base of Tieton (Rimrock) Dam. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through October 31. Additional December 1 through March 31 season: Whitefish gear rules apply.

Tieton River, North Fork (Yakima County): Closed waters: Clear Lake spillway channel and the river within 400' of Clear Lake Dam. Entire river, including that portion of the river that flows through the dry lakebed of Rimrock Reservoir: The first Saturday in June through August 15 season.

Tieton River, South Fork (Yakima County): From the bridge on USFS Road 1200 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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Tilton River (Lewis County), from mouth to West Fork: The first Saturday in June 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 first Saturday in June through December 31. Minimum length eight inches. First Saturday in June through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho.

August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho.

Tilton River, East, North, South and West Forks (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. Anti-snagging rule. Trout: Minimum length fourteen inches.

From Fish Hatchery Road Bridge to posted cable boundary marker located approximately four hundred feet downstream of the hatchery intake: January 15 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. Anti-snagging rule. Trout: Minimum length 14 inches.

From the posted cable boundary marker located approximately four hundred feet downstream of the hatchery intake 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: The first Saturday in June through February 15 season. The first Saturday in June through November 30, selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches.

From falls upstream on North Fork: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

From dam upstream on South Fork: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches.

Touchet River (Columbia/Walla Walla counties):

From confluence of north and south forks upstream, including Robinson and Wolf Forks: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all steelhead. Tributaries other than North Fork, South Fork, Robinson Fork, and Wolf Fork: Closed waters.

North Fork: Upstream of Spangler Creek the first Saturday in June through August 31 season.

South Fork: Upstream from Griffin Creek the first Saturday in June through August 31 season.

Wolf Fork: Upstream from Coates Creek the first Saturday in June through August 31 season.

From mouth to confluence of north and south forks: Additional season: November 1 through March 31. 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: The first Saturday in June through November 30 season. Anti-

snagging rule 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 Chinook. Release chum, wild coho, and wild Chinook.

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. The first Saturday in June 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. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except hatchery steelhead.

Trail's End Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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): The first Saturday in June 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 March 31 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 and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through October 31. Additional season November 1 through March 31. 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. Unlawful to fish from a floating device equipped with an internal combustion motor. Release steelhead.

From Cow Camp Bridge upstream: Closed waters.

Tucquala Lake (Kittitas County): The first Saturday in June 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 Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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: The first Saturday in June through August 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. War Creek to South Fork Twisp River: Closed waters.

Tye River (King County): Foss River to Alpine Falls the first Saturday in June through October 31 season: All species: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through last day in February season. Release all fish other than whitefish. All tributaries to this section and their tributaries: First Saturday in June through October 31 season.

From Alpine falls upstream including all tributaries: First Saturday in June through October 31 season.

U Lake (Mason County): Last Saturday in April through October 31 season.

Umtanum Creek (Kittitas County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Uncle John Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

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: First Saturday in June through August 15 season. All species: Release all fish.

From North Shore Road Bridge to lower bridge on Old Belfair Highway: The first Saturday in June through August 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

From lower bridge on Old Belfair Highway upstream to watershed boundary: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Upper Wheeler Reservoir (Chelan County): Closed waters.

Valley Creek (Clallam County): First Saturday in June through October 31 season. Juveniles only.

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 reduced fee license or a designated harvester card only. Trout: No more than two over 15 inches in length may be retained per day. Salmon: Landlocked salmon rules apply. Pond Two: Last Saturday in April through November 30 season. Trout: No more than two over 15 inches in length may be retained per day. 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: All species: Anti-snagging rule and night closure August 16 through November 30. Game fish: Minimum length 14 inches. Salmon: Open only September 1 through January 31. Daily limit 6 fish, of which no more than 2 may be adult fish. Release chum, Chinook and wild 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 falls under powerline upstream: First Saturday in June through October 31 season.

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: The first Saturday in June through last day in February season. Closed waters: From 363rd Avenue S.E./Reece Road to a point two hundred feet upstream of the water intake of the salmon hatchery during the period the first Saturday in June through September 15. 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 16 through November 30. Daily limit 2 coho.

From 200 feet upstream of the water intake of the salmon hatchery to Wallace Falls: 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.

From Wallace Falls upstream: First Saturday in June through October 31 season.

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. Channel catfish: No daily limit.

From the Touchet River upstream to state line: Trout: All tributaries except Mill Creek, maximum length twenty inches. Channel catfish: No daily limit. Additional season November 1 through March 31. 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. From August 1 through October 31: Selective gear rules. Trout: Release all trout.

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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

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 Creek (Mason County): First Saturday in June through October 31 season.

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 less than fifteen inches in length are kokanee while those fifteen inches and over in length are sockeye salmon. Salmon: Open only September 16 through October 31 north of Highway 520 Bridge and east of Montlake Bridge. Daily limit four 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.

Washougal River (Clark County): Night closure year-round.

From mouth to bridge at Salmon Falls: The first Saturday in June through March 15 season. Anti-snagging rule and stationary gear restriction July 1 through October 31. When anti-snagging rule 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 December 31. Daily limit 6 fish of which no more than 2 may be adult Chinook. Release chum, wild coho, and wild Chinook.

From mouth to Mt. Norway Bridge: Additional April 16 through the Friday before the first Saturday in June season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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: The first Saturday in June 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.

Waughop Lake (Pierce County): Salmon: Landlocked salmon rules apply.

Wenaha River tributaries within Washington: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all steelhead.

Wenatchee Lake (Chelan County): Selective gear rules. 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.

Wentworth Lake (Clallam County): Unlawful to fish from a floating device equipped with an internal combustion engine.

West Evans Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

West Twin River (Clallam County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Whatcom Creek (Whatcom County):

From mouth to stone bridge at Whatcom Falls Park: The first Saturday in June through last day in February season. Anti-snagging rule 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. Anglers fishing lawfully, within 50 yards of the Bellingham Technical College Hatchery Collection Tube, and on the hatchery side of the creek, that hook and land chum salmon, may remove those chum salmon from the water and immediately place them unharmed into the Hatchery Collection Tube.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Last Saturday in April through October 31 season. Juveniles only. Anti-snagging rule 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 Creek (Skagit County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

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: October 1 through October 31 all species: Fly fishing only and release all fish. November 1 through last day in February. Selective gear rules. Trout: Minimum length fourteen inches. Anti-snagging rule and night closure October 1 through November 30.

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. Anti-snagging rule 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. Anti-snagging rule and night closure October 1 through October 31. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor 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): First Saturday in June through October 31 season. 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: Bank fishing only downstream from the Highway 14 Bridge. August 1 through December 31: Anti-snagging rule. Year-round season, except game fish other than steelhead closed April 1 through July 31. Trout: Minimum length fourteen inches. Salmon and steelhead: Open April 1 through July 31, daily limit 2 salmon or 2 hatchery steelhead or one of each. Release wild Chinook. Salmon: Open August 1 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho and wild Chinook.

From powerhouse to within four hundred feet of Northwestern Dam: November 16 to April 30 season, except salmon and steelhead, and trout closed April 1 through April 30. Trout: Minimum length fourteen inches. Salmon: Open November 16 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho and wild Chinook. Salmon and steelhead: Open April 1 through June 15, daily limit two salmon or two hatchery steelhead or one of each. Release wild Chinook.

From gas pipeline crossing above Northwestern Lake to Gilmer Creek: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Wide Hollow Creek (Yakima County): Juveniles only.

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. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Wilderness Lake (King County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Wilkeson Creek (Pierce County) (South Prairie Creek tributary) upstream of confluence with Gale Creek: First Saturday in June through October 31 season.

Willame Lake (Lewis County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit two, minimum length fifteen inches.

Willapa River (Pacific County): Mouth to Highway 6 Bridge: The first Saturday in June through March 31 season. All game fish: Release all game fish except that up to two hatchery steelhead may be retained per day. All species: August 16 through November 30 night closure and single point barbless hooks required. August 16 through November 30 above the WDFW access at the mouth of Ward/Wilson Creek stationary gear restriction. Highway 6 Bridge to Fork Creek: The first Saturday in June 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. 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. Release chum, wild coho, and wild Chinook.

Sturgeon: Open year-round from mouth to Highway 6 Bridge.

Upstream from Fork Creek: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. August 16 through October 31, anti-snagging rule and night closure. All species: Release all fish except up to two hatchery steelhead per day may be retained.

South Fork: The first Saturday in June through last day in February season. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through October 31. Anti-snagging rule 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): The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. 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. All species: Catch and release except up to five rainbow trout may be retained.

Wilson Creek (two branches within Ellensburg city limits) (Kittitas County): Juveniles only.

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. Trout: Minimum length fourteen inches. Night closure March 16 through June 30. May 1 through June 30: Anti-snagging rule from Burlington Northern Railroad Bridge upstream. August 1 through October 31: Anti-snagging rule. When anti-snagging rule is in effect, only fish hooked in the mouth may be retained. Salmon and steelhead: Open March 16 through June 30 daily limit 2 salmon or 2 hatchery steelhead or one of each. Release wild Chinook. Salmon: Open August 1 through October 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho and wild Chinook.

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: 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. May 1 through June 30: Anti-snagging rule and night closure. When anti-snagging rule is in effect, only fish hooked in the mouth may be retained. September 16 through November 30 season, except salmon. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. Salmon and additional steelhead season: Open May 1 through June 30. Daily limit 2 salmon or 2 hatchery steelhead or one of each.

Winston Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches.

Wishkah River (Grays Harbor County), including all forks: Closed waters: From weir at Wishkah Rearing Ponds, downstream 200 feet. Trout: Minimum length fourteen inches. Mouth to mouth of the West Fork: The first Saturday in June through March 31 season. Single point barbless hooks required August 16 through November 30. Selective gear rules, unlawful to fish from floating device equipped with an internal combustion motor, and all species: Release all fish, except up to two hatchery steelhead may be retained per day, March 1 through March 31. Salmon: Open October 1 through December 31. Daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, Chinook, and wild coho.

From the mouth of the West Fork to two hundred feet below the weir at the Wishkah Rearing Ponds: The first Saturday in June through March 31 season. All species: March 1 through March 31, release all fish, except up to two hatchery steelhead may be retained per day, and selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Salmon: Open October 1 through December 31. Daily limit 6 fish, of which no more

than 2 may be adult salmon. Release chum, Chinook, and wild coho.

Wolf Creek, mouth to mouth of south fork (Okanogan County): Closed waters.

Woodard Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length 14 inches.

Wood Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Woodland Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Wooten Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Wye Lake (Kitsap County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Wynoochee River (Grays Harbor County): Trout: Minimum length fourteen inches. Mouth to 7400 line bridge above mouth of Schafer Creek: The first Saturday in June through March 31 season. Single point barbless hooks required August 16 through November 30. All species: Bait prohibited September 16 through October 31.

7400 line bridge upstream: Additional December 1 through March 31 season. Selective gear rules. Fishing from a floating device prohibited. All species: Release all fish except up to two hatchery steelhead may be retained per day.

Wynoochee Reservoir (Grays Harbor County): The first Saturday in June 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: March 1 through October 22 season. Closed waters: From the WDFW white markers 200 feet downstream of the USBR Chandler Powerhouse/Pumping Station spillway chute to the power-line crossing immediately upstream of the powerhouse September 1 through October 22. Chumming permitted. Trout: Release all trout. Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. All species: Anti-snagging rule and night closure September 1 through October 22.

From Prosser Dam to Highway 223 Bridge: May 1 through October 31 season. Trout: Release all trout.

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: Trout: Minimum length twelve inches and maximum length twenty inches. Additional season December 1 through last day in February - Whitefish gear rules apply.

From Sunnyside Dam to thirty-five hundred feet below Roza Dam: Closed waters: From Yakima Avenue-Terrace Heights Bridge upstream 400 feet. All species: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches and maximum length twenty inches. Additional season December 1 through last day in February - Whitefish gear rules apply.

From thirty-five hundred feet below Roza Dam to 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. Unlawful to fish from a floating device equipped with an internal combustion motor December 1 through the last day of 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. Landlocked salmon rules.

Yellowhawk Creek (Walla Walla County): Closed waters.

Yellowjacket Creek (tributary to Cispus River) (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Yocum Lake (Pend Oreille County): Last Saturday in April through October 31 season. Unlawful to use fishing tackle containing lead. Tackle includes, but is not limited to, weights, sinkers, jigs, lures, flies, and lead-core line.

WSR 10-17-105

PROPOSED RULES

PUGET SOUND

CLEAN AIR AGENCY

[Filed August 17, 2010, 1:08 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141(1).

Title of Rule and Other Identifying Information: Amend Regulation I, Section 3.11 (Civil Penalties) and Section 3.25 (Federal Regulation Reference Date).

Hearing Location(s): Puget Sound Clear Air Agency, 1904 3rd Avenue, Suite 105, Seattle, WA 98101, on September 23, 2010, at 8:45 a.m.

Date of Intended Adoption: September 23, 2010.

Submit Written Comments to: Lynn Sykes, Puget Sound Clean Air Agency, 1904 3rd Avenue, #105, Seattle, WA 98101, e-mail lynns@psc Cleanair.org, fax (206) 343-7522, by September 22, 2010.

Assistance for Persons with Disabilities: Contact agency receptionist, (206) 689-4010, by September 16, 2010, TTY (800) 833-6388 or (800) 833-6385 (braille).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To adjust the maximum civil penalty amount for inflation and update the federal regulation reference date.

Reasons Supporting Proposal: Without the adjustment for inflation, the maximum civil penalty amount would effectively decrease each year. The federal regulation reference date needs to be kept current.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Statute Being Implemented: RCW 70.94.141.

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

Name of Proponent: Puget Sound Clean Air Agency, governmental.

Name of Agency Personnel Responsible for Drafting: Lynn Sykes, 1904 3rd Avenue, Suite 105, Seattle, WA 98101, (206) 689-4067; Implementation and Enforcement: Laurie Halvorson, 1904 3rd Avenue, Suite 105, Seattle, WA 98101, (206) 689-4030.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This agency is not subject to the small business economic impact provision of the Administrative Procedure Act.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to local air agencies, per RCW 70.94.141.

August 17, 2010
Craig Kenworthy
Executive Director

AMENDATORY SECTION

REGULATION I SECTION 3.11 CIVIL PENALTIES

(a) Any person who violates any of the provisions of chapter 70.94 RCW or any of the rules or regulations in force pursuant thereto, may incur a civil penalty in an amount not to exceed \$16,609.00 (~~(\$16,445.00)~~), per day for each violation.

(b) Any person who fails to take action as specified by an order issued pursuant to chapter 70.94 RCW or Regulations I, II, and III of the Puget Sound Clean Air Agency shall be liable for a civil penalty of not more than \$16,609.00 (~~(\$16,445.00)~~), for each day of continued noncompliance.

(c) Within 30 days of the date of receipt of a Notice and Order of Civil Penalty, the person incurring the penalty may apply in writing to the Control Officer for the remission or

mitigation of the penalty. To be considered timely, a mitigation request must be actually received by the Agency, during regular office hours, within 30 days of the date of receipt of a Notice and Order of Civil Penalty. This time period shall be calculated by excluding the first day and including the last, unless the last day is a Saturday, Sunday, or legal holiday, and then it is excluded and the next succeeding day that is not a Saturday, Sunday, or legal holiday is included. The date stamped by the Agency on the mitigation request is prima facie evidence of the date the Agency received the request.

(d) A mitigation request must contain the following:

(1) The name, mailing address, telephone number, and telefacsimile number (if available) of the party requesting mitigation;

(2) A copy of the Notice and Order of Civil Penalty involved;

(3) A short and plain statement showing the grounds upon which the party requesting mitigation considers such order to be unjust or unlawful;

(4) A clear and concise statement of facts upon which the party requesting mitigation relies to sustain his or her grounds for mitigation;

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

(6) A statement that the party requesting mitigation has read the mitigation request and believes the contents to be true, followed by the party's signature.

The Control Officer shall remit or mitigate the penalty only upon a demonstration by the requestor of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty.

(e) Any civil penalty may also be appealed to the Pollution Control Hearings Board pursuant to chapter 43.21B RCW and chapter 371-08 WAC. An appeal must be filed with the Hearings Board and served on the Agency within 30 days of the date of receipt of the Notice and Order of Civil Penalty or the notice of disposition on the application for relief from penalty.

(f) A civil penalty shall become due and payable on the later of:

(1) 30 days after receipt of the notice imposing the penalty;

(2) 30 days after receipt of the notice of disposition on application for relief from penalty, if such application is made; or

(3) 30 days after receipt of the notice of decision of the Hearings Board if the penalty is appealed.

(g) If the amount of the civil penalty is not paid to the Agency within 30 days after it becomes due and payable, the Agency may bring action to recover the penalty in King County Superior Court or in the superior court of any county in which the violator does business. In these actions, the procedures and rules of evidence shall be the same as in an ordinary civil action.

(h) Civil penalties incurred but not paid shall accrue interest beginning on the 91st day following the date that the penalty becomes due and payable, at the highest rate allowed by RCW 19.52.020 on the date that the penalty becomes due and payable. If violations or penalties are appealed, interest

shall not begin to accrue until the 31st day following final resolution of the appeal.

(i) To secure the penalty incurred under this section, the Agency shall have a lien on any vessel used or operated in violation of Regulations I, II, and III which shall be enforced as provided in RCW 60.36.050.

AMENDATORY SECTION

REGULATION I SECTION 3.25 FEDERAL REGULATION REFERENCE DATE

Whenever federal regulations are referenced in Regulation I, II, or III, the effective date shall be July 1, 2010 ((2009)).

WSR 10-17-109 PROPOSED RULES

OFFICE OF INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2010-04—Filed August 18, 2010, 7:39 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-13-142.

Title of Rule and Other Identifying Information: Business continuity plans for domestic insurers.

Hearing Location(s): OIC Tumwater Office, Training Room 120, 5000 Capitol Boulevard, Tumwater, WA, <http://www.insurance.wa.gov/about/directions.shtml>, on September 27, 2010, at 10:00 a.m.

Date of Intended Adoption: November 1, 2010.

Submit Written Comments to: Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, e-mail kacys@oic.wa.gov, fax (360) 586-3106, by September 26, 2010.

Assistance for Persons with Disabilities: Contact Lorie Villaflores by September 26, 2010, TTY (360) 586-0241 or (360) 725-7087.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: A business continuity plan establishes and identifies procedures that an insurer must comply with to ensure that the insurer is able [to] meet its existing obligations to policyholders in the event of a local, state, or national emergency.

The commissioner considered relevant standards adopted by the National Association of Insurance Commissioners, other states, and other regulatory authorities that regulate financial institutions in the drafting [of] these proposed rules.

Reasons Supporting Proposal: RCW 48.07.205, enacted during the 2009 legislative session, requires the commissioner to adopt by rule the standards for domestic insurers to follow in the preparation of their business continuity plans.

Statutory Authority for Adoption: RCW 48.02.060 and 48.07.205.

Statute Being Implemented: RCW 48.07.205.

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

Name of Proponent: Mike Kreidler, insurance commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: John Jacobson, P.O. Box 40255, Olympia, WA 98504-0255, (206) 389-2911; Implementation and Enforcement: Jim Odiorne, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7214.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Many insurers already have adopted business continuity plans as an important and necessary business practice in order to meet the requirements of clients or investors. Based on industry estimates, the cost of putting together a business continuity plan in order to comply with this proposed business continuity rule will be a minor cost - less than 0.3% of annual revenues - even for those domestic insurers who fit the definition of small business under RCW 19.85.020. Making a business continuity plan operational on an annual basis, whether through use of internal company resources or contracting with external resources, also appears to be possible within the minor cost definition found in RCW 19.85.020. Therefore, in accordance with RCW 19.85.030, no SBEIS statement is required.

A cost-benefit analysis is required under RCW 34.05-328. A preliminary cost-benefit analysis may be obtained by contacting Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, phone (360) 725-7041, fax (360) 586-3109, e-mail kacys@oic.wa.gov.

August 18, 2010

Mike Kreidler
Insurance Commissioner

BUSINESS CONTINUITY PLANS

NEW SECTION

WAC 284-16-700 Definitions. For purposes of this regulation, the following definitions apply:

(1) "Financially significant activities and applications" means computer software, including system programs and application programs, which are used to perform automated processing of a financially significant account balance or set of transactions. This includes financially significant e-business systems.

(2) "Regulatory reporting" includes filing of quarterly and annual statements, holding company filings, submission of financial payments for fees and taxes, rate and form filings and licensing appointments and renewals.

NEW SECTION

WAC 284-16-710 Requirements for business continuity plan. (1) Each domestic insurer must create and maintain a written business continuity plan identifying procedures relating to a local, state or national emergency or significant business disruption. Such procedures must be reasonably designed to:

(a) Enable the insurer to meet its existing obligations to insurance beneficiaries, policyholders, claimants, subscribers;

(b) Address the insurer's existing relationships with affiliates, third-party service providers, the National Association of Insurance Commissioners and the office of insurance commissioner; and

(c) Be made available upon request to the office of insurance commissioner.

(2) Each domestic insurer must update its business continuity plan in the event of any material change to the insurer's operations, structure, business or location.

(3) Each domestic insurer must conduct an annual review and test of its business continuity plan to determine whether modification is necessary in light of changes to the insurer's operations, structure, business or location.

(4) The elements that comprise a business continuity plan are flexible and may be tailored to the size and needs of an insurer. Each plan must at a minimum, address:

(a) Data back-up and recovery (hard copy and electronic);

(b) Information system disaster recovery (main site and alternate site);

(c) All financially significant activities and applications;

(d) Restoration priority based upon a business impact analysis;

(e) Alternate communications between policyholders or subscribers and the insurer;

(f) Alternate communications between the insurer, its employees and producers;

(g) Alternate physical location of employees;

(h) Regulatory reporting;

(i) Communications with regulators; and

(j) How the insurer will assure policyholders' prompt access to funds and securities due in the event that the insurer determines that it is unable to continue its business.

(5) If any of the categories in subsection (4) of this section are not applicable, the insurer's business continuity plan does not need to address the category but the insurer's business continuity plan must include the rationale for not including such category. If an insurer relies on an affiliate or third-party service provider for any of the categories in subsection (4) of this section or any financially significant system, application or activities, the insurer's business continuity plan must address this relationship.

(6) Each domestic insurer must clearly describe senior management roles and responsibilities associated with the declaration of an emergency and implementation of the business continuity plan.

(7) Each domestic insurer must designate a member of senior management to approve the plan and he or she shall be responsible for conducting the required annual review and test.

Title of Rule and Other Identifying Information: WAC 192-110-001 May the department refuse to accept my claim, appeal or petition?

Hearing Location(s): Employment Security Department, Maple Leaf Conference Room, 2nd Floor, 212 Maple Park Drive, Olympia, WA, on September 23, 2010, at 11:30 a.m.

Date of Intended Adoption: September 27, 2010.

Submit Written Comments to: Pamela Ames, P.O. Box 9046, Olympia, WA 98507-9046, e-mail pames@esd.wa.gov, fax (360) 902-9799, by September 22, 2010.

Assistance for Persons with Disabilities: Contact Tammy Crawford by September 21, 2010, TTY (360) 902-9569 or (360) 902-9577.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The rule replaces WAC 192-12-142 but clarifies that an appeal must be signed and a petition for review properly filed as provided in WAC 192-04-170 before it can be accepted by the department for filing.

Reasons Supporting Proposal: The move to a new section is part of the department's efforts to organize its rules under subject matter headings. The changes to the rule clarify existing policy that an appeal and petition for review must be properly filed before they can be accepted by the department. Proper filing for an appeal, per WAC 10-08-035, requires that [that] it be signed by the applicant. Proper filing of a petition requires that it meet the provisions of WAC 192-04-170.

Statutory Authority for Adoption: RCW 50.12.010 and 50.12.040.

Statute Being Implemented: Title 50 RCW.

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

Name of Proponent: Employment security department, governmental.

Name of Agency Personnel Responsible for Drafting: Juanita Myers, 212 Maple Park, Olympia, WA, (360) 902-665 [902-9665]; Implementation and Enforcement: Nan Thomas, 212 Maple Park, Olympia, WA, (360) 902-9303.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule relates to the filing of appeals and petitions for review. No impact on business is anticipated.

A cost-benefit analysis is not required under RCW 34.05.328. The rule clarifies existing agency policy regarding the filing of appeals and petitions for review. No substantive policy changes are included in the proposed rule.

August 12, 2010

Karen Lee

Commissioner

WSR 10-17-117

PROPOSED RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed August 18, 2010, 9:37 a.m.]

Supplemental Notice to WSR 10-06-084.

Preproposal statement of inquiry was filed as WSR 09-15-013.

NEW SECTION

WAC 192-110-001 May the department refuse to accept my claim, appeal or petition? (1) Except as provided in subsection (2) of this section, no employee or agent of the department may refuse to accept your claim, a signed appeal, or a petition properly filed under WAC 192-04-170 relating

to any program administered by this department regardless of the employee or agent's opinion concerning its merits.

(2) You must provide the department with your name and Social Security account number in order to file a claim for benefits.

**WSR 10-17-118
PROPOSED RULES**

EMPLOYMENT SECURITY DEPARTMENT

[Filed August 18, 2010, 9:38 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-07-144.

Title of Rule and Other Identifying Information: Chapter 192-04 WAC, Practice and procedure, the rules relate to the commissioner's review of decisions issued by the office of administrative hearings.

Hearing Location(s): Employment Security Department, Maple Leaf Conference Room, 2nd Floor, 212 Maple Park Drive, Olympia, WA, on September 23, 2010, at 11:00 a.m.

Date of Intended Adoption: September 27, 2010.

Submit Written Comments to: Pamela Ames, P.O. Box 9046, Olympia, WA 98507-9046, e-mail pames@esd.wa.gov, fax (360) 902-9799, by September 22, 2010.

Assistance for Persons with Disabilities: Contact Tammy Crawford by September 21, 2010, TTY (360) 902-9569 or (360) 902-9577.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The amendment to WAC 192-04-175 establishes the circumstances under which an individual designated by the commissioner may, as an interested party, direct the commissioner's review office to take a decision issued by the office of administrative hearings under advisement. Other changes to rules are made for purposes of clarity and ease of administration.

Reasons Supporting Proposal: The amendment to WAC 192-04-175 formalizes existing agency policy. Other changes are made for purposes of clarity and ease of administration.

Statutory Authority for Adoption: RCW 50.12.010 and 50.12.040.

Statute Being Implemented: RCW 50.32.070 and 50.32.080.

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

Name of Proponent: Employment security department, governmental.

Name of Agency Personnel Responsible for Drafting: Juanita Myers, 212 Maple Park, Olympia, WA, (360) 902-665 [902-9665]; Implementation and Enforcement: Nan Thomas, 212 Maple Park, Olympia, WA, (360) 902-9303.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rules concern procedures related to the filing of petitions for review by the commissioner of decisions issued by the office of administrative hearings. Any impact on business is minimal and would not disproportionately impact small business.

A cost-benefit analysis is not required under RCW 34.05.328. The rules formalize existing agency policy regarding the filing of petitions for review and make other changes for purposes of clarity and ease of administration. No substantive policy changes are included in the proposed rules.

August 12, 2010

Karen Lee

Commissioner

AMENDATORY SECTION (Amending WSR 05-01-076, filed 12/9/04, effective 1/9/05)

WAC 192-04-040 Interested parties. In all cases adjudicated under Title 50 RCW the employment security department is an interested party. ~~((Other interested parties are:))~~

(1) Other interested parties in benefit appeals(-) are:

(a) The claimant;

(b) Any employer entitled to notice under WAC 192-130-060~~(-)~~; and

(c) An interested employer as defined in WAC ~~((192-28-125,))~~ 192-220-060 in cases involving the ~~((payment or))~~ recovery of benefits~~((, including but not limited to the entitlement to, eligibility for or qualification for waiting period credit or benefits)).~~

(2) Other interested parties in tax appeals(-) are employers whose contributions, experience rating, benefit charges, or rate of contribution are affected by:

(a) An assessment for contributions;

(b) A denial of a claim for refund of contributions, interest, penalties;

(c) A denial of a request for relief of benefit charges made to their account; or

(d) Their determined or redetermined rate of contribution.

AMENDATORY SECTION (Amending WSR 99-15-069, filed 7/19/99, effective 8/19/99)

WAC 192-04-060 Appeals—Petitions for hearing—Petitions for review—Time limitation(~~(—Forms)~~). (1)

Appeals and petitions for hearing. Any interested party who is aggrieved by any decision of the department set forth in WAC 192-04-050 or for which the department has provided notice of appeal or petition for hearing rights may file a written appeal or petition for hearing by mailing it or sending it ~~((via electronic telefacsimile))~~ by fax to the ~~((unemployment claims telecenter))~~ address or fax number indicated on the determination notice or ~~((order and notice of assessment))~~ other appealable document.

The appeal or petition for hearing ~~((shall))~~ must be filed within thirty days of the date the decision is delivered or mailed, whichever is the earlier. The appeal and/or petition for hearing shall be filed in accordance with the provisions of RCW 50.32.025.

(2) **Petitions for review.** Any interested party other than the department who is aggrieved by a decision of the office of administrative hearings, other than an order approving a withdrawal of appeal, an order approving a withdrawal of a petition for hearing, a consent order, or an interim order, may

file a written petition for review in accordance with the provisions of WAC 192-04-170. The petition for review ~~((shall))~~ must be filed within thirty days of the date of delivery or mailing of the decision of the office of administrative hearings, whichever is the earlier. The petition for review shall be filed in accordance with the provisions of RCW 50.32.025.

~~((3) Forms. At the request of an interested, aggrieved party, the employment security department shall furnish forms for the filing of a notice of appeal, petition for hearing, or petition for review, but the use of such forms is not a jurisdictional requirement.))~~

AMENDATORY SECTION (Amending WSR 95-18-055, filed 8/31/95, effective 10/1/95)

WAC 192-04-063 Aggrieved party. An aggrieved party is:

(1) A claimant or an employer who receives an adverse decision of the department set forth in WAC 192-04-050 or for which the department has provided notice of appeal or petition for review rights; or

(2) The department, a claimant, or an employer who receives an adverse decision of the office of administrative hearings.

AMENDATORY SECTION (Amending WSR 99-08-073, filed 4/5/99, effective 5/6/99)

WAC 192-04-170 Decision of commissioner—Petition for review—Filing—Reply. (1) The written petition for review shall be filed by mailing it to the Agency Records Center, Employment Security Department, Post Office Box ~~((9046))~~ 9555, Olympia, WA ~~((98507-9046))~~ 98507-9555, within thirty days of the date of mailing or delivery of the decision of the office of administrative hearings, whichever is the earlier.

(2) Any written argument in support of the petition for review must be attached to the petition for review and be filed ~~((contemporaneously therewith))~~ at the same time. The commissioner's review office will acknowledge receipt of the petition for review by assigning a review number to the case, entering the review number on the face of the petition for review, and setting forth the ~~((acknowledgement))~~ acknowledgment date on the petition for review. The commissioner's review office will also mail copies of the acknowledged petition for review and attached argument in support thereof to the petitioning party, nonpetitioning party and their representatives of record, if any.

(3) Any reply to the petition for review and any argument in support thereof by the nonpetitioning party shall be mailed to the Commissioner's Review Office, Employment Security Department, Post Office Box ~~((9046))~~ 9555, Olympia, WA ~~((98504-9046))~~ 98504-9555. The reply must be received by the commissioner's review office within fifteen days of the date of mailing of the acknowledged petition for review. An informational copy shall be mailed by the nonpetitioning party to all other parties of record and their representatives, if any.

(4) The petition for review and argument in support thereof and the reply to the petition for review and argument in support thereof shall:

(a) Be captioned as such, set forth the docket number of the decision of the office of administrative hearings, and be signed by the party submitting it or by his or her representative.

(b) Be legible, reproducible and five pages or less.

(5) Arrangements for representation and requests for copies of the hearing record and exhibits will not extend the period for the filing of a petition for review, argument in support thereof, or a reply to the petition for review.

(6) Any argument in support of the petition for review or in reply thereto not submitted in accordance with the provisions of this regulation shall not be considered in the disposition of the case absent a showing that failure to comply with these provisions was beyond the reasonable control of the individual seeking relief.

AMENDATORY SECTION (Amending WSR 95-18-055, filed 8/31/95, effective 10/1/95)

WAC 192-04-175 Advisement order. ~~((On behalf of the commissioner.))~~ (1) The commissioner's review office may prevent finality of any decision of the office of administrative hearings and take jurisdiction of the proceedings for review thereof by issuing an advisement order ~~((so providing)).~~

(2)(a) The commissioner may designate one or more individuals employed by the department to request an advisement order on decisions that the individual identifies as:

(i) Cases of first impression;

(ii) Cases that may impact significant numbers of other similarly situated cases;

(iii) Cases that involve United States Department of Labor conformity or compliance issues; or

(iv) Cases in which the interpretation of the law is clearly erroneous.

(b) Upon receipt of the request of the designated individual, the commissioner's review office shall determine if the request meets the criteria outlined in this subsection and shall notify the requestor in writing if the decision will not be taken under advisement and the reasons why.

(3) When the commissioner's review office determines subject matter review of any decision of the office of administrative hearings is warranted, it shall issue an advisement order which accepts review and ~~((mailing))~~ mail a copy of the advisement order to the parties of record and their representatives within the same period allowed for the filing of a petition for review.

(4) The parties of record will be given fifteen days to submit argument in support of or in opposition to the decision of the office of administrative hearings ~~((, as well as in response to any departmental memorandum suggesting to the commissioner's review office that it consider taking a decision of the office of administrative hearings under advisement)).~~ That argument ~~((and/or response))~~ from the parties of record must be hand delivered or mailed to the commissioner's review office and received by that office within fifteen days from the date of mailing of the order taking the decision of the office of administrative hearings under advisement.

AMENDATORY SECTION (Amending WSR 99-08-073, filed 4/5/99, effective 5/6/99)

WAC 192-04-190 Petition for reconsideration—Filing—Consideration—Disposition—Judicial review. (1) A written petition for reconsideration and argument in support thereof may be filed within ten days of the date of mailing or delivery of the decision of the commissioner, whichever is the earlier. It shall be mailed to the Commissioner's Review Office, Employment Security Department, Post Office Box ((9046)) 9555, Olympia, WA ((98507-9046)) 98507-9555, and to all other parties of record and their representatives.

(2) No matter will be reconsidered by the commissioner unless it clearly appears from the face of the petition for reconsideration and the argument submitted in support thereof that (a) there is obvious material, clerical error in the decision or (b) the petitioner, through no fault of his or her own, has been denied a reasonable opportunity to present argument or respond to argument pursuant to WAC 192-04-170.

(3) A petition for reconsideration shall be deemed to have been denied if, within twenty days from the date the petition for reconsideration is filed, the commissioner does not either (a) dispose of the petition for reconsideration or (b) mail or deliver to the parties a written notice specifying the date by which he or she will act on the petition for reconsideration. If no action is taken by the date specified in such written notice, the petition will be deemed to have been denied.

(4) A petition for reconsideration does not stay the effectiveness of the decision of the commissioner. The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review. An order denying reconsideration or a written notice specifying the date upon which action will be taken on the petition for reconsideration is not subject to judicial review.

WSR 10-17-123

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed August 18, 2010, 10:01 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-13-159.

Title of Rule and Other Identifying Information: Chapter 16-610 WAC, Livestock brand inspection.

Hearing Location(s): Kittitas Valley Event Center, Building 5, Naneum Room, 512 North Poplar Street, Ellensburg, WA 98926, on September 22, 2010, at 2:00 p.m.

Date of Intended Adoption: October 7, 2010.

Submit Written Comments to: Teresa Norman, P.O. Box 42560, Olympia, WA 98504, e-mail WSDARulesComments@agr.wa.gov, fax (360) 902-2092, by 5:00 p.m., September 23, 2010.

Assistance for Persons with Disabilities: Contact WSDA receptionist by September 15, 2010, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: During the 2010 legislative session, the ability to provide self-inspection for transactions of twenty five head or less of cattle was removed from chapter 16.57 RCW effective June 10, 2010. In addition, a \$25.00 fee was established for the issuance of replacement copies of brand inspection documents. The department proposes to amend chapter 16-610 WAC to conform to recent statutory amendments and to define processes to administer these changes. Also, housekeeping amendments are proposed to bring the rules up-to-date and fine tune current inspection practices to include: The establishment of renewal training for certified veterinarians; and an adjustment of the cattle inspection fee structure for out-of-state brands not recorded within Washington.

Reasons Supporting Proposal: The proposed amendments to chapter 16-610 WAC are necessary to conform the rule to recent statutory amendments and to define the process the department will use to administer these changes.

Statutory Authority for Adoption: Chapters 16.57, 16.58, 16.65, and 34.05 RCW.

Statute Being Implemented: Chapter 16.57 RCW.

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

Name of Proponent: Washington state department of agriculture, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Lynn Briscoe, Olympia, Washington, (360) 902-1987; and Enforcement: Leonard Eldridge, DVM, Olympia, Washington, (360) 902-1881.

No small business economic impact statement has been prepared under chapter 19.85 RCW. RCW 19.85.030 (1)(a) requires an agency to prepare a small business economic impact statement (SBEIS) for proposed rules that imposes a more than minor cost on the business in an industry. The department has analyzed the economic effects and has determined that the proposed changes to this rule would not impose more than minor costs upon the regulated industry. The changes are proposed in order to conform to recent statutory amendments (chapter 16.57 RCW and SSB 6299 – 2010 regular session) and the proposed rule will not impose any additional costs upon the regulated industry.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state department of agriculture is not a listed agency under RCW 34.05.328 (5)(a)(i).

August 18, 2010

Leonard E. Eldridge, DVM
State Veterinarian

AMENDATORY SECTION (Amending WSR 07-14-057, filed 6/28/07, effective 7/29/07)

WAC 16-610-016 Self-inspection certificates issued prior to June 10, 2010. (1) A self-inspection certificate (~~(is)~~) was used for cattle inspections involving twenty-five head or less at the point of private sale, trade, gifting, barter, or any other action not in connection with a public livestock market that constitutes a change of ownership.

(2) (~~You may purchase these forms by contacting the department at 360-902-1855.~~)

The purchase price of a self-inspection certificate is equal to the sum of the number of head involved in the transaction multiplied by the current inspection fee of \$1.60 and the number of head involved in the transaction multiplied by the beef promotion fee.

~~(3))~~ Self-inspection certificates completed after June 10, 2010, are not satisfactory proof of ownership for cattle. Self-inspection certificates completed prior to June 10, 2010, will be accepted as satisfactory proof of ownership of cattle if:

(a) ~~The self-inspection certificate((s must be))~~ was completed and signed by the buyer and seller. The original completed copy of the certificate ~~((must be given to the buyer and))~~ must accompany the cattle. ~~((The seller must also retain a copy of the completed certificate.))~~

~~(b) ((Self-inspection is limited to transactions involving twenty-five head or less of cattle.~~

~~(e))~~ The buyer must ((be given)) provide, at the time of reinspection, additional proof of ownership documentation for all cattle bearing brands not recorded to the seller listed on the self-inspection certificate.

AMENDATORY SECTION (Amending WSR 07-14-057, filed 6/28/07, effective 7/29/07)

WAC 16-610-018 Proof of ownership documents. (1) Proof of ownership for cattle and horses may be established at the time of a livestock inspection by presenting one of the following documents:

(a) An official livestock inspection certificate issued by the director.

(b) A duplicate certificate or certified copy of an original inspection document issued by the director.

(c) For cattle only, a self-inspection certificate ~~((signed by both the seller and the buyer. Additional proof of ownership for all livestock bearing brands not recorded to the seller must be provided to the buyer))~~ completed prior to June 10, 2010, and any other information required in WAC 16-610-016.

(d) An official inspection certificate issued by another state or province that maintains a livestock inspection program.

(e) Registration papers on purebred horses.

(f) Registration papers on purebred cattle if the brand is not recorded in this state.

(g) ~~((For horses only, a))~~ Bill of sale. For horses, the department form #7092 Equine Bill of Sale may be used and may be purchased by contacting the department at 360-902-1855. The purchase price of an Equine Bill of Sale is \$1.00 for a book of twenty-five.

(h) A certificate of veterinary inspection issued by a state that does not maintain a livestock inspection program. Vaccination/test tags and the animal description must be verifiable and match the document.

(2) Only original inspection certificates, official duplicate certificates, or certified copies of inspection certificates are acceptable. The name of the livestock owner must appear on the document that is submitted. Carbon copies, faxed copies or photocopies will not be accepted~~((The name of the~~

~~livestock owner must appear on the document that is submitted))~~ except for registration papers on purebred livestock.

AMENDATORY SECTION (Amending WSR 07-14-057, filed 6/28/07, effective 7/29/07)

WAC 16-610-020 Cattle inspections for brands or other proof of ownership. (1) All cattle must be inspected for brands or other proof of ownership:

(a) Before being moved out of Washington state, unless the provisions of WAC 16-610-035(2) apply.

(b) When offered for sale at any public livestock market or special sale approved by the director.

(c) Upon delivery to any cattle processing plant where the United States Department of Agriculture maintains a meat inspection program, unless the cattle:

(i) Originate from a certified feedlot; or

(ii) Are accompanied by an inspection certificate issued by the director, or a veterinarian certified by the director, or an agency in another state or Canadian province authorized by law to issue such a certificate.

(2) All cattle entering or reentering any certified feedlot licensed under chapter 16.58 RCW must be inspected for brands or other proof of ownership before commingling with other cattle unless the cattle are accompanied by an inspection certificate issued by the director, or a veterinarian certified by the director, or an agency in another state or Canadian province authorized by law to issue such a certificate.

(3) All cattle must be inspected for brands or other proof of ownership at any point of private sale, trade, gifting, barter, or any other action that constitutes a change of ownership, except for individual private sales of unbranded female dairy breed cattle involving fifteen head or less. For transactions involving cattle not being moved or transported out of Washington state:

(a) Cattle must be presented for an inspection within fifteen days from the date of the initial transaction. It shall be the responsibility of the seller to notify the department immediately that a sale has occurred. It shall be the responsibility of the buyer to present the animals for inspection.

(b) Cattle sold for 4-H and FFA youth projects are exempt from the fifteen day inspection requirement and can be inspected, if not prior, when consigned to a terminal show.

(4) Exemptions from mandatory inspections do not exempt cattle sellers from paying beef promotion fees owed to the Washington state beef commission under chapter 16.67 RCW.

AMENDATORY SECTION (Amending WSR 07-14-057, filed 6/28/07, effective 7/29/07)

WAC 16-610-050 Cattle inspections for private transactions. Inspections of cattle required under WAC 16-610-020(3) may be conducted by:

(1) The director; or

(2) Veterinarians certified by the director~~((or~~

~~(3) The buyer and seller using a self-inspection certificate)).~~

AMENDATORY SECTION (Amending WSR 07-14-057, filed 6/28/07, effective 7/29/07)

WAC 16-610-060 Veterinarian certification. (1) The director may certify veterinarians, who are licensed and accredited in Washington state and who comply with the requirements of this section, to issue livestock inspection certificates.

(2) Veterinarians licensed and accredited in Washington state who wish to issue inspection certificates for livestock must apply for certification on the department's application form (WSDA form #7028). The application must include the following:

- (a) The full name and principal business address of the individual applying for certification;
- (b) The applicant's Washington state veterinary license number;
- (c) The geographic area in which the applicant will issue inspection certificates for livestock;
- (d) A statement describing the applicant's experience with large animals, especially cattle and horses;
- (e) A brief statement indicating that the applicant is requesting certification to issue inspection certificates for cattle, horses or both;
- (f) The signature of the applicant; and
- (g) Any other additional information as requested by the director.

(3) All applications must be accompanied by a check or money order for the amount of the certification fee of thirty-five dollars per applicant.

(4) Certifications expire on the third December 31st following the date of issuance. For example, if a certificate was issued on October 14, 2003, it would expire on December 31, 2005. All applications for renewal of certification must be submitted on AGR Form 930-7089 and accompanied by a check or money order for the amount of the certification fee of thirty-five dollars per applicant.

(5) All veterinarians applying for certification or renewal of certification must successfully complete department-provided training. The department will provide to each person applying for certification or renewal of certification a copy of the most current brand book and any supplements issued to date. Training will include, but will not be limited to, the:

- (a) Reading of printed brands;
- (b) Reading of brands or other marks on ~~((Hive))~~ animals;
- (c) Completion of official documents; and
- (d) Review of satisfactory ownership documents.

(6) The director will maintain a list of veterinarians certified to perform livestock inspections. Interested parties may request a copy of the list from the department by calling 360-902-1855.

(7) Inspections by certified veterinarians are conducted upon request and provided at the discretion of the veterinarian.

(8) Certified veterinarians must submit all required inspection fees to the director and copies of each inspection certificate within thirty days of the date of issue.

(9) The director may deny certification or renewal of certification to issue inspection certificates if the veterinarian fails to meet the requirements of this section or knowingly makes false or inaccurate statements regarding his or her qualifications on the certification application.

AMENDATORY SECTION (Amending WSR 07-14-057, filed 6/28/07, effective 7/29/07)

WAC 16-610-065 Livestock identification fees. All livestock identification inspection fees charged by the director are specified in statute under RCW 16.57.220 but are reproduced in this section for ease of reference.

For purposes of this section, the time and mileage fee means seventeen dollars per hour and the current mileage rate set by the office of financial management.

Certificate	Fees:
Inspection Certificate - Cattle	<p>(1) The livestock inspection fee for cattle is \$1.60 per head or the time and mileage fee, whichever is greater, except: The fee for livestock inspection for cattle is \$1.10 per head or the time and mileage fee, whichever is greater, when cattle are identified with a valid brand recorded to the owner of the cattle in Washington (((or another state or province))).</p> <p>((a) This fee does not apply for inspection of cattle when documenting a change of ownership with a self-inspection certificate.</p> <p>((b) Proof of the recording status of out-of-state brands must be presented to the director at the time of inspection.))</p> <p><u>The time and mileage fee may be waived for private treaty transactions of ten head or less of cattle bearing the seller's Washington recorded brand and special sales of 4-H, FFA, and junior/youth groups. The time and mileage waiver:</u></p> <p><u>(a) Will be limited to twelve waivers within a calendar year; and</u></p> <p><u>(b) Does not apply to multiple sales to the same buyer within a thirty-day period.</u></p>

Certificate	Fees:
	(2) The livestock inspection fee for cattle is \$4.00 per head for cattle delivered to a USDA inspected slaughter facility with a daily capacity of no more than five hundred head of cattle. (3) No inspection fee is charged for a calf that is inspected prior to moving out-of-state under an official temporary grazing permit if the calf is part of a cow-calf unit and the calf is identified with the owner's Washington state-recorded brand. (4) No inspection fee is charged for a dairy calf less than thirty days old that is delivered to a USDA inspected slaughter facility.
Inspection Certificate - Horse	(5) The livestock inspection fee for horses is \$3.50 per head or the time and mileage rate, whichever is greater, except:
Inspection Certificate - Groups of thirty or more horses	(6) The livestock inspection fee for groups of thirty or more horses is \$2.00 per head or the time and mileage fee, whichever is greater, if: (a) The horses are owned by one individual; and (b) The inspection is performed on one date and at one location; and (c) Only one certificate is issued.
Inspection Certificate - Minimum fee	(7) The minimum fee for a livestock inspection is \$5.00 . The minimum fee does not apply to livestock consigned to and inspected at a public livestock market, special sale, or a cattle processing plant.
Annual individual identification certificate for individual animals	(8)(a) The livestock inspection fee for an annual individual identification certificate for cattle and horses is \$20.00 per head or the time and mileage fee, whichever is greater. (b) The livestock inspection fee for an annual individual identification certificate for groups of thirty or more horses or cattle is \$5.00 per head or the time and mileage fee, whichever is greater, if: (i) The horses or cattle are owned by one individual; (ii) The inspection is performed on one date and at one location; and (iii) Only one certificate is issued.
Lifetime individual identification certificate	(9) A livestock inspection fee for a lifetime individual identification certificate for horses and cattle is \$60.00 per head or the time and mileage fee, whichever is greater.

NEW SECTION

WAC 16-610-066 Replacement copies of brand inspection documents. (1) Individuals can request replacement copies of inspection documents issued by the director which are held by the department.

(2) All requests for replacement copies will be submitted on AGR Form 930-7093 to the department.

(3) A twenty-five dollar fee will be charged per document for replacement copies and must accompany the form.

(4) Replacement copies will only be issued to a requestor whose name appears as the buyer, seller, or owner on the document being requested.

AMENDATORY SECTION (Amending WSR 07-14-057, filed 6/28/07, effective 7/29/07)

WAC 16-610-140 Approval of special sales and open consignment horse sales. (1) An individual, farmers cooperative association, association of livestock breeders, or youth livestock organization such as 4-H, FFA, or other junior livestock group may submit an application to the director for a special sale or open consignment horse sale. Approval of applications for a special sale or open consignment horse sale is at the discretion of the director.

(2) A livestock market may submit an application to the director for a special sale or open consignment horse sale on a day not specifically assigned to it. Approval of special sales

and open consignment horse sales on unassigned days is at the discretion of the director.

(3) Special sales and open consignment horse sales are limited to three sales per month per applicant in any location, as long as all requirements are met and the proper permits and license have been obtained.

(4) "Special sale" does not mean a public sale by a group of individuals conducting private treaty sales of horses brought to a central location if:

(a) Funds are not handled by a third party; and

(b) The buyer meets the inspection requirements contained in RCW 16.57.260.

(5) Application for approval of a special sale or open consignment horse sale must be made at least fifteen days in advance of the proposed sale.

(6) The application for a special sale or open consignment horse sale must be made on forms provided by the director and must contain the following:

(a) Name, address, and contact number of the applicant;

(b) Type of applicant: Producer, livestock market, or association;

(c) Name of sale and/or event;

(d) Type and number of livestock expected to be sold;

(e) Date, time, and location of the sale;

(f) Name and contact number of the veterinarian who will be providing animal health services; and

(g) The signature of the applicant.

(7) In addition to the requirements in subsections (5) and (6) of this section, the application for an open consignment horse sale must also provide the director with the following:

(a) A detailed statement showing all of the assets and liabilities of the applicant;

(b) A schedule of rates and charges that the applicant will impose on the seller or consignor, including the entry fee, commission, pass out (no sale) fees, stabling, etc.;

(c) Verification of custodial account, as per RCW 16.65.140;

(d) Written evidence of valid bond, as per RCW 16.65.232; and

(e) The projected approximate value of the horses to be handled.

(8) The director charges a special sale application fee of fifty dollars, which is specified in RCW 16.65.420, and an open consignment horse sale license fee of one hundred dollars, as specified in RCW 16.65.042. Applications will not be processed until the application fee is paid. ~~((There is no application fee for youth livestock organizations.))~~

WSR 10-17-124

PROPOSED RULES

DEPARTMENT OF HEALTH

(Board of Osteopathic Medicine and Surgery)

[Filed August 18, 2010, 10:14 a.m.]

Continuance of WSR 10-16-155.

Preproposal statement of inquiry was filed as WSR 07-16-141.

Title of Rule and Other Identifying Information: WAC 246-853-650 adding a new section for safe and effective analgesia and anesthesia administration in office-based settings (supplemental).

Hearing Location(s): Office of Attorney General, 7141 Cleanwater Drive S.E., Room N-385, Tumwater, WA 98501, on September 17, 2010, at 9:00 a.m.

Date of Intended Adoption: September 17, 2010.

Submit Written Comments to: Web site <http://www3.doh.wa.gov/policyreview/>, fax (360) 236-2901.

Assistance for Persons with Disabilities: Contact TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this continuance is to change the hearing location. The fax number has also changed.

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

August 18, 2010

Blake T. Maresh

Executive Director

WSR 10-17-127

PROPOSED RULES

BUILDING CODE COUNCIL

[Filed August 18, 2010, 11:40 a.m.]

Continuance of WSR 10-16-095.

Preproposal statement of inquiry was filed as WSR 10-09-066.

Title of Rule and Other Identifying Information: Amendment of chapter 51-51 WAC, Washington State Residential Code.

Hearing Location(s): Spokane City Council Chambers, West 808 Spokane Falls Boulevard, Spokane, WA, on September 10, 2010, at 10:00 a.m.; and at Senate Hearing Room 2, Cherberg Building, Washington State Capitol Campus, Olympia, Washington, on September 24, 2010, at 10:00 a.m.

Date of Intended Adoption: October 15, 2010.

Submit Written Comments to: John Cochran, Council Chair, P.O. Box 41014, Olympia, WA 98504-1014, e-mail joanne.mccaughan@ga.wa.gov, fax (360) 586-9383, by September 24, 2010.

Assistance for Persons with Disabilities: Contact Peggy Bryden by August 26, 2010, TTY (360) 753-7427 or (360) 725-2966.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amending CR-102 filing under WSR 10-16-095 to reflect the preproposal statement of inquiry filed for this rule. The original CR-102 was inadvertently marked as exempt when in actuality a preproposal statement was filed.

Reasons Supporting Proposal: Clarifies and corrects code for consistent enforcement.

Statutory Authority for Adoption: RCW 19.27.074.

Statute Being Implemented: Chapter 19.27 RCW.

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

August 18, 2010
John C. Cochran
Chair

WSR 10-17-128
PROPOSED RULES
BUILDING CODE COUNCIL

[Filed August 18, 2010, 11:43 a.m.]

Continuance of WSR 10-16-093.

Preproposal statement of inquiry was filed as WSR 10-09-065.

Title of Rule and Other Identifying Information: Amendment of chapter 51-50 WAC, Washington State Building Code.

Hearing Location(s): Spokane City Council Chambers, West 808 Spokane Falls Boulevard, Spokane, WA, on September 10, 2010, at 10:00 a.m.; and at Senate Hearing Room 2, Cherberg Building, Washington State Capitol Campus, Olympia, Washington, on September 24, 2010, at 10:00 a.m.

Date of Intended Adoption: October 15, 2010.

Submit Written Comments to: John Cochran, Council Chair, P.O. Box 41014, Olympia, WA 98504-1014, e-mail joanne.mccaughan@ga.wa.gov, fax (360) 586-9383, by September 24, 2010.

Assistance for Persons with Disabilities: Contact Peggy Bryden by August 26, 2010, TTY (360) 753-7427 or (360) 725-2966.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amending CR-102 filing under WSR 10-16-093 to reflect the preproposal statement of inquiry filed for this rule. The original CR-102 was inadvertently marked as exempt when in actuality a preproposal statement was filed under WSR 10-09-065.

Statutory Authority for Adoption: RCW 19.27.074.

Statute Being Implemented: Chapter 19.27 RCW.

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

August 18, 2010
John C. Cochran
Chair

WSR 10-17-129
PROPOSED RULES
BUILDING CODE COUNCIL

[Filed August 18, 2010, 11:47 a.m.]

Continuance of WSR 10-16-094.

Preproposal statement of inquiry was filed as WSR 10-09-067.

Title of Rule and Other Identifying Information: Amendment of chapter 51-50 WAC, Washington State Building Code and chapter 51-54 WAC, Washington State Fire Code.

Hearing Location(s): Spokane City Council Chambers, West 808 Spokane Falls Boulevard, Spokane, WA, on September 10, 2010, at 10:00 a.m.; and at Senate Hearing Room 2, Cherberg Building, Washington State Capitol Campus, Olympia, Washington, on September 24, 2010, at 10:00 a.m.

Date of Intended Adoption: October 15, 2010.

Submit Written Comments to: John Cochran, Council Chair, P.O. Box 41014, Olympia, WA 98504-1014, e-mail joanne.mccaughan@ga.wa.gov, fax (360) 586-9383, by September 24, 2010.

Assistance for Persons with Disabilities: Contact Peggy Bryden by August 26, 2010, TTY (360) 753-7427 or (360) 725-2966.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amending CR-102 filing under WSR 10-16-094 to reflect the preproposal statement of inquiry filed for this rule. The original CR-102 was inadvertently marked as exempt when in actuality a preproposal statement was filed under WSR 10-09-067.

Statutory Authority for Adoption: RCW 19.27.074.

Statute Being Implemented: Chapter 19.27 RCW.

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

August 18, 2010
John C. Cochran
Chair