

WSR 11-11-002
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 4, 2011, 1:43 p.m., effective July 25, 2011]

Effective Date of Rule: July 25, 2011.

Purpose: On December 29, 2008, the United States Department of Labor for the Apprenticeship Programs, Labor Standards for Registration, published the final rules to 29 C.F.R. Part 29. The department is required to adopt changes to the Washington state rules to be in compliance with the new federal rules. The department worked with the subcommittee appointed by Washington state apprenticeship and training council, which included representation from business and labor and other interested parties, to draft amendments to the apprenticeship rules.

In addition, the rule making reviewed Initiative 937, which established an incentive to utilize state registered apprentices when entities construct/build renewable energy projects. The Washington state apprenticeship and training council, under I-937, is tasked with setting the level of apprentice utilization for such projects and verifying that such levels are achieved through a review process. With the growing emphasis on renewable energy resources, the rules are being amended to outline the processes and procedures through which entities can obtain certification of apprentice utilization.

Citation of Existing Rules Affected by this Order: Amending WAC 296-05-001 Purpose, scope, and authority, 296-05-003 Definitions, 296-05-005 Rule development, 296-05-007 Rules of procedure, 296-05-008 Process for objections to apprenticeship program standards, 296-05-009 Complaint review procedures, 296-05-013 Sanctions for noncompliance, 296-05-200 Regular meetings, 296-05-203 Special meetings, 296-05-205 Petitions, requests, and correspondence submitted to the WSATC, 296-05-207 Other regulations that apply to council meeting conduct, 296-05-209 Voting, 296-05-300 Apprenticeship and training programs—Approval, 296-05-302 Apprenticeship committee/program approval process, 296-05-303 Apprenticeship committees—Duties and responsibilities, 296-05-305 Apprenticeable occupations, 296-05-309 Apprenticeship programs approved by the WSATC, 296-05-313 Apprenticeship committees—Composition, 296-05-315 Nonjoint and waiver committees—Additional requirements, 296-05-316 Apprenticeship agreements—Standards requirements, 296-05-317 Related/supplemental instruction, 296-05-318 Records required by the WSATC, 296-05-321 Apprenticeship agreement—Cancellation, 296-05-323 Certificate of completion, 296-05-325 Union waiver, 296-05-327 Reciprocity, 296-05-400 Equal employment opportunity plan—Purpose, scope and authority, 296-05-407 Apprenticeship program sponsor's obligations, 296-05-413 Outreach and recruitment requirements—Specific, 296-05-415 Affirmative action goals and timetables, 296-05-417 Selection of apprentices for approved apprenticeship programs, 296-05-419 Qualification standards, 296-05-429 Existing lists of eligibles and public notice, 296-05-431 Affirmative action records of the WSATC retained by the department, 296-05-433 Enrollment deficiency analysis, 296-05-443 Complaint filing, 296-05-

447, Processing of complaints, 296-05-449 Program registration cancellation procedures, and 296-05-453 Adoption of consistent state plans.

Statutory Authority for Adoption: Chapter 49.04 RCW and RCW 19.285.040.

Adopted under notice filed as WSR 11-01-082 on December 13, 2010.

Changes Other than Editing from Proposed to Adopted Version: The following amendments were made to the proposed rules:

- WAC 296-05-003, definition of probation. Added "from the date of registration" in response to public comments.
- WAC 296-05-316(6), added "shall be" before "defined in the standards per" for editing.
- WAC 296-05-316(22), added "The initial probationary period cannot exceed twenty percent of the term of the program, or one year from the date of registration, whichever is shorter," in response to public comments.
- WAC 296-05-327 (1)(c), for correct grammar, changed "Occupations must be recognized as apprenticeable" to "Recognition of occupations as apprenticeable."
- WAC 296-05-400, deleted "through affirmative action" at end of clause, "Requiring equal employment opportunities in apprenticeship programs," to avoid redundancy and for consistent use of terminology.
- WAC 296-05-400, 296-05-407, 296-05-413, 296-05-415, 296-05-417, 296-05-419, 296-05-431 and 296-05-443, replaced "affirmative action" with "equal employment opportunity" for consistent use of terminology.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 2, Amended 10, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 3, Amended 39, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 33, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 3, Amended 39, Repealed 0.

Date Adopted: May 4, 2011.

Dave D'Hondt, Chair
 Apprenticeship and
 Training Council

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-001 Purpose, scope, and authority. (1) The Washington State Apprenticeship and Training Act (chapter 49.04 RCW) establishes the Washington state apprenticeship and training council (WSATC) as regulatory and designates as its administrative arm the apprenticeship section of the department of labor and industries. The

WSATC, acting in compliance with chapter 49.04 RCW((;)) and in harmony with 29 CFR Part 29 and 29 CFR Part 30, has adopted these rules to:

- (a) Establish operating procedures for the WSATC;
 - (b) Establish standards for apprenticeship programs;
 - (c) Implement the intent and purpose of the Washington State Apprenticeship and Training Act;
 - (d) Perform other duties directed by the statute;
 - (e) Promote labor standards and the registration of approved programs to protect the welfare of the apprentice; and
 - (f) Encourage the establishment of apprenticeship programs and committees.
- (2) These rules are necessary to:
- (a) Strengthen apprenticeship and training in the state of Washington;
 - (b) Facilitate approval and registration of apprenticeship and training programs;
 - (c) Explain factors related to apprenticeship and training in Washington state and federal laws;
 - (d) Establish procedures for presenting matters to the WSATC;
 - (e) Govern the WSATC's operation and ability to carry out its statutory obligations;
 - (f) Establish a specific procedure to resolve an impasse if a tie vote occurs on the WSATC; and
 - (g) Regulate registered apprenticeship and training programs.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-003 Definitions. The following definitions apply to this chapter:

Adjudicative proceeding: A proceeding before the WSATC in which an opportunity for a hearing before the WSATC is authorized by chapter 49.04 RCW or these rules before or after the entry of an order by the WSATC.

Apprentice: Is ~~((an individual))~~ a worker at least sixteen years of age who is employed to learn an apprenticeable occupation and is registered with a sponsor in an approved apprenticeship program according to chapter 49.04 RCW and these rules.

Exception: Seventeen years is the minimum age allowed for applicants registering in building and construction trade occupations.

Apprenticeable occupation: Is a skilled ~~((trade(s) or craft(s)))~~ occupation which ~~((has been))~~ is recognized by the United States Department of Labor, Employment and Training Administration, Office of Apprenticeship~~((, Training, Employer, and Labor Services))~~ or the WSATC and meets the criteria established in WAC 296-05-305.

Apprenticeship agreement: A written agreement between an apprentice and either the apprentice's employer(s), or an apprenticeship committee acting as agent for employer(s), containing the terms and conditions of the employment and training of the apprentice.

Apprenticeship committee: A quasi-public entity approved by the WSATC to perform apprenticeship and training services for employers and employees.

Apprenticeship program: A plan for administering an apprenticeship agreement(s). The plan must contain all terms and conditions for the qualification, recruitment, selection, employment and training of apprentices, including such matters as the requirement for a written apprenticeship agreement.

Approved: Approved by the WSATC or a person or entity authorized by the WSATC to do so.

CFR: The Code of Federal Regulations.

Cancellation: The termination of the registration or approval status of a program at the request of the supervisor or sponsor. Cancellation also refers to the termination of an apprenticeship agreement at the request of the apprentice, supervisor, or sponsor.

Certificate of completion: A record of the successful completion of a term of apprenticeship (see WAC 296-05-323).

Certification: Written approval by the WSATC of:

(1) A set of apprenticeship standards established by an apprenticeship program sponsor and substantially conforming to the standards established by the WSATC.

(2) An individual as eligible for probationary employment as an apprentice under a registered apprenticeship program.

Committee program: All apprenticeship programs as further described in WAC 296-05-309.

Competent instructor: An instructor who has demonstrated a satisfactory employment performance in his/her occupation ~~((or trade))~~ for a minimum of three years beyond the customary learning period for that ~~((trade or))~~ occupation and:

(1) Meets the state board for community and technical colleges requirements for a vocational-technical instructor, or be a subject matter expert, which is an individual, such as a journey worker, who is recognized within an industry as having expertise in a specific occupation; and

(2) Has training in teaching techniques and adult learning styles, which may occur before or within one year after the apprenticeship instructor has started to provide the related technical instruction.

Competitor: A competing apprenticeship program that provides training in the same or overlapping occupation as the proposed program in the same geographic area proposed. In determining whether an occupation is the same or overlapping as the proposed program's occupation, the council may consider the following:

(1) Washington state apprenticeship and training council approved apprenticeship standards;

(2) Collective bargaining agreements;

(3) Dictionaries of occupational titles;

(4) Experts from organized labor, licensed contractors, and contractors' associations;

(5) Recognized labor and management industry practice;

(6) Scope of work descriptions issued by the department.

Completion rate: The percentage of an apprenticeship cohort who receives a certificate of apprenticeship completion within one year of the projected completion date. An apprenticeship cohort is the group of individual apprentices registered to a specific program during a one year time frame, except that a cohort does not include the apprentices whose

apprenticeship agreement has been canceled during the initial probationary period.

Compliance review: A comprehensive review conducted by the apprenticeship section of the department of labor and industries regarding all aspects of an apprenticeship program's performance including, but not limited to, determining if apprentices are receiving: On-the-job training in all phases of the apprenticeable occupation; scheduled wage increases consistent with the registered standards; related instruction through appropriate curriculum and delivery systems; and that the registration agency is receiving notification of all new registrations, cancellations, and completions as required in this chapter.

Current instruction: The related/supplemental instructional content is and remains reasonably consistent with the latest (~~trade~~) occupational practices, improvements, and technical advances.

Department: The department of labor and industries.

Employer: Any person or organization employing an apprentice whether or not such person or organization is a party to an apprenticeship agreement with the apprentice. "Employer" includes both union and open shop employers.

File: To send to:

Supervisor of Apprenticeship and Training
Department of Labor and Industries
Apprenticeship Section
Post Office Box 44530
Olympia, Washington 98504-4530

Or deliver to and receipt at:
Department of Labor and Industries
7273 Linderson Way SE
Tumwater, Washington 98501

Individual agreement: A written agreement between an apprentice and/or trainee and either the apprentice's employer or an apprenticeship committee acting as agent for the employer.

Industry wide standards: The current, acceptable (~~trade~~) practices, including technological advancements, (~~that are~~) being used in the different (~~trades~~) occupations.

Journey level: An individual who has sufficient skills and knowledge of (~~a trade, craft, or~~) an occupation, either through formal apprenticeship training or through practical on-the-job work experience, to be recognized by a state or federal registration agency and/or an industry as being fully qualified to perform the work of the (~~trade, craft, or~~) occupation. Practical experience must be equal to or greater than the term of apprenticeship.

On-the-job training program: A program that is set up in the same manner as an apprenticeship program with any exceptions authorized by the WSATC and as further described in WAC 296-05-311.

Notice: Where not otherwise specified, notice means posted in United States mail to the last known address of the person to be notified. Notice may be given by telefacsimile where copies are mailed simultaneously or by a commercial parcel delivery company.

Petitions, requests, and correspondence: Any written business brought before the WSATC (examples may include:

(1) Requests for new committees; (2) Requests for revisions to the standards; and (3) Appeals).

Probation: (1) Initial: (~~The period following the apprentice's acceptance into the program which is limited in time by these rules and during which the apprentice's appeal rights are impaired.~~) A period of time reasonable in relation to the full apprenticeship term, with full credit given for such period toward completion of apprenticeship. The initial probationary period cannot exceed twenty percent of the term of the program, or one year from the date of registration, whichever is shorter. Initial probationary apprentices are not subject to an appeal under the complaint review procedures as defined in WAC 296-05-009. Transferred apprentices are not subject to additional initial probationary periods.

(2) Disciplinary: A time assessed when the apprentice's progress is not satisfactory. During this time the program sponsor may withhold periodic wage advancements, suspend or cancel the apprenticeship agreement, or take further disciplinary action. A disciplinary probation may only be assessed after the initial probation is completed. During the disciplinary probation, the apprentice has the right to file an appeal of the committee's action with the WSATC (as described in WAC 296-05-009).

Provisional registration: The one-year initial approval of newly registered programs that meet the required standards for program registration, after which the program approval may be made permanent, continued as provisional through the first full training cycle/term, or rescinded following a compliance review by the apprenticeship section of the department.

RCW: The Revised Code of Washington.

Registration: (~~Maintaining the records of apprenticeship and training agreements and of training standards.~~) (1) For the purposes of an apprenticeship agreement means the acceptance and recording of an apprenticeship agreement by the apprenticeship section of the department of labor and industries as evidence of the apprentice's participation in a particular registered apprenticeship program.

(2) For the purposes of an apprenticeship program means the acceptance and recording of such program by the WSATC and apprenticeship section of the department of labor and industries, as meeting the basic standards and requirements of the department for approval of such program. Approval is evidenced by a certificate of registration or other written indicia.

Registration agency: The apprenticeship section of the Washington state department of labor and industries is responsible for registering apprenticeship programs and apprentices; providing technical assistance; conducting reviews for compliance with 29 CFR parts 29 and 30, chapters 49.04 RCW and 296-05 WAC.

Regular quarterly meeting: A public meeting held quarterly by the WSATC as described in WAC 296-05-200.

Related/supplemental instruction: (~~Is instruction approved by the program sponsor and taught by an instructor approved by the program sponsor. Instructors must be competent in his/her trade or occupation. A sponsor must review related/supplemental instruction annually to insure that it is relevant and current.~~

Relevant instruction: ~~Is related/supplemental instructional content that is directly required in and applicable to the performance of the apprentice's work. Relevant does not mean academic course content taught by a solely academically qualified instructor except for courses approved by the committee or specified by state law.)~~ An organized and systematic form of instruction designed to provide the apprentice with knowledge of the theoretical and technical subjects related to the apprentice's occupation. Such instruction may be given in a classroom, through occupational or industrial courses, or by correspondence courses of equivalent value, electronic media, or other forms of self-study approved by the registration agency.

Secretary: The individual appointed by the director of the department according to RCW 49.04.030.

Special meeting: A public meeting of the council as described in WAC 296-05-203.

Sponsor: Any person, firm, association, committee, or organization operating an apprenticeship and training program and in whose name the program is registered or is to be registered.

Standards: Is a written agreement containing specific provisions for operation and administration of the apprenticeship program and all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices, as further defined in WAC 296-05-316.

Supervision: The necessary education, assistance, and control provided by a journey-level employee that is on the same job site at least seventy-five percent of each working day, unless otherwise approved by the WSATC.

Supervisor: The individual appointed by the director of the department according to RCW 49.04.030 who acts as the secretary of the WSATC. Where these rules indicate a duty of the supervisor or secretary of the WSATC, the supervisor may designate a department of labor and industries' employee to assist in the performance of those duties subject to the supervisor's oversight and direction.

~~((Trade: Any apprenticeable occupation defined by the apprenticeship, training, employer and labor services section of the United States Department of Labor and these rules.))~~

Trainee: An individual registered with the supervisor according to WAC 296-05-311.

Training agent: Employer of registered apprentices approved by the program sponsor to furnish on-the-job training to satisfy the approved apprenticeship program standards who agrees to employ registered apprentices in that work process. The training agent shall use only registered apprentices to perform the work processes of the approved program standards.

Training agreement: A written agreement between a training agent and a program sponsor that contains the provisions of the apprenticeship program applicable to the training agent and the duties of the training agent in providing on-the-job training.

Transfer: A shift of apprenticeship registration from one sponsor to another where there is written agreement between the apprentice and the affected apprenticeship committees or program sponsors.

WAC: The Washington Administrative Code.

WSATC: The Washington state apprenticeship and training council.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-005 Rule development. (1) In developing and adopting rules, the WSATC:

(a) Seeks the cooperation and assistance of all interested persons, organizations, and agencies affected by its rules.

(b) Promotes the operation of apprenticeship programs to satisfy the needs of employers and employees for high quality training.

(c) Recognizes that rapid economic and technological changes require that workers must be trained to meet the demands of a changing marketplace.

(d) Recognizes employers will benefit if graduates of state approved apprenticeship programs are skilled workers trained to industry wide standards rather than the exclusive standards of an individual employer or group of employers.

(e) Acknowledges that approved apprenticeship programs should be organized and administered to assure the maximum protection of apprentices' rights.

(f) Recognizes that the number of apprentices in ~~((a trade))~~ an occupation or group of ~~((trades))~~ occupations in any geographic area must be sufficient to meet the needs of all employers ~~((and not be so large as to create an oversupply of apprentices)).~~

(g) Promotes comprehensive training and a variety of work experiences relevant to the occupations ~~((and))~~ and seeks to assure that during the approval process all apprenticeship standards are open to ~~((all))~~ all employers on an equal and non-discriminatory basis.

(h) Recognizes that quality training, equal treatment of apprentices, and efficient delivery of apprenticeship training are best provided by registered apprenticeship programs.

(2) All amendments to this chapter must be developed and adopted according to the provisions of chapter 49.04 RCW, Apprenticeship Act; chapter 34.05 RCW, Administrative Procedure Act; and Executive Order 97-02. All proposed amendments to these rules must be approved by a two-thirds majority vote of regular WSATC members before they are published for public hearing. All WSATC members, the apprenticeship supervisor, committees and any other interested parties must be promptly notified, in writing, of any proposed rule amendments, public hearings on proposed rule amendments and new rule adoptions.

(3) The specific procedure(s) and form(s) for petitions requesting the making, amendment, or repeal of a rule are in chapter 34.05 RCW, as are the specific procedure and form for requesting declaratory rulings.

(4) Such petitions and requests must be addressed to:

The Washington State Apprenticeship and Training Council
Attention: Supervisor of Apprenticeship and Training
Department of Labor and Industries
Post Office Box 44530
Olympia, Washington 98504-4530
Or e-mail address: apprentice@LNI.wa.gov

AMENDATORY SECTION (Amending WSR 04-10-032, filed 4/28/04, effective 6/1/04)

WAC 296-05-007 Rules of procedure. All hearings and adjudication, under chapter 49.04 RCW and these rules, shall be conducted according to chapter 34.05 RCW, the Administrative Procedure Act and chapter 10-08 WAC, Model Rules of Procedure. The chair (or designee) is the presiding officer for adjudicative proceedings, held before the WSATC. The WSATC may either adjudicate matter(s) itself, or refer matter(s) to the office of administrative hearings for initial adjudication.

If the initial adjudication is before the WSATC, the WSATC will enter a final order. If the initial adjudication has been held at the office of administrative hearings, the administrative hearing judge shall issue an initial order. The WSATC, upon review of the initial order shall enter the final order. An initial order shall become final without further WSATC action five (~~(working)~~) business days after the next regular quarterly meeting unless:

(1) The WSATC upon its own motion determines that the initial order should be reviewed; or

(2) A party to the proceedings files a petition for review of the initial order.

The WSATC may appoint a person to review the initial order and prepare and enter the final WSATC order.

AMENDATORY SECTION (Amending WSR 04-10-032, filed 4/28/04, effective 6/1/04)

WAC 296-05-008 Process for objections to apprenticeship program standards. (1) If a competitor objects to the proposed standards, proposed amendments to existing standards, or initial committee, the competitor must provide timely and specific written objections. Objections (~~(to apprenticeship program standards)~~) shall be submitted to the department (~~(with a copy to the program sponsor)~~) for WSATC consideration twenty calendar days prior to the regular quarterly WSATC meeting on a form provided by the department and approved by the WSATC.

(2) The department shall notify the petitioning program sponsor of objections no more than two business days after the department receives the objection.

(3) In accordance with WAC 296-05-007, the WSATC may either adjudicate matter(s) itself or refer matter(s) to the office of administrative hearings for initial adjudication.

(a) If the WSATC decides to adjudicate all or part of the objections to the apprenticeship program standards, (~~(the individual(s) submitting)~~) a hearing on the objections shall (~~(present the objections)~~) take place at the regular quarterly WSATC meeting or at (~~(the)~~) a special WSATC meeting convened for purposes of hearing the objections. The department shall notify the competitor making the objections and the program sponsor that the objection is on the agenda for consideration and shall give (~~(their)~~) its recommendation ten calendar days prior to the WSATC meeting.

(b) If the WSATC decides to refer all or part of the objections to the office of administrative hearings, the WSATC shall identify the specific matters (~~(that)~~) on which the WSATC is requesting the office of administrative hear-

ings (~~(to)~~) provide findings and conclusions for the initial order.

(4) The department may attempt to facilitate a resolution to any objections during the process identified in this section.

~~(Note: Per WAC 296-05-207, the approval or disapproval of committee programs, plant programs or amendments to those programs can only occur at regular quarterly meetings.)~~

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-009 Complaint review procedures. If a local committee or other organization administering the agreement cannot satisfactorily resolve a complaint, any apprentice who has completed his/her initial probationary period may submit the complaint to the apprenticeship program for resolution. Complaints that involve matters covered by a collective bargaining agreement are not subject to the complaint review procedures in this section. The investigation or review of any controversy by the supervisor or the WSATC will not affect any action taken or decision made by a committee or other organization until a final decision resolving the matter is issued.

(1) Within thirty calendar days of documented, written notification of the action leading to the complaint, the apprentice must request the local committee or other organization to reconsider action.

(2) The local committee or other organization must, within thirty calendar days of the apprentice's request, provide written notification to the apprentice of its decision on the request for reconsideration. This notification shall be considered the final action of the committee.

(3) If the apprentice chooses to pursue the complaint further, the apprentice must submit a written complaint describing the controversy to the supervisor of the apprenticeship division within thirty calendar days of the final action taken on the matter by the local committee or other organization. The written complaint must be specific and include all relevant facts and circumstances contributing to the complaint. Any documents or correspondence relevant to the complaint must be attached to the complaint. The apprentice must send a copy of the complaint to the interested local committee or other organization.

(4) The supervisor must investigate complaints received from an apprentice. The supervisor must complete the investigation within thirty (~~(working)~~) business days. During the investigation, the supervisor must attempt to effect a settlement between the parties. During the investigation the apprentice and the committee or other organization must fully cooperate with the supervisor by providing any relevant information or documents requested. The supervisor may delegate the investigation to any employee in the apprenticeship division. If the controversy is not settled during the investigation, the supervisor must issue a written decision resolving the controversy when the investigation is concluded.

(5) If the apprentice, committee or other organization is dissatisfied with the decision of the supervisor, they may request the WSATC to review the decision. The request must be in writing and made within thirty calendar days of the supervisor's decision. It must specify the reasons supporting

the request. The party requesting review must provide a copy of the request to the other parties involved in the controversy. The WSATC must conduct an informal hearing to consider the request for review of the supervisor's decision. Unless special circumstances dictate, the hearing must be held in conjunction with the regular quarterly meeting.

At the hearing, the WSATC must review the supervisor's decision and all records of the investigation. The WSATC may also accept testimony or documents from any person, including the supervisor and the supervisor's staff, who has knowledge relating to the controversy. Parties at the informal hearing may be represented by counsel and may, at the WSATC's discretion, present argument concerning the controversy. The WSATC must not apply formal rules of evidence.

(6) Within thirty calendar days after the hearing, the WSATC must issue a written decision resolving the controversy. The WSATC's decision may be to affirm the decision of the supervisor. In that case, the supervisor's decision becomes the decision of the WSATC. All parties to the informal hearing must be sent a copy of the WSATC's decision. The chair may sign the decision for the WSATC.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-013 Sanctions for noncompliance. The WSATC is responsible to take the necessary action to bring a noncomplying program into compliance with these rules.

When the apprenticeship supervisor, based upon a compliance review or other reason, concludes that an apprenticeship program is not in compliance with the rules of this chapter and that the sponsor will not take voluntary corrective action, the WSATC must:

- (1) Institute proceedings to withdraw the program registration;
- (2) Refer the matter to the equal employment opportunity commission;
- (3) Refer the matter to the attorney general with recommendations for the institution of a court action under Title VII of the Civil Rights Act of 1964, as amended; or
- (4) Refer the matter to the attorney general for other court action as authorized by law.
- (5) For provisionally approved programs (see WAC 296-05-003) the WSATC may continue approval as provisional through the first full training cycle/term, or rescind approval following a compliance review by the apprenticeship section of the department of labor and industries.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-200 Regular meetings. (1) Each year, regular meetings of the WSATC shall be convened on the third Thursday of January, April, July, and October. These regular quarterly meetings shall be held at locations within the state of Washington. All meetings are open to the general public.

(2) Notice of each regular quarterly meeting shall be given to all(~~:~~

~~WSATC members;~~

~~Ex officio members; and~~
~~Approved program sponsors))~~ WSATC members, ex officio members, and approved program sponsors.

In addition, notices of meetings may be sent to all persons, organizations, agencies, or interested parties whose presence is desired and to any newspaper, news service, television, radio station, or other interested parties who have requested notices of WSATC meetings. The supervisor must distribute the notice of the regular meeting at least thirty calendar days prior to the meeting date.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-203 Special meetings. (1) Special meetings of the WSATC may be called at the request of the chair or by a majority of the WSATC members. To call a special meeting, a written notice of the meeting must be personally delivered or mailed to:

- (~~(*)~~) (a) Each member of the WSATC;
- (~~(*)~~) (b) All approved program sponsors; and
- (~~(*)~~) (c) Each general circulation newspaper, television or radio station which has on file with the WSATC or the supervisor a written request to be notified of special meetings.

In addition, notices of meetings may be sent electronically to all persons, organizations, agencies, (~~(*)~~) and interested parties whose presence is desired.

(2) To be valid, the written notice must list the date, time and location of the meeting and specify the business to be transacted by the WSATC. The WSATC cannot take final action on any matter that is not specified in the written notice. Special meetings must be open to the general public and adhere to the same open meeting requirements that apply to the regular quarterly WSATC meetings.

(3) Notices of special meetings must be delivered personally or by mail at least (~~(twenty-four hours))~~ seven calendar days before the specified time of the meeting.

(4) The exception is when a special meeting is called to consider rule changes according to chapter 34.05 RCW. In this case, the notice of the special meeting must be delivered at least twenty calendar days before the time specified in the notice.

(5) If the notice requirements in this section are not followed, any action taken by the WSATC at the special meeting will be null and void. However, the notice requirements can be waived if each regular WSATC member signs a written waiver of notice, at or prior to the meeting, and files it with the supervisor. With this filing, the notice shall be considered waived by any WSATC member present when the meeting convenes. Rule changes may not be made at special meetings where the notice requirements have been waived unless the requirements of chapter 34.05 RCW have been satisfied.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-205 Petitions, requests, and correspondence submitted to the WSATC. (1) For the WSATC to act upon petitions or requests at a regular quarterly meeting, the

petitions or requests must be submitted in writing to the supervisor at least forty-five calendar days prior to the date of the regular quarterly meeting. Any petitions or requests not submitted forty-five calendar days prior to a quarterly meeting must be deferred to the next regular quarterly meeting. If a petition or request is deferred, the supervisor must notify the petitioner.

(2) Generally, correspondence not related to apprenticeship and training agreements and meetings, petitions and requests, must be submitted in writing to the supervisor of apprenticeship at least fifteen (~~(working)~~) business days before the quarterly meeting at which the WSATC's consideration is requested. However, if the WSATC determines that the correspondence is crucial to any deliberations regarding approval or disapproval of an apprenticeship agreement, the supervisor may waive this (~~(fifteen-day)~~) fifteen business day requirement.

(3) Noncrucial correspondence submitted less than fifteen (~~(working)~~) business days before the quarterly meeting must be considered by the WSATC at the next quarterly meeting.

(4) When an apprenticeship committee petitions the council or the supervisor, only the signature of the elected chair and secretary of the committee shall be accepted as a valid signature unless the petitioning committee has asked the council to recognize and accept the signature of another person. A petition requesting the recognition of a signature other than that of the elected chair and secretary must be signed by a quorum of the members from the petitioning committee.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-207 Other regulations that apply to council meeting conduct. (1) All council meetings must be open to the general public. Members of the public cannot be required to register his/her name, give any information, or fulfill any condition prior to attending council meetings. All council meetings must be conducted according to the provisions of chapter 42.30 RCW, the Open Public Meetings Act and chapter 34.05 RCW, the Administrative Procedure Act. The following WSATC activities must take place in open public meetings:

- (*) (a) All transactions of official business;
- (*) (b) All commitments or promises;
- (*) (c) All collective discussions;
- (*) (d) All collective decisions; and
- (*) (e) All council actions.

(2) The approval or disapproval of committee programs, plant programs, or amendments to those programs can only occur at regular quarterly meetings unless the council is responding to a court mandate, which can occur at a special meeting under WAC 296-05-203.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-209 Voting. (1) A quorum is two-thirds of the WSATC members entitled to vote.

(2) All council members appointed by either the director or the governor are voting members of the council. Ex officio members may not vote on any issue.

(3) To resolve tie votes, the chair shall establish a standing tie-breaker committee. The committee shall be comprised of an employer representative, an employee representative, and the public member on the WSATC. In case of a tie vote on any proposed standards brought before the WSATC, the tie-breaker committee shall meet or confer, review the record, and render a decision within thirty calendar days. The supervisor or a designee of the supervisor shall act as secretary to the committee and furnish all information necessary for a decision.

NEW SECTION

WAC 296-05-215 Limitations. Nothing in this part or in any apprenticeship agreement will operate to invalidate:

(1) Any apprenticeship provision in any collective bargaining agreement between employers and employees establishing higher apprenticeship standards; or

(2) Any special provision for veterans, minority persons, or women in the standards, apprentice qualifications or operation of the program, or in the apprenticeship agreement, which is not otherwise prohibited by law, executive order, or authorized regulation.

AMENDATORY SECTION (Amending WSR 02-10-083, filed 4/29/02, effective 6/1/02)

WAC 296-05-300 Apprenticeship and training programs—Approval. The WSATC is the body responsible for matters concerning apprenticeship and training in the state of Washington. The principal function of the WSATC is to approve, register, and regulate apprenticeship and training agreements. Persons or organizations desiring to institute an apprenticeship or training program must follow these steps:

(1) Organize an apprenticeship and training committee, if applicable, according to WAC 296-05-303 and file affidavits with the WSATC requesting that the committee be recognized.

(2) (~~(One)~~) In conjunction with the proposed committee ((is recognized, it)), persons or organizations desiring to institute an apprenticeship or training program must propose standards conforming to these rules and to chapter 49.04 RCW. In addition, the standards must include the composition of the committee and general rules that it will follow in administering the program. (The apprenticeship supervisor and department apprenticeship (~~(coordinators)~~) consultants are available to give assistance drafting standards.)

(3) (~~(These)~~) The proposed committee and/or standards must be presented to the supervisor at least forty-five calendar days before the regular quarterly meeting at which the WSATC is requested to consider such proposed standards.

(4) At the regular quarterly meeting, the proposed committee and/or standards will be considered by the WSATC. The WSATC will:

- (a) Approve;
- (b) Approve provided the sponsor accepts the changes recommended by the WSATC; or
- (c) Disapprove.

At the regular quarterly meeting, the WSATC will allow changes to correct clerical errors. The addition of standard language will be allowed if authorized representatives of the sponsor are present and authorized to accept changes. At the regular quarterly meeting, the WSATC will not accept changes to the format, language, or provisions of the submitted program standards which are not reasonably consistent with previously approved program standards.

If the WSATC disapproves the standards, it shall direct the department to inform the sponsor in writing the reason for disapproval.

(5) Once the WSATC approves the program standards ~~((the committee)), they are provisionally registered for a period of one year and the sponsor is authorized to function and perform its duties as described in WAC 296-05-316.~~

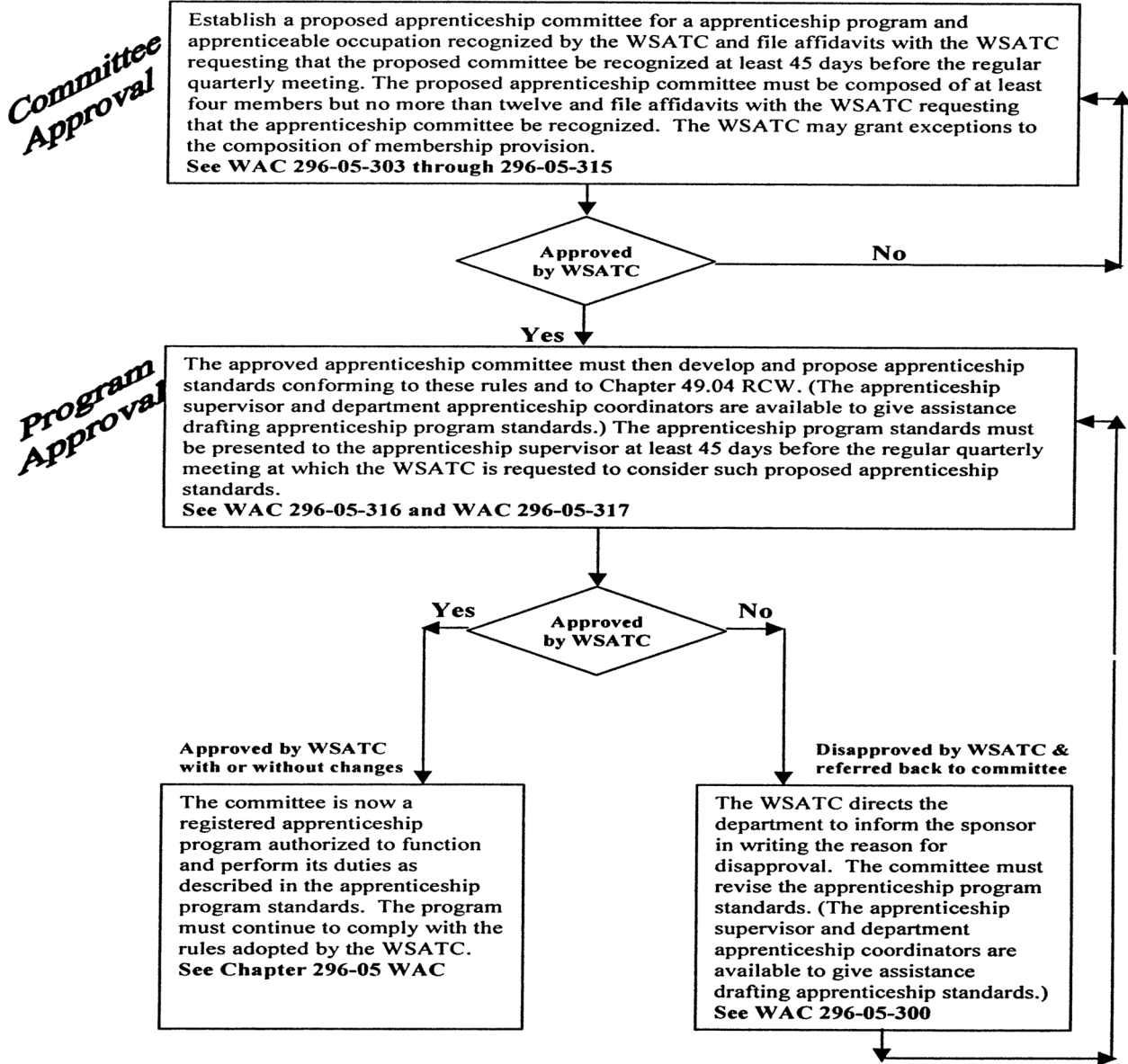
~~(6) ((If a competitor objects to the proposed standards or proposed amendment(s) to existing standards, the WSATC may either adjudicate the objection(s) with the proposed standards or refer the objection(s) with the proposed standards or proposed amendment(s) to existing standards to an administrative hearing as described in WAC 296-05-007. For purposes of this subsection "competitor" means a competing apprenticeship program in a similar or subset of the trade, craft, or occupation within the geographic area served.))~~
Objections shall be handled pursuant to WAC 296-05-008.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-302 Apprenticeship committee/program approval process.

((STRICKEN GRAPHIC

Apprenticeship Committee/Program Approval Process



STRICKEN GRAPHIC))

((Note: This flowchart represents the general process for apprenticeship committee/program approval and does not include exceptions and variations.))

~~((3))~~ (4) A committee is responsible for:

(*) (a) The day-to-day operations of the apprenticeship and training program;

(*) (b) Operating the program according to WSATC approved standards;

(*) (c) Accepting or rejecting applicants for apprenticeship or training;

(*) (d) Registering approved applicants with the supervisor;

(*) (e) Removing apprentices from the program as provided by the approved program standards;

(*) (f) Informing the supervisor of any matters that affect the standing of individuals as apprentices; and

(*) (g) Entering into agreements with other apprenticeship committees for the use of apprentices by training agents that are working outside their approved geographic area served.

The WSATC will only recognize apprentices registered with the supervisor.

~~((4))~~ (5) Committees approved by the WSATC must offer training opportunities on an equal basis to all employers and apprentices including all rights, appeals, and services available in the existing apprenticeship program. All existing committees that represent multiple employer or employer associations, except for committees that represent individual or plant programs, are expected to provide access to apprenticeship and training opportunities to employers not currently participating in the program. Those opportunities must:

(*) (a) Ensure that apprentices work only for approved training agents;

(b) Provide training at a cost equivalent to that incurred by currently participating employers and apprentices;

(*) (c) Grant equal treatment and opportunity for all apprentices;

(*) (d) Offer reasonable working and training conditions and apply those conditions to all apprentices uniformly and equally;

(*) (e) Not require an employer to sign a collective bargaining agreement as a condition of participation in an apprenticeship program;

(*) (f) Require all employers requesting "approved training agent" status to comply with ~~((an))~~ a WSATC approved agreement and all federal and state apprenticeship rules and the appropriate apprenticeship standards. (The training agent shall employ only registered apprentices when training for ~~((that))~~ a given occupation ~~((or trade))~~);

(*) (g) Require sponsors ~~((—who))~~ to approve ~~(("approved"))~~ training agent ~~((""))~~ agreements ~~((,—to))~~ and to have training agents sign a training agent agreement. The sponsor must furnish the department with a copy of the agreement and/or the list of approved training agents within thirty calendar days of committee approval; and

(*) (h) Require sponsors who rescind "approved training agent" agreements and/or the list of approved training agents to notify the department that they have done so within thirty calendar days of said action.

~~((5))~~ ~~Apprenticeship program sponsors may send registered apprentices to limited training agents.~~

This shall be called a "limited training agent agreement," which is when an employer that is not currently a registered

training agent to a set of apprenticeship standards, enters into a single public works project agreement with the program sponsor for the purposes of apprenticeship utilization. The limited training agent agreement must specify that:

~~• The program sponsor must ensure that all program requirements are being followed.~~

~~• Apprenticeship utilization requirements must be in the public works contract.~~

~~• The agreement is for a specific trade(s) or occupation(s).~~

The limited training agent must sign the training agent form.

This limited training agent agreement does not obligate the employer to use registered apprentices in any other type of work or trade or occupation other than the one for which the limited training agreement is entered into.

This is a pilot program lasting for two years (July 2004–July 2006) in Spokane County only.

The department must conduct a study and provide a report back to the Washington state apprenticeship and training council on the effect of the rule. This report should contain vital information including the numbers of apprenticeship hours generated, any adverse impacts on apprenticeship programs and apprentices, any compliance problems, any health and safety problems, or other considerations requested by the council at a later date. This report is due to the WSATC by March 15, 2006.)

(6) If an existing committee fails to or refuses to offer apprenticeship and training opportunities to all employers, the WSATC may take action to remove the restrictions to access in order to comply with the intent of chapter 49.04 RCW and these rules. Action may include, but is not limited to, the decertification of the existing committee and recognition of a new committee.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-305 Apprenticeshipable occupations. An apprenticeshipable occupation is a skilled ~~((trade))~~ occupation which possesses all of the following characteristics:

(1) ~~((It is))~~ Involves skills that are customarily learned in a practical way through ~~((related instruction and))~~ a structured, systematic program of on-the-job supervised ~~((training))~~ learning.

(2) ~~((It))~~ Is clearly identified and commonly recognized throughout an industry.

(3) ~~((It))~~ Is not part of an occupation previously recognized by the registering agency as apprenticeshipable, unless such part is practiced industry wide ~~((as an))~~ and is identifiable and distinct ~~((trade))~~.

(4) ~~((It))~~ Involves manual, mechanical, or technical skills and knowledge which require a minimum of two thousand hours of on-the-job work experience.

(5) ~~((It))~~ Requires a minimum of one hundred forty-four hours of related instruction per year to supplement on-the-job work experience.

(6) ~~((It))~~ Involves skill sufficient to establish normal career sustaining employment ~~((for the length of the apprentice's work life. It entails technical and theoretical consider-~~

ations which are susceptible to instruction within the period defined in the program standards)).

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-309 Apprenticeship programs approved by the WSATC. The following apprenticeship programs may be approved by the WSATC. All the following programs with the exception of individual waiver programs must be administered by a committee. A committee may be either joint or nonjoint, as defined in WAC 296-05-303(2).

(1) Group-joint, or area joint. A program where there is a labor organization. These programs are jointly sponsored by a group of employers and a labor organization. They are administered by employer and employee representatives from an apprenticeship and training committee composed equally from management and labor.

(2) Individual-joint. A program where there is a labor organization. These programs are jointly sponsored by an individual employer and a labor organization. They are administered by employer and employee representatives from an apprenticeship and training committee composed equally from management and labor.

(3) Group nonjoint, or area group. A program where there is no labor organization. These programs are sponsored by an employer association(s) administered by an apprenticeship committee.

(4) Individual nonjoint. A program where there is no labor organization. These programs are sponsored and administered by an individual employer.

(5) Group waiver. These programs involve an employer association(s) and a labor organization. Either the employer group or the labor organization voluntarily waives participation in the program by notifying the other party in writing.

(6) Individual waiver. These programs involve an individual person, company, plant, firm, and a labor organization. Either management or labor voluntarily waives participation by notifying the other party in writing.

(7) Plant. A program for a single physical location or a group of physical locations owned by the sponsor. The WSATC, based on the authority in RCW 49.04.040, assumes jurisdiction and serves as the committee for appeals and disposition of complaints only. The apprenticeship agreement must specify the number of required hours for completion of the apprenticeship. The hours specified must represent at least two thousand hours of reasonably continuous employment. That agreement must conform to the applicable provisions of chapter 49.04 RCW and these rules.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-313 Apprenticeship committees—Composition. (1) Apprenticeship committees must be composed of an equal number of management and nonmanagement representatives.

(2) For apprenticeship committees that represent one occupation, at least fifty percent of the members of a committee((s)) must be occupationally qualified by education and

experience in the specific occupation for which the committee is responsible. A committee member, who possesses journey level status as defined in WAC 296-05-003, is occupationally qualified. The committee must be able to verify the occupational qualifications of the members.

(3) For apprenticeship committees that represent multiple occupations, the committee members must either:

((*) (a) Be occupationally qualified by education and experience in the specific occupations for which the committee is responsible and must be able to verify the occupational qualifications of the members; or

((*) (b) Be known to represent the interests of the multiple occupations served.

(4) All committee members must be ~~((knowledgeable in))~~ provided copies of the ((process of)) applicable apprenticeship ((and/or the application of)) standards, chapter 49.04 RCW, and these rules, and directed to familiarize themselves with the information contained therein.

NEW SECTION

WAC 296-05-314 Nonjoint and waiver committees—Additional requirements. (1) The WSATC shall only recognize nonjoint and waiver standards for a specific occupation or directly related occupations.

(2) When multiple related occupations are approved on a single standard, each occupation shall be considered as an individual standard.

(3) Unrelated occupations shall be submitted under separate standards.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-315 ((Nonjoint and waiver committees—Additional requirements.)) Term of apprenticeship—Standards requirement. ~~((1) The WSATC shall only recognize nonjoint and waiver standards for a specific occupation or directly related occupations.~~

~~((2) When multiple related occupations are approved on a single standard, each occupation shall be considered as an individual standard.~~

~~((3) Unrelated occupations shall be submitted under separate standards.))~~ The term of apprenticeship for an individual apprentice may be measured through the completion of the industry standard for on-the-job learning (at least two thousand hours) (time-based approach), the attainment of competency (competency-based approach), or a blend of the time-based and competency-based approaches (hybrid approach).

(1) The time-based approach measures skill acquisition through the individual apprentice's completion of at least two thousand hours of on-the-job learning as described in a work process schedule.

(2) The competency-based approach measures skill acquisition through the individual apprentice's successful demonstration of acquired skills and knowledge, as verified by the program sponsor. Programs utilizing this approach must still require apprentices to complete an on-the-job learning component of registered apprenticeship. The program standards must address how on-the-job learning will be inte-

grated into the program, describe competencies, and identify an appropriate means of testing and evaluation for such competencies.

(3) The hybrid approach measures the individual apprentice's skill acquisition through a combination of specified minimum number of hours of on-the-job learning and the successful demonstration of competency as described in a work process schedule.

AMENDATORY SECTION (Amending WSR 07-22-096, filed 11/6/07, effective 1/1/08)

WAC 296-05-316 Apprenticeship agreements—Standards requirements. The WSATC shall have the authority to develop, administer, and enforce program standards for the operation and success of an apprenticeship and training program.

The sponsor's proposed program standards must include a list of duties and responsibilities of the program sponsor reasonably consistent with other approved program standards.

All apprenticeship agreements must comply with the approved program standards, chapter 49.04 RCW, and these rules. The standards of apprenticeship agreements must include the following:

(1) A statement of the ~~((trade or craft))~~ occupation to be taught and the required hours for completion of apprenticeship which must not be less than two thousand hours of reasonably continuous employment.

(2) A statement identifying the program sponsor, establishing the apprenticeship committee and enumerating the sponsor's and committee's duties and responsibilities. This statement must include provisions to:

(a) Elect a chair and a secretary from employer and employee representatives of the committee.

Exception: This provision is not necessary for a plant program.

(b) Convene at least three annual regular meetings of the program sponsor and apprenticeship committee. The meetings shall be at least three times per year, be attended by a quorum of committee members (as defined in the approved program standards), be documented with minutes which must be periodically submitted to the department and made available to the WSATC upon request. Conference call meetings may be conducted in lieu of regular meetings but must not exceed the number of attended meetings and no disciplinary action shall be taken at conference call meetings.

(c) Explain the program sponsor's request for apprentices in the area covered by the apprenticeship standards established under these rules and a plan to include reasonable continuous employment.

(d) Establish minimum standards of education and skilled occupational experience required of apprentices.

(e) Rotate apprentices in the various processes of the skilled occupation to assure a well-rounded, competent worker.

(f) Determine the adequacy of an employer to furnish proper on-the-job training in accordance with the provisions of the approved standards.

Exception: This does not apply to plant programs.

(g) Recommend competent instructors as defined in WAC 296-05-003 and related/supplemental instruction in accordance with ~~((local vocational))~~ state board for community and technical college requirements.

~~((Recommend a course outline for related/supplemental instruction, as well as))~~ Coordinate related/supplemental instruction with on-the-job work experience.

(i) Hear and adjust all complaints of violations of apprenticeship agreements.

(j) Adopt, as necessary, program rules to administer the apprenticeship program in compliance with its standards, chapter 49.04 RCW, and these rules.

(k) Periodically review and evaluate apprentices before advancement to the apprentice's next wage progression period.

(l) Maintain apprenticeship records and records of the administrative program as may be required by the WSATC, chapter 49.04 RCW, and these rules. (See WAC 296-05-318.)

(3) The following Equal Employment Opportunity Pledge:

"The recruitment, selection, employment and training of apprentices during their apprenticeship shall be without discrimination because of race, sex, color, religion, national origin, age, disability or as otherwise specified by law. The sponsor shall take positive action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required by the rules of the Washington State Apprenticeship and Training Council and Title 29, Part 30 of the Code of Federal Regulations."

(4) When applicable, an ~~((affirmative action))~~ equal employment opportunity plan and selection procedures.

(5) A numeric ratio of apprentices to journey-level workers may not exceed one apprentice per journey-level worker. It must be consistent with proper supervision, training, safety, continuity of employment, and applicable provisions in collective bargaining agreement, if any. The ratio must be described in the program standards and shall be specific and clear as to application in terms of job site, work group, department, or plant. An exception to this requirement may be granted by the WSATC.

(6) A statement of the related/supplemental instruction including content, format, and hours of study per year ~~((which)).~~ Related/supplemental instruction shall not be ~~((a minimum of))~~ less than one hundred forty-four hours per year~~((s))~~ and shall be defined in the standards per:

(a) Twelve-month period from date of registration; or

(b) Defined twelve-month school year; or

(c) Two thousand hours of on-the-job training.

If a sponsor does not prescribe hours of study, the WSATC shall adopt (a) of this subsection for compliance purposes.

(7) An attendance policy which includes ~~((a provision that))~~ the following provisions:

(a) If the apprentice fails to fulfill the related/supplemental instruction obligations, the sponsor may withhold the apprentice's periodic wage advancement, suspend or cancel the apprenticeship agreement. ~~((A provision))~~

(b) That time spent in related/supplemental instruction classes shall not be considered as hours of work and the

apprentice is not required to be paid for the classroom time. ~~((A provision that the))~~

(c) That all hours of actual attendance by the apprentice in related/supplemental instruction classes must be reported to the department on a quarterly basis.

(d) That the hours reported to the department will clearly identify unpaid, supervised related/supplemental instruction time versus paid or unsupervised time for industrial insurance purposes.

(8) A provision to ensure that the sponsor provides for instruction of the apprentice during the apprentice's related/supplemental instruction in safe and healthful work practices in compliance with the Washington Industrial Safety and Health Act, and applicable federal and state regulations.

(9) A provision for a formal agreement between the apprentice and the sponsor and for registering that agreement with the ~~((department))~~ supervisor.

(10) A provision for the timely notice to the department of all requests for disposition or modification of apprenticeship agreements including:

~~((Certificate of completion;
• Additional credit;
• Suspension;
• Military service;
• Reinstatement;
• Cancellation; and
• Corrections.))~~ Certificate of completion; additional credit; suspension; military service; reinstatement; cancellation; and corrections.

(11) A provision for ~~((advancing an apprentice's))~~ granting of advanced standing ((based on previous)) or credit for demonstrated competency, acquired experience, training, education, or skills in ((the skilled trade)) or ((in some other)) related ~~((capacity))~~ to the occupation and:

(a) In licensed trades regulated by electrical, plumbing, and elevator programs at the department, apprenticeship sponsors may give advanced credit or grant hours to apprentices only up to the hours that have been approved by the appropriate licensing entity prior to the sponsor granting credit to the registered apprentice. Programs are not required to use all hours granted by the regulatory section of the department.

(b) All apprenticeship programs need to ensure that a fair and equitable process is applied to apprentices seeking advanced standing or credit.

(12) A provision for the transfer of an apprentice from one training agent to another training agent or the sponsor in order to provide ~~((as much as))~~ to the extent possible, continuous employment and diversity of training experiences for apprentices.

(13) A provision for the amendment of the standards or deregistration of the program. This provision must comply with chapter 49.04 RCW, these rules, and WSATC policies and procedures.

(14) An apprenticeship appeal procedure in compliance with chapters 49.04, 34.05 RCW, and these rules.

(15) A statement of the processes ~~((in))~~ within the ~~((trade or craft divisions))~~ occupation in which the apprentice is to be

taught and the approximate amount of time to be spent at each process.

(16) A statement of the number of hours to be spent by the apprentice in work and the number of hours to be spent in related/supplemental instruction ~~((which instruction shall be not less than one hundred forty-four hours per year)).~~ For competency based and hybrid models as defined in WAC 296-05-315, the program standards must address how on-the-job learning will be integrated into the program, describe competencies, and identify an appropriate means of testing and evaluation for such competencies.

(17) A statement of the minimum qualifications for persons entering the apprenticeship program including the age of the apprentice which may not be less than sixteen years of age. Note: Seventeen years is the minimum age allowed for applicants registering in building and construction trade occupations. All exceptions to minimum qualifications, if any, must be clearly stated and applied in a nondiscriminatory manner.

(18) Provision that the services of the supervisor and the WSATC may be utilized for consultation regarding the settlement of differences arising out of the apprenticeship agreement where such differences cannot be adjusted locally or as required by the established ~~((trade))~~ apprenticeship standards procedure.

(19) Provision that if an individual training agent is unable to fulfill its obligation under the apprenticeship agreement~~((:));~~ it will transfer the obligation to the program sponsor.

(20) Such additional standards as may be prescribed in accordance with the provisions of this chapter.

(21) Disciplinary procedures and criteria for apprentices. The procedures may include a committee-imposed disciplinary probation during which the committee may according to expressed criteria:

~~((a))~~ (a) Withhold periodic wage advancements;
~~((b))~~ (b) Suspend or cancel the apprenticeship agreement;
~~((c))~~ (c) Take further disciplinary action; or
~~((d))~~ (d) The disciplinary procedures must include a notice to the apprentice that the apprentice has the right to file an appeal, of the committee's action, to the WSATC.

(22) A provision for an initial probation which the WSATC or the supervisor of apprenticeship may terminate an apprenticeship agreement at the written request by any affected party. ~~((The initial probation must not exceed twenty percent of the term of apprenticeship))~~ The initial probationary period cannot exceed twenty percent of the term of the program, or one year from the date of registration, whichever is shorter, unless an exemption has been granted for longer probationary periods as specified by Civil Service or law. The initial probationary period must be expressed in hours of employment. During the initial probationary period, the apprenticeship agreement may be terminated by the sponsor or the apprentice without a hearing or stated cause. An appeal process is available to apprentices who have completed the initial probationary period.

(23) Provisions prohibiting discrimination on the race, sex, color, religion, national origin, age, disability or as otherwise specified by law during all phases of apprenticeship.

(24) Provisions to ensure adequate records of the selection process are kept for a period of at least five years and are available to the WSATC or its representative on request. ("Adequate records" means at least a brief summary of any interviews and the conclusions reached on each of the specific factors which are part of the total judgment concerning each applicant.)

(25) Provisions to ensure that local committee rules and regulations be consistent with these rules and the applicable apprenticeship agreement.

(26) Provisions to ensure any proposed standards for apprenticeship are reasonably consistent with any standards for apprenticeship already approved by the WSATC for the industry(~~(, craft or trade)~~) occupation in question. The goal is to achieve general statewide uniformity of standards in each industry(~~(, trade or craft)~~) occupation. Proposed standards for a new program shall be considered consistent if they are equal to or exceed the minimum number of hours approved by the United States Department of Labor, Employment and Training Administration, Office of Apprenticeship for a (~~(trade, craft, or)~~) given occupation. If the United States Department of Labor has not established a minimum number of hours for (~~(a trade, craft, or)~~) an occupation, the WSATC may utilize its discretion to determine the minimum number of hours that must be achieved. In addition, the course content and delivery method must be designed to achieve (~~(the same levels of)~~) reasonably consistent skills as existing standards within the state for that industry(~~(, trade, or craft)~~) occupation.

(27) A provision to ensure (~~(that the)~~) progressively increasing wage scales based on specified percentages of journey-level wage(~~(, which)~~). Sponsors must (~~(be submitted,)~~) submit the journey-level wage at least annually(~~(,)~~) or whenever changed to the (~~(WSATC)~~) department. (~~(These)~~) Wage reports may be submitted on a form provided by the department.

A sample apprenticeship agreement and a standard form for program standards are available from the supervisor.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-317 Related/supplemental instruction. The WSATC (~~(shall establish)~~) may approve apprentice-related/supplemental instruction for (~~(trades and)~~) apprenticeable occupations based on recommendations from the state board for community and technical colleges.

Program sponsors may allow credit for previously completed related/supplemental instruction under WAC 296-06-316(1).

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-318 Records required by the WSATC. Each sponsor must keep adequate records including, but not limited to, the following:

- (1) Selection of applicants:
 - (a) A summary of the qualifications of each applicant;
 - (b) The basis for evaluation and for selection or rejection of each applicant;

(c) The records pertaining to the interviews of applicants; and

(d) The original application for each applicant.

(2) Operation of the apprenticeship program:

(a) On-the-job training assignments;

(b) Promotion, demotion, layoff, or termination;

(c) Rates of pay or other forms of compensation or conditions of work;

(d) Hours of training provided on-the-job by work process and in related/supplemental instruction in accordance to the sponsor's approved plan; (~~(and)~~)

(e) Signed and approved training agency agreement forms; and

(f) Any other records needed by WSATC to determine compliance with these rules.

(3) (~~(Affirmative action)~~) Equal employment opportunity plans:

(a) A copy of the program's complete (~~(affirmative action)~~) equal employment opportunity plan. All data and analysis made to determine enrollment deficiencies;

(b) Evidence that (~~(affirmative action)~~) equal employment opportunity plans are reviewed on an annual basis; and

(c) Evidence that (~~(affirmative action)~~) equal employment opportunity plans, goals and timetables are updated when necessary.

(4) Documentation necessary to establish a sponsor's good faith effort in implementing its (~~(affirmative action)~~) equal employment opportunity plan:

(a) Who was contacted;

(b) When the contacts were made;

(c) Where the contacts occurred;

(d) How the contacts were made; and

(e) The content of each contact.

(5) Qualification standards: Evidence that the sponsor's qualification standards meet the requirements of WAC 296-05-316.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-321 Apprenticeship agreement—Cancellation. The supervisor may recommend that an agreement and program be canceled when a program does not comply with these rules or the program's standards. The procedures for cancellation are as follows:

(1) When any program is found to be operating inconsistently or contrary to these rules or its established program standards, the supervisor must notify the offending committee, person, firm or agency of the violation(s).

(2) The offending committee, firm, or agency has sixty calendar days to correct the violation(s).

(3) If the supervisor does not receive notice, within sixty calendar days, that action has been taken to correct the violations, the supervisor may recommend cancellation of the apprenticeship or training program and agreement to the WSATC.

(4) A recommendation to cancel a program must be in writing, addressed to each WSATC member, and detail the reasons for the recommendation.

(5) A copy of the recommendation, along with a notice that the WSATC will consider the recommendation, must be mailed to the last known address of each member of the committee administering said program, or to those persons responsible for the program.

(6) The WSATC must consider the recommendation at its next regularly scheduled quarterly meeting. However, at least thirty calendar days must pass between the date of the recommendation and the date of the regular quarterly meeting. If thirty calendar days ~~((has))~~ have not passed, the recommendation must be considered at the subsequent regular quarterly meeting.

(7) At the regular quarterly meeting, all interested person(s) may present evidence or testimony regarding the recommendation.

(8) The WSATC must act on the recommendation by a majority vote of the members present and voting.

(9) Once the WSATC has voted, it must give written notification of its decision to all interested parties along with the reasons supporting it.

(10) The cancellation of any program or agreement automatically cancels any agreement(s) registered under them. However, any organization or firm not responsible for the violations that caused the cancellation may petition the WSATC for approval of the canceled agreement or program as a new program.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-323 Certificate of completion. At the request of the apprenticeship committee, the WSATC shall issue certificates of completion. An affidavit of the secretary, chair, or authorized official of the committee concerned must accompany the request. The affidavit must state that the apprentice ~~((has been an active,))~~ was registered with the department and an active participant of that committee's program for at least six months and has successfully completed his/her apprenticeship. These may be submitted on a form provided by the department.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-325 Union waiver. (1) When apprenticeship programs allowing for the substantive union participation are proposed for registration by an employer or employers' association and the union does participate, the proposal must be accompanied by a written statement from the union supporting the registration. Such a statement is referred to as a "no objection" statement.

(2) When there is no evidence of any union participation, the employer or employers' association must simultaneously furnish to the union that serves as the collective bargaining agent of the employees to be trained, copies of the registration application and the apprenticeship program. Before taking a final action on the application, the supervisor must give the union a reasonable time period to respond. (A "reasonable time" shall be ~~((at least thirty))~~ within forty-five calendar days ~~((but no more than sixty days))~~ before final action on the application for registration and/or approval.) If the union fails

to comment within the allotted time period, it will have waived its right to participate in the program.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-327 Reciprocity. (1) For state purposes, reciprocity means that the WSATC ((will)) may recognize and approve out-of-state apprenticeship programs and standards ((of employers and unions in other than the building and construction industry)) if certain conditions are met and the out-of-state sponsoring entity requests it. ((To qualify for reciprocity, the out-of-state sponsoring employers and unions must:

(1) Jointly form a sponsoring entity on a multistate basis; and

(2) Register)) The conditions shall include consideration of, but not be limited to, the following:

(a) Registration with any recognized state apprenticeship agency/council or with the United States Department of Labor, Employment and Training Administration, Office of Apprenticeship ((Training and Employer Labor Services)) according to the requirements of 29 CFR Part 29((, as adopted February 15, 1977.));

(b) Present reasonably consistent apprenticeship standards, working conditions and apprentice to journey worker ratios; and

(c) Recognition of occupations as apprenticeable.

The terms and conditions of reciprocity may be suspended or revoked by the WSATC when it is determined that an apprenticeship program sponsor or approved training agent/approved employer is not operating in a manner consistent with these requirements.

(2) For federal purposes, the WSATC will accord reciprocal approval to apprentices, apprenticeship programs and standards that are registered in other states by the office of apprenticeship or a registration agency if such reciprocity is requested by the apprenticeship program sponsor. All program sponsors seeking reciprocal approval for federal purposes must meet the wage and hour provisions and apprentice ratio standards of Washington state.

NEW SECTION

WAC 296-05-329 Certification of apprentice labor standard on renewable energy projects. The WSATC shall establish the minimum level of apprentice labor hours to qualify for the renewable energy credit pursuant to RCW 19.285.040 (2)(h)(ii) and provide, upon sufficient evidence presented, a letter certifying that the renewable energy project met the apprentice labor standard. This section outlines information and required elements for the WSATC apprentice labor standard certification process. These provisions shall be in effect for projects that commence on or after July 1, 2011.

(1) The minimum level of Washington approved apprentice labor hours necessary to qualify for WSATC apprentice labor certification is fifteen percent of the total labor hours used in the construction of the renewable energy project (WAC 194-37-120(1)).

(a) "Washington approved" extends to reciprocally recognized programs.

(b) The WSATC adopts the definition of "labor hours" as presented in RCW 39.04.310(3) with the noted exception below:

Exception: Hours worked by foremen, superintendents, owners, and workers who are not subject to prevailing wage requirements must be reported and included in the total labor hours if such individual is counted in satisfying the required apprentice to journey supervision ratio as stated in the standards of apprenticeship.

(c) The WSATC will defer to the prevailing wage statute (chapters 39.04 and 39.12 RCW and 296-127 WAC) as it defines "work" on a site.

(d) Apprentice registration number and occupation title must be provided in tracking documentation for all apprentices on the project.

(2) A letter of intent to request the apprentice labor standard certification is required within forty-five days of the start of on-site construction for a generation facility or work on incremental efficiency improvements. Send letters of intent to:

Washington State Apprenticeship & Training Council
Attn: Program Manager, Apprenticeship Section
P.O. Box 44530
Olympia, WA 98504-4530

Include the following information with the letter of intent:

- (a) Name and location of the renewable energy project;
- (b) A description of the scope of the project and estimated total labor hours;
- (c) Anticipated start and completion dates;
- (d) Anticipated date for final records to be submitted to the department; and
- (e) Plan to record all apprentice and journey labor hours by occupation and employer for the project.

The WSATC may grant exceptions to the letter of intent requirement for a period of two years from the effective date of this rule.

(3) For the WSATC to act upon the request for certification of apprentice labor standard at a regular quarterly meeting, the request and documentation must be submitted in writing to the supervisor at least forty-five calendar days before the next regular quarterly meeting. Documentation required includes:

- (a) The name of each registered apprentice, his/her occupational title and apprentice registration number;
- (b) The number of apprentices and labor hours worked, categorized by occupational title and employer;
- (c) The number of journey level workers and labor hours worked, categorized by occupational title and employer;
- (d) Copies of weekly or monthly reporting forms used to capture the required information throughout the project duration. This must be supported by certified payroll records (electronic copies are acceptable); and
- (e) A statement affirming that reported hours reflect all hours worked on the project as defined in subsection (1)(b) of this section.

Sample affirmation statement: On the (insert name of project), I do hereby affirm that the reported hours presented with this letter reflect all labor hours as defined in WAC 296-05-329 (1)(b) for this project.

(4) The department will review the apprentice labor standard request and supportive records and make a recommendation to the WSATC. Following consideration and action by the WSATC, the chair of the WSATC will provide a letter to the requesting party within thirty calendar days either:

(a) Certifying that the project met the apprentice labor standard of at least fifteen percent of the total labor hours;

(b) Denying the request for certification and providing the reasons for denial; or

(c) Requiring additional information for reconsideration of the request at the next regularly scheduled meeting.

(5) The Washington department of labor and industries, apprenticeship section will maintain a list of renewable energy projects that achieve fifteen percent cumulative level of apprenticeship labor.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-400 Equal employment opportunity plan—Purpose, scope and authority. The WSATC's (~~affirmative action~~) equal employment opportunity plan is based on the statutory authority granted in chapter 49.04 RCW and according to the provisions of 29 CFR Part 30. The purpose of the (~~affirmative action~~) equal employment opportunity plan is to promote equality of opportunity in apprenticeship by:

- Prohibiting discrimination in apprenticeship programs based on race, sex, color, religion, national origin, age disability or as otherwise specified by law;
- Requiring equal employment opportunities in apprenticeship programs (~~through affirmative action~~); and
- Coordinating the WSATC's equal employment opportunity programs with other affirmative action policies and procedures (~~with other~~) and equal opportunity programs.

The following sections contain the policies and procedures to promote equality of opportunity and equity of treatment of apprentices in apprenticeship programs approved by the WSATC. These policies and procedures are to be used to:

- Recruit and select apprentices;
- Review and revise apprenticeship programs;
- Process equal employment opportunity complaints;
- Take corrective action when appropriate;
- Deregister noncomplying apprenticeship programs; and
- Continue recognition or withdraw recognition of apprenticeship programs.

An (~~affirmative action~~) equal employment opportunity program must not be used to discriminate against any qualified applicant or apprentice on the basis of race, sex, color, religion, national origin, age, disability or as otherwise specified by law.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-407 Apprenticeship program sponsor's obligations. (1) A sponsor of an approved apprenticeship program must:

(a) Promote equal opportunity in its apprenticeship program; and

(b) Recruit, select, employ and train apprentices without discrimination based on race, sex, color, religion, national origin, age, disability or as otherwise specified by law.

(2) A sponsor of an approved apprenticeship program with five or more apprentices must uniformly apply all rules related to apprentices. Such rules include, but are not limited to:

- Equality of wages;
- Periodic advancement;
- Promotion;
- Assignment of work;
- Job performance;
- Rotation among all work processes ~~((of))~~ for the ~~((trade))~~ occupation;
- Imposition of penalties or other disciplinary action; and
- All other aspects of the apprenticeship program administered by the program sponsors.

(3) Adopt and implement an ~~((affirmative action))~~ equal employment opportunity plan and selection procedure as required by chapter 49.04 RCW, 29 CFR Part 30, and these rules unless the approved apprenticeship program qualifies for an exception (see WAC 296-05-405).

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-413 Outreach and recruitment requirements—Specific. To gain approval, an ~~((affirmative action))~~ equal employment opportunity plan must include the following specific provisions for outreach and recruitment criteria:

(1) To increase minority and female participation in apprenticeship, program sponsors are expected to strengthen program outreach and recruitment efforts. The ~~((affirmative action))~~ equal employment opportunity plan must specify the activities they will use to achieve this result.

(2) The program sponsor is not necessarily required to include all of the listed activities in its ~~((affirmative action))~~ equal employment opportunity program. The WSATC, when approving the sponsor's ~~((affirmative action))~~ equal employment opportunity plan, will determine the number of specific activities a sponsor must implement to satisfy this outreach and recruitment requirement. The WSATC will consider all circumstances including the size and type of the program and its resources. When special circumstances exist, the WSATC may provide financial or other assistance it deems necessary to implement the requirements of this section from any funds made available to it for such purpose.

(3) Examples of positive outreach and recruitment activities are:

(a) Distributing information about the nature of apprenticeship programs, program admission requirements, current

apprenticeship opportunities, sources of apprenticeship applications, and the equal opportunity policy of the sponsor.

For programs only accepting applications at specific intervals, such information shall be disseminated at least thirty calendar days in advance of each application date. For programs that accept applications throughout the year, this information must be distributed at least semiannually.

To be effective, the information described in this section must be given to the WSATC, local schools, employment service offices, women's centers, outreach programs and community organizations which effectively reach minorities and women. Also it must be published in newspapers which are circulated in the minority community and among women as well as the general areas in which the program sponsor operates.

(b) Participating in workshops conducted by employment service agencies, school districts, and community based organizations to increase apprenticeship program awareness of apprenticeship opportunities.

(c) Cooperating with local school districts, vocational education systems, and school employees to develop programs for preparing students to meet the standards and criteria required to qualify for entry into apprenticeship programs.

(d) Increasing awareness of a sponsor's equal opportunity policy within the sponsor's organization. The goal of this increased awareness within the sponsor's organization is to foster understanding, acceptance, and support among the sponsor's various officers, supervisors, employees, employers, and members. This is to encourage the necessary active assistance in achieving the program's obligations required by these rules.

(e) Participating in existing outreach programs whose focus is the recruitment and preparation of minority and female apprenticeship applicants. Whenever possible, these should provide applicants with pretesting experience and training.

(f) Developing outreach programs whose focus is the recruitment and preparation of minority and female apprenticeship applicants. If apprenticeship outreach programs do not exist, the sponsor should attempt to develop them. This effort may require working with other sponsors and appropriate community organizations. It may require obtaining financial assistance from the WSATC. Also, the sponsor shall initiate programs that prepare and encourage women to enter traditionally male dominated apprenticeship programs and ~~((trades))~~ occupations.

(g) Encouraging the development and use of programs for ~~((preapprenticeship))~~ apprenticeship preparation education ~~((,- preparatory trade training,))~~ or other work related experiences that prepare candidates for apprenticeship.

(h) Granting to all applicants, without prejudice, advance standing or credit for previously acquired experience, training, skills, or aptitude.

(i) Engaging in other activities to ensure that the recruitment, selection, employment, and training of apprentices without discrimination based upon race, color, religion, national origin, sex, age, disability or as otherwise specified by law. Some examples of these activities include:

(i) General publication of advertisements, industry reports, articles on apprenticeship opportunities and advantages.

(ii) Use minority and female apprentices and journey-level workers as recruiters.

(iii) Provide career counseling to prospective applicants.

(iv) Periodically audit ~~((affirmative action))~~ equal employment opportunity programs to see if goals are being met.

(v) Develop monitoring procedures to ensure that employers are granting equal employment opportunities to apprentices (these procedures may include reporting systems, on-site reviews, or briefing sessions).

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-415 ~~((Affirmative action))~~ Equal employment opportunity goals and timetables. (1) An ~~((affirmative action))~~ equal employment opportunity plan must include goals and timetables. The first step in deciding whether goals and timetables are necessary is the completion of an analysis of the sponsor's program to determine whether there is an underutilization of minorities and/or women in the ~~((trade(s)))~~ occupations represented by the program. This analysis must be:

(a) Conducted by the sponsor with technical assistance provided by the department;

(b) In writing; and

(c) Included in the sponsor's ~~((affirmative action))~~ equal employment opportunity plan.

(2) If the sponsor's analysis demonstrates that minorities and females are underutilized in the program, the program has an enrollment deficiency that must be corrected. Enrollment goals and timetables to correct this deficiency must be established and they must be included in the sponsor's ~~((affirmative action))~~ equal employment opportunity plan. (See WAC 296-05-433.)

(3) If the sponsor's analysis demonstrates that no enrollment deficiencies exist, enrollment goals and timetables are not required. However, where no goals and timetables are established, the ~~((affirmative action))~~ equal employment opportunity plan must include a detailed explanation why no goals and timetables have been established.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-417 Selection of apprentices for approved apprenticeship programs. In addition to development of a written ~~((affirmative action))~~ equal employment opportunity plan, the sponsor must submit a written plan for the selection of apprentices. The selection plan must ensure that minorities and women have an equal opportunity to be selected as apprentices and that full utilization and equal opportunity in apprenticeship is achieved promptly. The selection procedures must use one of the methods specified in this section.

(1) A sponsor may not implement any selection method until the WSATC approves the program's ~~((affirmative action))~~ equal employment opportunity plan. In the ~~((affirma-~~

~~five action))~~ equal employment opportunity plan, the sponsor must identify the approved selection method it has adopted. The WSATC allows the following selection methods to be used:

(a) **Selection on basis of rank from pool of eligible applicants.** With this method, a sponsor selects apprentices from a pool of eligible applicants based upon a rank ordering of applicant qualifying standard scores. A sponsor adopting this method must create a pool of eligible candidates who have either reached the minimum legal working age and meet the sponsor's minimum physical requirements or who have reached the minimum legal working age and meet the sponsor's qualification standards.

(b) **Random selection from pool of eligible applicants.** A pool of eligible applicants must be created from persons who have either reached the minimum legal working age and meet the sponsor's minimum physical requirements **or** who have reached the minimum legal working age and meet the sponsor's qualification standards. With WSATC approval, a sponsor may randomly select apprentices from a pool of eligible applicants. This method must be supervised by an impartial person(s) not associated with the administration of the apprenticeship program. The time and place of the selection, and the number of apprentices to be selected, must be publicly announced before the selection takes place. The selection process must be open to all applicants and the public. The names of apprentices drawn by this method shall be posted immediately following the selection at the program sponsor's place of business.

(c) **Selection from pool of current employees.** A sponsor may select apprentices from an eligibility pool of program employees. The actual selection process may be prescribed by a collective bargaining agreement where one exists, or by the sponsor's established promotion policy.

(d) **Alternative selection methods.** In addition to the above specified methods, the WSATC allows a sponsor to select apprentices by alternative methods, including its present selection method. However, the sponsor who adopts an alternative method of selection must submit the following information to the apprenticeship supervisor:

(i) A detailed discussion of the selection method it proposes to use;

(ii) A copy of its ~~((affirmative action))~~ equal employment opportunity plan;

(iii) A copy of its enrollment deficiency analysis; and

(iv) If necessary, its goals and timetables for increasing the number of minority and female applicants and apprentices in the program.

The sponsor may not implement any such alternative method until the WSATC has approved the method and the ~~((affirmative action))~~ equal employment opportunity program (including its goals and timetables).

When an alternative selection method is used and the training agent selects the apprentices, the employer must sign an agreement with the WSATC, agreeing to comply with the equal employment opportunity requirements of these rules and 29 CFR Part 30.

(2) Exceptions to selection procedures may be used if:

(a) An employee of an employer not qualifying as a journey-level worker becomes a training agent, he/she shall be

evaluated by the apprenticeship program using constant standard nondiscriminatory means and registered at the appropriate period of apprenticeship based on previous work experience and related training.

(b) The individual who signs an authorization card during the organizing effort by an employer wherein fifty percent or more of the employees have signed whether or not the individual is approved as a training agent, an individual not qualifying as a journey-level worker shall be evaluated by the sponsor and registered at the appropriate period of apprenticeship based on previous work experience and related training.

(3) Organizing statements specified in subsection (2) of this section, that result in direct entry into the apprenticeship program, shall be properly placed within the program selection procedure as an exemption.

(4) If the WSATC or the department fails to act upon the sponsor's selection method and (~~affirmative action~~) equal employment opportunity program within thirty calendar days of its submission to the department, the sponsor may implement the selection method until acted upon by the WSATC.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-419 Qualification standards. Qualification standards are the criteria, used by sponsors to select applicants into an eligibility pool. These qualification standards and the procedures used to determine the standards must be specified in detail in the sponsor's (~~affirmative action~~) equal employment opportunity plan and must:

- Identify the specific criteria and attributes used to evaluate applicants;
- Specify the acceptable scores required for each qualification standard;
- Demonstrate a direct relationship between each qualification standard, its required score and the expected job performance;
- Establish a significant statistical relationship between the score required for admission to the pool and the applicant's performance in the apprenticeship program. This statistical relationship must be based upon the procedures discussed in 41 CFR Part 60-3 (Guidelines on employee selection procedures); and
- Specify that the applicant has achieved an acceptable score on all the qualification. Unless an applicant achieves an acceptable score on all the qualification standards, the applicant will be ineligible for admission to the pool.

(1) **Aptitude test scores for use as qualification standards.** Aptitude tests may be used as qualification standards; however, any aptitude test score used as a qualification standard must be directly related to apprenticeship job performance. To demonstrate this relationship, there must be a significant statistical relationship between the aptitude test scores required for admission to the pool and performance in the apprenticeship program. In determining this relationship, the sponsor must follow the procedures discussed in 41 CFR Part 60-3. These requirements also apply to any aptitude tests used by a program sponsor and administered either by a state employment agency or any person, agency or organiza-

tion engaged in the selection or evaluation of personnel. If a national aptitude test is developed and administered by a national apprenticeship committee, it must meet these requirements before it will be approved by the United States Department of Labor, Employment and Training Administration, Office of Apprenticeship.

(2) **Educational achievements for use as qualification standards.** Educational achievements can be used as qualification standards; however, all such achievements used to determine admission to a program pool must be directly related to apprenticeship job performance. This direct relationship must be demonstrated by a significant statistical relationship between the achievement scores required for admission and expected performance in the apprenticeship program. In demonstrating such a statistical relationship, the sponsor must meet the requirements of 41 CFR Part 60-3.

Official school records or a certified passing grade on a general educational development (GED) test recognized by state or local public instruction officials shall be evidence of educational achievement. These education achievement requirements must be uniformly applied to all applicants.

(3) **Role of the interview in the applicant selection process.** Interviews must not be used as a qualification standard for admission to an eligibility pool for programs using the selection methods described in WAC 296-05-417 (1) and (2). However, after an applicant is placed in a pool and before selections are made from that pool, an applicant can be interviewed. When interviews are conducted, they must:

- (a) Consist only of objective questions relevant to the applicant's fitness for the apprenticeship program.
- (b) Not include questions related to qualifications previously used to determine entrance to the pool.
- (c) Require each interviewer to record the questions and the general nature of the applicant's answers.
- (d) Require each interviewer to prepare a summary of any interview conclusions.

Adequate records of the interviews must be kept including a brief summary and conclusion and how the specific factors like applicant motivation, ambition, and willingness to accept direction affected the interviewer's final decision.

- (4) **Examples of qualification standards include:**
- Standardized aptitude tests;
 - School diplomas or the equivalent;
 - Health requirements essential to the chosen occupation;
 - Interviews conducted in a fair manner (see subsection (3) of this section);
 - School grades; and
 - Previous work experience.

In applying these standards, the sponsor must meet the requirements of 41 CFR Part 60-3.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-429 Existing lists of eligibles and public notice. (1) A sponsor who adopts a selection method under WAC 296-05-417 must conduct an enrollment deficiency analysis (see WAC 296-05-433). If, as a result of this analysis, the sponsor concludes that there are fewer minorities

and/or women on its existing pools and lists than there should be, these pools and lists must be discarded.

(2) Once the existing pools and lists have been discarded, new eligibility pools must be established and lists must be posted at the sponsor's place of business. Sponsors must allow at least a two-week period for accepting applications for admission to the apprenticeship program. There must be at least thirty calendar days of public notice in advance of the earliest date for application for admission to the apprenticeship program (see WAC 296-05-411).

(3) Once an applicant has been placed in an eligibility pool, they must be retained on the eligibility lists for two years unless they request, in writing, that they be removed or unless they fail to respond to an apprentice job opportunity mailed to applicant's last known address by certified mail, return receipt requested. It is the applicant's responsibility to keep the sponsor informed of the applicant's current mailing address. A sponsor, upon receiving a written request from a former applicant whose name was removed from an eligibility list, may restore the applicant's name to the list.

(4) Applicants who have been accepted in the program must be given a reasonable time in which to report for work. A "reasonable time" will be interpreted in light of the customs and practices of the industry for reporting for work. All applicants must be treated equally in the determination and application of "a reasonable time."

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-431 ((Affirmative action)) Equal employment opportunity records of the WSATC retained by the department. The WSATC must keep the following types of records in the apprenticeship supervisor's office:

- (1) Registration requirements;
- (2) Individual program standards;
- (3) Registration records;
- (4) Program compliance reviews and investigations;
- (5) Any other records pertinent to the determination of compliance with these rules; and
- (6) Any records that must be reported to the United States Department of Labor, Employment and Training Administration, Office of Apprenticeship.

The records required by these rules and any other information relevant to compliance with 29 CFR Part 30 must be maintained for five years. Also, these records and related information must be made available upon request to the United States Department of Labor or other authorized representatives.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-433 Enrollment deficiency analysis. (1) In analyzing a program to determine whether a deficiency exists, the sponsor must consider at least the following factors:

(a) The percentage of the working age minority and female population in the program sponsor's labor market area;

(b) The percentage of the minority and female labor force in the program sponsor's labor market area;

(c) The percentage of the minority and female apprentices participating in a particular (~~trade or craft~~) occupation compared to the percentage of minorities and women in the labor force in the program sponsor's labor market area;

(d) The percentage of minorities and women participating as journey-level employee(s) employed by the employer(s) participating in the program as compared with the percentage of minorities and women in the sponsor's labor market area and the extent to which the sponsor should be expected to correct any deficiencies through the achievement of goals and timetables for the selection of apprentices; and

(e) The general availability of minorities and women in the sponsor's labor market that have present or potential capacity for apprenticeship in the program sponsor's labor market area.

(2) To calculate the above percentage(s) or any other percentages for the analysis, the sponsor must use the following formula: Divide the number of minority individuals or females in a particular classification in the labor force or population by the total labor force or population.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-443 Complaint filing. (1) Any apprentice or applicant for apprenticeship who believes they have been discriminated against may file a complaint. The basis of the complaint may be:

(a) Discrimination on the basis of race, sex, color, religion, national origin, age, disability or as otherwise specified by law by a sponsor or a sponsor's program;

(b) The equal opportunity standards have not been followed; or

(c) The sponsor's (~~affirmative action~~) equal employment opportunity plan does not comply with the requirements of this chapter.

(2) A complaint may be filed in person or through an authorized representative. The complainant may choose to file a complaint with the WSATC or with a private review panel as established in WAC 296-05-445.

(3) A complaint must be in writing and shall be signed by the complainant. The complaint must include the name, address, and telephone number of the person allegedly discriminated against, the program sponsor involved, and a brief description of the circumstances leading to the complaint.

(4) The complaint must be filed not later than one hundred eighty calendar days from the date of the alleged discrimination or violation of the sponsor's (~~affirmative action~~) equal employment opportunity plan or the rules of this chapter. If a complaint is initially filed with the private review panel and the complainant later wishes to refer the complaint to the WSATC, the referral must occur within one hundred eighty calendar days of the circumstances leading to the complaint or within thirty calendar days of the private review panel's final decision, whichever is later. If good cause is shown, the WSATC may extend these time periods.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-447 Processing of complaints. (1) All approved programs must establish procedures explaining the program's complaint review process. These procedures must comply with the requirements of this section. Each sponsor must give a copy of the complaint procedures to each apprenticeship applicant and to all enrolled apprentices.

(2) When the apprenticeship supervisor receives a complaint and the sponsor has a private review panel in place, the complaint must be referred to the panel unless the complainant chooses otherwise or unless the council concludes that the panel will not satisfactorily resolve the complaint.

(3) Once the complaint is referred to the private review panel, the panel has no more than thirty calendar days to resolve it. At the end of the period, the supervisor will obtain the reports from the complainant and the review body as to the disposition of the complaint. If the complaint has been satisfactorily resolved and there is no other indication of failure to apply equal opportunity standards, the case shall be closed and the parties formally notified.

(4) If the private review panel has not satisfactorily resolved the complaint within ninety calendar days, the WSATC may conduct a compliance review and take all necessary steps to resolve the complaint.

(5) If the review panel satisfactorily resolves the complaint but there is evidence that the equal opportunity practices of the sponsor's program are not in compliance with the requirements of this chapter, the council must conduct a compliance review and take all steps necessary to bring the program into compliance.

(6) When a private review panel does not exist, the WSATC may conduct a compliance review to determine the facts of the complaint and any other information necessary to resolve the dispute.

(7) If the WSATC believes that satisfactorily resolving a complaint requires a change in the time limits established in this section, it can modify the time constraints by adopting special processing procedures. However, special processing procedures must only be adopted when circumstances warrant them and only if they will not prejudice any person or party associated with the complaint.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-449 Program registration cancellation procedures. (1) If the WSATC decides to withdraw a program's registration, it must give written notice to the sponsor that there is reasonable cause, under WAC 296-05-013, to do so.

(2) If the sponsor requests a hearing, it must be a written request to the apprenticeship supervisor within fifteen business days of the receipt of the WSATC's withdrawal notice. When the supervisor receives the sponsor's request, a hearing must be convened. The WSATC's final decision to withdraw a program's registration must be based on the compliance review file and other evidence presented at the hearing. The WSATC may allow the sponsor a reasonable time to achieve voluntary corrective action. If the WSATC decides that the

apprenticeship program is not in compliance and that voluntary corrective action is not an option, the program's registration may be withdrawn. If the WSATC decides to withdraw the program's registration, it must make public notice of the order and give written notice to the sponsor. If the withdrawal was the result of complaint proceedings, the WSATC must give written notice of the withdrawal to the complainant as well.

AMENDATORY SECTION (Amending WSR 01-22-055, filed 10/31/01, effective 1/17/02)

WAC 296-05-453 Adoption of consistent state plans. All apprenticeship programs registered with the WSATC must comply with the requirements of these rules and 29 CFR Part 30. If a program fails to comply or is inconsistent with the requirements of these rules and/or 29 CFR Part 30, the WSATC may disapprove or deregister the program. The WSATC must notify the United States Department of Labor, Employment and Training Administration, Office of Apprenticeship of any state apprenticeship program disapproved and deregistered by it. The state apprenticeship program disapproved or deregistered by the WSATC for noncompliance with the requirements of these rules or 29 CFR Part 30 may, within fifteen business days of the receipt of the notice of disapproval or deregistration, appeal to the United States Department of Labor to set aside the determination of the WSATC. The United States Department of Labor must make its determination on the basis of the record. The United States Department of Labor may grant the state program sponsor, the state apprenticeship and training, and the complainant, if any, the opportunity to present oral or written argument.

WSR 11-11-013

PERMANENT RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 11-86—Filed May 6, 2011, 5:01 p.m., effective June 6, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: See Reviser's note below.

Citation of Existing Rules Affected by this Order: [New section] WAC 232-13-160; and amending WAC 232-28-273, 232-28-295, 232-28-331, 232-28-332, 232-28-333, 232-28-334, 232-28-335, 232-28-336, 232-28-337, 232-28-351, 232-28-355, and 232-28-356.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 11-03-089 on January 19, 2011.

Changes Other than Editing from Proposed to Adopted Version: See Reviser's note below.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 13, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: April 8, 2011.

Miranda Wecker, Chair
Fish and Wildlife Commission

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 11-12 issue of the Register.

WSR 11-11-014
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medicaid Purchasing Administration)

[Filed May 9, 2011, 8:16 a.m., effective June 9, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Correcting errant WAC cross references and correcting the name of the medicaid purchasing administration.

Citation of Existing Rules Affected by this Order: Amending WAC 388-502-0100 General conditions of payment, 388-502A-0200 Definitions, 388-530-3200 The department's authorization process, 388-533-0400 Maternity care and newborn delivery, 388-544-0600 Vision care—Payment methodology, and 388-556-0100 Chemical dependency treatment services.

Statutory Authority for Adoption: RCW 74.08.090.

Adopted under notice filed as WSR 11-06-067 on March 2, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 6, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 6, Repealed 0.

Date Adopted: April 28, 2011.

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 10-19-057, filed 9/14/10, effective 10/15/10)

WAC 388-502-0100 General conditions of payment.

(1) The department reimburses for medical services furnished to an eligible client when all of the following apply:

- (a) The service is within the scope of care of the client's medical assistance program;
- (b) The service is medically or dentally necessary;
- (c) The service is properly authorized;
- (d) The provider bills within the time frame set in WAC 388-502-0150;

(e) The provider bills according to department rules and billing instructions; and

(f) The provider follows third-party payment procedures.

(2) The department is the payer of last resort, unless the other payer is:

- (a) An Indian health service;
- (b) A crime victims program through the department of labor and industries; or

(c) A school district for health services provided under the Individuals with Disabilities Education Act.

(3) The department does not reimburse providers for medical services identified by the department as client financial obligations, and deducts from the payment the costs of those services identified as client financial obligations. Client financial obligations include, but are not limited to, the following:

(a) Copayments (co-pays) (unless the criteria in chapter 388-517 WAC or WAC 388-501-0200 are met);

(b) Deductibles (unless the criteria in chapter 388-517 WAC or WAC 388-501-0200 are met);

(c) Emergency medical expense requirements (EMER) (see WAC 388-550-1050 and 388-865-0217); and

(d) Spenddown (see WAC 388-519-0110).

(4) The provider must accept medicare assignment for claims involving clients eligible for both medicare and medical assistance before the department makes any payment.

(5) The provider is responsible for verifying whether a client has medical assistance coverage for the dates of service.

(6) The department may reimburse a provider for services provided to a person if it is later determined that the person was ineligible for the service at the time it was provided if:

(a) The department considered the person eligible at the time of service;

(b) The service was not otherwise paid for; and

(c) The provider submits a request for payment to the department.

(7) The department does not pay on a fee-for-service basis for a service for a client who is enrolled in a managed care plan when the service is included in the plan's contract with the department.

(8) Information about medical care for jail inmates is found in RCW 70.48.130.

(9) The department pays for medically necessary services on the basis of usual and customary charges or the maximum allowable fee established by the department, whichever is lower.

AMENDATORY SECTION (Amending WSR 07-10-022, filed 4/23/07, effective 6/1/07)

WAC 388-502A-0200 Definitions. Unless otherwise specified, the following definitions and those found in WAC 388-500-0005, apply to this chapter:

"Audit period"—The time period the department selects to review a provider's records. This time period is indicated in the audit report.

"Chargemaster"—A list of all goods and services and the prices the provider charges for each of those goods and services.

"Extrapolation"—The methodology of estimating an unknown value by projecting, with a calculated precision (i.e., margin of error), the results of an audited sample to the universe from which the sample was drawn.

"Medical assistance"—For purposes of this chapter, the common phrase used to describe all medical programs available through the department.

"Overpayment"—Any payment or benefit to a client or to a vendor in excess of what is entitled by law, rule or contract, including amounts in dispute, as defined in RCW 43.20B.010.

"Record"—Documentation maintained by a health services provider to show the details of the providing of services or products to a medical assistance client. See also WAC 388-502-0020, (~~(general provider)~~) healthcare record requirements.

"Sample"—A selection of claims reviewed under a defined audit process.

"Universe"—A defined population of claims submitted by a provider for payment during a specific time period.

"Usual and customary charge"—The rate providers must bill the department for a certain service or equipment. This rate may not exceed:

(1) The established charge billed to the general public for the same services; or

(2) If the general public is not served, the established rate normally offered to other payers for the same services.

AMENDATORY SECTION (Amending WSR 08-21-107, filed 10/16/08, effective 11/16/08)

WAC 388-530-3200 The department's authorization process. (1) The department may establish automated ways for pharmacies to meet authorization requirements for specified drugs, devices, and drug-related supplies, or circumstances as listed in WAC 388-530-3000(4) including, but are not limited to:

(a) Use of expedited authorization codes as published in the department's prescription drug program billing instructions and numbered memoranda;

(b) Use of specified values in national council of prescription drug programs (NCPDP) claim fields;

(c) Use of diagnosis codes; and

(d) Evidence of previous therapy within the department's claim history.

(2) When the automated requirements in subsection (1) of this section do not apply or cannot be satisfied, the pharmacy provider must request authorization from the department before dispensing. The pharmacy provider must:

(a) Ensure the request states the medical diagnosis and includes medical justification for the drug, device, drug-related supply, or circumstance as listed in WAC 388-530-3000(4); and

(b) Keep documentation on file of the prescriber's medical justification that is communicated to the pharmacy by the prescriber at the time the prescription is filled. The records must be retained for the period specified in WAC (~~(388-502-0020(1)(e))~~) 388-502-0020(5).

(3) When the department receives the request for authorization:

(a) The department acknowledges receipt:

(i) Within twenty-four hours if the request is received during normal state business hours; or

(ii) Within twenty-four hours of opening for business on the next business day if received outside of normal state business hours.

(b) The department reviews all evidence submitted and takes one of the following actions within fifteen business days:

(i) Approves the request;

(ii) Denies the request if the requested service is not medically necessary; or

(iii) Requests the prescriber submit additional justifying information.

(A) The prescriber must submit the additional information within ten days of the department's request.

(B) The department approves or denies the request within five business days of the receipt of the additional information.

(C) If the prescriber fails to provide the additional information within ten days, the department will deny the requested service. The department sends a copy of the request to the client at the time of denial.

(4) The department's authorization may be based on, but not limited to:

(a) Requirements under this chapter and WAC 388-501-0165;

(b) Client safety;

(c) Appropriateness of drug therapy;

(d) Quantity and duration of therapy;

(e) Client age, gender, pregnancy status, or other demographics; and

(f) The least costly therapeutically equivalent alternative.

(5) The department evaluates request for authorization of covered drugs, devices, and drug-related supplies that exceed limitations in this chapter on a case-by-case basis in conjunction with subsection (4) of this section and WAC 388-501-0169.

(6) If a provider needs authorization to dispense a covered drug outside of normal state business hours, the provider may dispense the drug without authorization only in an emergency. The department must receive justification from the provider within seventy-two hours of the fill date, excluding weekends and Washington state holidays, to be paid for the emergency fill.

(7) The department may remove authorization requirements under WAC 388-530-3000 for, but not limited to, the following:

- (a) Prescriptions written by specific practitioners based on consistent high quality of care; or
- (b) Prescriptions filled at specific pharmacies and billed to the department at the pharmacies' lower acquisition cost.
- (8) Authorization requirements in WAC 388-530-3000 are not a denial of service.
- (9) Rejection of a claim due to the authorization requirements listed in WAC 388-530-3000 is not a denial of service.
- (10) When a claim requires authorization, the pharmacy provider must request authorization from the department. If the pharmacist fails to request authorization as required, the department does not consider this a denial of service.
- (11) Denials that result as part of the authorization process will be issued by the department in writing.
- (12) The department's authorization:
 - (a) Is a decision of medical appropriateness; and
 - (b) Does not guarantee payment.

AMENDATORY SECTION (Amending WSR 05-01-065, filed 12/8/04, effective 1/8/05)

WAC 388-533-0400 Maternity care and newborn delivery. (1) The following definitions and abbreviations and those found in WAC 388-500-0005 apply to this chapter.

(a) **"Birthing center"** means a specialized facility licensed as a childbirth center by the department of health (DOH) under chapter 246-349 WAC.

(b) **"Bundled services"** means services integral to the major procedure that are included in the fee for the major procedure. Under this chapter, certain services which are customarily bundled must be billed separately (unbundled) when the services are provided by different providers.

(c) **"Facility fee"** means the portion of ((MAA's)) the department's payment for the hospital or birthing center charges. This does not include ((MAA's)) the department's payment for the professional fee defined below.

(d) **"Global fee"** means the fee ((MAA)) the department pays for total obstetrical care. Total obstetrical care includes all bundled antepartum care, delivery services and postpartum care.

(e) **"High-risk"** pregnancy means any pregnancy that poses a significant risk of a poor birth outcome.

(f) **"Professional fee"** means the portion of ((MAA's)) the department's payment for services that rely on the provider's professional skill or training, or the part of the reimbursement that recognizes the provider's cognitive skill. (See WAC 388-531-1850 for reimbursement methodology.)

(2) ((MAA)) The department covers full scope medical maternity care and newborn delivery services to fee-for-service clients who qualify for categorically needy (CN) or medically needy (MN) scope of care (see WAC 388-462-0015 for client eligibility). Clients enrolled in ((an MAA)) the department managed care plan must receive all medical maternity care and newborn delivery services through the plan. See subsection (20) of this section for client eligibility limitations for smoking cessation counseling provided as part of antepartum care services.

(3) ((MAA)) The department does not provide maternity care and delivery services to its clients who are eligible for:

- (a) Family planning only (a pregnant client under this program should be referred to the local community services office for eligibility review); or
- (b) Any other program not listed in this section.
- (4) ((MAA)) The department requires providers of maternity care and newborn delivery services to meet all of the following. Providers must:
 - (a) Be currently licensed by the state of Washington's department of health (DOH) and/or department of licensing;
 - (b) Have signed core provider agreements with ((MAA)) the department;
 - (c) Be practicing within the scope of their licensure; and
 - (d) Have valid certifications from the appropriate federal or state agency, if such is required to provide these services (e.g., federally qualified health centers (FQHCs), laboratories certified through the Clinical Laboratory Improvement Amendment (CLIA), etc.).
- (5) ((MAA)) The department covers total obstetrical care services (paid under a global fee). Total obstetrical care includes all of the following:
 - (a) Routine antepartum care that begins in any trimester of a pregnancy;
 - (b) Delivery (intrapartum care/birth) services; and
 - (c) Postpartum care. This includes family planning counseling.
- (6) When an eligible client receives all the services listed in subsection (5) of this section from one provider, ((MAA)) the department pays that provider a global obstetrical fee.
- (7) When an eligible client receives services from more than one provider, ((MAA)) the department pays each provider for the services furnished. The separate services that ((MAA)) the department pays appear in subsection (5) of this section.
- (8) ((MAA)) The department pays for antepartum care services in one of the following two ways:
 - (a) Under a global fee; or
 - (b) Under antepartum care fees.
- (9) ((MAA's)) The department's fees for antepartum care include all of the following:
 - (a) Completing an initial and any subsequent patient history;
 - (b) Completing all physical examinations;
 - (c) Recording and tracking the client's weight and blood pressure;
 - (d) Recording fetal heart tones;
 - (e) Performing a routine chemical urinalysis (including all urine dipstick tests); and
 - (f) Providing maternity counseling.
- (10) ((MAA)) The department covers certain antepartum services in addition to the bundled services listed in subsection (9) of this section. ((MAA)) The department pays separately for any of the following:
 - (a) An enhanced prenatal management fee (a fee for medically necessary increased prenatal monitoring). ((MAA)) The department provides a list of diagnoses and/or conditions that ((MAA)) the department identifies as justifying more frequent monitoring visits. ((MAA)) The department pays for either (a) or (b) of this subsection, but not both;
 - (b) A prenatal management fee for "high-risk" maternity clients. This fee is payable to either a physician or a certified

nurse midwife. ((MAA)) The department pays for either (a) or (b) of this subsection, but not both;

(c) Necessary prenatal laboratory tests except routine chemical urinalysis, including all urine dipstick tests, as described in subsection (9)(e) of this section; and/or

(d) Treatment of medical problems that are not related to the pregnancy. ((MAA)) The department pays these fees to physicians or advanced registered nurse practitioners (ARNP).

(11) ((MAA)) The department covers high-risk pregnancies. ((MAA)) The department considers a pregnant client to have a high-risk pregnancy when the client:

(a) Has any high-risk medical condition (whether or not it is related to the pregnancy); or

(b) Has a diagnosis of multiple births.

(12) ((MAA)) The department covers delivery services for clients with high-risk pregnancies, described in subsection (11) of this section, when the delivery services are provided in a hospital.

(13) ((MAA)) The department pays a facility fee for delivery services in the following settings:

(a) Inpatient hospital; or

(b) Birthing centers.

(14) ((MAA)) The department pays a professional fee for delivery services in the following settings:

(a) Hospitals, to a provider who meets the criteria in subsection (4) of this section and who has privileges in the hospital;

(b) Planned home births and birthing centers.

(15) ((MAA)) The department covers hospital delivery services for an eligible client as defined in subsection (2) of this section. ((MAA's)) The department's bundled payment for the professional fee for hospital delivery services include:

(a) The admissions history and physical examination; and

(b) The management of uncomplicated labor (intrapartum care); and

(c) The vaginal delivery of the newborn (with or without episiotomy or forceps); or

(d) Cesarean delivery of the newborn.

(16) ((MAA)) The department pays only a labor management fee to a provider who begins intrapartum care and unanticipated medical complications prevent that provider from following through with the birthing services.

(17) In addition to ((MAA's)) the department's payment for professional services in subsection (15) of this section, ((MAA)) the department may pay separately for services provided by any of the following professional staff:

(a) A stand-by physician in cases of high risk delivery and/or newborn resuscitation;

(b) A physician assistant or registered nurse "first assist" when delivery is by cesarean section;

(c) A physician, (ARNP), or licensed midwife for newborn examination as the delivery setting allows; and/or

(d) An obstetrician/gynecologist specialist for external cephalic version and consultation.

(18) In addition to the professional delivery services fee in subsection (15) or the global/total fees (i.e., those that include the hospital delivery services) in subsections (5) and

(6) of this section, ((MAA)) the department allows additional fees for any of the following:

(a) High-risk vaginal delivery;

(b) Multiple vaginal births. ((MAA's)) The department's typical payment covers delivery of the first child. For each subsequent child, ((MAA)) the department pays at fifty percent of the provider's usual and customary charge, up to ((MAA's)) the department's maximum allowable fee; or

(c) High-risk cesarean section delivery.

(19) ((MAA)) The department does not pay separately for any of the following:

(a) More than one child delivered by cesarean section during a surgery. ((MAA's)) The department's cesarean section surgery fee covers one or multiple surgical births;

(b) Postoperative care for cesarean section births. This is included in the surgical fee. Postoperative care is not the same as or part of postpartum care.

(20) In addition to the services listed in subsection (10) of this section, ((MAA)) the department covers counseling for tobacco dependency for eligible pregnant women through two months postpregnancy. This service is commonly referred to as smoking cessation education or counseling.

(a) ((MAA)) The department covers smoking cessation counseling for only those fee-for-service clients who are eligible for categorically needy (CN) scope of care. See (f) of this subsection for limitations on prescribing pharmacotherapy for eligible CN clients. Clients enrolled in managed care may participate in a smoking cessation program through their plan.

(b) ((MAA)) The department pays a fee to certain providers who include smoking cessation counseling as part of an antepartum care visit or a postpregnancy office visit (which must take place within two months following live birth, miscarriage, fetal death, or pregnancy termination). ((MAA)) The department pays only the following providers for smoking cessation counseling:

(i) Physicians;

(ii) Physician assistants (PA) working under the guidance and billing under the provider number of a physician;

(iii) ARNPs, including certified nurse midwives (CNM); and

(iv) Licensed midwives (LM).

(c) ((MAA)) The department covers one smoking cessation counseling session per client, per day, up to ten sessions per client, per pregnancy. The provider must keep written documentation in the client's file for each session. The documentation must reflect the information in (e) of this subsection.

(d) ((MAA)) The department covers two levels of counseling. Counseling levels are:

(i) Basic counseling (fifteen minutes), which includes (e)(i), (ii), and (iii) of this subsection; and

(ii) Intensive counseling (thirty minutes), which includes the entirety of (e) of this subsection.

(e) Smoking cessation counseling consists of providing information and assistance to help the client stop smoking. Smoking cessation counseling includes the following steps (refer to ((MAA's)) the department's physician-related services billing instructions and births and birthing centers bill-

ing instructions for specific counseling suggestions and billing requirements):

- (i) Asking the client about her smoking status;
- (ii) Advising the client to stop smoking;
- (iii) Assessing the client's willingness to set a quit date;
- (iv) Assisting the client to stop smoking, which includes developing a written quit plan with a quit date. If the provider considers it appropriate for the client, the "assisting" step may also include prescribing smoking cessation pharmacotherapy as needed (see (f) of this subsection); and

(v) Arranging to track the progress of the client's attempt to stop smoking.

(f) A provider may prescribe pharmacotherapy for smoking cessation for a client when the provider considers the treatment is appropriate for the client. ~~((MAA))~~ The department covers certain pharmacotherapy for smoking cessation as follows:

- (i) ~~((MAA))~~ The department covers Zyban™ only;
- (ii) The product must meet the rebate requirements described in WAC 388-530-1125;
- (iii) The product must be prescribed by a physician, ARNP, or physician assistant;
- (iv) The client for whom the product is prescribed must be eighteen years of age or older;
- (v) The pharmacy provider must obtain prior authorization from ~~((MAA))~~ the department when filling the prescription for pharmacotherapy; and
- (vi) The prescribing provider must include both of the following on the client's prescription:
 - (A) The client's estimated or actual delivery date; and
 - (B) Indication the client is participating in smoking cessation counseling.
- (g) ~~((MAA's))~~ The department's payment for smoking cessation counseling is subject to postpay review. See WAC 388-502-0230, Provider review and appeal, and WAC ~~((388-502-0240, Audits and the audit appeal process for contractors/providers, for information regarding review and appeal processes for providers))~~ 388-502A-1100, Provider audit-dispute process.

AMENDATORY SECTION (Amending WSR 08-14-052, filed 6/24/08, effective 7/25/08)

WAC 388-544-0600 Vision care—Payment methodology. (1) To receive payment, vision care providers must bill the department according to ~~((the conditions of payment under WAC 388-502-0020 (1)(a) through (c) and WAC 388-502-0100))~~ this chapter, chapters 388-501 and 388-502 WAC, and the department's published billing instructions and numbered memoranda.

(2) The department pays one hundred percent of the department contract price for covered eyeglass frames, lenses, and contact lenses when these items are obtained through the department's approved contractor.

(3) See WAC 388-531-1850 for professional fee payment methodology.

AMENDATORY SECTION (Amending WSR 00-18-032, filed 8/29/00, effective 9/29/00)

WAC 388-556-0100 Chemical dependency treatment services. The department covers chemical dependency treatment services, as defined in chapter 388-805 WAC, for medicaid and children's health clients. Coverage is limited to services performed by providers defined in WAC ~~((388-502-0010))~~ 388-502-0002.

WSR 11-11-015
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medicaid Purchasing Administration)

[Filed May 9, 2011, 8:48 a.m., effective June 9, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Upon order of the governor, the medicaid purchasing administration (MPA) must reduce its budget expenditures for the current fiscal year ending June 30, 2011, by 6.3 percent. To achieve this expenditure reduction, MPA is eliminating the following optional medical service(s) for adults twenty-one years of age and older: Hearing devices to include hearing aids, bone anchored hearing aids (BAHA), cochlear implants, and parts and batteries for such equipment, including repairs.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-547-0300, 388-547-0400, 388-547-0500 and 388-547-0600; and amending WAC 388-547-0100, 388-547-0700, and 388-547-0800.

Statutory Authority for Adoption: RCW 74.08.090.

Adopted under notice filed as WSR 11-07-076 on March 22, 2011.

A final cost-benefit analysis is available by contacting Ellen Silverman, P.O. Box 45506, Olympia, WA 98504-5506, phone (360) 725-1570, fax (360) 586-9727, e-mail Ellen.Silverman@dshs.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, Repealed 4.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 4.

Date Adopted: May 9, 2011.

Susan N. Dreyfus
Secretary

AMENDATORY SECTION (Amending WSR 09-12-034, filed 5/27/09, effective 7/1/09)

WAC 388-547-0100 Hearing aids—General—For clients twenty-years of age and younger. Unless otherwise defined in WAC 388-547-0200, the terms within this chapter are intended to correspond with the terms in chapter 18.35 RCW.

(1) The department covers the hearing aids ~~((services))~~ listed in this chapter, according to department rules and subject to the limitations and requirements in this chapter. See also WAC 388-531-0375 audiology services.

(2) The department pays for hearing aids ~~((and services))~~ when:

(a) Covered ~~((Refer to WAC 388-547-0400 for covered hearing aids and services for clients twenty-one years of age and older; and refer to WAC 388-547-0800 for covered hearing aids and services for clients twenty years of age and younger))~~;

(b) Within the scope of an eligible client's medical care program;

(c) Medically necessary as defined under WAC 388-500-0005;

(d) Authorized, as required within this chapter, chapters 388-501 and 388-502 WAC, and the department's published billing instructions and numbered memoranda; and

(e) Billed according to this chapter, chapters 388-501 and 388-502, and the department's published billing instructions and numbered memoranda; and

(f) The client ~~((=~~
~~((+)) is twenty years of age or younger and completes a hearing evaluation, including an audiogram and/or developmentally appropriate diagnostic physiologic test results performed and/or interpreted by a hearing healthcare professional((=~~

~~((ii) Is referred by a hearing healthcare professional for a hearing aid; and~~

~~((iii) For clients twenty-one years of age and older only, has an average degree of hearing loss at forty-five decibels (dBHL) in the better ear based on a pure-tone audiometric evaluation by a licensed audiologist or licensed hearing instrument fitter/dispenser at one thousand, two thousand, three thousand, and four thousand hertz (Hz) with effective masking as indicated)).~~

(3) The department requires prior authorization for covered hearing aids ~~((services))~~ when the clinical criteria set forth in this chapter are not met. The department evaluates these requests on a case-by-case basis to determine whether they are medically necessary, according to the process found in WAC 388-501-0165.

AMENDATORY SECTION (Amending WSR 09-12-034, filed 5/27/09, effective 7/1/09)

WAC 388-547-0700 Hearing aids—Eligibility—Clients twenty years of age and younger. (1) Clients twenty years of age and younger who are receiving services under ~~((any)) a medical assistance program((=except for the family planning only program and the TAKE CHARGE program))~~:

(a) Are eligible for covered hearing aids ~~((and services))~~ under this chapter and for the audiology services under WAC ~~((388-545-0700)) 388-531-0375;~~

(b) Must have a complete hearing evaluation, including an audiogram and/or developmentally appropriate diagnostic physiologic test results performed by a hearing healthcare professional; and

(c) Must be referred by a licensed audiologist, otorhinolaryngologist or otologist for a hearing aid.

(2) Clients who are enrolled in a department-contracted managed care ~~((plan)) organization (MCO)~~ are eligible under fee-for-service for covered hearing aid services that are not covered by their plan, subject to the provisions of this chapter and other applicable WAC. However, clients enrolled in a department-contracted MCO must obtain replacement parts for cochlear implants and bone anchored hearing aids (BAHA) through their MCO.

AMENDATORY SECTION (Amending WSR 09-12-034, filed 5/27/09, effective 7/1/09)

WAC 388-547-0800 Hearing aids—~~((Covered services))~~ Coverage—Clients twenty years of age and younger. (1) The department covers new, nonrefurbished, monaural or binaural hearing aid(s), which includes the ear mold, for eligible clients twenty years of age and younger. In order for the provider to receive payment, the hearing aid must meet the client's specific hearing needs and be under warranty for a minimum of one year.

(2) The department pays for the following replacements as long as the need for replacement is not due to the client's carelessness, negligence, recklessness, or misuse in accordance with WAC 388-501-0050(8):

(a) ~~((Replacement))~~ Hearing aid(s), which includes the ear mold, when:

(i) The client's hearing aid(s) are:

(A) Lost;

(B) Beyond repair; or

(C) Not sufficient for the client's hearing loss; and

(ii) All warranties are expired.

(b) ~~((Replacement))~~ Ear mold(s) when the client's existing ear mold is damaged or no longer fits the client's ear.

~~((=))~~ (3) The department pays for repairs as follows:

(a) A maximum of two repairs, per hearing aid, per year, when the repair is less than fifty percent of the cost of a new hearing aid. To receive payment, all of the following must be met:

(i) All warranties are expired; and

(ii) The repair is under warranty for a minimum of ninety days.

~~((=))~~ (b) A rental hearing aid(s) for up to two months while the client's own hearing aid is being repaired. In the case of a rental hearing aid(s), the department pays separately for an ear mold(s).

(4) The department pays for unilateral cochlear implant and osseointegrated hearing aids (BAHA) replacement parts when:

(a) The manufacturer's warranty has expired;

(b) The part is for immediate use, not a back-up part;

(c) The part needs to be replaced due to normal wear and tear and is not related to misuse or abuse of the item (see WAC 388-502-0160); and

(d) The part is not an external speech processor.

(5) The department covers for one cochlear implant external speech processor, including maintenance and repair.

(6) The department covers one BAHA speech processor, including maintenance and repair.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-547-0300	Hearing aids—Eligibility—Clients twenty-one years of age and older.
WAC 388-547-0400	Hearing aids—Covered services—Clients twenty-one years of age and older.
WAC 388-547-0500	Hearing aids—Noncovered services—Clients twenty-one years of age and older.
WAC 388-547-0600	Hearing aids—Prior authorization—Clients twenty-one years of age and older.

WSR 11-11-016
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medicaid Purchasing Administration)

[Filed May 9, 2011, 8:50 a.m., effective June 9, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Upon order of the governor, the medicaid purchasing administration (MPA) must reduce its budget expenditures for the current fiscal year ending June 30, 2011, by 6.3 percent. To achieve this expenditure reduction, MPA is eliminating the following optional medical service(s) for adults twenty-one years of age and older: Eyeglass frames, lenses, and contact lenses.

Citation of Existing Rules Affected by this Order: Amending WAC 388-544-0100, 388-544-0250, 388-544-0300, 388-544-0325, 388-544-0350, 388-544-0400, 388-544-0500, 388-544-0550, and 388-544-0575.

Statutory Authority for Adoption: RCW 74.08.090.

Adopted under notice filed as WSR 11-07-082 on March 22, 2011.

A final cost-benefit analysis is available by contacting Marlene Black, P.O. Box 45506, Olympia, WA 98504-5506, phone (360) 725-1577, fax (360) 586-9727, e-mail Marlene.Black@dshs.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 9, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 9, Repealed 0.

Date Adopted: May 9, 2011.

Susan N. Dreyfus
Secretary

VISION CARE—CLIENTS TWENTY YEARS OF AGE AND YOUNGER

AMENDATORY SECTION (Amending WSR 08-14-052, filed 6/24/08, effective 7/25/08)

WAC 388-544-0100 Vision care—Eligible clients—Twenty years of age and younger. This section applies to eligible clients who are twenty years of age and younger.

(1) Vision care (~~(services are)~~) is available to clients who are eligible for services under the following medical assistance programs (~~(only)~~):

(a) Categorically needy program (CN or CNP);

(b) Categorically needy program - state children's health insurance program (CNP-SCHIP);

(c) Children's healthcare programs as defined in WAC 388-505-0210;

(d) Limited casualty program - medically needy program (LCP-MNP);

(e) Disability lifeline (formerly general assistance (GA-U/ADATSA)) (within Washington state or designated border cities); and

(f) ~~(Emergency medical only programs when the services are directly related to an)~~ Alien emergency medical (AEM) as described in WAC 388-438-0115, when the medical services are necessary to treat a qualifying emergency medical condition only.

(2) Eligible clients who are enrolled in a department contracted managed care organization (MCO) are eligible under fee-for-service for covered vision care (~~(services)~~) that are not covered by their plan and subject to the provisions of this chapter and other applicable WAC.

AMENDATORY SECTION (Amending WSR 08-14-052, filed 6/24/08, effective 7/25/08)

WAC 388-544-0250 Vision care—Covered eye services (examinations, refractions, visual field testing, and vision therapy). ~~((1) The department covers, without prior authorization, eye examinations and refraction services with the following limitations:~~

~~(a) Once every twenty-four months for asymptomatic clients twenty-one years of age or older;~~

(b) Once every twelve months for asymptomatic clients twenty years of age or younger; or

(c) Once every twelve months, regardless of age, for asymptomatic clients of the division of developmental disabilities.

(2) The department covers additional examinations and refraction services outside the limitations described in subsection (1) of this section when:

(a) The provider is diagnosing or treating the client for a medical condition that has symptoms of vision problems or disease;

(b) The client is on medication that affects vision; or

(c) The service is necessary due to lost or broken eyeglasses/contacts. In this case:

(i) No type of authorization is required for clients twenty years of age or younger or for clients of the division of developmental disabilities, regardless of age.

(ii) Providers must follow the department's expedited prior authorization process to receive payment for clients twenty-one years of age or older. Providers must also document the following in the client's file:

(A) The eyeglasses or contacts are lost or broken; and

(B) The last examination was at least eighteen months ago.

(3) The department covers visual field exams for the diagnosis and treatment of abnormal signs, symptoms, or injuries. Providers must document all of the following in the client's record:

(a) The extent of the testing;

(b) Why the testing was reasonable and necessary for the client; and

(c) The medical basis for the frequency of testing.

(4) The department covers orthoptics and vision training therapy. Providers must obtain prior authorization from the department.) See WAC 388-531-1000 Ophthalmic services.

AMENDATORY SECTION (Amending WSR 08-14-052, filed 6/24/08, effective 7/25/08)

WAC 388-544-0300 Vision care—Covered eyeglasses (frames and/or lenses) and repair ((services))—Clients twenty years of age and younger. This section applies to eligible clients who are twenty years of age and younger.

(1) The department covers eyeglasses, without prior authorization, ((as follows:

(a)) once every twelve months for eligible clients when the following clinical criteria are met:

((i)) (a) The eligible client has a stable visual condition;

((ii)) (b) The eligible client's treatment is stabilized;

((iii)) (c) The prescription is less than eighteen months old; and

((iv)) (d) One of the following minimum correction needs in at least one eye is documented in the client's file:

((A)) (i) Sphere power equal to, or greater than, plus or minus 0.50 diopter;

((B)) (ii) Astigmatism power equal to, or greater than, plus or minus 0.50 diopter; or

((C)) (iii) Add power equal to, or greater than, 1.0 diopter for bifocals and trifocals.

((b) With the following limitations:

(i) Once every twenty four months for clients twenty-one years of age or older;

(ii) Once every twelve months for clients twenty years of age or younger; or

(iii) Once every twelve months, regardless of age, for clients of the division of developmental disabilities.)

(2) The department covers eyeglasses (frames/lenses), ((without prior authorization,)) for eligible clients ((who are twenty years of age or younger)) with a diagnosis of accommodative esotropia or any strabismus correction, without prior authorization. In this case, the limitations of subsection (1) of this section do not apply.

(3) The department covers one pair of back-up eyeglasses for eligible clients who wear contact lenses as their primary visual correction aid (see WAC 388-544-0400(1)) ((with the following limitations:

(a) Once every six years for clients twenty years of age or older;

(b)) limited to once every two years for eligible clients twenty years of age or younger ((or regardless of age for clients of the division of developmental disabilities)).

AMENDATORY SECTION (Amending WSR 08-14-052, filed 6/24/08, effective 7/25/08)

WAC 388-544-0325 Vision care—Covered eyeglass frames—Clients twenty years of age and younger. This section applies to eligible clients who are twenty years of age and younger.

(1) The department covers durable or flexible frames, without prior authorization, when the eligible client has a diagnosed medical condition that has contributed to two or more broken eyeglass frames in a twelve-month period. To receive payment, the provider must:

(a) Follow the department's expedited prior authorization process; and

(b) Order the "durable" or "flexible" frames through the department's designated supplier.

(2) The department covers all of the following for eligible clients without prior authorization:

(a) Coating contract eyeglass frames to make the frames nonallergenic. Eligible clients must have a medically diagnosed and documented allergy to the materials in the available eyeglass frames.

(b) Incidental repairs to a client's eyeglass frames. To receive payment, all of the following must be met:

(i) The provider typically charges the general public for the repair or adjustment;

(ii) The contractor's one year warranty period has expired; and

(iii) The cost of the repair does not exceed the department's cost for replacement frames and a fitting fee((~~and~~

(iv) ~~The frequency of the repair does not exceed two per client in a six-month period. This limit does not apply to clients twenty years of age or younger or to clients of the division of developmental disabilities, regardless of age.~~

(3) The department covers replacement eyeglass frames that have been lost or broken as follows:

~~(a) No type of authorization is required for clients twenty years of age or younger or for clients of the division of developmental disabilities, regardless of age.~~

~~(b) To receive payment for clients twenty-one years of age or older, excluding clients of the division of developmental disabilities, providers must follow the department's expedited prior authorization process).~~

(c) Replacement eyeglass frames that have been lost or broken.

AMENDATORY SECTION (Amending WSR 08-14-052, filed 6/24/08, effective 7/25/08)

WAC 388-544-0350 Vision care—Covered eyeglass lenses ~~((and services))—Clients twenty years of age and younger.~~ This section applies to eligible clients who are twenty years of age and younger.

(1) The department covers the following plastic scratch-resistant eyeglass lenses without prior authorization:

- (a) Single vision lenses;
- (b) Round or flat top D-style bifocals;
- (c) Flat top trifocals; and
- (d) Slab-off and prism lenses (including Fresnel lenses).

(2) Eyeglass lenses, as described in subsection (1) of this section must be placed into a frame that is, or was, purchased by the department.

(3) The department covers, without prior authorization, the following lenses for eligible clients when the clinical criteria are met:

(a) High index lenses. Providers must follow the department's expedited prior authorization process. The eligible client's medical need in at least one eye must be diagnosed and documented as:

- (i) A spherical refractive correction of plus or minus six diopters or greater; or
- (ii) A cylinder correction of plus or minus three diopters or greater.

(b) Plastic photochromatic lenses. The eligible client's medical need must be diagnosed and documented as ocular albinism or retinitis pigmentosa.

(c) Polycarbonate lenses. The eligible client's medical need must be diagnosed and documented as one of the following:

- (i) Blind in one eye and needs protection for the other eye, regardless of whether a vision correction is required;
- (ii) Infants and toddlers with motor ataxia;
- (iii) Strabismus or amblyopia ~~((for clients twenty years of age or younger; or~~

~~(iv) For clients of the division of developmental disabilities)).~~

(d) Bifocal lenses to be replaced with single vision or trifocal lenses, or trifocal lenses to be replaced with bifocal or single vision lenses when:

- (i) The eligible client has attempted to adjust to the bifocals or trifocals for at least sixty days; and
- (ii) The eligible client is unable to make the adjustment; and
- (iii) The trifocal lenses being replaced are returned to the provider.

(4) The department covers, without prior authorization, the tinting of plastic lenses when the eligible client's medical need is diagnosed and documented as one or more of the following chronic (expected to last longer than three months) eye conditions causing photophobia:

- (a) Blindness;
- (b) Chronic corneal keratitis;
- (c) Chronic iritis, iridocyclitis;
- (d) Diabetic retinopathy;
- (e) Fixed pupil;
- (f) Glare from cataracts;
- (g) Macular degeneration;
- (h) Migraine disorder;
- (i) Ocular albinism;
- (j) Optic atrophy and/or optic neuritis;
- (k) Rare photo-induced epilepsy conditions; or
- (l) Retinitis pigmentosa.

(5) The department covers replacement lenses for eligible clients without prior authorization when the lenses are lost or broken ~~((as follows:~~

~~(a) No type of authorization is required for clients twenty years of age and younger or for clients of the division of developmental disabilities, regardless of age.~~

~~(b) Providers must follow the expedited prior authorization process to receive payment for clients twenty-one years of age or older).~~

(6) The department covers replacement lenses, without prior authorization, when the eligible client meets one of the clinical criteria. To receive payment, providers must follow the expedited prior authorization process. The clinical criteria are:

(a) Eye surgery or the effects of prescribed medication or one or more diseases affecting vision:

- (i) The client has a stable visual condition;
- (ii) The client's treatment is stabilized;
- (iii) The lens correction must have a 1.0 or greater diopter change between the sphere or cylinder correction in at least one eye; and

(iv) The previous and new refraction are documented in the client's record.

(b) Headaches, blurred vision, or visual difficulty in school or at work. In this case, all of the following must be documented in the client's file:

- (i) Copy of current prescription (less than eighteen months old);
- (ii) Date of last dispensing, if known;
- (iii) Absence of a medical condition that is known to cause temporary visual acuity changes (e.g., diabetes, pregnancy, etc.); and
- (iv) A refractive change of at least .75 diopter or greater between the sphere or cylinder correction in at least one eye.

AMENDATORY SECTION (Amending WSR 08-14-052, filed 6/24/08, effective 7/25/08)

WAC 388-544-0400 Vision care—Covered contact lenses ~~((and services))—Clients twenty years of age and younger.~~ This section applies to eligible clients who are twenty years of age and younger.

(1) The department covers contact lenses, without prior authorization, as the eligible client's primary refractive correction method when the eligible client has a spherical correction of plus or minus 6.0 diopters or greater in at least one eye. See subsection (4) of this section for exceptions to the plus or minus 6.0 diopter criteria. The spherical correction may be from the prescription for the glasses or the contact lenses and may be written in either "minus cyl" or "plus cyl" form.

(2) The department covers the following contact lenses with limitations:

(a) Conventional soft contact lenses or rigid gas permeable contact lenses that are prescribed for daily wear; or

(b) Disposable contact lenses that are prescribed for daily wear and have a monthly or quarterly planned replacement schedule, as follows:

(i) Twelve pairs of monthly replacement contact lenses; or

(ii) Four pairs of three-month replacement contact lenses.

(3) The department covers soft toric contact lenses, without prior authorization, for eligible clients with astigmatism when the following clinical criteria are met:

(a) The eligible client's cylinder correction is plus or minus 1.0 diopter in at least one eye; and

(b) The eligible client meets the spherical correction listed in subsection (1) of this section.

(4) The department covers contact lenses, without prior authorization, when the following clinical criteria are met. In these cases, the limitations in subsection (1) of this section do not apply.

(a) For eligible clients diagnosed with high anisometropia.

(i) The eligible client's refractive error difference between the two eyes is at least plus or minus 3.0 diopters between the sphere or cylinder correction; and

(ii) Eyeglasses cannot reasonably correct the refractive errors.

(b) Specialty contact lens designs for eligible clients who are diagnosed with one or more of the following:

(i) Aphakia;

(ii) Keratoconus; or

(iii) Corneal softening.

(c) Therapeutic contact bandage lenses only when needed immediately after eye injury or eye surgery.

(5) The department covers replacement contact lenses (~~limited to once every twelve months~~;) for eligible clients when lost or damaged (~~as follows~~:

~~(a) Authorization is not required for clients twenty years of age or younger or for clients of the division of developmental disabilities, regardless of age.~~

~~(b) Providers must follow the expedited prior authorization process to receive payment for clients twenty-one years of age or older.~~

~~(6) The department covers replacement contact lenses when all of the clinical criteria are met:~~

~~(a) The clinical criteria are:~~

~~(i) One of the following caused the vision change:~~

~~(A) Eye surgery;~~

~~(B) The effect(s) of prescribed medication; or~~

~~(C) One or more diseases affecting vision.~~

~~(ii) The client has a stable visual condition;~~

~~(iii) The client's treatment is stabilized; and~~

~~(iv) The lens correction has a 1.0 or greater diopter change in at least one eye between the sphere or cylinder correction. The previous and new refraction must be documented in the client's record.~~

~~(b) No type of authorization is required for clients twenty years of age and younger or for clients of the division of developmental disabilities, regardless of age.~~

~~(c) To receive payment for clients twenty-one years of age or older, providers must follow the expedited prior authorization process).~~

AMENDATORY SECTION (Amending WSR 08-14-052, filed 6/24/08, effective 7/25/08)

WAC 388-544-0500 Vision care—Covered ocular prosthetics. (~~The department covers ocular prosthetics when provided by any of the following:~~

~~(1) An ophthalmologist;~~

~~(2) An ocularist; or~~

~~(3) An optometrist who specializes in prosthetics)) See~~

WAC 388-531-1000 Ophthalmic services.

AMENDATORY SECTION (Amending WSR 08-14-052, filed 6/24/08, effective 7/25/08)

WAC 388-544-0550 Vision care—Covered eye surgery. (~~(1) The department covers cataract surgery, without prior authorization, when the following clinical criteria are met:~~

~~(a) Correctable visual acuity in the affected eye at 20/50 or worse, as measured on the Snellen test chart; or~~

~~(b) One or more of the following conditions:~~

~~(i) Dislocated or subluxated lens;~~

~~(ii) Intraocular foreign body;~~

~~(iii) Ocular trauma;~~

~~(iv) Phacogenic glaucoma;~~

~~(v) Phacogenic uveitis;~~

~~(vi) Phacoanaphylactic endophthalmitis; or~~

~~(vii) Increased ocular pressure in a person who is blind and is experiencing ocular pain.~~

~~(2) The department covers strabismus surgery as follows:~~

~~(a) For clients seventeen years of age and younger. The provider must clearly document the need in the client's record. The department does not require authorization for clients seventeen years of age and younger; and~~

~~(b) For clients eighteen years of age and older, when the clinical criteria are met. To receive payment, providers must follow the expedited prior authorization process. The clinical criteria are:~~

~~(i) The client has double vision; and~~

~~(ii) The surgery is not being performed for cosmetic reasons.~~

~~(3) The department covers blepharoplasty or blepharoptosis surgery when all of the clinical criteria are met. To receive payment, providers must follow the department's expedited prior authorization process. The clinical criteria are:~~

(a) ~~The client's excess upper eyelid skin is blocking the superior visual field; and~~

(b) ~~The blocked vision is within ten degrees of central fixation using a central visual field test)) See WAC 388-531-1000 Ophthalmic services.~~

AMENDATORY SECTION (Amending WSR 08-14-052, filed 6/24/08, effective 7/25/08)

WAC 388-544-0575 Vision care—Noncovered (~~ser-~~~~VICES~~)) eyeglasses(~~(g)~~) and contact lenses. (1) The department does not cover the following:

- (a) Executive style eyeglass lenses;
- (b) Bifocal contact lenses;
- (c) Daily and two week disposable contact lenses;
- (d) Extended wear soft contact lenses, except when used as therapeutic contact bandage lenses or for aphakic clients;
- (e) Custom colored contact lenses;
- (f) ~~((Services for cosmetic purposes only;~~
- ~~(g))~~ Glass lenses;
- ~~((h) Group vision screening for eyeglasses;~~
- ~~(i))~~ (g) Nonglare or anti-reflective lenses;
- ~~((j))~~ (h) Progressive lenses;
- ~~((k) Refractive surgery of any type that changes the eye's refractive error. The intent of the refractive surgery procedure is to reduce or eliminate the need for eyeglass or contact lens corrections. This does not include intraocular lens implantation following cataract surgery.~~

~~(H))~~ (i) Sunglasses and accessories that function as sunglasses (e.g., "clip-ons");

~~((m))~~ (j) Upgrades at private expense to avoid the department's contract limitations (e.g., frames that are not available through the department's contract or noncontract frames or lenses for which the client or other person pays the difference between the department's payment and the total cost).

(2) An exception to rule (ETR), as described in WAC 388-501-0160, may be requested for a noncovered service.

WSR 11-11-017

PERMANENT RULES DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Medicaid Purchasing Administration)

[Filed May 9, 2011, 8:53 a.m., effective June 9, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The department of social and health services' medicaid purchasing administration (MPA) is proposing to amend WAC 388-502-0010 Payment—Eligible providers defined, 388-502-0020 General requirements for providers, 388-502-0030 Denying, suspending, and terminating a provider's enrollment, and 388-502-0230 Provider review and appeal.

These rule amendments and additions are intended to update, clarify, and ensure rules which protect the health and safety of DSHS clients and further ensure program integrity. This includes, but is not limited to, eligible provider types, noneligible provider types, core provider agreement, enroll-

ment, review and consideration of an applicant's history, continuing requirements, change of ownership, healthcare record requirements, termination of a provider for cause or convenience, provider dispute of a department decision, reapplying for participation, and provider review and appeal.

Citation of Existing Rules Affected by this Order: Amending WAC 388-502-0010, 388-502-0020, 388-502-0030, and 388-502-0230.

Statutory Authority for Adoption: RCW 74.08.090.

Other Authority: RCW 74.09.080 and 74.09.290.

Adopted under notice filed as WSR 11-05-078 on February 15, 2011.

Changes Other than Editing from Proposed to Adopted Version: **WAC 388-502-0005 Core provider agreement (CPA).**

The department revised subsections (4) and (5) of this section in response to stakeholder comments.

(1) All healthcare professionals, healthcare entities, suppliers or contractors of service must have an approved core provider agreement (CPA) or be enrolled as a performing provider on an approved CPA to provide healthcare services to an eligible medical assistance client; otherwise any request for payment will be denied.

(2) For services provided out-of-state refer to WAC 388-501-0180, 388-501-0182 and 388-501-0184.

(3) All performing providers of services to a medical assistance client must be enrolled under the billing provider's CPA.

(4) The department does not pay for services provided to clients during the CPA application process, regardless of whether the CPA is later approved or denied, except as provided in subsection (5) of this section.

(5) Enrollment of a provider applicant is effective no earlier than the date of approval of the provider application.

~~(a) For federally qualified health centers (FQHCs), see WAC 388-548-1200. For rural health clinics (RHCs), see WAC 388-549-1200.~~

~~(b) Any other exceptions must be requested in writing to the department medicaid director by providing with justification as to why the applicant's effective date should be back dated prior to the CPA approval date. Exceptions will only be considered for emergency services, department approved out-of-state services or if the client was given retroactive eligibility. The requested effective date must be noted and must be covered by any applicable license or certification submitted with this application. This also applies to healthcare practitioners who join an established group or clinic as a performing provider, when the established group or clinic has an existing CPA. Only the medicaid director of [or] the medicaid director's written designee may approve exceptions. Exceptions will only be considered for the following:~~

(i) Emergency services;

(ii) Department-approved out-of-state services;

(iii) Retroactive client eligibility; or

(iv) Other critical department need as determined by the medicaid director or the medicaid director's written designee.

~~(b) For federally qualified health centers (FQHCs), see WAC 388-548-1200. For rural health clinics (RHCs), see WAC 388-549-1200.~~

WAC 388-502-0230 Provider payment reviews and (appeal) dispute rights.

The department crossed off "drugs, equipment, and/or related supplies" and included a new sentence which explains that "healthcare services" includes "treatment, equipment, related supplies, and drugs." This language is consistent with WAC 388-501-0050.

(1) As authorized by chapters 43.20B and 74.09 RCW, the ~~((medical assistance administration (MAA)))~~ department monitors and reviews all providers who furnish ~~((medical, dental, or other))~~ healthcare services, drugs, equipment and/or related supplies to eligible ~~((medical assistance))~~ clients. For the purposes of this section, healthcare services includes treatment, equipment, related supplies, and drugs. ((MAA)) The department may review all documentation and/or data related to payments made to providers for health-care services, drugs, equipment and/or supplies for eligible clients and determine((s)) whether the providers are complying with the rules and regulations of the program(s) ((and providing appropriate quality of care, and recovers any identified overpayments)).

A final cost-benefit analysis is available by contacting Andi Hanson/Barbara Lantz, P.O. Box 45530, Olympia, WA 98504-5530, phone (360) 725-1616 or (360) 725-1640, fax (360) 586-9727, e-mail andi.hanson@dshs.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 10, Amended 4, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 10, Amended 4, Repealed 0.

Date Adopted: May 9, 2011.

Susan N. Dreyfus
Secretary

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 11-12 issue of the Register.

WSR 11-11-018**PERMANENT RULES****DEPARTMENT OF CORRECTIONS**

[Filed May 9, 2011, 10:13 a.m., effective June 9, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: To codify the system for awarding earned release time to offenders.

Statutory Authority for Adoption: RCW 72.09.130 and 72.01.090.

Other Authority: RCW 9.95.070.

Adopted under notice filed as WSR 11-06-029 on February 25, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 8, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 8, Amended 0, Repealed 0.

Date Adopted: May 9, 2011.

Eldon Vail
Secretary

Chapter 137-30 WAC**EARNED RELEASE TIME**NEW SECTION

WAC 137-30-010 Purpose. The rules in this chapter provide a standardized system to award earned release time to offenders committed to department facilities.

NEW SECTION

WAC 137-30-020 Definitions. The definitions in this section apply throughout this chapter.

CCS means community corrections supervisor.

Community custody means an offender's supervision status in the community under the authority of the department where the department has the legal responsibility for adjudicating violations.

CRS means correctional records supervisor.

Earned release time (ERT) means the combined earned time and good conduct time credit an offender is eligible to earn off the minimum term established by the indeterminate sentence review board or the sentencing court.

Earned time means that portion of time an offender is eligible to earn for program participation approved by the classification process and consistent with his/her case management plan.

Good conduct time means that portion of an inmate's potential reduction to minimum term which is authorized by RCW 9.95.070 and 72.09.130 and which may be lost by receiving serious infractions.

ISRB means the indeterminate sentence review board.

NEW SECTION

WAC 137-30-030 Eligibility. (1) **ERT.** The following offenders may receive ERT:

(a) Offenders convicted of a serious violent offense or a class A felony sex offense, committed after June 30, 1990, and before July 1, 2003, the ERT may not exceed fifteen percent of their sentence.

(b) Offenders convicted of a serious violent offense, or a class A felony sex offense, committed after June 30, 2003, the ERT may not exceed ten percent of their sentence.

(c) Regardless of the date of offense or the date of sentencing, offenders convicted before July 2, 2010, who are classified as moderate or low risk, may earn ERT up to fifty percent of their sentence: Provided, That they have not been convicted of or have a prior conviction of a:

- (i) Sex offense;
- (ii) Violent offense;
- (iii) Crime against a person, including identity theft in the first or second degree, committed on or after June 7, 2006;
- (iv) Felony domestic violence;
- (v) Residential burglary;
- (vi) Violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.401 by manufacture of, delivery of, or possession with intent to deliver, methamphetamine;
- (vii) Violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.406 (delivery of a controlled substance to a minor);
- (viii) Gross misdemeanor stalking;
- (ix) Violation of a domestic violence court order, including gross misdemeanors; or
- (x) Any felony committed while under community supervision.

(d) Offenders may earn ERT up to one-third of the sentence in all other cases not identified in this section.

(e) An offender who has transferred from one sentence within a cause number to the next sentence, or from one cause number to the next cause number, may lose ERT associated with the previous sentence or cause. ERT may be taken on a consecutive sentence that is not yet being served.

(f) Offenders found guilty of infractions 557 or 810 (WAC 137-25-030) will lose available ERT and privileges as outlined by DOC Policy 320.150 - Disciplinary Sanctions and will lose their fifty percent eligibility. Offenders found guilty of infraction 813, related to employment or programming while in work release, will also lose available ERT and privileges.

(2) Good conduct time.

(a) All offenders will be eligible for good conduct time, except:

- (i) Offenders sentenced to death or life without parole; and
- (ii) Offenders serving the mandatory enhancement portion of their sentences.

(b) Good conduct time will be applicable to all class A, B, and C felonies, except that:

(i) Indeterminate offenders cannot earn good conduct time if their minimum term has expired and they have not been paroled or transferred to a consecutive sentence.

(ii) Any good conduct time earned or denied will be addressed to the correct sentence after the parole/transfer date is determined.

(c) Offenders may fail to earn good conduct time if found guilty of serious infractions listed in WAC 137-25-030 and sanctioned per DOC Policy 320.150 Disciplinary Sanctions.

(d) A sentence reduction based on good conduct time will be established for each offender and computed on a pro rata basis for every thirty-day period served, as allowed by the offender's crime category.

(e) The following offenders may lose their good conduct time if found guilty of a serious infraction:

(i) Indeterminate offenders whose time has not been adopted by the indeterminate sentence review board (ISRB); and

(ii) Determinate offenders.

The amount of time lost will be determined by the disciplinary hearing officer/community hearing officer/ISRB.

(3) Earned time.

(a) Offenders who participate in approved programs, including work and school, are eligible for earned time for each calendar month as follows:

- (i) Earned time eligible under ten percent rule - one and eleven one-hundredth days;
- (ii) Earned time eligible under fifteen percent rule - one and seventy-six one-hundredth days;
- (iii) Earned time eligible under thirty-three percent rule - five days;
- (iv) Earned time eligible under fifty percent rule - ten days.

(b) An offender who disagrees with the risk assessment results has the right to appeal to the superintendent of the facility where the decision was made within forty-eight hours of notification per DOC Policy 320.400 Risk Assessment Process.

(c) Offenders are not eligible for earned time if:

- (i) They are serving an indeterminate sentence and:
 - (A) The cause has been extended to the maximum term by the ISRB; or
 - (B) The ISRB has previously denied future earned time.
- (ii) They are not involved in mandatory programming as determined through the classification process and consistent with their custody facility plan. This includes refusing a mandatory work/school/program assignment or being terminated from a mandatory work/school/program for documented negative or substandard performance.

• Offenders previously determined qualified to receive fifty percent earned time will participate in programming or activities targeted in the custody facility plan. The offender will not be penalized if programs and activities are not available.

(iii) They refuse any transfer, excluding work release. No earned time, at the appropriate earned time percentage as allowed by crime category, will be granted for each calendar month the offender refuses assignment.

(iv) They serve twenty days or more in one calendar month in administrative segregation/intensive management status or disciplinary segregation. Loss of earned time will be calculated as allowed per crime category. The offender is not eligible to begin earning earned time until the superintendent approves placement in general population. Offenders who are approved for transfer to general population and are

scheduled for release to the community within sixty days will not lose earned time unless found guilty of infraction 557 or 810, or of an infraction 813 related to employment or programming while in work release. For other than negative behavior, offenders on administrative segregation/intensive management status will continue to earn earned time at the rate allowed by crime category.

(v) They are serving the mandatory minimum portion of their sentence, except indeterminate offenders sentenced for crimes committed before July 1, 1984.

(vi) At a classification hearing where earned time will be addressed, the offender will receive a written record of his/her earned time at least twenty-four hours prior to the scheduled classification review if earned time is not earned. Action taken by the committee is final and cannot be appealed.

(vii) Earned time not earned as a result of infraction 557 or 810, or of an infraction 813 related to employment or programming while in work release, cannot be restored.

(viii) Offenders will receive a written record of all earned time denials.

(4) Offenders are not eligible for fifty percent earned time if the offender's risk management level is changed to high risk violent or high risk nonviolent; high risk violent or high risk nonviolent offenders may earn up to one-third of the sentence.

NEW SECTION

WAC 137-30-040 County jail earned release time.

For offenders transferred from a county jail to the department, the jail administrator will certify to the department the amount of jail time spent in custody at the jail and the amount of ERT.

(1) If no certification has been provided, the CRS/designee will send a request to the jail administrator requesting he/she provide a jail certification.

(a) If the jail administrator certifies jail time credits to consecutive sentences for the same time period and the judgment and sentence does not address jail time credits, the CRS will correct the jail certification by deducting any duplicate jail time credits and jail earned release time credits from the jail certification totals and applying the remaining credits.

(b) In the case of a department sanction, if the jail administrator certifies jail credits to a consecutive sentence that includes credits for time served on the department sanction and the judgment and sentence does not address jail time credits, the CRS will deduct the sanction days served from the jail credits and the jail earned release time for sanction time served and apply the remaining credits to the consecutive sentence.

(c) The CRS will send a request to the jail administrator requesting an amended jail certification, unless the jail administrator has requested that the department not send a letter. The CRS does not need to wait for the amended jail certification to apply the proper credits.

(2) The CRS will send the offender DOC Policy 09-261 Court of Appeals Decision - Jail Time Credits, informing him/her of the department's authority to correct the jail certi-

fication when there is a manifest error of law in the jail's certification.

(3) If the court orders jail time credits for the same time period on consecutive sentences with the same intake date to prison, the judgment and sentence must be followed and the jail time credits will be applied accordingly. The department may contest the court's calculations by way of the post sentence petition process.

(4) If the court orders jail time credits for the same time period on consecutive sentences with different intake dates to prison, the CRS will apply the credits from the judgment and sentence and then apply wickert time (i.e., out time applied to a period of confinement when the offender is required to serve a consecutive period of confinement starting before the current confinement is complete) for that same time period.

(5) Credit for time served/resentenced on previous conviction. Offenders who are resentenced on a previous conviction are entitled to receive credit for the original jail time, original jail earned release time, department time served, and ERT on the department time served. All time the offender served for the conviction offense, as well as the ERT at the appropriate percentage, will be applied. Any good conduct time lost due to infractions, or earned time not earned during the time served on the original sentence, must be deducted from the department ERT.

NEW SECTION

WAC 137-30-050 Persistent prison misbehavior. (1)

An offender serving a sentence for an offense committed after July 31, 1995, may have his/her earned time credits taken away as part of a disciplinary sanction, when he/she has lost all good conduct time credits for the current commitment.

(2) Offenders serving a sentence for an offense committed after July 31, 1995, who have a record of being a persistent management/disciplinary problem may also have earned time credits taken away.

(3) Earned or future ERT credits may be reduced for offenders serving a sentence for an offense committed after July 31, 1995.

NEW SECTION

WAC 137-30-060 Release date. (1) To calculate an offender's release date on a determinate sentence, the jail time and jail earned release time are deducted from the total sentence. The earned release time applicable per statute is applied to the adjusted sentence.

(2) A determinate offender held beyond his/her earned release date (ERD) may have available ERT taken if found guilty of a serious infraction as defined in WAC 137-25-030.

(3) An offender with an established release date who receives a category A infraction after a community release plan has been approved will have the release date suspended until adjudication of the infraction and all time loss and sanctions are completed.

(4) The staff responsible for entering the sanction information will notify the CRS or designee immediately by telephone and via e-mail if the release date changes, when the offender is denied earned time or loses good conduct time or

when time is restored and the ERD is in less than one hundred twenty days.

NEW SECTION

WAC 137-30-070 Restoration of good conduct time.

(1) For indeterminate sentences, once the good conduct time denial is addressed or adopted by the ISRB, it cannot be returned to the offender without prior approval of the ISRB.

(2) At a regularly scheduled review, offenders may request restoration of good conduct time from the superintendent/CCS where the offender is housed.

(3) When the decision is made by the superintendent/CCS where the offender is housed, that decision is final and the offender may not request subsequent reviews for the same infractions.

(4) The unit team may recommend approval provided:

(a) The good conduct time has not been adopted by the ISRB, if the case requires an ISRB hearing for release;

(b) The offender has been free of serious infractions violations for at least one year from the date of the last serious infraction;

(c) The offender is not within six months of his/her ERD and the restoration will not put the offender less than one hundred twenty days to release;

(d) During the current incarceration, for the period of ten years prior to the request for restoration the offender has not committed a category A infraction;

(e) During the current incarceration, for the period of five years prior to the request for restoration, the offender has not committed a category A infraction 601 or 602;

(f) During the current incarceration, for the period of three years prior to the request for restoration, the offender has not committed a category A infraction 507, 603, 650, or 651.

(5) Review:

(a) The director or the deputy director may review and restore good conduct time for category A violations. This decision cannot be delegated below the deputy director level.

(b) The superintendent/CCS may review and restore good conduct time for category B and C violations.

(6) Good conduct time lost as the result of infraction 557, 810, 813 (related to employment or programming while in work release) or 857 will not be restored.

(7) When making the decision whether to restore good conduct time, the director/deputy director, or the superintendent/CCS will consider:

(a) Length of positive program participation;

(b) Period of infraction free behavior;

(c) Nature of infractions;

(d) Overall behavior during the commitment period; and

(e) Unit team recommendation.

NEW SECTION

WAC 137-30-080 Community custody.

(1) Offenders with orders of community custody per RCW 9.94A.701 may have their sentences reduced by ERT.

(2) Community custody violators confined in a department facility for sanction time are eligible for ERT good time credits at the rate of one-third of the sanction.

(3) Community custody returns/terminates: During community custody, if an offender has not completed his/her maximum term of total confinement and is subject to a third violation hearing for any violation of community custody and is found to have committed the violation, the department may return the offender to total confinement to serve the remainder of the prison term.

(a) This applies solely to offenders who were not held to their maximum expiration date prior to release to community custody.

(b) All jail ERT and DOC ERT applied to the sentence before early release becomes return time.

(c) When determining the length of return time, the department must credit the offender with all community custody time successfully served and with all periods of prehearing time spent in confinement pending all prior and current community custody violation hearings for that cause.

(d) The date the offender was placed in jail on the most recent violation will be the return start date.

(e) The offender is not entitled to any ERT during the return time.

(f) Upon release from total confinement, after serving the return time the offender will resume serving the community custody portion of the sentence for any time remaining on community custody.

WSR 11-11-019

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed May 9, 2011, 10:17 a.m., effective July 1, 2011]

Effective Date of Rule: July 1, 2011.

Purpose: The purpose is to update existing rules to implement legislative changes resulting from the passage of ESSB 5529 in the 2010 legislative session.

Citation of Existing Rules Affected by this Order: Amending chapter 308-12 WAC.

Statutory Authority for Adoption: RCW 18.08.340.

Other Authority: RCW 43.24.086.

Adopted under notice filed as WSR 11-05-069 on February 14, 2011.

Changes Other than Editing from Proposed to Adopted Version: WAC 308-12-025 (1)(b), corrected number of semester credit hours considered equal to one year of education.

WAC 308-12-081 (2), (3)(a)(iv), clarified language regarding signing and sealing drawings.

WAC 308-12-085(1), correction made by removing department of licensing and leaving master license service in regards to architect firms.

WAC 308-12-085 (2)(c), removed numerical restriction of firms allowed for designated architects.

WAC 308-12-320, removed language that indicates the department will send a courtesy renewal notice.

WAC 308-12-340(3), clarified language regarding the size of a building that RCW 18.08.410(7) applies to.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 13, Amended 12, Repealed 3.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 9, 2011.

Walt Fahrler
Rules Coordinator

AMENDATORY SECTION (Amending WSR 07-05-040, filed 2/15/07, effective 3/18/07)

WAC 308-12-010 How does the state board (for architects) function? ~~((1) Meetings:))~~ The Washington state board for architects, hereafter called the board, shall hold ~~((its))~~ quarterly regular public meetings ~~((annually during the second quarter of the calendar))~~ each year. Additional public meetings may be held at such times and places as the board may deem necessary. ~~((Notice of all public meetings will be issued as required by the Open Public Meetings Act, chapter 42.30 RCW.~~

~~((2) Rules of order. The latest edition of *Robert's Rules of Order* will govern the conduct of business at meetings and sessions of the board.~~

~~((3) Officers:))~~ At ~~((the))~~ its regular ~~((annual public))~~ meeting during the second quarter of the calendar year, the board will elect a chair, a vice-chair and a secretary for the ~~((ensuing))~~ upcoming year.

~~((4) Quorum. A quorum at any regular or additional meeting or session will consist of four members of the board.~~

~~((5) Rule changes. Prior to and during any adoption, amendments, or repeal of any rule, the board of registration will conduct its business in accordance with chapter 34.04 RCW the Administrative Procedure Act.))~~

NEW SECTION

WAC 308-12-023 How do I become a licensed architect? You need to fulfill three general requirements before getting your license: Education, examination, and experience. If you are already licensed in another NCARB-recognized jurisdiction, you will need to verify you have met these requirements before being licensed in Washington. The board may request additional information or an oral interview, if necessary. You must also satisfactorily complete a review of laws related to the practice of architecture as determined by the board.

AMENDATORY SECTION (Amending WSR 07-05-040, filed 2/15/07, effective 3/18/07)

WAC 308-12-025 ~~((Application for examination:))~~ What qualifications do I need to meet if I am not already licensed? ~~((1) The application to begin the examination process must be submitted on forms approved by the board, accompanied by academic and/or practical experience verification to document eligibility under the provisions of RCW 18.08.350. As determined by the board and consistent with National Council of Architectural Registration Boards (NCARB) recommendations, applicants with an accredited professional architectural degree may take portions of the examination concurrently with practical work experience.~~

~~((2) The board has adopted the National Council of Architectural Registration Boards (NCARB) intern development training program (IDP training requirement) as the board approved structured intern training program. Completion of the training requirements of the intern development program must be validated by the NCARB in a council training record sent to the board office. Completion of the training requirements of the IDP is the equivalent of three years of practical work experience.~~

~~((3) Applications for the examination must be accompanied by the application fee for the examination as established by the director and published in chapter 308-12 WAC, architect fees. The application fee to begin the examination process will not be refunded.))~~ If you are not licensed in another jurisdiction, your combination of education and experience will determine what you need to do to get your license (see the chart below).

<u>Education type</u>	<u>Accredited professional degree</u> (typically five-year bachelor of architecture or six-year master of architecture)	<u>An equivalent degree, awarded by EESA</u> (education evaluation services for architects) for candidates from a nonaccredited U.S. architectural school or a foreign architectural school	<u>A preprofessional degree in architecture</u> (typically four-years) from a program offering an accredited degree	<u>Postsecondary study in architecture or related fields</u> , with passing grades, in increments of one year, will receive up to three years credit	<u>A degree in architectural technology</u> (typically a two-year community college or trade school degree)	<u>High school diploma</u> or equivalent
<u>Practical architectural work experience</u>	Gained during IDP		Two years under the direct supervision of an architect	Three or more years depending on your education credit Three of these years must be under the direct supervision of an architect	Four years	Six years
<u>IDP</u>	Contact NCARB to find out when you can enroll in IDP		You can't enroll in IDP until you complete the practical architectural work experience			

<u>When to apply to take the ARE</u>	You can start taking the ARE through NCARB while enrolled in IDP	Apply to the board after you have completed the practical architectural work experience and IDP
<u>When can you get your license</u>	Apply to the board after you have completed your IDP and ARE	Apply to the board after you have completed the ARE
<u>Additional materials</u>	All candidates must complete the Washington law review	

If you have an accredited architectural degree, you need to complete IDP and the ARE. If you choose, you can take the exams while you are completing IDP. NCARB will register and guide you through both IDP and the ARE. The board also requires a review of Washington's laws and rules relating to the practice of architecture.

If you do not have an accredited architectural degree, you must have a high school diploma or equivalent and at least nine years' practical architectural work experience.

(1) You must have at least six years of practical architectural work experience before enrolling in IDP.

(a) At least three of these years must be under the direct supervision of a licensed architect.

(b) The remaining three years can be any combination of the following as approved by the board:

(i) Postsecondary education courses in architecture, architectural technology or a related field.

(A) Related fields may include the following:

(I) Environmental design;

(II) Urban planning;

(III) Landscape architecture;

(IV) Construction management;

(V) Civil engineering;

(VI) Naval architecture;

(VII) Interior architecture;

(VIII) Other fields as determined by the board.

(B) With a passing grade, thirty semester credit hours or forty-five quarter hours are considered to be one year. Any fraction, one-half year or greater, will be counted one-half year, and less than one-half year will not be counted.

(ii) Practical architectural work experience may be accrued simultaneously while educational credit is being accrued and will receive credit if it is as follows:

(A) At least thirty-five hours per week for at least ten consecutive weeks - one hundred percent.

(B) At least twenty hours per week for at least six continuous months - fifty percent.

(2) After you complete IDP, apply to the board to take the ARE. When your application is approved, board staff will register you to take the ARE. You will pay the fees for examination and reexamination directly to NCARB.

(3) The board also requires a review of Washington's laws and rules relating to the practice of architecture.

NEW SECTION

WAC 308-12-028 What is the application process if I am not already licensed? (1) If you have an accredited architectural degree:

(a) Contact NCARB to register for IDP and the ARE. You will pay the fees for examination and reexamination directly to NCARB.

(b) When you have finished IDP and the ARE:

(i) Have NCARB transmit evidence of your qualifications, experience and successful completion of the ARE, as shown by your council record, directly to the Washington board office.

(ii) Complete the board's official application form with the application fee and initial license fee and submit it to the board office. The application fee is not refundable.

(iii) Complete a review of Washington's laws and rules relating to the practice of architecture.

(2) If you do not have an accredited architectural degree:

(a) Complete the board's official application form with the application fee and submit it to the board office. The application fee is not refundable.

(b) Using the board's application forms, have the licensed architects who have reviewed your practical work experience provide verification of your experience directly to the board office.

(c) Once your application is approved, contact NCARB to register for IDP.

(d) Complete IDP and have NCARB transmit your council record directly to the Washington board office. Board staff will register you for the ARE. You will pay the fees for examination and reexamination directly to NCARB.

(e) Successfully complete the ARE.

(f) Submit the initial license fee to the board office.

(g) Complete a review of Washington's laws and rules relating to the practice of architecture.

AMENDATORY SECTION (Amending WSR 02-11-082, filed 5/14/02, effective 6/14/02)

WAC 308-12-031 ((Registration examination)) Who manages the required intern training program and examination? The National Council of Architectural Registration Boards (NCARB) maintains and validates the continuing, comprehensive record of internship training and the board has adopted NCARB's Intern Development Program (IDP) as the board-approved structured intern training program.

The board ((adopts)) has adopted the ((N.C.A.R.B.)) NCARB Architect Registration Examination (((A.R.E.)) ARE) and grading procedure prepared by NCARB as the state examination ((required of applicants)) for licensure. ((Where RCW 18.08.360 refers to the "entire examination," it means the NCARB A.R.E. together with the oral examination.

The board adopts the grading procedures prepared by the NCARB.

(1) The test vendor will publish an information guide concerning examination content, locations, schedules, and fees.

(2) An applicant must pass each division of the NCARB examination.

(3) The oral examination is given upon the applicant's completion of the NCARB examination.

The purpose of the oral examination is to test in those areas of knowledge and skill not covered in the NCARB examination.

The oral part of the examination must include a review of the applicant's practical experience, an understanding of the law and the responsibility to safeguard life, health, and property and to promote the public welfare.

The oral examination may be conducted by the full board or by an architect member of the board. The board may set aside the full board examination if the examining board member deems the applicant prepared for registration. If the full board examination is not set aside or if the examining board member fails the applicant, the applicant must then appear for a full board oral examination.

The board may set aside the entire oral examination based upon certification by the NCARB of successful completion of the intern development program. Such applicants shall submit the NCARB Council Record of IDP completion. However, candidates without a National Architectural Accrediting Board degree who have completed the IDP training requirements must have an oral examination. The decision to set aside the oral examination does not affect the requirement to summarize the law and rules pertaining to architecture.

An applicant must successfully complete the entire examination within a five-year period. The five-year period will begin with the month an applicant passes the first division of the examination. Passing scores for any division of the examination may be carried forward for a period of five years from the date the applicant passed that division of the examination. Applicants must retake any division of the examination which was passed more than five years previously, along with any division of the examination not yet passed. The oral examination is part of the entire examination and shall be completed within the five-year period.)) NCARB administers the entire examination for Washington candidates, and collects examination and reexamination fees accordingly. Candidates with an accredited architectural degree may take portions of the examination concurrently while enrolled in IDP. No review or appeal of failed examinations is accepted by the department or the board.

AMENDATORY SECTION (Amending WSR 07-05-040, filed 2/15/07, effective 3/18/07)

WAC 308-12-050 ((Registration by reciprocity.))
What qualifications do I need to meet if I am already licensed? ((Pursuant to RCW 18.08.400, the board will recommend to the director that the director grant a certificate of registration to a currently registered architect in any jurisdiction recognized by NCARB provided:

(1) That such applicant presents evidence that the applicant has satisfactorily completed an examination equivalent to the examination required of Washington state registrants.

(2) Documentation of NCARB certification may be accepted by the board as satisfactory evidence that the applicant's qualifications and experience are equivalent to the qualifications and experience required of a person registered under RCW 18.08.350. Reciprocity candidates who cannot meet the IDP training requirement must have a minimum of two years of experience as a licensed architect.

(3) That the applicant provides a typed summary of chapter 18.08 RCW and chapter 308-12 WAC. The summary must be of sufficient detail to demonstrate a thorough understanding of the law and rules.

(4) That the board will require an oral interview of any candidate for registration by reciprocity, except that the oral interview may be set aside in cases where documentary or other evidence shows sufficient information for the board to reach judgment.

(5) That the architect's current state license is not delinquent or inactive. The current state license cannot be under suspension, disciplinary restrictions, or in process of disciplinary review. Reciprocity applicants are held to the same qualifications as initial applicants for registration.)) If you hold an active architect license in good standing in any jurisdiction recognized by NCARB, you can apply for a Washington license if your qualifications and experience meet one of the following:

(1) You have an NCARB certificate. The board recognizes NCARB certification to include certification through the broadly experienced architect and/or broadly experienced foreign architect programs;

(2) You do not have an NCARB certificate, but you have satisfactorily completed the ARE or an examination as approved by the board, including a test component or licensing requirement addressing seismic structure as determined by the board; and

(a) Have been licensed as an architect nine or more years; or

(b) Have an NAAB-degree and have completed IDP.

NEW SECTION

WAC 308-12-055 What is the application process if I am already licensed? (1) If you are currently licensed and have an NCARB certificate:

(a) Complete the board's official application form and submit it to the board office with the reciprocity application fee and the initial license fee. The application fee is not refundable.

(b) Have NCARB transmit evidence of your certification directly to the Washington board office.

(c) Complete a review of Washington's laws and rules relating to the practice of architecture.

(2) If you are licensed in an NCARB-recognized jurisdiction and don't have an NCARB certificate:

(a) Complete the board's official application form and submit it to the board office with the reciprocity application fee and the initial license fee. The application fee is not refundable.

(b) Request certification be sent directly from the issuing jurisdiction to the Washington board office, verifying you have successfully passed the ARE, and:

- (i) Have held an active license for nine or more years; or
- (ii) Have held an active license for less than nine years and have one or more of the following:

(A) An NAAB-degree and have completed IDP, as shown by your IDP record sent directly to the Washington board office from NCARB;

(B) A combination of education and experience, as shown by:

(I) An official sealed transcript showing any applicable courses you have taken from a community college, technical college, or university. The transcript must be sent directly from the college or university to the board office; and

(II) Verification of practical architectural work experience, on the board's application forms, completely by licensed architects who have reviewed your practical work experience and sent directly to the board office.

(3) Complete a review of Washington's laws and rules relating to the practice of architecture.

NEW SECTION

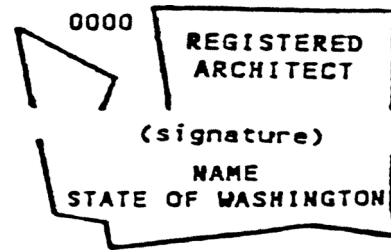
WAC 308-12-065 What if I don't finish the licensing process? If you fail to complete the licensing process and your records show no activity for five consecutive years, the board will consider your application abandoned. No activity includes, but is not limited to:

- Failure to submit the required documents and other information requested by the board within five consecutive years from the last date the board requested the documents or other information.
- Failure to provide the board with any written communication during five consecutive years indicating you are attempting to complete the licensing process.

If your application is considered abandoned, it may be archived or destroyed, and you will be required to reapply for licensure and comply with the licensing requirements in effect at the time of reapplication.

AMENDATORY SECTION (Amending WSR 07-05-040, filed 2/15/07, effective 3/18/07)

WAC 308-12-081 ((The)) Do I need a stamp or seal? ~~((These rules govern the design and use of the architect stamp.))~~ Every architect licensed in the state of Washington ~~((shall))~~ must have a seal of design authorized by the board, bearing the registrant's name, license number and the legend "Registered architect, state of Washington." ~~((A facsimile))~~ An example of the board-authorized seal appears below. Deviations are not allowed.



~~((The following))~~ You must ~~((be signed))~~ sign and ~~((sealed by the architect.))~~ seal all technical submissions required for building permits or regulatory approvals that are filed with authorities having jurisdiction.

(1) Drawings prepared by ~~((the architect))~~ you must be signed and sealed on each sheet.

(2) Specifications and other technical submissions need only be sealed on the cover, title page, and all pages of the table of contents.

~~((No architect's stamp or countersignature will be affixed to any))~~ You may only sign and seal drawings ~~((not))~~ prepared by ~~((the architect))~~ you, or ~~((his or her))~~ in one of the following ways:

- By your regularly employed subordinates~~((or))~~ and reviewed by ~~((the architect))~~ you;

- By an individual or firm under direct subcontract with you;

- In collaboration with an architect licensed in a jurisdiction recognized by the board provided there is a contractual agreement between you and that architect.

~~((An architect who signs or seals))~~ By signing and sealing drawings or specifications ~~((that he or she has reviewed is))~~, you become the architect of record and are responsible to the same extent as if you prepared ~~((by that architect))~~ the drawings or specifications yourself.

Without exception, these stamping requirements ~~((for architects))~~ apply to all work ~~((prepared))~~ filed with public authorities you prepare or ~~((supervised by the architect))~~ review, or that is prepared under your personal supervision by persons under your direction and control, regardless ~~((of))~~ whether the work is exempt from the licensing requirements found in RCW 18.08.410.

(3) The term "signature" or "signed" as used in chapters 18.08 RCW and/or 308-12 WAC, means the following:

(a) A handwritten identification or a digital representation of your handwritten identification that represents the act of putting your name on a document to attest to its validity. The handwritten or digital identification must be:

- (i) Original and written by hand, or a scanned image of an original, handwritten identification;

- (ii) Permanently affixed to the document(s) being certified;

- (iii) Applied to the document by the identified licensee;

- (iv) Placed across the seal/stamp of the licensee.

(b) A digital identification that is an electronic authentication process attached to or logically associated with an electronic document. The digital identification may include a scanned or digitized signature. The digital identification must be:

- (i) Unique to the licensee using it;
- (ii) Capable of independent verification;
- (iii) Under the exclusive control of the licensee using it.

AMENDATORY SECTION (Amending WSR 02-11-082, filed 5/14/02, effective 6/14/02)

WAC 308-12-085 (~~Corporations or joint stock associations~~) Does my business need to register with the board? ~~((1) For an architect or architects to practice architecture through a corporation or joint stock association organized by any person under Title 23A RCW, the corporation or joint stock association shall file with the board a letter of application containing a statement of the experience of the corporation, if any, in furnishing architectural services during the preceding five year period. The application must be signed and attested by a corporate officer.~~

~~(2) In addition to the application for certificate of authorization, the corporation or joint stock association will file with the board the documentation and information specified in RCW 18.08.420.~~

~~(3) The designated architect responsible for the practice of architecture by said corporation shall be regularly employed in that office having direct knowledge and supervisory control of such work. No individual will be the designated architect at more than one place of business or one company at any one time.) If your business offers architectural services in Washington state, you must apply for and be granted a certificate of authorization from the board.~~

(1) To apply for a certificate of authorization, register your business with the master license service by submitting:

(a) The certificate of authorization application and fee. The application fee is not refundable.

(b) A certified copy of a resolution, if a corporation, or a formal statement naming the designated architect(s) of your business. In lieu of a certified copy of the resolution, the board will accept a formal statement in a documented format provided by the board.

(2) The designated architect(s):

(a) Is responsible for the practice of architecture by your business and provides the full authority to make all final architectural decisions on behalf of your business with respect to work performed by your business in Washington.

(b) Is responsible for the practice of architecture by your business and must be regularly employed in the office having direct knowledge and supervisory control of such work.

(3) If your business changes designated architects, you must notify the board on a form provided by the board of the new designated architect within thirty days of the effective date of the change.

(4) Your architect certificate of authorization renewal is due annually. The expiration date is the same as your renewal date for your business registration from Washington's secretary of state's office or department of licensing's master licensing service. The department will send a courtesy renewal notice.

(5) You must notify the board in writing of any address changes.

AMENDATORY SECTION (Amending WSR 07-05-040, filed 2/15/07, effective 3/18/07)

WAC 308-12-111 What are the board member rules of conduct ~~((~~Activities incompatible with public duties~~—~~Financial interests in transactions~~))?~~

(1) When a member of the board either owns a beneficial interest in or is an officer, agent, employee, or member of an entity; or individual which is engaged in a transaction involving the board, the member shall:

(a) Recuse him or herself from the board discussion regarding the specific transaction;

(b) Recuse him or herself from the board vote on the specific transaction; and

(c) Refrain from attempting to influence the remaining board members in their discussion and vote regarding the specific transaction.

(2) The prohibition against discussion and voting set forth in subsection (1)(a) and (c) of this section shall not prohibit the member of the board from using his or her general expertise to educate and provide general information on the subject area to the other members.

(3)((~~a~~)) "Transaction involving the board":

(a) Means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the member in question believes, or has reason to believe:

(i) Is, or will be, the subject of board action; or

(ii) Is one to which the board is or will be a party; or

(iii) Is one in which the board has a direct and substantial proprietary interest.

(b) (~~"Transaction involving the board"~~) Does not include the following:

Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by a member; or a claim, case, lawsuit, or similar matter if the member did not participate in the underlying transaction involving the board that is the basis for the claim, case, or lawsuit. Rule making is not a "transaction involving the board."

(4) "Board action" means any action on the part of the board, including, but not limited to:

(a) A decision, determination, finding, ruling, or order; and

(b) A grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.

(5) The following are examples of possible scenarios related to board member rules of conduct ~~((~~Activities incompatible with public duties~~—~~Financial interests in transactions~~))~~.

(a) **EXAMPLE 1:**

The state board for architects disciplines licensed architects in Washington. The board is conducting an investigation involving the services provided by a licensed architect. One of the members of the board is currently serving a subcontractor to that architect on a large project. The board member must recuse himself or herself from any board investigation, discussion, deliberation and vote with respect

to disciplinary actions arising from licensed architect services.

(b) **EXAMPLE 2:**

The state board for architects makes licensing decisions on applications for licensure. An applicant for licensure owns a school construction business which employs licensed architects, including one of the board members. The board member must recuse himself or herself from any board investigation, discussion, deliberation and vote with respect to his employer's application for licensure.

(c) **EXAMPLE 3:**

The state board for architects makes licensing decisions on applications from registered architects in another state or territory of the United States, the District of Columbia, or another country. The board can grant licensure if that individual's qualifications and experience are equivalent to the qualifications and experience required of a person registered under Washington law. An out-of-state applicant is employed as an architect by a multinational corporation that is planning to build its world headquarters in Washington and has hired a board member's firm as the architect for the project. The board member must recuse himself or herself from any board investigation, discussion, deliberation and vote with respect to the sufficiency of the out-of-state architect's qualifications and experience.

(6) **Recusal disclosure.** If recusal occurs pursuant to this rule, the member of the board shall disclose to the public the reasons for his or her recusal from any board action whenever recusal occurs. The board staff shall record each recusal and the basis for the recusal.

AMENDATORY SECTION (Amending WSR 07-05-040, filed 2/15/07, effective 3/18/07)

WAC 308-12-115 Definitions. ~~((1) Accredited architectural degree—A professional degree received from the current list of accredited schools of architecture as published by the National Architectural Accrediting Board.~~

~~(2) Practical architectural work experience—Practical work experience performing activities involved in the practice of architecture, as defined in RCW 18.08.320, under the direct supervision of an architect. The board may approve similar practical work experience for full or partial credit and will accept intern development program experience as defined in the IDP training guidelines.~~

~~(3) Intern development program (IDP)—A structured internship training program designed to provide a profession-wide, comprehensive program that contributes to the development of competent architects. IDP consists of training requirements that must be satisfied in order to complete the program. The National Council of Architectural Registration Boards (NCARB) maintains and validates the continuing, comprehensive record of internship training.~~

~~(4) The title "intern architect" may be used while enrolled in the structured intern program recognized by the board, in WAC 308-12-025(2), and working under the direct supervision of a licensed architect.~~

~~(5)) (1) "Architect of record" is the architect whose name appears on the building permit.~~

~~(2) "ARE" or "examination" means the architect registration examination written and administered by NCARB.~~

~~(3) "Building" means "structure" as defined in RCW 18.08.320.~~

~~(4) "Direct supervision((—The)), as in the phrase((-)) "under the direct supervision of an architect," as used in connection with architectural work experience for qualification and eligibility for the examination shall refer to any of the following conditions or situations((-):~~

~~(a) The supervising architect is an employer who is knowledgeable of the performance and competence of the applicant.~~

~~(b) The supervising architect works for the same employer as the applicant, and is either the direct superior of the applicant, or a co-worker knowledgeable and responsible for the efforts of the applicant.~~

~~((6) Design-build—A means of providing design and construction services in which a single entity is responsible for both services.~~

~~(7) Review—A continuous process of examination, evaluation, and direction throughout the development of the documents, which includes the ability to control the final product.~~

~~(8) Construction-related experience—Work on a construction site in any of the construction-related trades, including, but not limited to, carpentry, laboring, electrical, plumbing, sheet metal and roofing. Work in the construction office, including, but not limited to, estimating or construction administration.~~

~~(9)) (c) The supervising architect is licensed in an NCARB-recognized jurisdiction.~~

~~(5) "Entire examination" as referred to in RCW 18.08.-360(3) means all divisions of the ARE.~~

~~(6) "Institution of higher education" as used in RCW 18.08.320 means a college or school recognized by the National Architectural Accreditation Board (NAAB) as having accredited programs in architecture.~~

~~(7) "Intern development program" or "IDP" is a structured internship training program designed to provide a profession-wide, comprehensive program that contributes to the development of competent architects.~~

~~(8) "NCARB" means the National Council of Architectural Registration Boards, of which the Washington board is a member.~~

~~(9) "Practical architectural work experience" means performing activities involved in the practice of architecture, as defined in RCW 18.08.320 and meeting the criteria in RCW 18.08.350.~~

~~(10) Professional development equivalents:~~

~~(a) One professional development hour (PDH) is equal to no less than fifty minutes of instruction.~~

~~(b) For professional development through an institution of higher education:~~

~~(i) One semester hour equals forty-five PDH.~~

~~(ii) One quarter hour equals thirty PDH.~~

~~(11) "Technical submission" means designs, drawings, specifications, studies, and other technical documents prepared in the course of practicing architecture.~~

NEW SECTION

WAC 308-12-225 How do I obtain retired status? If you are a licensed architect, you may be eligible to obtain retired status if you are at least age sixty-five and have discontinued active practice. If granted, your ongoing licensing renewal fees and professional development requirements are waived.

(1) To obtain retired status, submit a request in writing to the board office. If the board determines you are eligible, the retired status would become effective on the first scheduled license renewal date that occurs on or after you reach age sixty-five. You do not need to renew an expired license to be eligible for this status. The board will not provide refund of renewal fees if the application for retired status is made and granted before the expiration date of the license.

(2) Privileges. In addition to the waiver of the renewal fee, as a retired licensee, you are permitted to:

(a) Retain the board-issued wall certificate of licensure;
 (b) Use the title "architect," provided you also use the term "retired," the abbreviation "ret," "emeritus architect," or similar language in written or verbal communications to indicate you are no longer in active practice;

(c) Provide experience verifications and references for persons seeking licensure under chapter 18.08 RCW. If using your professional seal, you must place the word "retired" or "emeritus" after your signature;

(d) Provide services as a technical expert before a court, or in preparation for pending litigation, on matters directly related to architectural work you performed before you were granted retired status;

(e) Serve in an architectural capacity as a "good Samaritan," as set forth in RCW 38.52.195 and 38.52.1951, provided said work is otherwise performed in accordance with chapter 18.08 RCW.

(3) Restrictions. As a retired licensee, you are not permitted to:

(a) Perform any architectural activity, as provided for in chapter 18.08 RCW, unless said activity is under the direct supervision of a Washington state licensed architect who has an active license in the records of the board;

(b) Apply your professional stamp, as provided for in RCW 18.08.370, to any drawing, specification, or report, except as provided for in subsection (2)(c) of this section.

(4) Certificate of licensure reinstatement. As a retired licensee, you may resume active architectural practice upon written request to the board and payment of the current renewal fee. At that time, you shall be removed from retired status and placed on active status in the records of the board. All rights and responsibilities of an active license status will be in effect. At the date of expiration of the reinstated certificate of licensure, you may choose to either continue active licensure or may again apply for retired status in accordance with the provisions of this chapter.

(5) Exemptions. Under no circumstances shall you be eligible for a retired licensure if your certificate of licensure has been revoked, surrendered, or in any way permanently terminated by the board under chapter 18.08 RCW. If you have been suspended from practice and/or are subject to terms of a board order at the time you reach age sixty-five,

you shall not be eligible for retired status until such time that the board has removed the restricting conditions.

NEW SECTION

WAC 308-12-235 How do I withdraw from active practice? You can withdraw from active practice by requesting in writing your license be placed on either inactive or retired status. Your license must be in good standing before you can request it be placed in inactive status. See WAC 308-12-225 for information about obtaining retired status.

Under inactive status, you are not permitted to perform any architectural activity, as provided for in RCW 18.08.320, unless said activity is under the direct supervision of a Washington state licensed architect who has an active license in the records of the board.

AMENDATORY SECTION (Amending WSR 02-11-082, filed 5/14/02, effective 6/14/02)

WAC 308-12-240 ((Reinstatement of suspended certificates, eligibility for registration, or denied renewals.))

How do I reactivate my inactive license? ~~((Where a person's certificate of registration has been suspended, an applicant has been denied certificate renewal, or an applicant has been denied the ability to take the examination for certificate of registration due to nonpayment or default on a federally or state-guaranteed educational loan or service conditional scholarship, the certificate renewal or examination application will be reinstated when the person provides the board a written release issued by the lending agency stating that the person is making payments on the loan in accordance with a repayment agreement approved by the lending agency, provided, the person shall pay any applicable reinstatement or renewal fee.))~~ **(1) If you are returning to active status from less than five years of inactive status, send to the department:**

(a) A letter of application requesting reactivation;

(b) The current renewal fee;

(c) Evidence of completion of twenty-four PDH within the previous two years. See WAC 308-12-260 for qualifying activities.

(2) If you are returning to active status after five years of inactive status, send to the department:

(a) A letter of application requesting reinstatement;

(b) The current renewal fee plus the late penalty fee;

(c) A review of Washington's laws and rules relating to the practice of architecture;

(d) Evidence of completion of thirty-six PDH within the previous three years. See WAC 308-12-260 for qualifying activities.

NEW SECTION

WAC 308-12-250 Do I need ongoing professional development to maintain my license? (1) To maintain active practice, you must accumulate twenty-four professional development hours (PDH) for the upcoming two-year renewal period.

(2) The PDH you accumulate are subject to audit by the board.

(3) Up to twelve PDH over the required hours can be carried forward from the second year of your previous renewal period.

NEW SECTION

WAC 308-12-260 What activities qualify as professional development? (1) You are responsible to seek out qualifying activities that can be demonstrated to the board as relevant to professional development.

(a) Activities are not preapproved by the board.

(b) Activities must be relevant to the practice of architecture and may include technical, ethical or managerial content.

(i) At least sixteen PDH must address public health, safety and welfare.

(ii) All activities must have a clear purpose and objective that will maintain, improve or expand skills and knowledge relevant to the practice of architecture.

(2) The board is the final authority with respect to claimed qualifying activities and the respective PDH credit.

(3) The qualifying activity becomes eligible for credit upon completion of the given activity.

(4) Examples of qualifying activities:

Sample Activities (one PDH is equal to no less than fifty minutes of activity)	Maximum Per Renewal Cycle
One hour of preparation and subsequent presentation per subject of a professional development program at seminars, professional/technical meetings, conventions or conferences. This credit does not apply to full-time faculty.	16 PDH
For publication or presentation of an authored technical paper or article.	8 PDH
For publication or presentation of an authored book.	8 PDH
Serving as an elected officer or appointed member for one of the following: <ul style="list-style-type: none"> • A committee in a professional society or organization; • A professional board or commission; • A regulatory board for the practice of architecture. Up to four PDH shall be earned upon the completion of each year of service per organization.	8 PDH
Professional examination grading or writing: Serving as an exam grader or on a committee writing exam materials for a professional licensure examination.	8 PDH
One hour of attendance at meetings or hearings of the board. This credit does not apply to existing board members or to parties or witnesses in hearings before the board.	8 PDH
One hour of work, outside normal duties of employment that involves participation in other recognized professional activities.	4 PDH
One hour of self-study relevant to the practice of architecture.	8 PDH
One hour of participation in organized courses relevant to the practice of architecture, including those provided by your employer, trade organizations, technical or professional societies, or the board.	No limit
One hour of attendance at professional or technical society meetings with an informational program.	8 PDH
Pro bono service that has a clear purpose and objective and maintains, improves, or expands the professional knowledge or skill of the registrant. Four hours of service is equal to one PDH.	8 PDH
One hour of participation in an activity involving substantial and organized peer interaction, excluding time spent during regular employment.	8 PDH

(5) The following activities do not qualify as professional development:

(a) Activities that were conditions of a board order;

(b) Attendance or testimony at legislative hearings, at city or county council meetings/hearings, or at civil or criminal trials;

(c) Time spent fund-raising for scholarships or other society purposes or lobbying for legislation;

(d) Attendance at gatherings that are primarily social in nature;

(e) Membership and/or attendance in service club meetings.

NEW SECTION

WAC 308-12-270 How do I record and report my professional development activities? (1) You must maintain the records of your professional development activities. The records must include the date of the activity, the provider's name, a description of activity and its location and the number of PDH.

(2) You must keep your records for the cumulative time in the current renewal period plus the three years before the last renewal (five years total).

(3) By renewing your professional architect license, you attest you have completed the required professional development for that renewal period.

NEW SECTION

WAC 308-12-280 How does the board verify I have completed my professional development? (1) The board will audit a random sample of licensees yearly. If you are selected for an audit, the board will provide instructions about how to respond.

(2) You may face disciplinary action for failing to complete your professional development requirement or falsifying your records.

(3) If an audit disqualifies credits that you reported to the board and results in you failing to complete the PDH requirements, the board may require the shortage to be made up over a period of time established by the board.

NEW SECTION

WAC 308-12-290 Are there any exemptions from the professional development requirement? (1) The board may waive the professional development requirement under the following circumstances. The waiver would only be in effect for the current renewal period. If your professional development is audited, the board will require documentation of:

(a) Physical disability, prolonged illness, or other extenuating circumstances that pose a personal hardship, as determined by the board.

(b) Active military duty for at least one hundred twenty days.

(2) You are exempted from the professional development requirements if you withdraw from active practice and place your license in inactive or retired status.

AMENDATORY SECTION (Amending WSR 07-05-040, filed 2/15/07, effective 3/18/07)

WAC 308-12-320 ((Renewal of licenses.)) How do I renew my license? ((1) The license renewal date for architects will be the architect's birth date. Licensees who fail to pay the license renewal fee within thirty days of license expiration date will be subject to the late payment penalty fee as set forth in RCW 18.08.430 and WAC 308-12-326.

(2) The renewal period for architects is two years.

(3) Assessment of delinquent fees will be based on the number of years delinquent multiplied by one-half of the two-year renewal fee or the fee for one year.

(4) A registrant who fails to pay a renewal fee for a period of five years or more may be reinstated upon payment of all delinquent renewal fees and a penalty fee. Assessment of delinquent fees will be based on the number of years delinquent multiplied by one-half of the two-year renewal fee or the fee for one year. In addition to the payment of delinquent fees and a penalty fee the registrant shall submit the following:

(a) A summary of the current law and rules governing architects.

(b) A professional resume of architectural activities during the delinquent period, in sufficient detail to demonstrate to the board maintenance of minimum skills.

(c) A detailed explanation of the circumstances surrounding the reason the license was allowed to expire.

The board may require additional evidence as needed to verify minimum competency and qualifications. The registrant may be required to appear before the board or a representative member thereof where questions of competency remain.

(5) Registrants who withdraw from the practice of architecture, and exceed five years in an inactive status, shall request reinstatement in writing to the board and shall submit the following:

(a) A summary of the current law and rules governing architects.

(b) A professional resume of architectural activities during the delinquent period, in sufficient detail to demonstrate to the board maintenance of minimum skills.

(c) A detailed explanation of the circumstances surrounding the reason the license was in an inactive status for more than five years.

The board may require additional evidence as needed to verify minimum competency and qualifications. The registrant may be required to appear before the board or a representative member thereof where questions of competency remain.)) The architect license renewal period is two years. Your expiration date is your birthday. You must notify the board in writing of any address changes.

You are responsible for renewing your license regardless of receiving a renewal notice from the department. If you fail to renew your license, your license is delinquent and you are prohibited from offering and/or providing professional architect services until your license is reinstated.

(1) If your license has been delinquent less than two years, send to the department:

(a) A letter requesting reinstatement, including certification of having met current professional development requirements; and

(b) The current renewal fee plus the late penalty fee.

(2) If your license has been delinquent over two years but less than five years, send to the department:

(a) A letter requesting reinstatement, including certification of having met current professional development requirements; and

(b) Payment from the previous renewal cycle, the current renewal fee, and the late penalty fee.

(3) If your license has been delinquent five or more years, send to the department:

(a) A letter of application requesting reinstatement;

(b) Payment from all previous renewal cycles, the current renewal fee, and the late penalty fee;

(c) A review of Washington's laws and rules relating to the practice of architecture; and

(d) Evidence of completion of thirty-six PDH within the previous three years. See WAC 308-12-260 for qualifying activities.

(4) If your license has been delinquent five or more years, the board will review all of your reinstatement materials. They may request additional information if necessary.

AMENDATORY SECTION (Amending WSR 99-08-062, filed 4/2/99, effective 5/3/99)

WAC 308-12-326 Architect fees. (1) Suspension of fees. Effective July 1, 2011, the listed fees shown in subsection (2) of this section are suspended and replaced with the following:

<u>Title of Fee</u>	<u>Fee</u>
<u>Individuals:</u>	
<u>Examination application</u>	<u>\$50.00</u>
<u>Reciprocity application</u>	<u>250.00</u>
<u>Initial licensure</u>	<u>75.00</u>
<u>License renewal (2 years)</u>	<u>75.00</u>
<u>Late renewal penalty</u>	<u>25.00</u>
<u>Duplicate license</u>	<u>15.00</u>
<u>Business entities:</u>	
<u>Certificate of authorization</u>	<u>100.00</u>
<u>Certificate of authorization renewal</u>	<u>50.00</u>

The fees set forth in this section shall revert back to the fee amounts shown in subsection (2) of this section on July 1, 2013.

(2) The following fees shall be charged by the business and professions division of the department of licensing:

<u>Title of Fee</u>	<u>Fee</u>
Examination application	\$100.00
Reciprocity application	390.00
Initial ((registration)) <u>licensure</u>	99.00
((Oral examination	50.00
Registration)) <u>License renewal (2 years)</u>	99.00
Late renewal <u>penalty</u>	33.00
((Certificate replacement	15.00)
Duplicate license	15.00
((Certification	27.00
Corporations)) <u>Business entities:</u>	
Certificate of authorization	278.00
Certificate of authorization renewal	139.00

~~((RULES OF PROFESSIONAL PRACTICE))~~

AMENDATORY SECTION (Amending WSR 02-11-082, filed 5/14/02, effective 6/14/02)

WAC 308-12-330 ~~((Rules of))~~ What are the standards of professional practice(s)? (1) Competence.

(a) When practicing architecture, ~~((an architect))~~ you must act with reasonable care and competence, and must apply the technical knowledge and skill which is ordinarily applied by architects of good standing, practicing in the same locality.

(b) When designing a project, ~~((an architect))~~ you must take into account all applicable state and municipal building laws and regulations. ~~((An architect))~~ You may rely on the advice of other professionals (e.g., attorneys, engineers, and other qualified persons) as to the intent and meaning of such regulations. ~~((An architect))~~ You must not knowingly design a project in violation of such laws and regulations.

(c) ~~((An architect))~~ You must perform professional services only when ~~((the architect))~~ you, together with those ~~((whom the architect))~~ you may engage as consultants, are qualified by education, training, and experience in the specific technical areas involved.

(d) ~~((No person))~~ You will not be permitted to practice architecture if, in the board's judgment, ~~((such person's))~~ your professional competence is substantially impaired by physical or mental disabilities.

(2) Conflict of interest.

(a) ~~((An architect))~~ You must not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed and agreed to in writing by all interested parties.

(b) ~~((The architect))~~ You must fully disclose in writing to ~~((the))~~ your client or employer the nature of any business association or direct or indirect financial interest which is substantial enough to influence ~~((the architect's))~~ your judgment in connection with the performance of professional services. If ~~((the))~~ your client or employer objects to such association or financial interest, ~~((the architect will))~~ you must either terminate such association or interest or offer to give up the commission or employment.

(c) ~~((An architect))~~ You must not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their products.

(d) When acting as the interpreter of building contract documents and the judge of contract performance, ~~((an architect))~~ you must render decisions impartially, favoring neither party to the contract.

(3) Full disclosure.

(a) ~~((An architect))~~ You must disclose any compensation received for making public statements on architectural questions.

(b) ~~((An architect))~~ You must accurately represent qualifications and scope of responsibility to prospective or existing clients or employers for work for which ~~((the architect is))~~ you are claiming credit.

(c) In the course of work on a project, if ~~((an architect))~~ you become~~((s))~~ aware of a decision made by ~~((the))~~ your employer or client, against ~~((the architect's))~~ your advice, which violates applicable state or municipal building laws and regulations and which will, in ~~((the architect's))~~ your judgment, materially and adversely affect the safety to the public of the finished project~~((, the architect must))~~:

(i) You must report the decision to the local building inspector or other public official charged with the enforcement of the applicable state or municipal building laws and regulations, ~~((it))~~ refuse to consent to the decision, and ~~((it))~~ terminate services on the project when ~~((the architect))~~ you reasonably believe~~((s that))~~ decisions will be made against ~~((the architect's))~~ your objection. In the case of a termination in accordance with (c)~~((it))~~ (i) of this subsection,

~~((the architect))~~ you shall have no liability to ~~((the))~~ your client or employer because of such termination.

~~((iv) An architect))~~ (ii) You must not deliberately make a materially false statement or deliberately fail to disclose a material fact in connection with ~~((the))~~ your application for registration or renewal.

~~((v) An architect))~~ (iii) You must not assist a person in applying for registration when ~~((the architect))~~ you know ~~((s))~~ the applicant is unqualified in education, training, experience, or character.

~~((vi) An architect possessing))~~ (iv) If you possess knowledge of a violation of these rules by another architect, you must report such knowledge to the board.

(4) Compliance with laws.

(a) ~~((An architect))~~ You must not, in the conduct of architectural practice, knowingly violate any state or federal criminal law.

(b) ~~((An architect))~~ You must not offer or make any payment or gift to a government official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which ~~((the architect is))~~ you are interested.

(c) ~~((An architect))~~ You must comply with the registration laws and regulations governing ~~((his or her))~~ your professional practice.

(5) Professional conduct.

(a) An office maintained for the purpose of providing architectural services must have an architect resident regularly employed in that office with direct knowledge and supervisory control of such work.

(b) ~~((An architect))~~ You must not offer or provide any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which ~~((the architect is))~~ you are interested.

(c) ~~((An architect))~~ You must not engage in conduct involving fraud or wanton disregard of the rights of others.

NEW SECTION

WAC 308-12-335 When can I call myself an architect if I don't have a Washington license? You can use the title "architect" without an active Washington license when you are identifying your profession under the following circumstances:

(1) You are a United States government employee or officer engaged in architectural activities solely for said government and you are currently licensed in any U.S. jurisdiction.

(2) You are an instructor at an accredited architectural degree program in architecture engaged solely in teaching activities and you are currently licensed in any U.S. jurisdiction.

(3) You are offering to practice architecture as defined in RCW 18.08.310(2), including participation in design competition.

NEW SECTION

WAC 308-12-340 How do I apply the exemptions contained in RCW 18.08.410? For the purposes of clarifying the exemptions to licensing contained in RCW 18.08.410, the following brief summaries and definitions apply:

(1) RCW 18.08.410(5) grants exemption for any person to design and prepare construction documents for any residential building, regardless of area, up to but not greater than four dwelling units; or a farm building; or a structure as described in RCW 18.08.410(5).

(2) RCW 18.08.410(6) grants exemption for any person to design a building of any occupancy for up to a total building size of four thousand square feet.

(3) RCW 18.08.410(7) grants exemption for any person to design and prepare construction documents for alteration of, or repairs to, a project not greater than four thousand square feet in a building greater than four thousand square feet and when the contemplated work does not affect life safety or structural systems. The combined square footage of simultaneous projects allowances under this section shall not exceed four thousand square feet.

(4) Life safety is affected if the work contemplated includes, but is not limited to:

- (a) Alteration of any fire rated construction;
- (b) Alteration of any means of egress including barrier free provisions defined by the building codes;
- (c) Alteration of a building such that the number of occupants in the affected space(s) would be increased.

(5) Project size is defined as the cumulative square footage of all spaces that contain altered construction in the design under consideration.

(6) Simultaneous projects are projects which have an open permit in the same building, designed or prepared by nonarchitects, the total of which may not exceed four thousand square feet.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
308-12-111	308-12-016
308-12-115	308-12-005
308-12-180	308-12-345
308-12-190	308-12-350
308-12-230	308-12-355
308-12-320	308-12-215
308-12-326	308-12-205

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-12-040	Appeal of examinations.
WAC 308-12-080	Approved schools of architecture.

WAC 308-12-150

Work experience defined.

WSR 11-11-022
PERMANENT RULES
DEPARTMENT OF ECOLOGY

[Order 10-10—Filed May 9, 2011, 2:57 p.m., effective June 9, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The department of ecology (ecology) is filing this CR-103 to correct the rule-making order (WSR 11-09-090) filed on April 20, 2011. This CR-103 filing provides strikethrough and underline language for WAC 173-201A-602 in order to conform to RCW 34.05.395.

Citation of Existing Rules Affected by this Order: Amending WAC 173-201A-602.

Statutory Authority for Adoption: RCW 90.48.035.

Adopted under notice filed as WSR 11-03-066 on January 18, 2011.

Changes Other than Editing from Proposed to Adopted Version: This order now includes the strikethrough and underline language for all portions of WAC 173-201A-602 to conform to RCW 34.05.395. The rule language previously did not include one page of the WAC 173-201A-602 table that should have been deleted, but did include the language ecology was proposing. This adoption order removes duplicated text and leaves the newly amended text.

The proposed rule language, filed on January 18, 2011, included a record in WAC 173-201A-602 of a stream in WRIA 10 called Swam Creek. Two individuals submitted comments stating that Swam Creek was the incorrect stream name, and that it should be changed to Swan Creek. Based on these comments, and verified on other map sources, ecology agreed that the stream name should be Swan Creek and corrected the rule language.

A final cost-benefit analysis is available by contacting Susan Braley, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6414, fax (360) 407-6426, e-mail swqs@ecy.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 9, 2011.

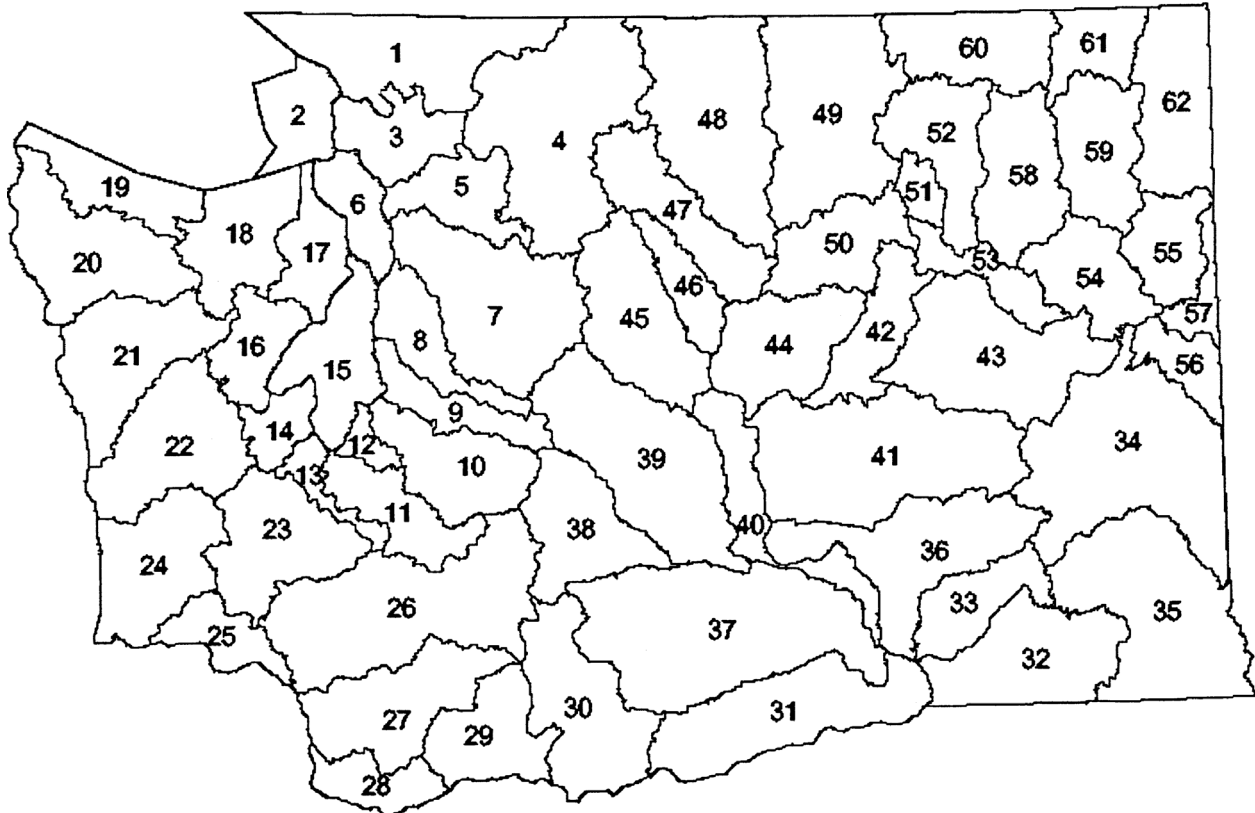
Ted Sturdevant
 Director

AMENDATORY SECTION (Amending Order 06-04, filed 11/20/06, effective 12/21/06)

WAC 173-201A-602 Table 602—Use designations for fresh waters by water resource inventory area (WRIA). (1) Table 602 lists uses for fresh waters. All surface waters of the state have designated uses assigned to them for protection under this chapter. Table 602 lists use designations for specific fresh waters. Fresh waters not assigned designated uses in Table 602 have their designated uses assigned in accordance with WAC 173-201A-600 and 173-201A-260(3). In Table 602, the Columbia River is listed first, followed by other water bodies listed by WRIA. Only the uses with the most stringent criteria are listed. The criteria notes in Table 602 take precedence over the criteria in WAC 173-201A-200 for same parameter.

(2) Table 602 is necessary to determine and fully comply with the requirements of this chapter. If you are viewing a paper copy of the rule from the office of the code reviser or are using their web site, Table 602 may be missing (it will instead say "place illustration here"). In this situation, you may view Table 602 at the department of ecology's web site at www.ecy.wa.gov, or request a paper copy of the rule with Table 602 from the department of ecology or the office of the code reviser.

Illustration 1: Water Resources Inventory Area Map



Key:			
1. Nooksack	21. Queets/Quinault	41. Lower Crab	61. Upper Lake Roosevelt
2. San Juan	22. Lower Chehalis	42. Grand Coulee	62. Pend Oreille
3. Lower Skagit/Samish	23. Upper Chehalis	43. Upper Crab/Wilson	
4. Upper Skagit	24. Willapa	44. Moses Coulee	
5. Stillaguamish	25. Grays/Elochoman	45. Wenatchee	
6. Island	26. Cowlitz	46. Entiat	
7. Snohomish	27. Lewis	47. Chelan	
8. Cedar/Sammamish	28. Salmon/Washougal	48. Methow	
9. Duwamish/Green	29. Wind/White Salmon	49. Okanogan	
10. Puyallup/White	30. Klickitat	50. Foster	
11. Nisqually	31. Rock/Glade	51. Nespelem	
12. Chambers/Clover	32. Walla Walla	52. Sanpoil	
13. Deschutes	33. Lower Snake	53. Lower Lake Roosevelt	
14. Kennedy/Goldsborough	34. Palouse	54. Lower Spokane	
15. Kitsap	35. Middle Snake	55. Little Spokane	
16. Skokomish/Dosewallips	36. Esquatzel Coulee	56. Hangman	
17. Quilcene/Snow	37. Lower Yakima	57. Middle Spokane	
18. Elwha/Dungeness	38. Naches	58. Middle Lake Roosevelt	
19. Lyre/Hoko	39. Upper Yakima	59. Colville	
20. Soleduck/Hoh	40. Alkaki/Squilchuck	60. Kettle	

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
COLUMBIA RIVER																		
Columbia River from mouth to the Washington-Oregon border (river mile 309.3). ¹			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Columbia River from Washington-Oregon border (river mile 309.3) to Grand Coulee Dam (river mile 596.6). ^{2,3}			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Columbia River from Grand Coulee Dam (river mile 596.6) to Canadian border (river mile 745.0).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for Columbia River:																		
1. Temperature shall not exceed a 1-day maximum (1-DMax) of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined. Dissolved oxygen shall exceed 90 percent of saturation. Special condition - special fish passage exemption as described in WAC 173-201A-200 (1)(f).																		
2. From Washington-Oregon border (river mile 309.3) to Priest Rapids Dam (river mile 397.1). Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed t = 34/(T + 9).																		
3. From Washington-Oregon border (river mile 309.3) to Grand Coulee Dam (river mile 596.6). Special condition - special fish passage exemption as described in WAC 173-201A-200 (1)(f).																		
WRIA 1 - Nooksack																		
Bertrand Creek from mouth to Canadian border	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Breckenridge Creek and tributaries	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Chilliwack River and Little Chilliwack River: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Chuckanut Creek from mouth to headwaters		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Colony Creek and tributaries from mouth to headwaters		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Dakota Creek and tributaries		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Dale Creek		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Deer Creek (tributary to Barrett Lake) and tributaries		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Depot Creek and tributaries	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓

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	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Fishtrap Creek from mouth to Canadian border		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Hutchinson Creek and tributaries.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Johnson Creek, unnamed tributary just north of Pangborn Road watershed		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River mainstem from mouth to Anderson Creek.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River and tributaries [except where otherwise designated Char] from and including Anderson Creek (latitude 48.8675 longitude -122.3210) to junction with South Fork.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, North Fork, and all tributaries, upstream to the junction with Maple creek (RM 49.7)		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, North Fork, and all tributaries above and including Maple Creek (RM 49.7) and tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, Middle Fork, and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, South Fork, from mouth to Skookum Creek (river mile 14.3).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, South Fork, from Skookum Creek (river mile 14.3) to Fobes Creek.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, South Fork, and all tributaries above the junction at Fobes Creek.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Padden Creek and tributaries from mouth to headwaters		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Pepin Creek from mouth to Canadian border		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Saar Creek from latitude 48.9490 longitude -122.2252 to headwaters		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Silesia Creek and all tributaries south of Canadian border.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Skookum Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Squaw Creek		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Squalicum Creek, unnamed tributary from latitude 48.7862 longitude -122.4864 to headwaters		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Stickney Creek (Slough) and Kamm Ditch from confluence with mainstem Nooksack River to headwaters.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses			Misc. Uses						
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Sumas River from Canadian border (river mile 12) to headwaters (river mile 23) except where designated otherwise.			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Tennile Creek below Barrett Lake		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Tomyhoi Creek and tributaries from Canadian border to headwaters.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Whatcom Creek and tributaries from mouth to outlet of Lake Whatcom.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 2 San Juan																		
There are no specific waterbody entries for this WRIA.																		
WRIA 3 Lower Skagit-Samish																		
Fisher Creek and tributaries.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Hansen Creek and tributaries.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Nookachamps Creek and tributaries (except where designated char).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Nookachamps Creek, East Fork, and unnamed creek at latitude 48.4103 longitude -122.1657: All waters (including tributaries) above the junction.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Samish River and tributaries above latitude 48.5472 longitude -122.3378 (Sect 18 T36 R4E).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Skagit River mainstem from mouth to Skiyou Slough-lower end (river mile 25.6).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Skagit River, all tributaries to the mainstem from the mouth to Skiyou Slough-lower end (river mile 25.6); except where designated otherwise.			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Skagit River and tributaries from Skiyou Slough-lower end, (river mile 25.6) to the boundary of WRIA 3 and 4, except the other waters listed for this WRIA. ¹		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Walker Creek and unnamed creek at latitude 48.3813 longitude -122.1639: All waters (including tributaries) above the junction.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 3:																		
1. Skagit River (Gorge by-pass reach) from Gorge Dam (river mile 96.6) to Gorge Powerhouse (river mile 94.2). Temperature shall not exceed a 1-DMax of 21°C due to human activities. When natural conditions exceed a 1-DMax of 21°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C, nor shall such temperature increases, at any time, exceed t = 34/(T + 9).																		
WRIA 4 Upper Skagit																		

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Bacon Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Baker Lake and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Bear Creek and the unnamed outlet creek of Blue Lake: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Big Beaver Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Big Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Buck Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cascade River and Boulder Creek: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Circle Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Clear Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Diobud Creek and the unnamed tributary at longitude -121.4414 and latitude 48.5850: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Goodell Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Hozomeen Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Illabot Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Jordan Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Lightning Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Beaver Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Murphy Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Newhalem Creek, and all tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Rocky Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Ruby Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Sauk River and Dutch Creek: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Silver Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Skagit River and tributaries, except where listed otherwise for this WRIA. ¹	✓	✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Stetattle Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Straight Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Suiattle River all tributaries above Harriet Creek.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Sulfur Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tenas Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Thunder Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
White Chuck River and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 4:																		
1. Skagit River (Gorge by-pass reach) from Gorge Dam (river mile 96.6) to Gorge Powerhouse (river mile 94.2). Temperature shall not exceed a 1-DMax of 21°C due to human action. When natural conditions exceed a 1-DMax of 21°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C, nor shall such temperature increases, at any time, exceed t = 34/(T + 9).																		
WRIA 5 Stillaguamish																		
Brooks Creek and the unnamed tributary at latitude 48.2967 longitude -121.9031: All waters (including tributaries) above the junction.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Canyon Creek above unnamed tributary at latitude 48.1242 longitude -121.8894 (Sect. 34 T31N R7E) to headwaters (including tributaries).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Canyon Creek's unnamed tributaries at latitude 48.1459 longitude -121.9648.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Unnamed tributaries at latitude 48.1461 longitude -122.9649 located upstream of unnamed tributary at river mile 3 of Canyon Creek	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Crane Creek and unnamed tributary at latitude 48.3330 longitude -121.1000: All waters (including tributaries) above the junction.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Crane Creek's unnamed tributaries at latitude 48.3315 longitude -121.1030: All waters (including tributaries) above the junction.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Cub Creek and the unnamed tributary at latitude 48.1655 longitude -121.9376: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Deer Creek (on N.F. Stillaguamish) and the unnamed tributary at longitude -121.9565 and latitude 48.3195: All waters (including tributaries) above the junction.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Dicks Creek and unnamed outlet of Myrtle Lake at latitude 48.3187 longitude -121.8129: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Jim Creek and Little Jim Creek: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Jorgenson Slough (Church Creek) from latitude 48.2347 longitude -121.3530 between West Pass and Hat Slough: All waters (including tributaries) above the junction.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Lake Cavanaugh and all tributaries above outlet at latitude 48.3127 longitude -121.9802.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pilechuck Creek and Bear Creek: All waters (including tributaries) above the junction.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Pilechuck Creek's unnamed tributaries at latitude 48.3104 longitude -122.1305: All waters (including tributaries) above the junction.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Pilechuck Creek from latitude 48.2395 longitude -122.2015 (above 268 th St) to headwaters including tributaries(except where designated Char)		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Unnamed tributary to Portage Creek at latitude 48.1837 longitude -122.2314: All waters (including tributaries) above the junction		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Stilaguamish River from mouth to junction of north and south forks (river mile 17.8).			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Stilaguamish River, North Fork, from mouth to Boulder River (including tributaries) except where designated Char.								✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Stilaguamish River, North Fork, and Boulder River: All waters (including tributaries) from the junction up to Squire Creek, downstream of the Mt. Baker Snoqualmie National Forest.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Stilaguamish River, North Fork, and Boulder River: All waters (including tributaries) from the junction up to Squire Creek that are in or above the Mt. Baker Snoqualmie National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Stilaguamish River, North Fork, from Squire Creek (river mile 31.2) to headwaters, including all tributaries.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Stillaguamish River, South Fork, from mouth to Canyon Creek (river mile 33.7).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Stillaguamish River, South Fork, from Canyon Creek (river mile 33.7) to the unnamed tributary at latitude 48.0921 longitude -121.8797 (near Cranberry Creek).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Stillaguamish River, South Fork, and the unnamed tributary at latitude 48.0921 longitude -121.8797 (near Cranberry Creek): All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 6 Island																		
There are no specific waterbody entries for this WRIA.																		
WRIA 7 Snohomish																		
Cherry Creek and tributaries from mouth to headwaters.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Cripple Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Kelly Creek and tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Miller River, East Fork, and West Fork Miller River: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
North Fork Creek and unnamed creek at latitude 47.7409 longitude -121.8231 (Sect. 18 T26N R8E): All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pilchuck River from mouth to Boulder Creek.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pilchuck River and Boulder Creek: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pratt River and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Skykomish River and tributaries from mouth to May Creek (above Gold Bar at river mile 41.2).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Skykomish River and May Creek (above Gold Bar at river mile 41.2): All waters (including tributaries) above junction (Except where designated Char).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Skykomish River, North Fork, beginning below Salmon Creek at latitude 47.8790 longitude -121.4594) to headwaters (including tributaries).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Skykomish River, South Fork, and Beckler River: All waters (including	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
tributaries) above the junction.																		
Snohomish River from mouth and east of longitude 122° 13'40"W upstream to latitude 47°56'30"N (southern tip of Ebey Island at river mile 8.1). ¹							✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Snohomish River from latitude 47°56'30"N (southern tip of Ebey Island at river mile 8.1) to below Pilchuck Creek at latitude 47.9045 longitude -122.0917.			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
Snohomish River from below Pilchuck Creek (latitude 47.9045 longitude -122.0917) to confluence with Skykomish and Snoqualmie River (river mile 20.5).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Snoqualmie River from mouth to junction with Harris Creek (latitude 47.7686 longitude -121.9605; Sect.5 T25N R6E)			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
Snoqualmie River and tributaries from and including Harris Creek (latitude 47.7686 longitude -121.9605; Sect.5 T25N R6E) to west boundary of Twin Falls State Park on south fork (river mile 9.1).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Snoqualmie River, South Fork, from west boundary of Twin Falls State Park (river mile 9.1) to headwaters (including tributaries).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Snoqualmie River, North Fork, from mouth to Sunday Creek.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Snoqualmie River, North Fork, and Sunday Creek: All waters (including tributaries) above the junction.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Snoqualmie River, Middle Fork, from mouth to Dingford Creek (Except where designated char).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Snoqualmie River, Middle Fork, and Dingford Creek: All waters (including tributaries) above the junction.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Snoqualmie River's Middle Fork's unnamed tributaries at latitude 47.5389 longitude -121.5629 (Sect. 29 T24N R10E).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Sultan River and tributaries from mouth to Chaplain Creek (river mile 5.9).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Sultan River and tributaries from Chaplain Creek (river mile 5.9) to headwaters. ²		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Taylor River and all tributaries.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Tolt River, North Fork, and unnamed creek at latitude 47.7183 longitude -121.7775: All waters (including tributaries) above the junction.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Tolt River, South Fork, and tributaries from mouth to west boundary of Sec. 31-T26N-R9E (river mile 6.9).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tolt River, South Fork, and tributaries from west boundary of Sec. 31-T26N-R9E (river mile 6.9) to headwaters, except for the waters specifically listed in this table: South Fork Tolt River and South Fork Tolt River's unnamed tributaries. ³		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tolt River, South Fork, and unnamed creek at latitude 47.6925 longitude -121.7392: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tolt River's South Fork's unnamed tributaries at latitude 47.6889 longitude -121.7856 (Sect.33 T26N R8E).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Trout Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 7:																		
1. Fecal coliform organism levels shall both not exceed a geometric mean value of 200 colonies/100 mL and not have more than 10 percent of the samples obtained for calculating the mean value exceeding 400 colonies/100 mL.																		
2. No waste discharge will be permitted above city of Everett Diversion Dam (river mile 9.4).																		
3. No waste discharge will be permitted for the South Fork Tolt River and tributaries from west boundary of Sec. 31-T26N-R9E (river mile 6.9) to headwaters.																		
WRIA 8 Cedar-Sammamish																		
Cedar River from Lake Washington to the Maplewood Bridge (river mile 4.1).	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Cedar River and tributaries from the Maplewood Bridge (river mile 4.1) to Landsburg Dam (river mile 21.6).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cedar River and tributaries from Landsburg Dam (river mile 21.6) to Chester Morse Lake. ¹	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cedar River at Chester Morse Lake Cedar Falls Dam: All waters (including tributaries) to headwaters. ²	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Holder Creek and the unnamed tributary at latitude 47.4581 longitude -121.9496: All waters (including tributaries) above the junction.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Issaquah Creek from Lake Sammamish to headwaters (including tributaries) except where designated Char.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

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		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Lake Washington Ship Canal from Government Locks (river mile 1.0) to Lake Washington (river mile 8.6). ^{3,4}	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 8:																			
1. No waste discharge will be permitted.																			
2. No waste discharge will be permitted.																			
3. Salinity shall not exceed one part per thousand (1.0 ppt) at any point or depth along a line that transects the ship canal at the University Bridge (river mile 6.1).																			
4. This waterbody is to be treated as a Lakes for purposes of applying this chapter.																			
WRIA 9 Duwamish-Green																			
	Duwamish River from mouth south of a line bearing 254° true from the NW corner of berth 3, terminal No. 37 to the Black River (river mile 11.0) (Duwamish River continues as the Green River above the Black River).			✓						✓		✓	✓	✓	✓	✓	✓	✓	✓
	Green River from and including the Black River (river mile 11.0 and point where Duwamish River continues as the Green River) to latitude 47.3699 longitude - 122.246 (Sect. 25 T22N R4E) above junction with unnamed tributary.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
	Green river from above junction with unnamed tributary at latitude 47.3699 longitude - 122.2461 (Sect. 25 T22N R4E) (east of the West Valley highway) to west boundary of Flaming Geyser State Park (including all tributaries)		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
	Green River from W. Boundary of Flaming Geyser State Park to headwaters (including tributaries) except where designated Char, Core, and Ex. Primary; Green River and Sunday Creek: All waters (including tributaries) above the junction. ¹		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
	Smay Creek and West Fork Smay Creek: All waters (including tributaries) above the junction. ¹		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 9:																			
1. No waste discharge will be permitted for the Green River and tributaries (King County) from west boundary of Sec. 13-T21N-R7E (river mile 59.1) to headwaters.																			
WRIA 10 Puyallup-White																			

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Carbon River and tributaries above latitude 46.9998 longitude -121.0794, downstream of the Snoqualmie National Forest or Mt. Rainier National Park.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Carbon River and tributaries above latitude 46.9998 longitude -121.9794 that are in or above the Snoqualmie National Forest or Mt. Rainier National Park.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Clarks Creek upstream of tribal reservation.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Clear Creek and tributaries upstream of tribal reservation.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Clearwater River and Milky Creek: All waters (including tributaries) above the junction.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Greenwater River from junction with White River to headwaters (including all tributaries).	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Puyallup River from mouth to river mile 1.0.				✓						✓	✓	✓	✓	✓	✓	✓	✓	✓
Puyallup River from river mile 1.0 to junction with White River.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Puyallup River and tributaries from junction with White River to Mowich River (Except where designated char).		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Puyallup River at and including Mowich River: All waters (including tributaries) above the junction.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
South Prairie Creek and all tributaries above the Kepka Fishing Pond, except those waters in or above the Snoqualmie National Forest.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
South Prairie Creek and all tributaries above the Kepka Fishing Pond that are in or above the Snoqualmie National Forest.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Swan Creek upstream of tribal reservation.		✓									✓	✓	✓	✓	✓	✓	✓	✓
Voight Creek and Bear Creek: All waters (including tributaries) above the junction, that are downstream of the Snoqualmie National Forest or Mt. Rainier National Park.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Voight Creek and Bear Creek: All waters (including tributaries) above the junction that are in or above the Snoqualmie National Forest or Mt. Rainier National Park.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
White River from mouth to latitude 47.2438 longitude -122.2422 (Sect. 1 T20N)																		

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R4E).																		
White River from latitude 47.2438 longitude -122.2422 (Sect. 1 T20N R4E) to Mud Mountain dam (including tributaries).																		
White River from Mud Mountain Dam (river mile 27.1) to West Fork White River at (latitude 47.3699 longitude -121.6197) except where designated Char.																		
White River from and including West Fork White River: All waters (including tributaries) above the junction.																		
Wilkeson Creek and Gale Creek: All waters (including tributaries) above the junction, except those waters in or above the Snoqualmie National Forest.																		
Wilkeson Creek and Gale Creek: All waters (including tributaries) above the junction that are in or above the Snoqualmie National Forest.																		
WRIA 11 Nisqually																		
Big Creek and all tributaries.																		
Copper Creek and all tributaries.																		
East Creek and all tributaries.																		
Horn Creek and tributaries																		
Little Nisqually River and all tributaries.																		
Mashel River and Little Mashel River: All waters (including tributaries) above the junction.																		
Mineral Creek and all tributaries.																		
Muck Creek and tributaries																		
Murray Creek and tributaries																		
Nisqually River mainstem from mouth to Alder Dam (river mile 44.2).																		
Nisqually River from Alder Dam (river mile 44.2) to Tahoma Creek (including tributaries) except where designated Char.																		
Nisqually River and Tahoma Creek: All waters (including tributaries) above the junction.																		

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Rocky Slough from latitude 46.8882 longitude -122.4339 to latitude 46.9109 longitude -122.4012.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tanwax Creek and tributaries downstream of lakes		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 12 Chambers-Clover																		
Clover Creek from outlet of Lake Spanaway to inlet of Lake Steilacoom.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 13 Deschutes																		
Deschutes River from mouth to and including tributary to Offutt Lake.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Deschutes River, and tributaries, upstream of the tributary to Offutt Lake (all waters in or above the national forest boundary).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Deschutes River, and tributaries, upstream of the tributary to Offutt Lake (all waters below the national forest boundary).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 14 Kennedy-Goldsborough																		
Campbell Creek and tributaries	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Coffee Creek and tributaries	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Cranberry Creek and tributaries	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Deer Creek and tributaries	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Goldsborough Creek and tributaries	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Hiawata Creek and tributaries			✓															
Jarrell Creek and tributaries			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
John's Creek and tributaries	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Jones Creek and tributaries			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
Malaney Creek (at Spencer Lake)	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
McLane Creek and tributaries	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek and tributaries	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Perry Creek and tributaries	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Shelton Creek and tributaries	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Uncle Johns Creek and tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Unnamed stream (latitude 47.2237 longitude -122.9135) at Peale Passage inlet on west side of Hartstene Island.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 15 Kitsap																			
	Anderson Creek and tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Barker Creek and tributaries from Dyes Inlet to Island Lake	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Blackjack Creek and tributaries downstream of Square Lake	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Chico Creek and tributaries above junction with Kitsap Creek (tributaries to Chico Bay in Dyes Inlet).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Clear Creek from Dyes Inlet to headwaters (including tributaries)	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Gamble Creek and tributaries (latitude 47.8116 longitude -122.5797).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Gorst Creek and tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Martha John Creek and tributaries (latitude 47.8252 longitude -122.5632).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Ross Creek and tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Strawberry Creek and tributaries (latitude 47.6458 longitude -122.6933)	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Union River and tributaries from Bremerton Waterworks Dam (river mile 6.9) to headwaters. ¹	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Unnamed tributary to Sinclair Inlet between Gorst and Anderson Creeks (latitude 47.5270 longitude -122.6932).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Unnamed tributary to Sinclair Inlet (latitude 47.5471 longitude -122.6123) east of Blackjack Creek			✓				✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Unnamed tributary west of Port Gamble Bay at latitude 47.8195 longitude -122.5848.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Notes for WRIA 15:																		
	1. No waste discharge will be permitted.																		
WRIA 16 Skokomish-Dosewallips																			

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Dosewallips River and tributaries.																		
Duckabush River and tributaries.																		
Hamma Hamma River and tributaries.																		
Rock Creek and unnamed tributary at latitude 47.3894 longitude -123.3496: All waters (including tributaries) above the junction.																		
Skokomish River and tributaries, except where designated char.																		
Skokomish River, North Fork, from latitude 47.4160 longitude -123.2233 (below Cushman Upper Dam) to headwaters (including tributaries).																		
Skokomish River, South Fork, and Brown Creek: All waters (including tributaries) above the junction.																		
Vance Creek and Cabin Creek all waters above the junction.																		
WRIA 17 Quilcene-Snow																		
Big Quilcene River and tributaries.																		
WRIA 18 Elwha-Dungeness																		
Boulder Creek and Deep Creek: All waters (including tributaries) above the junction.																		
Dungeness River mainstem from mouth to Canyon Creek (river mile 10.8).																		
Dungeness River, tributaries to mainstem, above and between confluence with Matriotti Creek to Canyon Creek (river mile 10.8).																		
Dungeness River and Canyon Creek: All waters (including tributaries) above the junction.																		
Elwha River and tributaries from mouth to Cat Creek, except where designated Char.																		
Elwha River and Cat Creek: All waters (including tributaries) above the junction.																		
Ennis Creek and White Creek (and all tributaries) from the junction with the Strait of Juan De Fuca to the Olympic National Park Boundary.																		
Ennis Creek and tributaries lying above the Olympic National Park Boundary.																		

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Griff Creek and the unnamed tributary at latitude 48.0135 longitude -123.5440 (Sect. 11 T29N R7W): All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Hughes Creek and the unnamed tributary at latitude 48.0298 longitude -123.6322 (Sect. 6 T29N R7W): All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Little River and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Matriotti Creek		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Wolf Creek and the unnamed tributary at latitude 47.9654 longitude -123.5374 (Sect. 35 T29N R7W): All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 19 Lyre-Hoko																		
There are no specific waterbody entries for this WRIA.																		
WRIA 20 Soleduc																		
Dickey River and tributaries.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoh River and tributaries from mouth to South Fork Hoh River.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoh River and South Fork Hoh River: All waters above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Quillayute River.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Soleduck River and tributaries from mouth to Canyon Creek.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Soleduck River and all tributaries above Canyon Creek.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 21 Queets-Quinault																		
Clearwater River and the unnamed tributary at latitude 47.7270 longitude -124.0361 (Sect.26 T26N R11W): All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Kunamakst Creek and the unnamed tributary at latitude 47.7285 longitude -124.0771 (Sect.26 T26N R11W): All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Matheny Creek and the unnamed tributary at latitude 47.5592 longitude -123.9538: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Queets River and tributaries from mouth to Tshletsy Creek.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

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	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Queets River and tributaries above the junction with Tshletshy Creek.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Quinalt River and tributaries from mouth to the junction with the North Fork Quinalt River.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Quinalt River and North Fork Quinalt: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Salmon River, Middle Fork, and the unnamed tributary at latitude 47.5208 longitude -123.9899: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Sams River and the unnamed tributary at latitude 47.6059 longitude -123.8941: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Sollecks River and the unnamed tributary at latitude 47.6937 longitude -124.0133: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Stequaleho Creek and the unnamed tributary at latitude 47.6620 longitude -124.0426: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tshletshy Creek and the unnamed tributary at latitude 47.6585 longitude -123.8668: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 22 Lower Chehalis																		
Andrews Creek and tributaries above junction with West Fork.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Baker Creek and the unnamed tributary at latitude 47.3301 longitude -123.4142: All waters (including tributaries) above the junction.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Big Creek and Middle Fork Big Creek: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Canyon River and the unnamed tributary at latitude 47.3473 longitude -123.4936: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Chehalis River from upper boundary of Grays Harbor at Cosmopolis (river mile 3.1, longitude 123°45'45"W) to latitude 46.6004 and longitude -123.1472 (Section 23 T13N R43W on main stem and to latitude 46.6013 and longitude -123.1253 on South Fork..			✓					✓										
Chester Creek and the unnamed tributary at latitude 47.4196 longitude -123.7841: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Cloquallum Creek.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Decker Creek.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Delezene Creek and tributaries above latitude 46.9413 longitude -123.3893.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Elk River, West Branch and tributaries above latitude 46.8111 longitude -123.9774.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Goforth Creek and the unnamed tributary at latitude 47.3560 longitude -123.7323: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoquiam River, East Fork and tributaries above latitude 47.0524 longitude -123.8428 (above Lytle Creek).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoquiam River and tributaries above latitude 47.0571 longitude -123.9287 (above river mile 9.3 - Dekay Road Bridge) (upper limit of tidal influence).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoquiam River, Middle Fork and tributaries above latitude 47.0418 longitude -123.9052.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoquiam River mainstem (continues as west fork above east fork) from mouth to river mile 9.3 - Dekay Road Bridge) (upper limit of tidal influence).				✓					✓		✓	✓	✓	✓	✓	✓	✓	✓
Humtuplups River and tributaries from mouth to latitude 47.0810 longitude -124.0655 (Section 4 T18N R11W).			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
Humtuplups River and tributaries from latitude 47.0810 longitude -124.0655 (Section 4 T18N R11W) to Olympic National Forest boundary (except where designated Char) .		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Humtuplups River and tributaries from Olympic National Forest boundary to headwaters (except where designated Char) .		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Humtuplups River, East Fork, and the unnamed tributary at latitude 47.3821 longitude -123.7163: All waters (including tributaries) above the junction.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Humtuplups River, West Fork, and Petes Creek: All waters (including tributaries) above the junction.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Johns River and North Fork Johns River: All waters above the junction.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Hoquiam River, North Fork and tributaries above latitude 47.0001 longitude -123.9269.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Little Hoquiam River and tributaries above latitude 46.9934 longitude -123.9364.																		
Mox Chehalis Creek and tributaries above and latitude 46.9680 longitude -123.3083.																		
Newskah Creek and tributaries above latitude 46.9163 longitude -123.8235 (Section 32 T16N R9W).																		
Satsop River and tributaries from latitude 46.9854 longitude -123.4887 (Section 6 T17N R6W) to headwaters, except where designated Char.																		
Satsop River, West Fork, and Robertson Creek: All waters (including tributaries) above the junction.																		
Satsop River, Middle Fork, and the unnamed tributary at latitude 47.3340 longitude -123.4451: All waters (including tributaries) above the junction.																		
Wildcat Creek and tributaries above junction with Cloquallum Creek.																		
Wishkah River, East Fork and tributaries above latitude 47.0801 longitude -123.7560.																		
Wishkah River from mouth to river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W).																		
Wishkah River from river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W) to latitude 47.1089 longitude -123.7908.																		
Wishkah River from river and tributaries from latitude 47.1089 longitude -123.7908 to junction with West Fork.																		
Wishkah River and tributaries from and including West Fork to headwaters. ¹																		
Wynoochee River and tributaries from latitude 46.9709 longitude -123.6252 to (near railroad crossing) mouth to Olympic National Forest boundary (river mile 45.9).																		
Wynoochee River and tributaries from Olympic National Forest boundary (river mile 45.9) to Wynoochee Dam.																		
Wynoochee River and all tributaries above Wynoochee Dam.																		

Notes for WRIA 22:

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses				Recreation Uses			Water Supply Uses				Misc. Uses						
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
1. No waste discharge will be permitted from south boundary of Sec. 33-T21N-R8W (river mile 32.0) to headwaters.																		
WRIA 23 Upper Chehalis																		
Bunker Creek and tributaries.																		
Cedar Creek and tributaries above latitude 46.8760 longitude -123.2714 (near intersection with Highway 12).																		
Chehalis River, South Fork (including tributaries) above latitude 46.6014 longitude -123.1253 (near junction with State Route 6), except where specifically designated Char.																		
Chehalis River (including tributaries) above latitude 46.6004 longitude -123.1473 (Section 23 T13N R4W, except where specifically designated Char.																		
Chehalis River mainstem from upper boundary of Grays Harbor at Cosmopolis (river mile 3.1, longitude 123°45'45"W) to latitude 46.6004 longitude -123.1473 (Section 23 T13N R4W on main stem and to latitude 46.6014 longitude -123.1253 on South Fork. ¹																		
Chehalis River, South Fork, and the unnamed tributary at latitude 49.179 longitude -123.4127 (Sect. 10 T10N R4W): All waters (including tributaries) above the junction.																		
Chehalis River, West Fork, and East Fork Chehalis River: All waters (including tributaries) above the junction.																		
Coffee Creek and tributaries.																		
Eight Creek and the unnamed tributary at latitude 46.6211 longitude -123.4127: All waters (including tributaries) above the junction.																		
Fall Creek and the unnamed tributary at Sect. 22 T15N R1E: All waters (including tributaries) above their junction.																		
Garrard Creek, South Fork, and tributaries above latitude 46.8013 longitude -123.3060.																		
Hanaford Creek and all tributaries from east boundary of Sec. 25-T15N-R2W (river mile 4.1) to the unnamed tributary at latitude 46.7295 longitude -122.6812 except where designated Char.																		

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	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Hanaford Creek and all tributaries from mouth to east boundary of Sec. 25-T15N-R2W (river mile 4.1) ² .			✓					✓			✓	✓	✓	✓	✓	✓	✓	✓
Hanaford Creek and the unnamed tributary at latitude 46.7295 longitude - 122.6812 (Sect. 4 T14N R1E): All waters (including tributaries) above the junction.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Kearney Creek and the unnamed tributary at latitude 46.6256 longitude - 122.5683: All waters (including tributaries) above the junction.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Laramie Creek and the unnamed tributary at latitude 46.7901 longitude - 122.5901: All waters (including tributaries) above the junction.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Lincoln Creek, North Fork and tributaries above latitude 46.7370 longitude - 123.7370 and (Section 36 T15N R5W).		✓									✓	✓	✓	✓	✓	✓	✓	✓
Lincoln Creek, South Fork and tributaries above latitude 46.7253 longitude - 123.2306 (Section 6 T14N R4W).		✓									✓	✓	✓	✓	✓	✓	✓	✓
Mima Creek and tributaries above latitude 46.8588 longitude -123.0856.		✓									✓	✓	✓	✓	✓	✓	✓	✓
Newaukum River and tributaries (except where designated Char).		✓									✓	✓	✓	✓	✓	✓	✓	✓
Newaukum River, North Fork, and the unnamed tributary at latitude 46.6793 longitude -122.6677: All waters (including tributaries) above the junction.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Newaukum River, South Fork, and Frase Creek: All waters (including tributaries) above the junction.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Phoeny Creek and the unnamed tributary at latitude 46.7836 longitude - 122.6276 (Sect. 13 T15N R1E): All waters (including tributaries) above the junction.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Porter Creek and Jamaica Day Creek: All waters above the junction.		✓									✓	✓	✓	✓	✓	✓	✓	✓
Rock Creek (upstream of Callow): All waters above confluence with Chehalis River (Section 15, T16N, R5W), except where designated otherwise in this table.		✓									✓	✓	✓	✓	✓	✓	✓	✓
Rock Creek (upstream of Pe Ell) and the unnamed tributary at latitude 46.5279 longitude -123.3782 (Sect. 11 T12N R6W): All waters (including tributaries) above the junction.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Scatter Creek and tributaries from latitude 46.8025 longitude -123.0863 (near mouth) to headwaters.		✓									✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Seven Creek and the unnamed tributary at latitude 46.6192 longitude -123.3723; All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Skookumchuck River and tributaries from junction with Hanaford Creek to headwaters (except where designated char).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Skookumchuck River mainstem from mouth to Hanaford Creek.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Skookumchuck River and Hospital Creek: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Stearns Creek's, unnamed (GIS Ripple Creek) tributary at latitude 46.5711 longitude -122.9692 (Section 30 T13N R2W).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Stearns Creek's, unnamed tributary to West Fork at latitude 46.5824 longitude -123.0222 (Section 26 T13N R3W).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Stillman Creek and Little Mill Creek (Sect. 23 T12N R4W): All waters (including tributaries) above the junction.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Trash Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Waddel Creek and tributaries.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 23:																		
1. Chehalis River from Scammon Creek (RM 65.8) to Newaukum River (RM 75.2); dissolved oxygen shall exceed 5.0 mg/L from June 1 to September 15. For the remainder of the year, the dissolved oxygen shall meet standard criteria.																		
2. Dissolved oxygen shall exceed 6.5 mg/L.																		
WRIA 24 Willapa																		
Bear River, unnamed south flowing tributary at latitude 46.3342 longitude -123.9394 (Section 20 T10N R10W).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Bear River and tributaries above latitude 46.3284 longitude -123.3284 (Section 28 T10N R10W) to headwaters.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Canon River and tributaries above latitude 46.5879 longitude -123.8672 (Section 25 T13N R10W).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Lower Salmon Creek and tributaries.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Middle Nemah River and tributaries above latitude 46.4873 longitude -123.8855		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
(Section 35 T12N R10W).																		
Mill Creek and tributaries above latitude 46.6448 longitude -123.6251 (Section 1 T13N R8W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Naselle River from O'Conner Creek to headwaters (including tributaries).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
North Nemah River and tributaries above latitude 46.5172 longitude -123.8665 (Section 14 T12N R10W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
North River and Fall River: All waters above the junction (Section 25 T15N R7W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pioneer Creek and tributaries above latitude 46.8149 longitude -123.5502 (Section 4 T15N R7W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Salmon Creek and tributaries above latitude 46.8904 longitude -123.6829 (Section 9 T16N R8W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Smith Creek and tributaries above latitude 46.7554 longitude -123.8424 (Section 30 T15N R9W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
South Naselle River above latitude 46.3499 longitude -123.8093 (Section 16 T10N R9W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
South Nemah River above latitude 46.4406 longitude -123.8630 (Section 13 T11N R10W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Stringer Creek and tributaries (Section 25 T13N R8W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Willapa River South Fork and tributaries above latitude 46.6479 longitude -123.7267 (Section 6 T13N R8W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Willapa River and Oxbow Creek: All waters upstream of the junction (Section 25 T13N R8W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Williams Creek and tributaries above latitude 46.5284 longitude -123.8668 (Section 14 T12N R10W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 25 Grays-Elochoman																		
Abernathy Creek and Cameron Creek: All waters above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Coal Creek and Tributaries above and latitude 46.1839 longitude -123.0338 (just	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
below Harmony Creek).																		
Elochoman River and tributaries from mouth to latitude 46.2289 longitude -123.3597 (Section 30 T9N R6W).			✓				✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Elochoman River and tributaries from latitude 46.2289 longitude -123.3597 (Section 30 T9N R6W) to headwaters.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Germany Creek from latitude 46.1946 longitude -123.1259 (near mouth) to headwaters.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Grays River from latitude 46.3454 longitude -123.6099 to headwaters.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Hull Creek and tributaries.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek and Tributaries above latitude 46.1906 longitude -123.1802 (near mouth).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Skomokawa Creek and Wilson Creek: All waters above the junction.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 26 Cowlitz																		
Cispus River and tributaries.	✓									✓								
Coweeman River and tributaries from mouth to latitude 46.1405 longitude -122.8532 (Section 31 T8N R1W).		✓								✓								
Coweeman River and tributaries from latitude 46.1405 longitude -122.8532 Section 31 T8N R1W) to Mulholland Creek (river mile 18.4).		✓								✓								
Coweeman River and tributaries from Mulholland Creek (river mile 18.4) to headwaters.		✓								✓								
Cowlitz River and tributaries from mouth to latitude 46.2622 longitude -122.9001 (Section 14 T9N R2W).			✓								✓							
Cowlitz River from latitude 46.2622 longitude -122.9001 (Section 14 T9N R2W) base of Riffe Lake Dam (river mile 52.0).		✓									✓							
Cowlitz River, and tributaries from base of Riffe Lake Dam (river mile 52.0) to headwaters.		✓									✓							
Green River and tributaries.		✓									✓							
Toutle River and tributaries from mouth to Green River on North Fork.		✓									✓							

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Toutle River, North Fork, and tributaries from Green River to headwaters.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Toutle River, South Fork, and tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 27 Lewis																		
Alec Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Big Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Chickoon Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Clear Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Clearwater Creek and unnamed creek: All waters (including tributaries) above the junction (Sect. 15 T8N R6E – below junction of Smith and Muddy Creeks).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Curly Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cussed Hollow Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Kalama River east of Interstate 5 to Kalama River Falls (river mile 10.4) (including tributaries).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Kalama River from lower Kalama River Falls (river mile 10.4) to headwaters (including tributaries).		✓							✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Lewis River from Houghton Creek (including tributaries) to Lake Merwin.		✓							✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Lewis River and Pass Creek: All waters (including tributaries) above the junction.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Lewis River's unnamed tributaries at latitude 46.1122 longitude -121.9174 (Sect. 11 T7N R7E).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Lewis River, East Fork, from and including Mason Creek to Multon Falls (river mile 24.6) including tributaries.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Lewis River, East Fork, and tributaries from Multon Falls (river mile 24.6) to headwaters.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Creek and all tributaries.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Panamaker Creek and all tributaries.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Pin Creek and all tributaries.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Pine Creek and all tributaries.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Quartz Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Rush Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Spencer Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Steamboat Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tillicum Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 28 Salmon-Washougal																		
Burnt Bridge Creek.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Duncan Creek and unnamed tributary just east of Duncan Creek: All waters north of highway 14..		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Green Leaf Creek and Hamilton Creek: All waters above the junction.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Hardy Creek and tributaries above lake inlet.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Lawton Creek and tributaries above latitude 45.5708 longitude -122.2576 (Section 13).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Salmon Creek from latitude 45.7176 longitude -122.6958 (below junction with Cougar Creek) and tributaries.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Washougal River from latitude 45.5883 longitude -122.3711 (Section 7 TIN R4E) (including tributaries).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Woodward Creek and tributaries north of highway 14.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 29 Wind-White Salmon																		
Bear Creek (tributary to White Salmon River) below National Forest Boundary		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Buck Creek and all tributaries (Two Buck Creeks drain to the White Salmon River, the mouth of this creek is found in Section 21 T7NR10E).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Carson Creek.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Catherine Creek and tributaries.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Cave Creek below National Forest Boundary		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Gilmer Creek and all tributaries, except as noted otherwise.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

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Gilmer Creek's unnamed tributary in Sections 29 and 32 T5N R11E.																		
Gotchen Creek and all tributaries, except those waters in or above the Gifford Pinchot National Forest.																		
Gotchen Creek and all tributaries that are in or above the Gifford Pinchot National Forest.																		
Green Canyon Creek and all tributaries.																		
Jewett Creek and tributaries.																		
Killowatt Canyon Creek below National Forest Boundary																		
Little White Salmon River and tributaries downstream of National Forest boundary.																		
Little White Salmon River and tributaries in or above National Forest boundary.																		
Major Creek and tributaries.																		
Morrison Creek and all tributaries.																		
Rattlesnake Creek and the unnamed tributary at latitude 45.8512 longitude - 121.4081: All waters (including tributaries) above the junction.																		
Rock Creek and tributaries downstream of Gifford Pinchot National Forest boundaries..																		
Spring Creek below National Forest Boundary																		
Trout Lake Creek and all tributaries below Trout Lake.																		
Trout Lake Creek and all tributaries at and above Trout Lake.																		
White Salmon River (including all natural tributaries) occurring downstream of National Forest boundary, not otherwise designated Char.																		
White Salmon River (including all natural tributaries) occurring in or upstream of National Forest boundary, not otherwise designated Char.																		
White Salmon River drainage's unnamed tributaries that terminate in Section 13 T6NR10E (latitude 46.0055 longitude 121.4991); all portions occurring downstream of the Gifford Pinchot National Forest boundary.																		
White Salmon River drainage's unnamed tributaries that terminate in Section 13																		

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
T6NR10E (latitude 46.0055 longitude 121.4991); all portions occurring upstream of the Gifford Pinchot National Forest boundary.																		
White Salmon River and Cascade Creek: All waters (including tributaries) above the junction.	✓						✓							✓	✓	✓	✓	✓
Wind River and tributaries downstream of Gifford Pinchot National Forest boundaries.		✓												✓	✓	✓	✓	✓
Wind River and tributaries in or upstream of Gifford Pinchot National Forest.		✓					✓							✓	✓	✓	✓	✓
WRIA 30 Klickitat																		
Clearwater Creek and Trappers Creek: All waters (including tributaries) above the junction.	✓						✓							✓	✓	✓	✓	✓
Cougar Creek and Big Muddy Creek: All waters (including tributaries) above the junction.	✓						✓							✓	✓	✓	✓	✓
Diamond Creek and Caitin Creek: All waters (including tributaries) above the junction.	✓						✓							✓	✓	✓	✓	✓
Diamond Fork's unnamed tributaries at latitude 46.4205 longitude -121.1562.	✓						✓							✓	✓	✓	✓	✓
Diamond Fork's unnamed tributaries at latitude 46.4355 longitude -121.1590 (outlet of Maiden Springs).	✓						✓							✓	✓	✓	✓	✓
Fish Lake Stream and all tributaries.	✓						✓							✓	✓	✓	✓	✓
Frasier Creek and Outlet Creek: All waters (including tributaries) above the junction.	✓						✓							✓	✓	✓	✓	✓
Klickitat River mainstem from mouth to Little Klickitat River (river mile 19.8).		✓												✓	✓	✓	✓	✓
Klickitat River from Little Klickitat River (river mile 19.8) to Diamond Fork.		✓					✓							✓	✓	✓	✓	✓
Klickitat River and all tributaries above the junction with Diamond Fork.	✓						✓							✓	✓	✓	✓	✓
Little Klickitat River and all tributaries above the junction with Cozy Nook Creek.			✓											✓	✓	✓	✓	✓
Little Muddy Creek and all tributaries.	✓						✓							✓	✓	✓	✓	✓
McCreedy Creek and all tributaries.	✓						✓							✓	✓	✓	✓	✓
WRIA 31 Rock-Glade																		

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	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Squaw Creek and unnamed tributary at and latitude 45.8758 longitude -120.4324 (Section 33 T5N R19E): all waters above junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Rock Creek and Quartz Creek: all waters above junction.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 32 Walla Walla																		
Blue Creek and tributaries above latitude 46.0581 and longitude 118.0971	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Coppei Creek, North and South Forks (including tributaries).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Dry Creek and tributaries above junction with unnamed creek at latitude 46.1197 longitude -118.1378 (Seaman Rd).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek from mouth to 13th Street Bridge in Walla Walla (river mile 6.4). ¹			✓						✓		✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek from 13th Street Bridge in Walla Walla (river mile 6.4) to latitude 46.0862 longitude -118.2395 in north channel and latitude 46.0800 longitude -118.2541 in south channel.			✓					✓			✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek from latitude 46.0862 longitude -118.2395 in north channel and latitude 46.0800 longitude -118.2541 in south channel to headwaters (including tributaries) except where otherwise designated Char.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek and Railroad Canyon: All waters (including tributaries) above the junction up to city of Walla Walla Waterworks Dam (river mile 21.6).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek and tributaries from city of Walla Walla Waterworks Dam (river mile 21.6) to headwaters (including upstream and downstream of where Mill Creek flows into Oregon). ²	✓								✓		✓	✓	✓	✓	✓	✓	✓	✓
Touchet River above latitude 46.3172 longitude -118.0000 (Sect. 30 T10N R38E) (including tributaries) not otherwise designated Char.		✓							✓		✓	✓	✓	✓	✓	✓	✓	✓
Touchet River, North Fork, and Wolf Creek: All waters (including tributaries) above the junction.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Touchet River, South Fork, and the unnamed tributary at latitude 46.2307 longitude -117.9397: All waters (including tributaries) above the junction, except those waters in or above the Umatilla National Forest.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Touchet River, South Fork, and the unnamed tributary at latitude 46.2307 longitude -117.9397: All waters (including tributaries) above the junction that are	✓										✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses				Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	in or above the Umatilla National Forest.																	
	Walla Walla River from mouth to Lowden (Dry Creek at river mile 27.2).			✓				✓				✓	✓	✓	✓	✓	✓	✓
	Walla Walla River from Lowden (Dry Creek at river mile 27.2) to Oregon border (river mile 40). ³			✓				✓				✓	✓	✓	✓	✓	✓	✓
	Whiskey Creek, and unnamed tributary system at and latitude 46.2176 longitude - 118.0667 (Section 33 T9N R38E), all waters above junction.							✓				✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 32:																		
1. Dissolved oxygen concentration shall exceed 5.0 mg/L.																		
2. No waste discharge will be permitted for Mill Creek and tributaries from city of Walla Walla Waterworks Dam (river mile 21.6) to headwaters.																		
3. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed t = 34/(T + 9).																		
WRIA 33 Lower Snake																		
	Snake River from mouth to Washington-Idaho-Oregon border (river mile 176.1). ¹			✓				✓				✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 33:																		
1. Below Clearwater River (river mile 139.3). Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed t = 34/(T + 9). Special condition - special fish passage exemption as described in WAC 173-201A-200 (1) (f).																		
WRIA 34 Palouse																		
	Palouse River from Palouse Falls to south fork (Colfax, river mile 89.6).			✓				✓				✓	✓	✓	✓	✓	✓	✓
	Palouse River mainstem from mouth to Palouse Falls			✓				✓				✓	✓	✓	✓	✓	✓	✓
	Palouse River from south fork (Colfax, river mile 89.6) to Idaho border (river mile 123.4). ¹			✓				✓				✓	✓	✓	✓	✓	✓	✓
Notes on WRIA 34:																		
1. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed t = 34/(T + 9).																		

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
WRIA 35 Middle Snake	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
All streams flowing into Oregon from North Fork Wenaha River east to, and including, Fairview Creek.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Asotin River from and including Charley Creek to headwaters (including tributaries) not otherwise designated Char.							✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Asotin River, North Fork, and all tributaries above Lick Creek, except those waters in or above the Umatilla National Forest.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Asotin River, North Fork, and all tributaries above Lick Creek that are in or above the Umatilla National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Charley Creek and the unnamed tributary at latitude 46.2851 longitude -117.3216: All waters (including tributaries) above the junction, except those waters in or above the Umatilla National Forest.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Charley Creek and the unnamed tributary at latitude 46.2851 longitude -117.3216: All waters (including tributaries) above the junction that are in or above the Umatilla National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cottonwood Creek and the unnamed tributary at latitude 46.0678 longitude -117.3015 (Section 21 T7N R44E) all waters above the junction.							✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Crooked Creek (including tributaries) from Oregon Border to headwaters.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cummings Creek and all tributaries, except those waters in or above the Umatilla National Forest.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Cummings Creek and all tributaries that are in or above the Umatilla National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
George Creek, above and including Coombs Canyon (including tributaries).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
George Creek and the unnamed tributary at latitude 46.2292 longitude -117.1874 (Section 29 T9N R45E), all waters above junction not otherwise designated Char.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Grande Ronde River from mouth to Oregon border (river mile 37). ¹								✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Grouse Creek and tributaries from Oregon border.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Grub Canyon and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Hixon Canyon and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Tucannon River and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Menatchee Creek and West Fork Menatchee Creek: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pataha Creek and Dry Pataha Creek: All waters (including tributaries) above the junction, except those waters in or above the Umatilla National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pataha Creek and Dry Pataha Creek: All waters (including tributaries) above the junction that are in or above the Umatilla National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Snake River from mouth to Washington-Idaho-Oregon border (river mile 176.1). ²			✓					✓			✓	✓	✓	✓	✓	✓	✓	✓
Tennile Creek, all waters above junction with unnamed creek at latitude 46.2156 longitude -117.0386 (Section 33 T9N R46E).		✓					✓				✓	✓	✓	✓	✓	✓	✓	✓
Tucannon River and tributaries from latitude 46.4592 longitude -117.8461 (Section 6, T11N R40E) to Panjab Creek (except where designated char).		✓					✓				✓	✓	✓	✓	✓	✓	✓	✓
Tucannon River mainstem from between Little Tucannon River and Panjab Creek.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Tucannon River and Panjab Creek: All waters (including tributaries) above the junction.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Tucannon River's unnamed tributaries in Sect. 1 T10N R40E and in Sect. 35 T11N R40E (South of Marengo): all waters above their forks.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Tumalum Creek and the unnamed tributary at latitude 46.3594 longitude -117.6488: All waters (including tributaries) above the junction, except those waters in or above the Umatilla National Forest.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Tumalum Creek and the unnamed tributary at latitude 46.3594 longitude -117.6488: All waters (including tributaries) above the junction that are in or above the Umatilla National Forest.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Willow Creek and the unnamed tributary at latitude 46.4182 longitude -117.8314: All waters (including tributaries) above the junction.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓

Notes for WRIA 35:

1. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed t = 34/(T + 9).																		
2. The following two notes apply:																		
(a) Below Clearwater River (river mile 139.3). Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed t = 34/(T + 9). Special condition - special fish passage exemption as described in WAC 173-201A-200 (1) (f).																		
(b) Above Clearwater River (river mile 139.3). Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increases will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined.																		
WRIA 36 Esquatzel Coulee																		
There are no specific waterbody entries for this WRIA.																		
WRIA 37 Lower Yakima																		
Ahtanum Creek North Fork's unnamed tributaries at latitude 46.5465 longitude - 120.8857.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Ahtanum Creek North Fork's unnamed tributaries at latitude 46.5395 longitude - 120.9851.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Ahtanum Creek, between junction with South Fork and junction of North and Middle Forks (including tributaries) except where designated Char		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Ahtanum Creek, North Fork, and Middle Fork Ahtanum Creek: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Ahtanum Creek, South Fork, and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Carpenter Gulch and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Foundation Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Nasty Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Sulphur Creek.				✓					✓		✓	✓	✓	✓	✓	✓	✓	✓
Yakima River from mouth to Cle Elum River (river mile 185.6) except where specifically designated otherwise in Table 602. ¹		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 37:																		

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
1. Temperature shall not exceed a 1-DMax of 21.0°C due to human activities. When natural conditions exceed a 1-DMax of 21.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed t = 34/(T + 9).																		
WRIA 38 Naches																		
American River and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Barton Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Bumping Lake's unnamed tributaries at latitude 46.8850 longitude -121.2779.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Bumping River's unnamed tributaries at latitude 46.9317 longitude -121.2067 (outlet of Flat Iron Lake).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Bumping River and tributaries downstream of the upper end of Bumping Lake (except where designated char).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Bumping River (and tributaries) upstream of Bumping Lake.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cedar Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Clear Creek and tributaries (including Clear Lake).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Crow Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Deep Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Goat Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Granite Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Indian Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Naches River and Bear Creek: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Naches River, South Fork and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Naches River and tributaries from latitude 46.7640 longitude -120.8286 (just upstream of Cougar Canyon) to Snoqualmie National Forest boundary (river mile 35.7) (except where designated Char).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Naches River from Snoqualmie National Forest boundary (river mile 35.7) to headwaters (except where designated Char).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Pileup Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Quartz Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Rattlesnake Creek: All waters above the junction with North Fork Rattlesnake Creek.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Rattlesnake Creek, North Fork, all waters above latitude 46.8107 longitude 121.0694 (from and including the unnamed tributary just above junction with mainstem).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Sand Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Sunrise Creek (latitude 46.9042 longitude -121.2431) and all tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tieton River and tributaries (except where otherwise designated).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tieton River, North Fork (including tributaries) above the junction at Clear Lake.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tieton River, South Fork, and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 39 Upper Yakima																		
Cle Elum River from mouth to latitude 47.3805 longitude -121.0983 (above Little Salmon la Sac Creek).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cle Elum River and all tributaries from junction with unnamed tributary at and latitude 47.3805 longitude -121.0983 to headwaters.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Indian Creek and tributaries downstream of Wenatchee National Forest boundary below.		✓									✓	✓	✓	✓	✓	✓	✓	✓
Indian Creek and tributaries in or above National Forest boundary.		✓									✓	✓	✓	✓	✓	✓	✓	✓
Jack Creek and tributaries downstream of Wenatchee National Forest boundary below.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Jack Creek and tributaries in or above National Forest boundary.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Little Kachess Lake (narrowest point dividing Kachess Lake from Little Kachess Lake) and all tributaries.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Manastash Creek: All waters above the Junction of the North and South Forks that are downstream of the Wenatchee National Forest boundary.		✓									✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Manastash Creek: All waters above the Junction of the North and South Forks that are in or above the Wenatchee National Forest.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Manastash Creek mainstem from mouth to junction of North and South Forks.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Manastash Creek, tributaries to mainstem, between the mouth and the junction of North and South Forks.			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Swauk Creek mainstem from mouth to junction with First Creek.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Swauk Creek from junction with First Creek to Wenatchee National Forest (including tributaries).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Tanenum Creek, tributaries to mainstem, from mouth to Wenatchee National Forest boundary.			✓				✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tanenum Creek mainstem from mouth to Wenatchee National Forest boundary.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River mainstem from mouth to West Fork Teanaway River.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, tributaries to mainstem, from mouth to West Fork Teanaway River.			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, West Fork, and tributaries downstream of the Wenatchee National Forest.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, West Fork, and tributaries upstream of the Wenatchee National Forest.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, North Fork, and tributaries from junction with West Fork to Jungle Creek that are downstream of the Wenatchee National Forest boundary (except where designated otherwise).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, North Fork, and tributaries from junction with West Fork to Jungle Creek that are in or above the Wenatchee National Forest boundary (except where designated otherwise).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, North Fork, and all tributaries above and including Jungle Creek.	✓																	
Yakima River mainstem from mouth to Cle Elum River (river mile 185.6) except where specifically designated otherwise in Table 602. ¹								✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Yakima River and tributaries from Cle Elum River (river mile 185.6) to headwaters (except where designated otherwise).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Yakima River and tributaries above the unnamed tributary (latitude 47.2927 longitude -121.2971) entering the Yakima River in Sect.25 T21NR12E.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 39:																		
1. Temperature shall not exceed a 1-DMax of 21.0°C due to human activities. When natural conditions exceed a 1-DMax of 21.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t = 34/(T + 9)$.																		
WRIA 40 Alkaki-Squilchuck																		
There are no specific water body entries for this WRIA.																		
WRIA 41 Lower Crab																		
Crab Creek and tributaries.																		
WRIA 42 Grand Coulee																		
Crab Creek and tributaries.																		
WRIA 43 Upper Crab-Wilson																		
Crab Creek and tributaries.																		
WRIA 44 Moses Coulee																		
There are no specific waterbody entries for this WRIA.																		
WRIA 45 Wenatchee																		
Chiwaukum Creek from junction with Skinney Creek to headwaters (including tributaries).	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Chiwawa River from mouth to Chickamin Creek (including tributaries).		✓					✓				✓	✓	✓	✓	✓	✓	✓	✓
Chumstick Creek and tributaries downstream of the National Forest boundary (not otherwise designated char).	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Chumstick Creek and tributaries in or above the National Forest boundary (not otherwise designated char).		✓					✓				✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Dry Creek and Chumstick Creek: All waters (including tributaries) above the junction, except those waters in or above the Wenatchee National Forest.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Dry Creek and Chumstick Creek: All waters (including tributaries) above the junction that are in or above the Wenatchee National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Eagle Creek and the unnamed tributary at latitude 47.6544 longitude -120.5165: All waters (including tributaries) above the junction, except those waters in or above the Wenatchee National Forest.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Eagle Creek and the unnamed tributary at latitude 47.6544 longitude -120.5165: All waters (including tributaries) above the junction that are in or above the Wenatchee National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Icicle Creek (including tributaries) from mouth to confluence National Forest Boundary.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Icicle Creek (including tributaries) from National Forest boundary to confluence with Jack Creek.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Icicle Creek above and including Jack Creek (including all tributaries).	✓										✓	✓	✓	✓	✓	✓	✓	✓
Ingalls Creek (including tributaries).	✓										✓	✓	✓	✓	✓	✓	✓	✓
Mission Creek from latitude 47.5583 longitude -120.5745 to headwaters (including tributaries) downstream of the National Forest boundary.										✓	✓	✓	✓	✓	✓	✓	✓	✓
Mission Creek from latitude 47.5583 longitude -120.5745 to headwaters (including tributaries) in or above the National Forest boundary.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Peshastin Creek from National Forest Boundary to headwaters (including tributaries) except where designated char.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Peshastin Creek from junction with Mill Creek to National Forest Boundary (including tributaries).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Second Creek and the unnamed tributary at latitude 47.7384 longitude -120.5935: All waters (including tributaries) above the junction.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Van Creek and the unnamed tributary at latitude 47.6722 longitude -120.5373: All waters (including tributaries) above the junction.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Wenatchee River mainstem between Peshastin Creek and the boundary of the		✓									✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Wenatchee National Forest (river mile 27.1).																		
Wenatchee River from Wenatchee National Forest boundary (river mile 27.1) to Chiwawa River (including tributaries) except where designated otherwise.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Wenatchee River and all tributaries upstream of Minnow Creek (above Chiwawa River junction).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 46 Entiat																		
Brennegan Creek and the unnamed tributary at and latitude 47.9098 longitude - 120.4185: All waters (including tributaries) above the junction.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Entiat River and tributaries occurring below the National Forest boundary from and including the Mad River to Wenatchee National Forest boundary on the mainstem Entiat River (river mile 20.5).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Entiat River and all tributaries above the unnamed creek at and latitude 47.9135 longitude -120.4942 (below Fox Creek).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Entiat River's unnamed tributaries upstream of latitude 47.9106 longitude - 121.5010 (below Fox Creek).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Gray Canyon, North Fork, and South Fork Gray Canyon: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Hornet Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Mad River and all tributaries above latitude 47.8015 longitude -120.4920 (below Young Creek).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Mud Creek and Switchback Canyon: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Potato Creek and Gene Creek: All waters above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Preston Creek and South Fork Preston Creek: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Stormy Creek and the unnamed tributary at latitude 47.8387 longitude -120.3865: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tillicum Creek and Indian Creek: All waters (including tributaries) above the	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
junction.																		
WRIA 47 Chelan																		
Stehekin River.																		
WRIA 48 Methow																		
Bear Creek from mouth to headwaters (including tributaries) in or above the National Forest boundary.																		
Bear Creek from mouth to headwaters (including tributaries) downstream of the National Forest boundary.																		
Beaver Creek and South Fork Beaver Creek: All waters (including tributaries) above the junction.																		
Big Hidden Lake and all tributaries, and the outlet stream that flows into the East Fork Pasayten River.																		
Boulder Creek and Pebble Creek: All waters (including tributaries) above the junction.																		
Buttermilk Creek and all tributaries.																		
Chewuch River and tributaries from mouth to headwaters (except where designated otherwise).																		
Chewuch River and tributaries above Buck Creek at Section 30, T38, R22E..																		
Eagle Creek and all tributaries.																		
Early Winters Creek (including tributaries) from mouth to headwaters.																		
Eureka Creek and all tributaries.																		
Goat Creek above the junction with Roundup Creek to headwaters (including tributaries).																		
Gold Creek and all tributaries, except those waters in or above the Okanogan National Forest.																		
Gold Creek and all tributaries that are in or above the Okanogan National Forest.																		
Lake Creek and all tributaries.																		

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses						Recreation Uses			Water Supply Uses				Misc. Uses				
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Libby Creek and Hornel Draw: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Bridge Creek and tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Lost River Gorge and all tributaries upstream of junction with Sunset Creek.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Methow River from mouth to junction with Twisp River.			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
Methow River from junction with Twisp River to Chewuch River (river mile 50.1).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Methow River and tributaries from Chewuch River (river mile 50.1) to headwaters (except where designated char.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Methow River, West Fork, (including tributaries) from and including Robinson Creek and its tributaries to headwaters (except unnamed tributary above mouth at latitude 48.6594 longitude -120.5382.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pipestone Canyon Creek and all tributaries below Campbell Lake.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Pipestone Canyon Creek and all tributaries above Campbell Lake, Campbell Lake, and all tributaries to Campbell Lake.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Smith Canyon Creek and Elderberry Canyon: All waters (including tributaries) above the junction.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Twisp River from mouth to War Creek.							✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Twisp River and War Creek: All waters (including tributaries) above the junction.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Wolf Creek from and including unnamed tributary at latitude 48.4849 longitude -120.3180 to headwaters (including tributaries).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 49 Okanogan																		
Okanogan River.										✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 50 Foster																		
There are no specific waterbody entries for this WRIA.																		
WRIA 51 Nespelem																		
There are no specific waterbody entries for this WRIA.																		

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
WRIA 52 Sanpoil																		
There are no specific waterbody entries for this WRIA.																		
WRIA 53 Lower Lake Roosevelt																		
There are no specific waterbody entries for this WRIA.																		
WRIA 54 Lower Spokane																		
Spokane River from mouth to Long Lake Dam (river mile 33.9). ¹																		
Spokane River from Long Lake Dam (river mile 33.9) to Nine Mile Bridge (river mile 58.0). ²																		
Spokane River from Nine Mile Bridge (river mile 58.0) to the Idaho border (river mile 96.5). ³																		
Notes for WRIA 54:																		
1. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t = 34/(T + 9)$.																		
2. a. The average euphotic zone concentration of total phosphorus (as P) shall not exceed 25µg/L during the period of June 1 to October 31. b. Temperature shall not exceed a 1-DMax of 20.0°C, due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t = 34/(T + 9)$.																		
3. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed $t = 34/(T + 9)$.																		
WRIA 55 Little Spokane																		
There are no specific waterbody entries for this WRIA.																		
WRIA 56 Hangman																		
There are no specific waterbody entries for this WRIA.																		
WRIA 57 Middle Spokane																		
Lake Creek and all tributaries.																		

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses				Recreation Uses			Water Supply Uses				Misc. Uses						
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Spokane River from Nine Mile Bridge (river mile 58.0) to the Idaho border (river mile 96.5). ¹		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes on WRIA 57:																		
1. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed t=34/(T+9).																		
WRIA 58 Middle Lake Roosevelt																		
There are no specific waterbody entries for this WRIA.																		
WRIA 59 Colville																		
Colville River.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 60 Kettle																		
There are no specific waterbody entries for this WRIA.																		
WRIA 61 Upper Lake Roosevelt																		
There are no specific waterbody entries for this WRIA.																		
WRIA 62 Pend Oreille																		
All streams flowing into Idaho from Bath Creek (latitude 48.5865 longitude 117.0351) to the Canadian border.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Calispell Creek (including tributaries) from Small Creek to Calispell Lake.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Calispell Lake and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cedar Creek from latitude 48.7500 longitude -117.4349 (including tributaries) to headwaters: all waters that are in the Colville National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cedar Creek from latitude 48.7500 longitude -117.4349 to (including tributaries) to headwaters: all waters that are outside the Colville National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cedar Creek from mouth to latitude 48.7500 longitude -117.4349 (including tributaries) in or above Colville National Forest boundary.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cedar Creek from mouth to latitude 48.7500 longitude -117.4349 (including tributaries) downstream of the Colville National Forest.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Harvey Creek and Paupac Creek: All waters (including tributaries) above the junction.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Indian Creek from mouth to headwaters.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Le Clerc Creek, East Branch, and West Branch Le Clerc Creek: All waters (including tributaries) above the junction, except those waters in or above the Colville National Forest.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Le Clerc Creek, East Branch, and West Branch Le Clerc Creek: All waters (including tributaries) above the junction that are in or above the Colville National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Le Clerc Creek from mouth to junction with West Branch le Clerc Creek (including tributaries).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek from mouth to headwaters (including tributaries).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pend Oreille River from Canadian border (river mile 16.0) to Idaho border (river mile 87.7). ¹			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Slate Creek from mouth to headwaters (including tributaries).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Small Creek and all tributaries, except those waters in or above the National Forest.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Small Creek and all tributaries that are in or above the National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
South Salmo River and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Sullivan Creek above junction with Harvey Creek (including tributaries) to headwaters.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tacoma Creek, South Fork, upstream of Tacoma Creek and downstream of the Colville National Forest boundary (including tributaries).	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Tacoma Creek, South Fork, and tributaries upstream of the Colville National Forest boundary (including tributaries).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

Notes for WRIA 62:

1. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses		Recreation Uses		Water Supply Uses		Misc. Uses								
	t = 34/(T + 9).	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating

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TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses						Recreation Uses			Water Supply Uses				Misc. Uses				
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Reband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
COLUMBIA RIVER																		
Columbia River from mouth to the Washington-Oregon border (river mile 309.3). ¹			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Columbia River from Washington-Oregon border (river mile 309.3) to Grand Coulee Dam (river mile 596.6). ^{2,3}			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Columbia River from Grand Coulee Dam (river mile 596.6) to Canadian border (river mile 745.0).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for Columbia River:																		
1. Temperature shall not exceed a 1-day maximum (1-DMax) of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined. Dissolved oxygen shall exceed 90 percent of saturation. Special condition - special fish passage exemption as described in WAC 173-201A-200 (1)(f).																		
2. From Washington-Oregon border (river mile 309.3) to Priest Rapids Dam (river mile 397.1). Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed t = 34/(T + 9).																		
3. From Washington-Oregon border (river mile 309.3) to Grand Coulee Dam (river mile 596.6). Special condition - special fish passage exemption as described in WAC 173-201A-200 (1)(f).																		
WRIA 1 - Nooksack																		
Bertrand Creek from mouth to Canadian border	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Breckenridge Creek and tributaries	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Chilliwaek River and Little Chilliwaek River: All waters (including tributaries) above the confluence.	✓			✓						✓	✓	✓	✓	✓	✓	✓	✓	✓
Chuckanut Creek from mouth to headwaters	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Colony Creek and tributaries from mouth to headwaters	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Dakota Creek and tributaries	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Dale Creek	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Deer Creek (tributary to Barrett Lake) and tributaries	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Depot Creek and tributaries	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Fishtrap Creek from mouth to Canadian border		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Hutchinson Creek and tributaries.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Johnson Creek, unnamed tributary just north of Pangborn Road		✓									✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River mainstem from mouth to Anderson Creek.		✓									✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River and tributaries [except where otherwise designated Char] from and including Anderson Creek (latitude 48.8675 longitude -122.3210) to confluence with South Fork.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, North Fork, and all tributaries, upstream to the confluence with Maple creek (RM 49.7).		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, North Fork, and all tributaries above and including Maple Creek (RM 49.7) and tributaries.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, Middle Fork, and all tributaries.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, South Fork, from mouth to Skookum Creek (river mile 14.3).		✓									✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, South Fork, from Skookum Creek (river mile 14.3) to Fobes Creek.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Nooksack River, South Fork, and all tributaries above the confluence with Fobes Creek.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Padden Creek and tributaries from mouth to headwaters		✓									✓	✓	✓	✓	✓	✓	✓	✓
Pepin Creek from mouth to Canadian border		✓									✓	✓	✓	✓	✓	✓	✓	✓
Saar Creek from latitude 48.98177 longitude -122.23846 to headwaters		✓									✓	✓	✓	✓	✓	✓	✓	✓
Silesia Creek and all tributaries south of Canadian border.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Skookum Creek and all tributaries.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Squaw Creek		✓									✓	✓	✓	✓	✓	✓	✓	✓
Squalicum Creek, unnamed tributary from latitude 48.7862 longitude -122.4864 to headwaters		✓									✓	✓	✓	✓	✓	✓	✓	✓
Stickney Creek (Slough) and Kamm Ditch from confluence with mainstem Nooksack River to headwaters.		✓									✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Sumas River from Canadian border (river mile 12) to headwaters (river mile 23) except where designated otherwise.			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
Tennile Creek below Barrett Lake		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Tomyhoi Creek and tributaries from Canadian border to headwaters.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Whatcom Creek and tributaries from mouth to outlet of Lake Whatcom.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 2 San Juan																		
There are no specific waterbody entries for this WRIA.																		
WRIA 3 Lower Skagit-Samish																		
Fisher and Carpenter Creeks and tributaries.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Hansen Creek and tributaries.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Nookachamps Creek and tributaries (except where designated char).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Nookachamps Creek, East Fork, and unnamed creek at latitude 48.4103 longitude -122.1657: All waters (including tributaries) above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Samish River and tributaries above latitude 48.5472 longitude -122.3378 (Sect 05 T35N R04E).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Skagit River mainstem from mouth to Skiyou Slough-lower end (river mile 25.6).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Skagit River, all tributaries to the mainstem from the mouth to Skiyou Slough-lower end (river mile 25.6); except where designated otherwise.			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
Skagit River and tributaries from Skiyou Slough-lower end, (river mile 25.6) to the boundary of WRIA 3 and 4, except the other waters listed for this WRIA. ¹		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Walker Creek and unnamed creek at latitude 48.3813 longitude -122.1639: All waters (including tributaries) above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 3:																		
1. Skagit River (Gorge by-pass reach) from Gorge Dam (river mile 96.6) to Gorge Powerhouse (river mile 94.2). Temperature shall not exceed a 1-DMax of 21°C due to human activities. When natural conditions exceed a 1-DMax of 21°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C, nor shall such temperature increases, at any time, exceed $t = 34/(T + 9)$.																		

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
WRIA 4 Upper Skagit																			
	Bacon Creek and all tributaries.	✓						✓											✓
	Baker Lake and all tributaries.	✓						✓											✓
	Bear Creek and the unnamed outlet creek of Blue Lake (Latitude 48.62036; Longitude -121.74882); All waters (including tributaries) above the confluence.	✓						✓											✓
	Big Beaver Creek and all tributaries.	✓						✓											✓
	Big Creek and all tributaries.	✓						✓											✓
	Buck Creek and all tributaries.	✓						✓											✓
	Cascade River and Boulder Creek: All waters (including tributaries) above the confluence.	✓						✓											✓
	Circle Creek and all tributaries.	✓						✓											✓
	Clear Creek and all tributaries.	✓						✓											✓
	Diobsud Creek and the unnamed tributary at longitude -121.4414 and latitude 48.5850: All waters (including tributaries) above the confluence.	✓						✓											✓
	Goodell Creek and all tributaries.	✓						✓											✓
	Hozomeen Creek and all tributaries.	✓						✓											✓
	Illabot Creek and all tributaries.	✓						✓											✓
	Jordan Creek and all tributaries.	✓						✓											✓
	Lightning Creek and all tributaries.	✓						✓											✓
	Little Beaver Creek and all tributaries.	✓						✓											✓
	Murphy Creek and all tributaries.	✓						✓											✓
	Newhalem Creek, and all tributaries	✓						✓											✓
	Rocky Creek and all tributaries.	✓						✓											✓
	Ruby Creek and all tributaries.	✓						✓											✓
	Sauk River and Dutch Creek: All waters (including tributaries) above the confluence.	✓						✓											✓
	Silver Creek and all tributaries.	✓						✓											✓

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Skagit River and tributaries, except where listed otherwise for this WRIA. ¹	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Stettlet Creek and all tributaries.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Straight Creek and all tributaries.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Suitttle River all tributaries above Harriet Creek.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Sulphur Creek and all tributaries.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Tenas Creek and all tributaries.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Thunder Creek (upstream of Lake Shannon at Latitude 48.59867, Longitude -121.71359) and all tributaries.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Thunder Creek (upstream of Diablo Lake at Latitude 48.69469, Longitude -121.09830) and all tributaries.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	
	White Chuck River and all tributaries.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	
Notes for WRIA 4:																			
1. Skagit River (Gorge by-pass reach) from Gorge Dam (river mile 96.6) to Gorge Powerhouse (river mile 94.2). Temperature shall not exceed a 1-DMMax of 21°C due to human action. When natural conditions exceed a 1-DMMax of 21°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C, nor shall such temperature increases, at any time, exceed $t = 34/(T + 9)$.																			
WRIA 5 Stillaguamish																			
	Brooks Creek and the unnamed tributary at latitude 48.2967 longitude -121.9031: All waters (including tributaries) above the confluence.	✓																	✓
	Canyon Creek above unnamed tributary at latitude 48.1242 longitude -121.8894 (Sect. 34 T31N R7E) to headwaters (including tributaries).	✓						✓											✓
	Canyon Creek's unnamed tributaries at latitude 48.1522 longitude -121.9677.	✓						✓											✓
	Unnamed tributaries at latitude 48.1461 longitude -122.9649 located upstream of unnamed tributary at river mile 3 of Canyon Creek	✓						✓											✓
	Crane Creek and unnamed tributary at latitude 48.3295 longitude -122.1005: All waters (including tributaries) above the confluence.	✓																	✓
	Crane Creek's unnamed tributaries at latitude 48.3323 longitude -122.1059: All waters (including tributaries) above the confluence.	✓																	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Reband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Cub Creek and the unnamed tributary at latitude 48.1655 longitude -121.9376: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Deer Creek (on N.F. Stillaguamish) and the unnamed tributary at longitude -121.9565 and latitude 48.3195: All waters (including tributaries) above the confluence.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Dicks Creek and unnamed outlet of Myrtle Lake at latitude 48.3187 longitude -121.8129: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Jim Creek and Little Jim Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Jorgenson Slough (Church Creek) from latitude 48.23409 longitude -121.32346 between West Pass and Hat Slough: All waters (including tributaries) above the confluence.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Lake Cavanaugh and all tributaries above outlet at latitude 48.3127 longitude -121.9802.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pilchuck Creek and Bear Creek: All waters (including tributaries) above the confluence.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Pilchuck Creek's unnamed tributaries at latitude 48.3104 longitude -122.1305: All waters (including tributaries) above the confluence.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Pilchuck Creek from latitude 48.2395 longitude -122.2015 (above 268 th St) to headwaters including tributaries(except where designated Char)		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Unnamed tributary to Portage Creek at latitude 48.1837 longitude -122.2314: All waters (including tributaries) above the confluence		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Stillaguamish River from mouth to confluence of north and south forks (river mile 17.8).			✓								✓	✓	✓	✓	✓	✓	✓	✓
Stillaguamish River, North Fork, from mouth to Boulder River (including tributaries) except where designated Char.		✓									✓	✓	✓	✓	✓	✓	✓	✓
Stillaguamish River, North Fork, and Boulder River: All waters (including tributaries) from the confluence up to Squire Creek, downstream of the Mt. Baker Snoqualmie National Forest.	✓										✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Stillaguamish River, North Fork, and Boulder River: All waters (including tributaries) from the confluence up to Squire Creek that are in or above the Mt. Baker Snoqualmie National Forest.	✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Stillaguamish River, North Fork, from Squire Creek (river mile 31.2) to headwaters, including all tributaries.	✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Stillaguamish River, South Fork, from mouth to Canyon Creek (river mile 33.7).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Stillaguamish River, South Fork, from Canyon Creek (river mile 33.7) to the unnamed tributary at latitude 48.0921 longitude -121.8797 (near Cranberry Creek).		✓				✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
	Stillaguamish River, South Fork, and the unnamed tributary at latitude 48.0921 longitude -121.8797 (near Cranberry Creek): All waters (including tributaries) above the confluence.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 6 Island																			
There are no specific waterbody entries for this WRIA.																			
WRIA 7 Snohomish																			
	Cherry Creek and tributaries from mouth to headwaters.		✓							✓					✓	✓	✓	✓	✓
	Cripple Creek and all tributaries.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
	Kelly Creek and tributaries.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
	Miller River, East Fork, and West Fork Miller River: All waters (including tributaries) above the confluence.	✓								✓					✓	✓	✓	✓	✓
	North Fork Creek and unnamed creek at latitude 47.7409 longitude -121.8231 (Sect. 18 T26N R8E): All waters (including tributaries) above the confluence.	✓								✓					✓	✓	✓	✓	✓
	Pilchuck River from mouth to Boulder Creek.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
	Pilchuck River and Boulder Creek: All waters (including tributaries) above the confluence.	✓								✓					✓	✓	✓	✓	✓
	Pratt River and all tributaries.	✓								✓					✓	✓	✓	✓	✓
	Skykomish River and tributaries from mouth to May Creek (above Gold Bar at river mile 41.2).		✓												✓	✓	✓	✓	✓

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Skykomish River and May Creek (above Gold Bar at river mile 41.2): All waters (including tributaries) above confluence (Except where designated Char).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Skykomish River, North Fork, beginning below Salmon Creek at latitude 47.8790 longitude -121.4594) to headwaters (including tributaries).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Skykomish River, South Fork, and Beckler River: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Snohomish River from mouth to latitude 47.942 longitude -122.1719 (southern tip of Ebey Island at river mile 8.1). ¹			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Snohomish River from latitude 47.942, longitude -122.1719 (southern tip of Ebey Island at river mile 8.1) to below Pilchuck Creek at latitude 47.9045 longitude -122.0917.			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Snohomish River from below Pilchuck Creek (latitude 47.9045 longitude -122.0917) to confluence with Skykomish and Snoqualmie River (river mile 20.5).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Snoqualmie River from mouth to confluence with Harris Creek (latitude 47.7686 longitude -121.9605; Sect.5 T25N R6E)																		
Snoqualmie River and tributaries from and including Harris Creek (latitude 47.7686 longitude -121.9605; Sect.5 T25N R6E) to west boundary of Twin Falls State Park on south fork (river mile 9.1).		✓						✓										
Snoqualmie River, South Fork, from west boundary of Twin Falls State Park (river mile 9.1) to headwaters (including tributaries).		✓																
Snoqualmie River, North Fork, from mouth to Sunday Creek.		✓																
Snoqualmie River, North Fork, and Sunday Creek: All waters (including tributaries) above the confluence.	✓																	
Snoqualmie River, Middle Fork, from mouth to Dingford Creek (Except where designated char).		✓																
Snoqualmie River, Middle Fork, and Dingford Creek: All waters (including tributaries) above the confluence.	✓																	

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		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics	
	Snoqualmie River's Middle Fork's unnamed tributaries at latitude 47.5389 longitude -121.5629 (Sect. 29 T24N R10E).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Sultan River and tributaries from mouth to Chaplain Creek (river mile 5.9).		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	
	Sultan River and tributaries from Chaplain Creek (river mile 5.9) to headwaters. ²		✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Taylor River and all tributaries.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Tolt River, North Fork, and unnamed creek at latitude 47.7183 longitude -121.7775: All waters (including tributaries) above the confluence.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Tolt River, South Fork, and tributaries from mouth to unnamed creek at latitude 47.6925 longitude -121.7392; river mile 5.4		✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Tolt River, South Fork, and unnamed creek at latitude 47.6925 longitude -121.7392 (river mile 5.4): All waters (including tributaries) above the confluence ¹ .	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Tolt River's South Fork's unnamed tributaries at latitude 47.6889 longitude -121.7856 (Sect.33 T26N R8E).	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Trout Creek and all tributaries.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓	
Notes for WRIA 7:																				
1. Fecal coliform organism levels shall both not exceed a geometric mean value of 200 colonies/100 mL and not have more than 10 percent of the samples obtained for calculating the mean value exceeding 400 colonies/100 mL.																				
2. No waste discharge will be permitted above city of Everett Diversion Dam (river mile 9.4).																				
3. No waste discharge will be permitted for the South Fork Tolt River and tributaries from latitude 47.6925 longitude -121.7392 (river mile 5.4) to headwaters.																				
WRIA 8 Cedar-Sammamish																				
	Cedar River from Lake Washington to the Maplewood Bridge (river mile 4.1).		✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
	Cedar River and tributaries from the Maplewood Bridge (river mile 4.1) to Landsburg Dam (river mile 21.6).		✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
	Cedar River and tributaries from Landsburg Dam (river mile 21.6) to Chester Morse Lake. ¹		✓									✓	✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses				Water Supply Uses				Misc. Uses				
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Cedar River at Chester Morse Lake Cedar Falls Dam: All waters (including tributaries) to headwaters. ²	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Holder Creek and the unnamed tributary at latitude 47.4581 longitude -121.9496: All waters (including tributaries) above the confluence.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Issaquah Creek from Lake Sammamish to headwaters (including tributaries) except where designated Char.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Lake Washington Ship Canal from Government Locks (river mile 1.0) to Lake Washington (river mile 8.6). ^{3,4}		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 8:																		
1. No waste discharge will be permitted.																		
2. No waste discharge will be permitted.																		
3. Salinity shall not exceed one part per thousand (1.0 ppt) at any point or depth along a line that transects the ship canal at the University Bridge (river mile 6.1).																		
4. This waterbody is to be treated as a Lake for purposes of applying this chapter.																		
WRIA 9 Duwamish-Green																		
Duwamish River from mouth south of a line bearing 254° true from the NW corner of berth 3, terminal No. 37 to the Black River (river mile 11.0) (Duwamish River continues as the Green River above the Black River).			✓						✓		✓	✓	✓	✓	✓	✓	✓	✓
Green River from and including the Black River (river mile 11.0 and point where Duwamish River continues as the Green River) to latitude 47.3699 longitude -122.246 (Sect. 25 T22N R4E) above confluence with unnamed tributary.			✓						✓		✓	✓	✓	✓	✓	✓	✓	✓
Green River from above confluence with Mill Creek at latitude 47.3699 longitude -122.2461 (Sect. 25 T22N R4E) (east of the West Valley highway) to west boundary of Flaming Geyser State Park (including all tributaries)		✓							✓		✓	✓	✓	✓	✓	✓	✓	✓
Green River from W. Boundary of Flaming Geyser State Park to headwaters (including tributaries) except where designated Char, Core, and Ex. Primary-Green River and Sunday Creek: All waters (including tributaries) above the confluence. ¹		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses				
		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating
	Smay Creek and West Fork Smay Creek: All waters (including tributaries) above the confluence. ¹	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
	Notes for WRIA 9:																	
	1. No waste discharge will be permitted for the Green River and tributaries (King County) from west boundary of Sec. 13-T21N-R7E (river mile 59.1) to headwaters.																	
	WRIA 10 Puyallup-White																	
	Carbon River and tributaries above latitude 46.9998 longitude -121.9794, downstream of the Snoqualmie National Forest or Mt. Ramier National Park.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
	Carbon River and tributaries above latitude 46.9998 longitude -121.9794 that are in or above the Snoqualmie National Forest or Mt. Ramier National Park.	✓									✓	✓	✓	✓	✓	✓	✓	✓
	Clarks Creek and tributaries.		✓									✓	✓	✓	✓	✓	✓	✓
	Clear Creek and tributaries.		✓									✓	✓	✓	✓	✓	✓	✓
	Clearwater River and Milky Creek: All waters (including tributaries) above the confluence.	✓						✓				✓	✓	✓	✓	✓	✓	✓
	Greenwater River from confluence with White River to headwaters (including all tributaries).	✓										✓	✓	✓	✓	✓	✓	✓
	Puyallup River from mouth to river mile 1.0.				✓													
	Puyallup River from river mile 1.0 to confluence with White River.		✓															
	Puyallup River and tributaries from confluence with White River to Mowich River (Except where designated char).		✓															
	Puyallup River at and including Mowich River: All waters (including tributaries) above the confluence.	✓																
	South Prairie Creek and all tributaries above the Kepka Fishing Pond, except those waters in or above the Snoqualmie National Forest.	✓																
	South Prairie Creek and all tributaries above the-Kepka Fishing Pond that are in or above the Snoqualmie National Forest.	✓																
	Swan Creek		✓															

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Voight Creek and Bear Creek: All waters (including tributaries) above the confluence that are downstream of the Snoqualmie National Forest or Mt. Rainier National Park.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Voight Creek and Bear Creek: All waters (including tributaries) above the confluence that are in or above the Snoqualmie National Forest or Mt. Rainier National Park.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	White River from mouth to latitude 47.2438 longitude -122.2422 (Sect. 1 T20N R4E).		✓							✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	White River from latitude 47.2438 longitude -122.2422 (Sect. 1 T20N R4E) to Mud Mountain dam (including tributaries).		✓							✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	White River from Mud Mountain Dam (river mile 27.1) to West Fork White River at (latitude 47.3699 longitude -121.6197) except where designated Char.		✓							✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	White River from and including West Fork White River: All waters (including tributaries) above the confluence.	✓								✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Wilkeson Creek and Gale Creek: All waters (including tributaries) above the confluence.	✓								✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 11 Nisqually																			
	Big Creek and all tributaries.	✓								✓					✓	✓	✓	✓	✓
	Copper Creek and all tributaries.	✓								✓					✓	✓	✓	✓	✓
	East Creek and all tributaries.	✓								✓					✓	✓	✓	✓	✓
	Horn Creek and tributaries														✓	✓	✓	✓	✓
	Little Nisqually River and all tributaries.	✓								✓					✓	✓	✓	✓	✓
	Mashel River and Little Mashel River: All waters (including tributaries) above the confluence.	✓													✓	✓	✓	✓	✓
	Mineral Creek and all tributaries.	✓								✓					✓	✓	✓	✓	✓
	Muck Creek and tributaries														✓	✓	✓	✓	✓
	Murray Creek and tributaries														✓	✓	✓	✓	✓
	Nisqually River mainstem from mouth to Alder Dam (river mile 44.2).		✓												✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
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Nisqually River from Alder Dam (river mile 44.2) to Tahoma Creek (including tributaries) except where designated Char.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Nisqually River and Tahoma Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Rocky Slough from latitude 46.8882 longitude -122.4339 to latitude 46.9109 longitude -122.4012.			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
Tanwax Creek and tributaries downstream of lakes		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 12 Chambers-Clover																		
Clover Creek from inlet to Lake Steilacoom, upstream and including Spanaway Creek to outlet of Spanaway Lake			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 13 Deschutes																		
Deschutes River from mouth to and including tributary to Offutt Lake.			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Deschutes River, and tributaries, upstream of the tributary to Offutt Lake (all waters in or above the national forest boundary).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Deschutes River, and tributaries, upstream of the tributary to Offutt Lake (all waters below the national forest boundary).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
McLane Creek and tributaries		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 14 Kennedy-Goldsborough																		
Campbell Creek and tributaries		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Coffee Creek and tributaries		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Cranberry Creek and tributaries		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Deer Creek and tributaries		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Goldsborough Creek and tributaries		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Hiawata Creek and tributaries			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Jarrell Creek and tributaries			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
John's Creek and tributaries		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Jones Creek and tributaries			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses				Recreation Uses			Water Supply Uses				Misc. Uses						
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Malaney Creek (at Spencer Lake)	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek and tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Perry Creek and tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Shelton Creek and tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Uncle John Creek and tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Unnamed stream (latitude 47.2237 longitude -122.9135) at Peale Passage inlet on west side of Hartstene Island.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 15 Kitsap																		
Anderson Creek and tributaries	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Barker Creek and tributaries from Dyes Inlet to Island Lake	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Blackjack Creek and tributaries downstream of Square Lake	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Chico Creek and tributaries above confluence with Kitsap Creek (tributaries to Chico Bay in Dyes Inlet).	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Clear Creek from Dyes Inlet to headwaters (including tributaries)	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Gamble Creek and tributaries (latitude 47.8116 longitude -122.5797).	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Gorst Creek and tributaries	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Martha John Creek and tributaries (latitude 47.8252 longitude -122.5632).	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Ross Creek and tributaries	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Strawberry Creek and tributaries (latitude 47.6458 longitude -122.6933)	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Union River and tributaries from Bremerton Waterworks Dam (river mile 6.9) to headwaters. ¹	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Unnamed tributary to Sinclair Inlet between Gorst and Anderson Creeks (latitude 47.5270 longitude -122.6932).	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Unnamed tributary to Sinclair Inlet (latitude 47.5471 longitude -122.6123) east of Blackjack Creek.			✓					✓			✓	✓	✓	✓	✓	✓	✓	✓

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	Unnamed tributary west of Port Gamble Bay at latitude 47.8220 longitude - 122.5831.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	
	Notes for WRIA 15:																		
	1. No waste discharge will be permitted.																		
	WRIA 16 Skokomish-Dosewallips																		
	Dosewallips River and tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Duckabush River and tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Hamma Hamma River and tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Rock Creek and unnamed tributary at latitude 47.3894 longitude -123.3496: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Skokomish River and tributaries, except where designated char.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Skokomish River, North Fork, from latitude 47.4160 longitude -123.2233 (below Cushman Upper Dam) to headwaters (including tributaries).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Skokomish River, South Fork, and Brown Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Vance Creek and Cabin Creek all waters above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	WRIA 17 Quilcene-Snow																		
	Big Quilcene River and tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	WRIA 18 Elwha-Dungeness																		
	Boulder Creek and Deep Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Dungeness River mainstem from mouth to Canyon Creek (river mile 10.8).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
	Dungeness River, tributaries to mainstem, above and between confluence with Matriotti Creek to Canyon Creek (river mile 10.8).			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
	Dungeness River and Canyon Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

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	Elwha River and tributaries from mouth to Cat Creek, except where designated Char.						✓				✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Elwha River and Cat Creek: All waters (including tributaries) above the confluence.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓	
	Ennis Creek and White Creek (and all tributaries) from the confluence with the Strait of Juan De Fuca to the Olympic National Park Boundary.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	
	Ennis Creek and tributaries lying above the Olympic National Park Boundary.		✓									✓	✓	✓	✓	✓	✓	✓	✓	
	Griff Creek and the unnamed tributary at latitude 48.0135 longitude -123.5440 (Sect. 11 T29N R7W): All waters (including tributaries) above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Hughes Creek and the unnamed tributary at latitude 48.0298 longitude -123.6322 (Sect. 6 T29N R7W): All waters (including tributaries) above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Little River and all tributaries.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Matriotti Creek		✓									✓	✓	✓	✓	✓	✓	✓	✓	
	Wolf Creek and the unnamed tributary at latitude 47.9654 longitude -123.5374 (Sect. 35 T29N R7W): All waters (including tributaries) above the confluence.	✓										✓	✓	✓	✓	✓	✓	✓	✓	
WRIA 19 Lyre-Hoko																				
There are no specific waterbody entries for this WRIA.																				
WRIA 20 Soleduc																				
	Diekey River and tributaries.																			
	Hoh River and tributaries from mouth to South Fork Hoh River.		✓																	
	Hoh River and South Fork Hoh River: All waters above the confluence.	✓																		
	Quillayute and Bogachiel Rivers.		✓																	
	Soleduck River and tributaries from mouth to Canyon Creek.		✓																	
	Soleduck River and all tributaries above Canyon Creek.	✓																		

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WRIA 21 Queets-Quinault																			
	Clearwater River and the unnamed tributary at latitude 47.7270 longitude - 124.0361 (Sect.26 T26N R11W): All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Kunamakst Creek and the unnamed tributary at latitude 47.7285 longitude - 124.0771 (Sect.26 T26N R11W): All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Matheny Creek and the unnamed tributary at latitude 47.5592 longitude - 123.9538: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Queets River and tributaries from mouth to Tshletshy Creek.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
	Queets River and tributaries above the confluence with Tshletshy Creek.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Quinault River and tributaries from mouth to the confluence with the North Fork Quinault River.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Quinault River and North Fork Quinault: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Salmon River, Middle Fork, and the unnamed tributary at latitude 47.5208 longitude - 123.9899: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Sams River and the unnamed tributary at latitude 47.6059 longitude - 123.8941: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Solleks River and the unnamed tributary at latitude 47.6937 longitude - 124.0133: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Stequaleho Creek and the unnamed tributary at latitude 47.6620 longitude - 124.0426: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Tshletshy Creek and the unnamed tributary at latitude 47.6585 longitude - 123.8668: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 22 Lower Chehalis																			
	Andrews Creek and tributaries above confluence with West Fork.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

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Baker Creek and the unnamed tributary at latitude 47.3301 longitude -123.4142: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Big Creek and Middle Fork Big Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Canyon River and the unnamed tributary at latitude 47.3473 longitude -123.4936: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Chehalis River from upper boundary of Grays Harbor at Cosmopolis (river mile 3.1, longitude 123°45'45"W) to latitude 46.6004 and longitude -123.1472 (Section 23 T13N R43W on main stem and to latitude 46.6013 and longitude -123.1253 on South Fork.			✓					✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Chester Creek and the unnamed tributary at latitude 47.4196 longitude -123.7841: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cloquallum Creek.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Decker Creek.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Delezene Creek and tributaries above latitude 46.9413 longitude -123.3893.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Elk River, West Branch and tributaries above latitude 46.8111 longitude -123.9774.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Goforth Creek and the unnamed tributary at latitude 47.3560 longitude -123.7323: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoquiam River, East Fork and tributaries above latitude 47.0524 longitude -123.8428 (above Lytle Creek).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoquiam River and tributaries above latitude 47.0571 longitude -123.9287 (above river mile 9.3 - Dekay Road Bridge) (upper limit of tidal influence).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoquiam River, Middle Fork and tributaries above latitude 47.0418 longitude -123.9052.		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Hoquiam River mainstem (continues as west fork above east fork) from mouth to river mile 9.3 - Dekay Road Bridge) (upper limit of tidal influence).			✓						✓		✓	✓	✓	✓	✓	✓	✓	✓
Humtuliips River and tributaries from mouth to latitude 47.0810 longitude -124.0655 (Section 4 T18N R11W).			✓						✓		✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Humptulips River and tributaries from latitude 47.0810 longitude -124.0655 (Section 4 T18N R11W) to Olympic National Forest boundary (except where designated Char).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Humptulips River and tributaries from Olympic National Forest boundary to headwaters (except where designated Char).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Humptulips River, East Fork, and the unnamed tributary at latitude 47.3821 longitude -123.7163: All waters (including tributaries) above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Humptulips River, West Fork, and Petes Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Johns River and North Fork Johns River: All waters above the confluence.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Hoquiam River, North Fork and tributaries above latitude 47.0001 longitude -123.9269.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Hoquiam River and tributaries above latitude 46.9934 longitude -123.9364.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Mox Chehalis Creek and tributaries above and latitude 46.9680 longitude -123.3083.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Newskah Creek and tributaries above latitude 46.9163 longitude -123.8235 (Section 32 T16N R9W).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Satsop River and tributaries from latitude 46.9854 longitude -123.4887 (Section 6 T17N R6W) to headwaters, except where designated Char.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Satsop River, West Fork, and Robertson Creek: All waters (including tributaries) above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Satsop River, Middle Fork, and the unnamed tributary at latitude 47.3340 longitude -123.4451: All waters (including tributaries) above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Wildcat Creek and tributaries above confluence with Cloquallum Creek.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Wishkah River, East Fork and tributaries above latitude 47.0801 longitude -123.7560.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Wishkah River from mouth to river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W).				✓														✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses						Recreation Uses			Water Supply Uses				Misc. Uses				
	Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Wishkah River from river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W) to latitude 47.1089 longitude -123.7908.			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
Wishkah River and tributaries from latitude 47.1089 longitude -123.7908 to confluence with West Fork.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Wishkah River and tributaries from and including West Fork to headwaters. ¹		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Wynoochee River and tributaries from latitude 46.9709 longitude -123.6252 (near railroad crossing) to Olympic National Forest boundary (river mile 45.9).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Wynoochee River and tributaries from Olympic National Forest boundary (river mile 45.9) to Wynoochee Dam.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Wynoochee River and all tributaries above Wynoochee Dam.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Notes for WRIA 22:																		
1. No waste discharge will be permitted from south boundary of Sec. 33-T21N-R8W (river mile 32.0) to headwaters.																		
WRIA 23 Upper Chehalis																		
Bunker Creek and tributaries.												✓	✓	✓	✓	✓	✓	✓
Cedar Creek and tributaries above latitude 46.8760 longitude -123.2714 (near intersection with Highway 12).		✓										✓	✓	✓	✓	✓	✓	✓
Chehalis River, South Fork (including tributaries) above latitude 46.6014 longitude -123.1253 (near junction with State Route 6), except where specifically designated Char.		✓										✓	✓	✓	✓	✓	✓	✓
Chehalis River (including tributaries) above latitude 46.6004 longitude -123.1473 (Section 23 T13N R4W), except where specifically designated Char.		✓										✓	✓	✓	✓	✓	✓	✓
Chehalis River mainstem from upper boundary of Grays Harbor at Cosmopolis (river mile 3.1, longitude 123°45'45"W) to latitude 46.6004 longitude -123.1473 (Section 23 T13N R4W) on main stem and to latitude 46.6014 longitude -123.1253 on South Fork. ¹			✓									✓	✓	✓	✓	✓	✓	✓
Chehalis River, South Fork, and the unnamed tributary at latitude 46.179 longitude -123.4127 (Sect. 10 T10N R4W): All waters (including tributaries) above the confluence.	✓											✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Chehalis River, West Fork, and East Fork Chehalis River: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Coffee Creek and tributaries.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Eight Creek and the unnamed tributary at latitude 46.6211 longitude -123.4127: All waters (including tributaries) above the confluence.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Fall Creek and the unnamed tributary at Sect. 22 T15N R1E: All waters (including tributaries) above their confluence.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Garrard Creek, South Fork, and tributaries above latitude 46.8013 longitude -123.3060.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Hanaford Creek and all tributaries from east boundary of Sec. 25-T15N-R2W (river mile 4.1) to the unnamed tributary at latitude 46.7295 longitude -122.6812 except where designated Char.			✓					✓			✓	✓	✓	✓	✓	✓	✓	✓
Hanaford Creek and all tributaries from mouth to east boundary of Sec. 25-T15N-R2W (river mile 4.1) ² .			✓					✓			✓	✓	✓	✓	✓	✓	✓	✓
Hanaford Creek and the unnamed tributary at latitude 46.7295 longitude -122.6812 (Sect. 4 T14N R1E): All waters (including tributaries) above the confluence.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Kearney Creek and the unnamed tributary at latitude 46.6256 longitude -122.5683: All waters (including tributaries) above the confluence.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Laramie Creek and the unnamed tributary at latitude 46.7901 longitude -122.5901: All waters (including tributaries) above the confluence.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Lincoln Creek, North Fork and tributaries above latitude 46.7370 longitude -123.7370 and (Section 36 T15N R5W).		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Lincoln Creek, South Fork and tributaries above latitude 46.7253 longitude -123.2306 (Section 6 T14N R4W).		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Mima Creek and tributaries above latitude 46.8588 longitude -123.0856.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Newaukum River and tributaries (except where designated Char).		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Newaukum River, North Fork, and the unnamed tributary at latitude 46.6793 longitude -122.6677: All waters (including tributaries) above the confluence.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Newaukum River, South Fork, and Frase Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pheeny Creek and the unnamed tributary at latitude 46.7836 longitude -122.6276 (Sect. 13 T15N R1E): All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Porter Creek and Jamaica Day Creek: All waters above the confluence.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Rock Creek (upstream of Callow): All waters above confluence with Chehalis River (Section 15, T16N, R5W), except where designated otherwise in this table.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Rock Creek (upstream of Pe Ell) and the unnamed tributary at latitude 46.5279 longitude -123.3782 (Sect. 11 T12N R6W): All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Scatter Creek and tributaries from latitude 46.8025 longitude -123.0863 (near mouth) to headwaters.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Seven Creek and the unnamed tributary at latitude 46.6192 longitude -123.3723: All waters (including tributaries) above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Skookumchuck River and tributaries from confluence with Hanaford Creek to headwaters (except where designated char).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Skookumchuck River mainstem from mouth to Hanaford Creek.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Skookumchuck River and Hospital Creek: All waters (including tributaries) above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Stearns Creek's, unnamed (GIS Ripple Creek) tributary at latitude 46.5711 longitude -122.9692 (Section 30 T13N R2W).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Stearns Creek's, unnamed tributary to West Fork at latitude 46.5824 longitude -123.0222 (Section 26 T13N R3W).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Stillman Creek and Little Mill Creek (Sect. 23 T12N R4W): All waters (including tributaries) above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Trash Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Waddel Creek and tributaries.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses				Recreation Uses			Water Supply Uses				Misc. Uses						
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Notes for WRIA 23:																		
1. Chehalis River from Scammon Creek (RM 65.8) to Newaukum River (RM 75.2); dissolved oxygen shall exceed 5.0 mg/L from June 1 to September 15. For the remainder of the year, the dissolved oxygen shall meet standard criteria.																		
2. Dissolved oxygen shall exceed 6.5 mg/L.																		
WRIA 24 Willapa																		
Bear River, unnamed south flowing tributary at latitude 46.3342 longitude -123.9394 (Section 20 T10N R10W).																		
Bear River and tributaries above latitude 46.3284 longitude -123.9172 (Section 28 T10N R10W) to headwaters.																		
Canon River and tributaries above latitude 46.5879 longitude -123.8672 (Section 25 T13N R10W).																		
Lower Salmon Creek and tributaries.																		
Middle Nemah River and tributaries above latitude 46.4873 longitude -123.8855 (Section 35 T12N R10W).																		
Mill Creek and tributaries above latitude 46.6448 longitude -123.6251 (Section 1 T13N R8W).																		
Naselle River from O'Conner Creek to headwaters (including tributaries).																		
North Nemah River and tributaries above latitude 46.5172 longitude -123.8665 (Section 14 T12N R10W).																		
North River and Fall River: All waters above the confluence (Section 24 T15N R7W).																		
Pioneer Creek and tributaries above latitude 46.8149 longitude -123.5502 (Section 4 T15N R7W).																		
Salmon Creek and tributaries above latitude 46.8904 longitude -123.6829 (Section 9 T16N R8W).																		
Smith Creek and tributaries above latitude 46.7554 longitude -123.8424 (Section 30 T15N R9W).																		

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
South Naselle River above latitude 46.3499 longitude -123.8093 (Section 16 T10N R9W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
South Nemah River above latitude 46.4406 longitude -123.8630 (Section 13 T11N R10W).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Stringer Creek and tributaries (Section 25 T13N R8W).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Willapa River South Fork and tributaries above latitude 46.6479 longitude -123.7267 (Section 6 T13N R8W).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Willapa River and Oxbow Creek: All waters upstream of the confluence (Section 26 T13N R8W).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Williams Creek and tributaries above latitude 46.5284 longitude -123.8668 (Section 14 T12N R10W).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 25 Grays-Elochoman																		
Abernathy Creek and Cameron Creek: All waters above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Coal Creek and Tributaries above and latitude 46.1839 longitude -123.0338 (just below Harmony Creek).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Elochoman River and tributaries from mouth to latitude 46.2292 longitude -123.3606 (Section 25 T9N R6W).			✓								✓	✓	✓	✓	✓	✓	✓	✓
Elochoman River and tributaries from latitude 46.2292 longitude -123.3606 (Section 25 T9N R6W) to headwaters.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Germany Creek from latitude 46.1946 longitude -123.1259 (near mouth) to headwaters.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Grays River from latitude 46.3454 longitude -123.6099 to headwaters.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Hull Creek and tributaries.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek and Tributaries above latitude 46.1906 longitude -123.1802 (near mouth).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Skomokawa Creek and Wilson Creek: All waters above the confluence.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 26 Cowlitz																		
Cispus River and tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Coweman River and tributaries from mouth to latitude 46.1405 longitude - 122.8532 (Section 31 T8N R1W).			✓				✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Coweman River and tributaries from latitude 46.1405 longitude - 122.8532 (Section 31 T8N R1W) to Mulholland Creek (river mile 18.4).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Coweman River and tributaries from Mulholland Creek (river mile 18.4) to headwaters.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Cowlitz River and tributaries from mouth to latitude 46.2622 longitude - 122.9001 (Section 14 T9N R2W).			✓				✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Cowlitz River from latitude 46.2622 longitude - 122.9001 (Section 14 T9N R2W) base of Mayfield Dam (river mile 52.0).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Cowlitz River, and tributaries from base of Mayfield Dam (river mile 52.0) to headwaters.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Green River and tributaries.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Toutle River and tributaries from mouth to Green River on North Fork.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Toutle River, North Fork, and tributaries from Green River to headwaters.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Toutle River, South Fork, and tributaries.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 27 Lewis																			
	Alec Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Big Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Chickoon Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Clear Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Clearwater Creek and unnamed creek: All waters (including tributaries) above the confluence (Sect. 15 T8N R6E – below confluence of Smith and Muddy Creeks).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Curly Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Cussed Hollow Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Kalama River east of Interstate 5 to Kalama River Falls (river mile 10.4) (including tributaries).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

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		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Kalama River from lower Kalama River Falls (river mile 10.4) to headwaters (including tributaries).																		
	Lewis River from Houghton Creek (including tributaries) to Lake Merwin.																		
	Lewis River and Pass Creek (alternately known as Swamp Creek): All waters (including tributaries) above the confluence.																		
	Lewis River's unnamed tributaries at latitude 46.1122 longitude -121.9174 (Sect. 11 T7N R7E).																		
	Lewis River, East Fork, from and including Mason Creek to Multon Falls (river mile 24.6) including tributaries.																		
	Lewis River, East Fork, and tributaries from Multon Falls (river mile 24.6) to headwaters.																		
	Little Creek and all tributaries.																		
	Panamaker Creek and all tributaries.																		
	Pin Creek and all tributaries.																		
	Pine Creek and all tributaries.																		
	Quartz Creek and all tributaries.																		
	Rush Creek and all tributaries.																		
	Spencer Creek and all tributaries.																		
	Steamboat Creek and all tributaries.																		
	Tillicum Creek and all tributaries.																		
	WRIA 28 Salmon-Washougal																		
	Burnt Bridge Creek.																		
	Duncan Creek and unnamed tributary just east of Duncan Creek: All waters north of highway 14.																		
	Green Leaf Creek and Hamilton Creek: All waters above the confluence.																		
	Hardy Creek and tributaries above lake inlet.																		

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Lawton Creek and tributaries above latitude 45.5708 longitude -122.2576 (Section 13).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Salmon Creek from latitude 45.7176 longitude -122.6958 (below confluence with Cougar Creek) and tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Washougal River from latitude 45.5883 longitude -122.3711 (Section 7 T1N R4E) (including tributaries).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Woodward Creek and tributaries north of highway 14.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 29 Wind-White Salmon																		
Bear Creek (tributary to White Salmon River (at Latitude 45.98290 Longitude -121.52946) below National Forest Boundary		✓					✓				✓	✓	✓	✓	✓	✓	✓	✓
Buck Creek and all tributaries (Two Buck Creeks drain to the White Salmon River, the mouth of this creek is found in Section 21 T7NR10E).	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Carson Creek.		✓									✓	✓	✓	✓	✓	✓	✓	✓
Catherine Creek and tributaries.		✓									✓	✓	✓	✓	✓	✓	✓	✓
Cave Creek below National Forest Boundary							✓				✓	✓	✓	✓	✓	✓	✓	✓
Gilmer Creek and all tributaries, except as noted otherwise.	✓										✓	✓	✓	✓	✓	✓	✓	✓
Gilmer Creek's unnamed tributary in Sections 29 and 32 T5N R11E.							✓				✓	✓	✓	✓	✓	✓	✓	✓
Gotchen Creek and all tributaries, except those waters in or above the Gifford Pinchot National Forest.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Gotchen Creek and all tributaries that are in or above the Gifford Pinchot National Forest.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Green Canyon Creek and all tributaries.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Jewett Creek and tributaries.		✓									✓	✓	✓	✓	✓	✓	✓	✓
Killowatt Canyon Creek below National Forest Boundary and unnamed creek at latitude 45.963 longitude -121.5154							✓				✓	✓	✓	✓	✓	✓	✓	✓
Little White Salmon River and tributaries downstream of National Forest boundary.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Little White Salmon River and tributaries in or above National Forest boundary.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Reband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Major Creek and tributaries.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Morrison Creek and all tributaries.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
	Rattlesnake Creek and the unnamed tributary at latitude 45.8512 longitude - 121.4081; All waters (including tributaries) above the confluence.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
	Rock Creek and tributaries downstream of Gifford Pinchot National Forest boundaries from Latitude 45.68557 Longitude -121.88523.		✓									✓	✓	✓	✓	✓	✓	✓	✓
	Spring Creek below National Forest Boundary (Latitude 45.99170 Longitude - 121.57855).			✓								✓	✓	✓	✓	✓	✓	✓	✓
	Trout Lake Creek and all tributaries below Trout Lake.	✓										✓	✓	✓	✓	✓	✓	✓	✓
	Trout Lake Creek and all tributaries at and above Trout Lake.	✓							✓				✓	✓	✓	✓	✓	✓	✓
	White Salmon River (including all natural tributaries) occurring downstream of National Forest boundary, not otherwise designated Char.		✓									✓	✓	✓	✓	✓	✓	✓	✓
	White Salmon River (including all natural tributaries) occurring in or upstream of National Forest boundary, not otherwise designated Char.		✓									✓	✓	✓	✓	✓	✓	✓	✓
	White Salmon River drainage's unnamed tributaries that originate in Section 13 T6N R10E (latitude 46.0042 longitude 121.5001); all portions occurring downstream of the Gifford Pinchot National Forest boundary.	✓										✓	✓	✓	✓	✓	✓	✓	✓
	White Salmon River drainage's unnamed tributaries that originate in Section 13 T6NR10E (latitude 46.0042 longitude 121.5001); all portions occurring upstream of the Gifford Pinchot National Forest boundary.	✓										✓	✓	✓	✓	✓	✓	✓	✓
	White Salmon River and Cascade Creek: All waters (including tributaries) above the confluence.	✓										✓	✓	✓	✓	✓	✓	✓	✓
	Wind River and tributaries downstream of Gifford Pinchot National Forest boundaries.		✓									✓	✓	✓	✓	✓	✓	✓	✓
	Wind River and tributaries in or upstream of Gifford Pinchot National Forest.		✓									✓	✓	✓	✓	✓	✓	✓	✓
WRIA 30 Kliekitat																			
	Clearwater Creek and Trappers Creek: All waters (including tributaries) above the confluence.	✓										✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Reband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Cougar Creek and Big Muddy Creek: All waters (including tributaries) above the confluence.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
	Diamond Fork and Cuitin Creek: All waters (including tributaries) above the confluence.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
	Diamond Fork's unnamed tributaries at latitude 46.4205 longitude -121.1562.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
	Diamond Fork's unnamed tributaries at latitude 46.4355 longitude -121.1590 (outlet of Maiden Springs).	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
	Fish Lake Stream and all tributaries.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
	Frasier Creek and Outlet Creek: All waters (including tributaries) above the confluence.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
	Klickitat River mainstem from mouth to Little Klickitat River (river mile 19.8).		✓							✓		✓	✓	✓	✓	✓	✓	✓	✓
	Klickitat River from Little Klickitat River (river mile 19.8) to Diamond Fork.		✓							✓		✓	✓	✓	✓	✓	✓	✓	✓
	Klickitat River and all tributaries above the confluence with Diamond Fork.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
	Little Klickitat River and all tributaries above the confluence with Cozy Nook Creek.			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
	Little Muddy Creek and all tributaries.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
	McCreedy Creek and all tributaries.	✓					✓				✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 31 Rock-Glade																			
	Squaw Creek and unnamed tributary at latitude 45.8758 longitude -120.4324 (Section 33 T5N R19E): all waters above confluence.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
	Rock Creek and Quartz Creek: all waters above confluence.		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 32 Walla Walla																			
	Blue Creek and tributaries above latitude 46.0581 and longitude 118.0971	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
	Copei Creek, North and South Forks (including tributaries).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
	Dry Creek and tributaries above confluence with unnamed creek at latitude 46.1197 longitude -118.1378 (Seaman Rd).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
	Mill Creek from mouth to 13th Street Bridge in Walla Walla (river mile 6.4). ¹				✓							✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Mill Creek from 13th Street Bridge in Walla Walla (river mile 6.4) to diversion structure at confluence of Mill Creek and unnamed creek (river mile 11.4); latitude 46.0800 longitude -118.2541			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek from river mile 11.4; latitude 46.080 longitude -118.2541 to headwaters (including tributaries) except where otherwise designated Char		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek and Railroad Canyon: All waters (including tributaries) above the confluence to the Oregon state line (river mile 21.6).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek and tributaries within Washington that are above the city of Walla Walla Waterworks Dam (river mile 25.2) to headwaters. ²	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Touchet River above latitude 46.3172 longitude -118.0000 (Sect. 25 T10N R38E) (including tributaries) not otherwise designated Char.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Touchet River, North Fork, and Wolf Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Touchet River, South Fork, and the unnamed tributary at latitude 46.2307 longitude -117.9397: All waters (including tributaries) above the confluence, except those waters in or above the Umatilla National Forest.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Touchet River, South Fork, and the unnamed tributary at latitude 46.2307 longitude -117.9397: All waters (including tributaries) above the confluence that are in or above the Umatilla National Forest.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Walla Walla River from mouth to Lowden (Dry Creek at river mile 27.2).				✓							✓	✓	✓	✓	✓	✓	✓	✓
Walla Walla River from Lowden (Dry Creek at river mile 27.2) to Oregon border (river mile 40). ³			✓								✓	✓	✓	✓	✓	✓	✓	✓
Whiskey Creek, and unnamed tributary system at and latitude 46.2176 longitude -118.0667 (Section 33 T9N R38E), all waters above confluence.											✓	✓	✓	✓	✓	✓	✓	✓

Notes for WRIA 32:

1. Dissolved oxygen concentration shall exceed 5.0 mg/L.
2. No waste discharge will be permitted for Mill Creek and tributaries in Washington from city of Walla Walla Waterworks Dam (river mile 25.2) to headwaters.

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses						Recreation Uses			Water Supply Uses				Misc. Uses				
	Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
3. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T + 9)$.																		
WRIA 33 Lower Snake																		
Snake River from mouth to Washington-Idaho-Oregon border (river mile 176.1). ¹																		
Notes for WRIA 33:																		
1. Below Clearwater River (river mile 139.3). Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t = 34/(T + 9)$. Special condition - special fish passage exemption as described in WAC 173-201A-200 (1)(f).																		
WRIA 34 Palouse																		
Palouse River from Palouse Falls to south fork (Colfax, river mile 89.6).																		
Palouse River mainstem from mouth to Palouse Falls																		
Palouse River, main river, from confluence with south fork (Colfax, river mile 89.6) to Idaho border (river mile 123.4). ¹																		
Notes on WRIA 34:																		
1. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T + 9)$.																		
WRIA 35 Middle Snake																		
All streams flowing into Oregon from North Fork Wenaha River east to, and including, Fairview Creek.																		
Asotin River from and including Charley Creek to headwaters (including tributaries) not otherwise designated Char.																		
Asotin River, North Fork, and all tributaries above Lick Creek, except those waters in or above the Umatilla National Forest.																		
Asotin River, North Fork, and all tributaries above Lick Creek that are in or above the Umatilla National Forest.																		

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Charley Creek and the unnamed tributary at latitude 46.2851 longitude - 117.3216: All waters (including tributaries) above the confluence, except those waters in or above the Umatilla National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Charley Creek and the unnamed tributary at latitude 46.2851 longitude - 117.3216: All waters (including tributaries) above the confluence that are in or above the Umatilla National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cottonwood Creek and the unnamed tributary at latitude 46.0678 longitude - 117.3015 (Section 21 T7N R44E) all waters above the confluence.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Crooked Creek (including tributaries) from Oregon Border to headwaters.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cummings Creek and all tributaries, except those waters in or above the Umatilla National Forest.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Cummings Creek and all tributaries that are in or above the Umatilla National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
George Creek, above and including Coombs Canyon (including tributaries).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
George Creek and the unnamed tributary at latitude 46.2292 longitude -117.1874 (Section 29 T9N R45E), all waters above confluence not otherwise designated Char.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Grande Ronde River from mouth to Oregon border (river mile 37). ¹			✓															
Grouse Creek and tributaries from Oregon border.		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Grub Canyon and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Hixon Canyon and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Tucannon River and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Menatchee Creek and West Fork Menatchee Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pataha Creek and Dry Pataha Creek: All waters (including tributaries) above the confluence, except those waters in or above the Umatilla National Forest.	✓							✓										
Pataha Creek and Dry Pataha Creek: All waters (including tributaries) above the confluence that are in or above the Umatilla National Forest.	✓						✓											

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Snake River from mouth to Washington-Idaho-Oregon border (river mile 176.1). ²			✓				✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Tennile Creek, all waters above confluence with unnamed creek at latitude 46.2156 longitude -117.0386 (Section 33 T9N R46E).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Tucannon River and tributaries from latitude 46.4592 longitude -117.8461 (Section 6, T11N R40E) to Panjab Creek (except where designated char).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Tucannon River mainstem from between Little Tucannon River and Panjab Creek.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Tucannon River and Panjab Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Tucannon River's unnamed tributaries in Sect. 1 T10N R40E and in Sect. 35 T11N R40E (South of Marengo): all waters above their forks.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
	Tumalum Creek and the unnamed tributary at latitude 46.3594 longitude -117.6488: All waters (including tributaries) above the confluence, except those waters in or above the Umatilla National Forest.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
	Tumalum Creek and the unnamed tributary at latitude 46.3594 longitude -117.6488: All waters (including tributaries) above the confluence that are in or above the Umatilla National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Willow Creek and the unnamed tributary at latitude 46.4182 longitude -117.8314: All waters (including tributaries) above the confluence.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓

Notes for WRIA 35:

- Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t = 34/(T + 9)$.
- The following two notes apply:
 - Below Clearwater River (river mile 139.3). Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t = 34/(T + 9)$. Special condition - special fish passage exemption as described in WAC 173-201A-200 (1)(f).

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses						Recreation Uses			Water Supply Uses				Misc. Uses				
		Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	(b) Above Clearwater River (river mile 139.3). Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increases will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined.																		
	WRIA 36 Esquatzel Coulee There are no specific waterbody entries for this WRIA.																		
	WRIA 37 Lower Yakima																		
	Ahianum Creek North Fork's unnamed tributaries at latitude 46.5465 longitude -120.8857.	✓																	✓
	Ahianum Creek North Fork's unnamed tributaries at latitude 46.5395 longitude -120.9851.	✓																	✓
	Ahianum Creek, between confluence with South Fork and confluence of North and Middle Forks (including tributaries) except where designated Char		✓																✓
	Ahianum Creek, North Fork, and Middle Fork Ahianum Creek: All waters (including tributaries) above the confluence.	✓																	✓
	Ahianum Creek, South Fork, and all tributaries.	✓																	✓
	Carpenter Gulch and all tributaries.	✓																	✓
	Foundation Creek and all tributaries.	✓																	✓
	Nasty Creek and all tributaries.	✓																	✓
	Sulphur Creek																		✓
	Yakima River from mouth to Cle Elum River (river mile 185.6) except where specifically designated otherwise in Table 602. ¹			✓															✓
	Notes for WRIA 37:																		
	1. Temperature shall not exceed a 1-DMax of 21.0°C due to human activities. When natural conditions exceed a 1-DMax of 21.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 1=34/(T + 9).																		
	WRIA 38 Naches American River and all tributaries.	✓																	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Barton Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Bumping Lake's unnamed tributaries at latitude 46.8464 longitude -121.3106.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Bumping River's unnamed tributaries at latitude 46.9317 longitude -121.2067 (outlet of Flat Iron Lake).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Bumping River and tributaries downstream of the upper end of Bumping Lake (except where designated char).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Bumping River (and tributaries) upstream of Bumping Lake.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cedar Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Clear Creek and tributaries (including Clear Lake).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Crow Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Deep Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Goat Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Granite Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Indian Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Naches River and Bear Creek: All waters (including tributaries) above the confluence.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Little Naches River, South Fork and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Naches River and tributaries from latitude 46.7640 longitude -120.8286 (just upstream of Cougar Canyon) to Snoqualmie National Forest boundary (river mile 35.7) (except where designated Char).		✓						✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Naches River from Snoqualmie National Forest boundary (river mile 35.7) to headwaters (except where designated Char).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Pileup Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Quartz Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Rattlesnake Creek: All waters above the confluence with North Fork Rattlesnake Creek.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Rattlesnake Creek, North Fork, all waters above latitude 46.8107 longitude 121.0694 (from and including the unnamed tributary just above confluence with mainstem).	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Sand Creek and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Sunrise Creek (latitude 46.9042 longitude -121.2431) and all tributaries	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tieton River and tributaries (except where otherwise designated).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tieton River, North Fork (including tributaries) above the confluence with Clear Lake.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Tieton River, South Fork, and all tributaries.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
WRIA 39 Upper Yakima																		
Cle Elum River from mouth to latitude 47.3805 longitude -121.0983 (above Little Salmon la Sac Creek).		✓					✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Cle Elum River and all tributaries from confluence with unnamed tributary at latitude 47.3805 longitude -121.0983 to headwaters.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Indian Creek and tributaries downstream of Wenatchee National Forest boundary below.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Indian Creek and tributaries in or above National Forest boundary.		✓					✓				✓	✓	✓	✓	✓	✓	✓	✓
Jack Creek and tributaries downstream of Wenatchee National Forest boundary below.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Jack Creek and tributaries in or above National Forest boundary.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Little Kachess Lake (narrowest point dividing Kachess Lake from Little Kachess Lake) and all tributaries.	✓						✓				✓	✓	✓	✓	✓	✓	✓	✓
Manastash Creek: All waters above the confluence of the North and South Forks that are downstream of the Wenatchee National Forest boundary.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Manastash Creek: All waters above the confluence of the North and South Forks that are in or above the Wenatchee National Forest.		✓					✓				✓	✓	✓	✓	✓	✓	✓	✓
Manastash Creek mainstem from mouth to confluence of North and South Forks.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Manastash Creek, tributaries to mainstem, between the mouth and the confluence of North and South Forks.			✓					✓			✓	✓	✓	✓	✓	✓	✓	✓
Swauk Creek mainstem from mouth to confluence with First Creek.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Swauk Creek from confluence with First Creek to Wenatchee National Forest (including tributaries).		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Taneum Creek, tributaries to mainstem, from mouth to Wenatchee National Forest boundary.			✓					✓			✓	✓	✓	✓	✓	✓	✓	✓
Taneum Creek mainstem from mouth to Wenatchee National Forest boundary.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River mainstem from mouth to West Fork Teanaway River.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, tributaries to mainstem, from mouth to West Fork Teanaway River.			✓					✓			✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, West Fork and Middle Fork, and tributaries downstream of the Wenatchee National Forest.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, West Fork and Middle Fork, and tributaries upstream of the Wenatchee National Forest.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, North Fork (and tributaries) from mouth to Jungle Creek that are downstream of the Wenatchee National Forest boundary (except where designated otherwise).		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, North Fork (and tributaries) from mouth to Jungle Creek that are in or above the Wenatchee National Forest boundary (except where designated otherwise).		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Teanaway River, North Fork, and all tributaries above and including Jungle Creek.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓
Yakima River mainstem from mouth to Cle Elum River (river mile 185.6) except where specifically designated otherwise in Table 602. ¹			✓					✓			✓	✓	✓	✓	✓	✓	✓	✓
Yakima River and tributaries from Cle Elum River (river mile 185.6) to headwaters (except where designated otherwise).		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
Yakima River and tributaries above but not including Cedar Creek (latitude 47.2892 longitude -121.2947) in Sect.25 T21NR12E.	✓							✓			✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses						Recreation Uses			Water Supply Uses				Misc. Uses				
	Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Notes for WRIA 39:																		
1. Temperature shall not exceed a 1-DMax of 21.0°C due to human activities. When natural conditions exceed a 1-DMax of 21.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed t = 34/(T + 9).																		
WRIA 40 Alkaki-Squitchuck																		
There are no specific water body entries for this WRIA.																		
WRIA 41 Lower Crab																		
Crab Creek and tributaries.																		
WRIA 42 Grand Coulee																		
Crab Creek and tributaries.																		
WRIA 43 Upper Crab-Wilson																		
Crab Creek and tributaries.																		
WRIA 44 Moses Coulee																		
There are no specific waterbody entries for this WRIA.																		
WRIA 45 Wenatchee																		
Chiwaukum Creek from confluence with Skinny Creek to headwaters (including tributaries).																		
Chiwawa River from mouth to Chikamin Creek (including tributaries).																		
Chiwawa River (and all tributaries) above and including Chikamin Creek.																		
Chumstick Creek and tributaries downstream of the National Forest boundary (not otherwise designated char).																		
Chumstick Creek and tributaries in or above the National Forest boundary (not otherwise designated char).																		
Dry Creek and Chumstick Creek: All waters (including tributaries) above the confluence, except those waters in or above the Wenatchee National Forest.																		
Dry Creek and Chumstick Creek: All waters (including tributaries) above the confluence that are in or above the Wenatchee National Forest.																		

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Eagle Creek and the unnamed tributary at latitude 47.6544 longitude -120.5165: All waters (including tributaries) above the junction, except those waters in or above the Wenatchee National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Eagle Creek and the unnamed tributary at latitude 47.6544 longitude -120.5165: All waters (including tributaries) above the confluence that are in or above the Wenatchee National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
	Icicle Creek (including tributaries) from mouth to the National Forest Boundary.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
	Icicle Creek (including tributaries) from National Forest boundary to confluence with Jack Creek.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
	Icicle Creek above and including Jack Creek (including all tributaries).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
	Ingalls Creek (including tributaries).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
	Mission Creek from latitude 47.4496 longitude -120.4945 to headwaters (including tributaries) downstream of the National Forest boundary.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
	Mission Creek from latitude 47.4496 longitude -120.4945 to headwaters (including tributaries) in or above the National Forest boundary.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
	Peshastin Creek from National Forest Boundary to headwaters (including tributaries) except where designated char.		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
	Peshastin Creek from confluence with Mill Creek to National Forest Boundary (including tributaries).		✓						✓			✓	✓	✓	✓	✓	✓	✓	✓
	Second Creek and the unnamed tributary at latitude 47.7384 longitude -120.5935: All waters (including tributaries) above the confluence.	✓								✓		✓	✓	✓	✓	✓	✓	✓	✓
	Van Creek and the unnamed tributary at latitude 47.6722 longitude -120.5373: All waters (including tributaries) above the confluence.	✓								✓		✓	✓	✓	✓	✓	✓	✓	✓
	Wenatchee River mainstem between Peshastin Creek and the boundary of the Wenatchee National Forest (river mile 27.1).		✓							✓		✓	✓	✓	✓	✓	✓	✓	✓
	Wenatchee River from Wenatchee National Forest boundary (river mile 27.1) to Chiwawa River (including tributaries) except where designated otherwise.		✓							✓		✓	✓	✓	✓	✓	✓	✓	✓
	Wenatchee River and all tributaries above Chiwawa River confluence.	✓								✓		✓	✓	✓	✓	✓	✓	✓	✓

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses					Recreation Uses			Water Supply Uses				Misc. Uses					
		Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
WRIA 46 Entiat																			
	Brennegan Creek and the unnamed tributary at and latitude 47.9098 longitude - 120.4185: All waters (including tributaries) above the confluence.	✓									✓				✓	✓	✓	✓	✓
	Entiat River and tributaries occurring below the National Forest boundary from and including the Mad River to Wenatchee National Forest boundary on the mainstem Entiat River (river mile 20.5).		✓								✓				✓	✓	✓	✓	✓
	Entiat River and all tributaries above the unnamed creek at and latitude 47.9135 longitude -120.4942 (below Fox Creek).	✓									✓				✓	✓	✓	✓	✓
	Entiat River's unnamed tributaries upstream of latitude 47.9106 longitude - 121.5010 (below Fox Creek).	✓									✓				✓	✓	✓	✓	✓
	Gray Canyon, North Fork, and South Fork Gray Canyon: All waters (including tributaries) above the confluence.	✓									✓				✓	✓	✓	✓	✓
	Hornet Creek and all tributaries.	✓									✓				✓	✓	✓	✓	✓
	Mad River and all tributaries above latitude 47.8015 longitude -120.4920 (below Young Creek).	✓									✓				✓	✓	✓	✓	✓
	Mud Creek and Switchback Canyon: All waters (including tributaries) above the confluence.	✓									✓				✓	✓	✓	✓	✓
	Potato Creek and Gene Creek: All waters above the confluence.	✓									✓				✓	✓	✓	✓	✓
	Preston Creek and South Fork Preston Creek: All waters (including tributaries) above the confluence.	✓									✓				✓	✓	✓	✓	✓
	Stormy Creek and the unnamed tributary at latitude 47.8387 longitude - 120.3865: All waters (including tributaries) above the confluence.	✓									✓				✓	✓	✓	✓	✓
	Tillicum Creek and Indian Creek: All waters (including tributaries) above the confluence.	✓									✓				✓	✓	✓	✓	✓
WRIA 47 Chelan																			
	Stehekin River.		✓								✓				✓	✓	✓	✓	✓

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses						Recreation Uses			Water Supply Uses				Misc. Uses					
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Reband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics	
WRIA 48 Methow																			
Bear Creek from mouth to headwaters (including tributaries) in or above the National Forest boundary.																			
Bear Creek from mouth to headwaters (including tributaries) downstream of the National Forest boundary.																			
Beaver Creek and South Fork Beaver Creek: All waters (including tributaries) above the confluence.																			
Big Hidden Lake and all tributaries, and the outlet stream that flows into the East Fork Pasayten River.																			
Boulder Creek and Pebble Creek: All waters (including tributaries) above the confluence.																			
Buttermilk Creek and all tributaries.																			
Chewuch River and tributaries from mouth to headwaters (except where designated otherwise).																			
Chewuch River and tributaries above Buck Creek at Section 30, T38, R22E.																			
Eagle Creek and all tributaries.																			
Early Winters Creek (including tributaries) from mouth to headwaters.																			
Eureka Creek and all tributaries.																			
Goat Creek above the confluence with Roundup Creek to headwaters (including tributaries).																			
Gold Creek and all tributaries, except those waters in or above the Okanogan National Forest.																			
Gold Creek and all tributaries that are in or above the Okanogan National Forest.																			
Lake Creek and all tributaries.																			
Libby Creek and Homel Draw: All waters (including tributaries) above the confluence.																			
Little Bridge Creek and tributaries																			
Lost River Gorge and all tributaries upstream of confluence with Sunset Creek.																			

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses						Recreation Uses			Water Supply Uses				Misc. Uses				
		Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
	Methow River from mouth to confluence with Twisp River.			✓								✓	✓	✓	✓	✓	✓	✓	✓
	Methow River from confluence with Twisp River to Chewuch River (river mile 50.1).		✓					✓				✓	✓	✓	✓	✓	✓	✓	✓
	Methow River and tributaries from Chewuch River (river mile 50.1) to headwaters (except where designated char.		✓									✓	✓	✓	✓	✓	✓	✓	✓
	Methow River, West Fork, (including tributaries) from and including Robinson Creek and its tributaries to headwaters (except unnamed tributary above mouth at latitude 48.6591 longitude -120.5493.	✓										✓	✓	✓	✓	✓	✓	✓	✓
	Pipestone Canyon Creek and all tributaries below Campbell Lake.	✓										✓	✓	✓	✓	✓	✓	✓	✓
	Pipestone Canyon Creek and all tributaries above Campbell Lake, Campbell Lake, and all tributaries to Campbell Lake.	✓										✓	✓	✓	✓	✓	✓	✓	✓
	Smith Canyon Creek and Elderberry Canyon: All waters (including tributaries) above the confluence.	✓										✓	✓	✓	✓	✓	✓	✓	✓
	Twisp River from mouth to War Creek.		✓									✓	✓	✓	✓	✓	✓	✓	✓
	Twisp River and War Creek: All waters (including tributaries) above the confluence.	✓										✓	✓	✓	✓	✓	✓	✓	✓
	Wolf Creek from and including unnamed tributary at latitude 48.4849 longitude -120.3180 to headwaters (including tributaries).	✓										✓	✓	✓	✓	✓	✓	✓	✓
	WRIA 49 Okanogan																		
	Okanogan River.			✓								✓	✓	✓	✓	✓	✓	✓	✓
	WRIA 50 Foster																		
	There are no specific waterbody entries for this WRIA.																		
	WRIA 51 Nespelem																		
	There are no specific waterbody entries for this WRIA.																		
	WRIA 52 Sanpoil																		
	There are no specific waterbody entries for this WRIA.																		

TABLE 602	Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses						Recreation Uses			Water Supply Uses				Misc. Uses				
		Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
WRIA 53 Lower Lake Roosevelt																			
There are no specific waterbody entries for this WRIA.																			
WRIA 54 Lower Spokane																			
Spokane River from mouth to Long Lake Dam (river mile 33.9). ¹																			
Spokane River from Long Lake Dam (river mile 33.9) to Nine Mile Bridge (river mile 58.0). ²			✓						✓										
Spokane River from Nine Mile Bridge (river mile 58.0) to the Idaho border (river mile 96.5). ³																			
Notes for WRIA 54:																			
1. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T + 9)$.																			
2. a. The average euphotic zone concentration of total phosphorus (as P) shall not exceed 25µg/L during the period of June 1 to October 31. b. Temperature shall not exceed a 1-DMax of 20.0°C, due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T + 9)$.																			
3. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed $t=34/(T+9)$.																			
WRIA 55 Little Spokane																			
There are no specific waterbody entries for this WRIA.																			
WRIA 56 Hangman																			
There are no specific waterbody entries for this WRIA.																			
WRIA 57 Middle Spokane																			
Lake Creek and all tributaries.		✓																	
Spokane River from Nine Mile Bridge (river mile 58.0) to the Idaho border (river mile 96.5). ¹																			

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses				Recreation Uses			Water Supply Uses				Misc. Uses						
	Char Spawning /Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Notes on WRIA 57:																		
1. Temperature shall not exceed a 1-DMMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMMax of 20.0°C no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed I=34/(T+9).																		
WRIA 58 Middle Lake Roosevelt																		
There are no specific waterbody entries for this WRIA.																		
WRIA 59 Colville																		
Colville River.																		
WRIA 60 Kettle																		
There are no specific waterbody entries for this WRIA.																		
WRIA 61 Upper Lake Roosevelt																		
There are no specific waterbody entries for this WRIA.																		
WRIA 62 Pend Oreille																		
All streams flowing into Idaho from Bath Creek (latitude 48.5865 longitude 117.0351) to the Canadian border.																		
Calispell Creek (including tributaries) from Small Creek to Calispell Lake.																		
Calispell Lake and all tributaries.																		
Cedar Creek from latitude 48.7500 longitude -117.4349 (including tributaries) to headwaters: all waters that are in the Colville National Forest.																		
Cedar Creek from latitude 48.7500 longitude -117.4349 to (including tributaries) to headwaters: all waters that are outside the Colville National Forest.																		
Cedar Creek from mouth to latitude 48.7500 longitude -117.4349 (including tributaries) in or above Colville National Forest boundary.																		
Cedar Creek from mouth to latitude 48.7500 longitude -117.4349 (including tributaries) downstream of the Colville National Forest.																		
Harvey Creek (also called Outlet Creek) and Paupac Creek: All waters (including tributaries) above the confluence.																		

TABLE 602 Use Designations for Fresh Waters by Water Resource Inventory Area (WRIA)	Aquatic Life Uses				Recreation Uses			Water Supply Uses				Misc. Uses						
	Char Spawning/Rearing	Core Summer Habitat	Spawning/Rearing	Rearing/Migration Only	Redband Trout	Warm Water Species	Ex Primary Cont	Primary Cont	Secondary Cont	Domestic Water	Industrial Water	Agricultural Water	Stock Water	Wildlife Habitat	Harvesting	Commerce/Navigation	Boating	Aesthetics
Indian Creek from mouth to headwaters.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Le Clerc Creek, East Branch, and West Branch Le Clerc Creek: All waters (including tributaries) above the confluence, except those waters in or above the Colville National Forest.	✓							✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Le Clerc Creek, East Branch, and West Branch Le Clerc Creek: All waters (including tributaries) above the confluence that are in or above the Colville National Forest.	✓						✓			✓	✓	✓	✓	✓	✓	✓	✓	✓
Le Clerc Creek from mouth to confluence with West Branch le Clerc Creek (including tributaries).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Mill Creek from mouth to headwaters (including tributaries).		✓								✓	✓	✓	✓	✓	✓	✓	✓	✓
Pend Oreille River from Canadian border (river mile 16.0) to Idaho border (river mile 87.7). ¹			✓							✓	✓	✓	✓	✓	✓	✓	✓	✓
Slate Creek from mouth to headwaters (including tributaries).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Small Creek and all tributaries, except those waters in or above the National Forest.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Small Creek and all tributaries that are in or above the National Forest.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
South Salmo River and all tributaries.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Sullivan Creek above confluence with Harvey Creek (including tributaries) to headwaters.	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Tacoma Creek, South Fork, upstream of Tacoma Creek and downstream of the Colville National Forest boundary (including tributaries).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓
Tacoma Creek, South Fork, and tributaries upstream of the Colville National Forest boundary (including tributaries).	✓									✓	✓	✓	✓	✓	✓	✓	✓	✓

Notes for WRIA 62:

1. Temperature shall not exceed a 1-DMax of 20.0°C due to human activities. When natural conditions exceed a 1-DMax of 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T + 9)$.

WSR 11-11-024
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Disability Services Administration)
 [Filed May 10, 2011, 11:49 a.m., effective June 10, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The department is amending WAC 388-106-0130 to adjust in-home hours based on individualized CARE assessments related to an elimination of the increase associated with incontinence and/or specialized diet for clients with informal support.

These amendments are necessary to address the state's revenue shortfall as outlined in the 2009-2011 supplemental operating budget (ESSB 6444).

Citation of Existing Rules Affected by this Order: Amending WAC 388-106-0130.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520.

Other Authority: Washington state 2009-2011 supplemental operating budget (ESSB 6444).

Adopted under notice filed as WSR 10-22-123 on November 3, 2010.

Changes Other than Editing from Proposed to Adopted Version: The proposed rules included WAC 388-106-0125, which have [has] been removed from this rule making. The department plans to propose additional amendments to WAC 388-106-0125, and will proceed with permanent adoption at a later date.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: May 5, 2011.

Katherine I. Vasquez
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 08-23-011, filed 11/6/08, effective 12/7/08)

WAC 388-106-0130 How does the department determine the number of hours I may receive for in-home care? (1) The department assigns a base number of hours to each classification group as described in WAC 388-106-0125.

(2) The department will deduct from the base hours to account for informal supports, as defined in WAC 388-106-0010, or other paid services that meet some of an individual's need for personal care services, including adult day health, as follows:

(a) The CARE tool determines the adjustment for informal supports by determining the amount of assistance available to meet your needs, assigns it a numeric percentage, and reduces the base hours assigned to the classification group by the numeric percentage. The department has assigned the following numeric values for the amount of assistance available for each ADL and IADL:

Meds	Self Performance	Status	Assistance Available	Value Percentage
Self administration of medications	Rules for all codes apply except independent is not counted	Unmet	N/A	1
		Met	N/A	0
		Decline	N/A	0
		Partially met	<1/4 time	.9
			1/4 to 1/2 time	.7
	1/2 to 3/4 time	.5		
	>3/4 time	.3		
Unscheduled ADLs	Self Performance	Status	Assistance Available	Value Percentage
Bed mobility, transfer, walk in room, eating, toilet use	Rules apply for all codes except: Did not occur/client not able and Did not occur/no provider = 1; Did not occur/client declined and independent are not counted.	Unmet	N/A	1
		Met	N/A	0
		Decline	N/A	0
		Partially met	<1/4 time	.9
			1/4 to 1/2 time	.7
	1/2 to 3/4 time	.5		
	>3/4 time	.3		
Scheduled ADLs	Self Performance	Status	Assistance Available	Value Percentage

Dressing, personal hygiene, bathing	Rules apply for all codes except: Did not occur/client not able and Did not occur/no provider = 1; Did not occur/client declined and independent are not counted.	Unmet	N/A	1
		Met	N/A	0
		Decline	N/A	0
		Partially met	<1/4 time	.75
			1/4 to 1/2 time	.55
1/2 to 3/4 time	.35			
	>3/4 time	.15		
IADLs	Self Performance	Status	Assistance Available	Value Percentage
Meal preparation, Ordinary housework, Essential shopping	Rules for all codes apply except independent is not counted.	Unmet	N/A	1
		Met	N/A	0
		Decline	N/A	0
		Partially met	<1/4 time	.3
			1/4 to 1/2 time	.2
1/2 to 3/4 time	.1			
>3/4 time	.05			
IADLs	Self Performance	Status	Assistance Available	Value Percentage
Travel to medical	Rules for all codes apply except independent is not counted.	Unmet	N/A	1
		Met	N/A	0
		Decline	N/A	0
		Partially met	<1/4 time	.9
			1/4 to 1/2 time	.7
1/2 to 3/4 time	.5			
>3/4 time	.3			
Key: > means greater than < means less than				

(b) To determine the amount of reduction for informal support, the value percentages are totaled and divided by the number of qualifying ADLs and IADLs needs. The result is value A. Value A is then subtracted from one. This is value B. Value B is divided by three. This is value C. Value A and Value C are summed. This is value D. Value D is multiplied by the "base hours" assigned to your classification group and the result is the number of in-home hours reduced for informal supports.

(3) Also, the department will adjust in-home base hours when:

(a) There is more than one client receiving ADSA-paid personal care services living in the same household, the status under subsection (2)(a) of this section must be met or partially met for the following IADLs:

- (i) Meal preparation;
- (ii) Housekeeping;
- (iii) Shopping; and
- (iv) Wood supply.

(b) You are under the age of eighteen, your assessment will be coded according to age guidelines codified in WAC 388-106-0213.

(4) ~~(In addition to any determination of unmet need in (2)(a) when you are not affected by (3) above, the department~~

~~will score the status for meal preparation as unmet when you adhere to at least one of the following special diets:~~

- ~~(a) ADA (diabetes);~~
- ~~(b) Autism diet;~~
- ~~(c) Calorie reduction;~~
- ~~(d) Low sodium;~~
- ~~(e) Mechanically altered;~~
- ~~(f) Planned weight change program;~~
- ~~(g) Renal diet; or~~

~~(h) Needs to receive nutrition through tube feeding or receives greater than twenty five percent of calories through tube or parenteral feeding.~~

~~(5) In addition to any determination of unmet need in (2)(a) when you are not affected by (3) above, the department will score the status for housework as unmet when you are incontinent of bladder or bowel, documented as:~~

- ~~(a) Incontinent all or most of the time;~~
- ~~(b) Frequently incontinent; or~~
- ~~(c) Occasionally incontinent.~~

~~(6)) After deductions are made to your base hours, as described in subsections (2) and (3), the department may add on hours based on your living environment:~~

Condition	Status	Assistance Available	Add On Hours
Offsite laundry facilities, which means the client does not have facilities in own home and the caregiver is not available to perform any other personal or household tasks while laundry is done.	N/A	N/A	8
Client is >45 minutes from essential services (which means he/she lives more than 45 minutes one-way from a full-service market).	Unmet	N/A	5
	Met	N/A	0
	Partially met	<1/4 time	5
		between 1/4 to 1/2 time	4
		between 1/2 to 3/4 time	2
>3/4 time		2	
Wood supply used as sole source of heat.	Unmet	N/A	8
	Met	N/A	0
	Declines	N/A	0
	Partially met	<1/4 time	8
		between 1/4 to 1/2 time	6
		between 1/2 to 3/4 time	4
		>3/4 time	2

~~((7))~~ (5) In the case of New Freedom consumer directed services (NFCDS), the department determines hours as described in WAC 388-106-1445.

~~((8))~~ (6) The result of actions under subsections (2), (3), and (4) ~~((5) and (6))~~ is the maximum number of hours that can be used to develop your plan of care. The department must take into account cost effectiveness, client health and safety, and program limits in determining how hours can be used to meet your identified needs. In the case of New Freedom consumer directed services (NFCDS), a New Freedom spending plan (NFSP) is developed in place of a plan of care.

~~((9))~~ (7) You and your case manager will work to determine what services you choose to receive if you are eligible. The hours may be used to authorize:

(a) Personal care services from a home care agency provider and/or an individual provider.

(b) Home delivered meals (i.e. a half hour from the available hours for each meal authorized).

(c) Adult day care (i.e. a half hour from the available hours for each hour of day care authorized).

(d) A home health aide if you are eligible per WAC 388-106-0300 or 388-106-0500.

(e) A private duty nurse (PDN) if you are eligible per WAC 388-71-0910 and 388-71-0915 or WAC 388-551-3000 (i.e. one hour from the available hours for each hour of PDN authorized).

(f) The purchase of New Freedom consumer directed services (NFCDS).

Purpose: To reduce the time and unnecessary steps required of the office and the costs to the appellants in the appeal process under chapter 326-08 WAC. Changes in other chapters are to correct references to chapter 326-08 WAC and to make other nonsubstantive edits.

Citation of Existing Rules Affected by this Order: Amending chapters 326-08, 326-02, and 326-20 WAC.

Statutory Authority for Adoption: RCW 39.19.030.

Adopted under notice filed as WSR 11-02-083 on January 5, 2011.

Changes Other than Editing from Proposed to Adopted Version: In subsection (2)(c) of WAC 326-20-172, revised the language on providing notice of decertification.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 3, Amended 15, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 3, Amended 15, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 11, 2011.

Cathy V. Canorro
Acting Director

WSR 11-11-030
PERMANENT RULES
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES

[Filed May 11, 2011, 8:24 a.m., effective June 11, 2011]

Effective Date of Rule: Thirty-one days after filing.

AMENDATORY SECTION (Amending WSR 04-13-032, filed 6/9/04, effective 7/10/04)

WAC 326-02-034 Political subdivision fees. (1) It is the intent of the state legislature that political subdivisions within the state of Washington contribute to the costs of the state's certification program for minority and women's business enterprises. For the purpose of this section, political subdivisions means any city, town, county, special purpose district, public corporation created by the state, municipal corporation, or quasi-municipal corporation within the state of Washington that administers a policy or program, or funds from whatever source, which requires or encourages the use of certified minority, women, or disadvantaged business enterprises.

(2) Effective July 1, 1993, the office shall allocate a portion of its biennial operational costs to political subdivisions. Each political subdivision shall pay a proportionate share of this allocation based on the formula set forth in subsection (4) of this section.

(3)(a) The fee charged to each political subdivision for the period, July 1, 2003 - June 30, 2005, and subsequent (~~bienniums~~) biennia unless revised by rule, shall be based on the annual average of expenditures for capital projects, supplies and other services for fiscal years 1999-2001 as reflected in the state auditor's on-line BARS report, when available. Data on the annual average of capital expenditures by the transit districts during the relevant period will be taken from a report produced by the Washington state department of transportation entitled, *2001 Summary of Public Transportation Systems in Washington State*. Data on the annual average of expenditures by school districts and educational service districts will be obtained from the office of the superintendent of public instruction. The basis for the fee to be charged to the Housing Authorities is the number of low-income units owned or managed during the last fiscal year as reported to the U.S. Department of Housing and Urban Development. The maximum amount charged to any political subdivision shall not exceed \$40,000.00 in a single biennium.

(b) For the biennium beginning July 1, 2005, and subsequent biennia, similar data reflecting expenditures during the previous biennium or in the case of Housing Authorities, the average number of low-income units owned or managed during the previous biennium will be used to calculate the fee charged to each political subdivision.

(c) When insufficient data is available to calculate the average expenditures from the sources listed in (a) of this subsection, the office may either use other sources for the data or estimate the amount of relevant expenditures. In either event, the office shall allow the affected political subdivisions to offer alternative data on which to base its calculation. New political subdivisions will be charged based on the office's estimate of the annual average of relevant expenditures by the entity for the current biennium.

(d) After paying the fee, the political subdivisions may challenge the office about the accuracy of the data used to calculate the fee under (b) of this subsection. Upon verification by the state auditor, the fee may be revised and refund issued or additional fee assessed.

(e) Following the initial billing in each biennium, which will include the total amount due for the biennium beginning

July 1, 2003, the office will mail invoices on a quarterly basis one month before the start of each quarter for the outstanding balance at that time. Payments shall be due within thirty calendar days after receipt of the invoice.

(4)(a) The following formula will be used to calculate the fees:

For the annual average of expenditures ranging from \$1m - \$50.99m, a sliding scale as follows: (\$1m - \$10m = \$100; \$11m - \$20m = \$150; \$21m - \$30m = \$200; \$31m - \$40m = \$250; \$41m - \$50m = \$300). For \$51m - \$99.99m, the formula will be the annual average of expenditures multiplied by .0001. At \$100m, a sliding scale resumes; beginning at \$10k and increasing in increments of \$5k for each additional \$100m in the annual average of expenditures; e.g., \$200m - \$299m = \$15k; \$300m - \$399m = \$20,000; etc. Fees will not be charged to any political subdivision with an average annual expenditure totaling less than \$1m during the period under review.

(b) The fee to Housing Authorities will be \$1 per low-income unit owned or managed during the last fiscal year.

(5) The office shall develop a policy and procedure for collection of any invoice that is not paid within thirty calendar days. The office shall distribute the collection policy and procedure to all political subdivisions along with the initial and quarterly billings.

AMENDATORY SECTION (Amending WSR 94-11-117, filed 5/18/94, effective 6/18/94)

WAC 326-02-050 Penalties which may be imposed.

(1) The penalties under this section may be imposed by the office, or by the state agency or educational institution administering a contract or procurement within which a violation occurs. Nothing in chapter 39.19 RCW or this title prevents the state agency or educational institution administering the contract from pursuing any procedures or sanctions as are otherwise provided by statute, rule, or contract provision.

(2) Penalties which may be imposed include one or more of the following:

(a) Withhold payment until the violation is remedied;

(b) Debarment from contracting with the state for up to one year; debarment for up to three years may be imposed for willful repeated violations, exceeding a single violation;

(c) Suspension of the contract;

(d) Termination of the contract;

(e) Immediate suspension of the certification of a certified firm;

(f) Payment of civil penalties of up to five thousand dollars for each violation or up to ten percent of the amount of the contract; or

(g) Decertification or denial of certification.

(3) Penalties may be imposed on one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees and receivers, or any group of persons.

(4) Penalties shall be imposed by the office giving a written notice which is either served personally or by certified mail, return receipt requested, to the person or business incurring the penalty. Except for suspension of certification, which

is covered by WAC 326-02-090, the notice of the civil penalty shall be a final order of the office unless, within fifteen days after the notice is served, the person incurring the penalty appeals the penalty by filing a notice of appeal with the office.

(5) If a notice of appeal is filed in a timely manner, the office shall conduct a ~~((show cause review))~~ brief adjudicative proceeding as outlined in ~~((WAC 326-20-171 or an adjudicative proceeding shall be conducted on behalf of the office by the office of administrative hearings in accordance with the provisions in))~~ chapter 326-08 WAC.

AMENDATORY SECTION (Amending WSR 92-11-007, filed 5/11/92, effective 6/11/92)

WAC 326-02-090 Procedures for suspension, hearing provided. (1) If the director determines that suspension of the certification of a business is necessary to prevent immediate harm to the public welfare, the business will be notified by personal service or certified mail, return receipt requested, of the suspension and the reasons therefor. The suspension shall take effect immediately upon receipt of the notice. The suspended business will be entitled to a hearing pursuant to chapter 326-08 WAC, but a written request for hearing must be made within twenty days of receipt of the notice of suspension.

(2) After the hearing, the ~~((administrative law judge))~~ presiding officer may recommend that:

- (a) Suspension of certification remain in effect for up to one year;
- (b) The suspension be removed; or
- (c) That the business be decertified.

NEW SECTION

WAC 326-08-011 Brief adjudicative proceedings. (1) The Administrative Procedure Act provides for brief adjudicative proceedings in RCW 34.05.482 through 34.05.494. The office will conduct brief adjudicative proceedings where it does not violate any provision of law and where protection of the public interest does not require the office to give notice and an opportunity to participate to persons other than the parties. If an adjudicative proceeding is requested, a brief adjudicative proceeding will be conducted where the matter involves one or more of the following:

- (a) A denial of certification under WAC 326-20-171; or
- (b) A decertification of a firm under WAC 326-20-172;

or

- (c) An assessment of a penalty under WAC 326-02-050.

(2) If an adjudicative proceeding is requested in a matter not listed in subsection (1) of this section, a brief adjudicative proceeding may be conducted at the discretion of the presiding officer when it appears that:

- (a) Only legal issues exist; or
- (b) Both parties have agreed to a brief adjudicative proceeding; and
- (c) The protection of the public interest does not require that the office provide notice and opportunity to participate to persons other than the parties.

NEW SECTION

WAC 326-08-012 Application for and conduct of brief adjudicative proceedings. (1) An application for a brief adjudicative proceeding must be filed within twenty days from the date of service of the office's notice of action. A request for brief adjudication proceeding must set forth in detail the reasons the applicant believes the office's decision to deny certification is in error and include any additional information and documentation the applicant has to offer. Other parties may file a written response, including supporting affidavits, within ten days after receipt of the application for a brief adjudicative proceeding. Copies of the response shall be served on all parties.

(2) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceedings designated by the director. The presiding officer for brief adjudicative proceedings shall have agency expertise in the subject matter but shall not have personally participated in the decision to issue the initiating document.

(3) Accommodations.

(a) If limited English-speaking or hearing impaired parties will be involved in a brief adjudicative proceeding and need an interpreter, an interpreter will be provided at no cost to the party or witness.

(b) If disabled parties or witnesses will be involved in a proceeding and need accommodation of facilities or services, the office will provide reasonable accommodation.

(c) Any party or witness requiring an interpreter or accommodation shall notify the office at the time of the request for a brief adjudicative proceeding.

(4) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(5) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(6) No witnesses may appear to testify.

(7) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis for decision.

(8) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.

NEW SECTION

WAC 326-08-013 Initial orders on brief adjudicative proceedings; review of initial orders. (1) Initial orders on brief adjudicative proceedings shall become final twenty-one days after service of the initial order unless:

(a) A petition for review of an initial order is served by certified mail, registered mail, or personal service upon the office, and copies shall be served on all parties. A petition for review of an initial order shall contain an explanation of the party's view of the matter and a statement of reasons why the initial order is incorrect; or

(b) On its own initiative, the office determines to review the matter and, within twenty-one days of service of the initial order, provides notice to the parties of the date by which a determination shall be made.

(2) If review is taken under subsection (1) of this section, each party shall be provided an opportunity to state its view of the matter, and a written order containing findings of fact, conclusions of law and order shall be entered and served upon the parties within twenty days of service of the initial order or the request for review, whichever is later.

(3) A request for review is deemed to be denied if the office does not act on the request within twenty days after the request is submitted.

(4) If administrative review is taken under subsection (1) of this section, the presiding officer may convert the matter to a full adjudicative proceeding.

(5) The director or his or her designee shall act as the reviewing officer and shall conduct a review of an initial order upon the timely service of a petition for review or upon his or her own motion. The reviewing officer shall adopt, modify, or reject the initial order; but the reviewing officer shall not take any action on review less favorable to any party without giving that party notice and opportunity to explain the party's view of the matter.

(6) The order on review shall be in writing, shall include a brief statement of the reasons for the decision, and shall be entered within twenty days after the date of the initial order or the petition for review, whichever is later. The order shall include a description of any further available administrative review or, if none is available, a notice that judicial review may be available.

(7) The record in a brief adjudicative proceeding shall consist of any documents regarding the matters that were considered or prepared by the presiding officer for the brief adjudicative proceedings and/or by the reviewing officer for any review.

AMENDATORY SECTION (Amending WSR 92-15-077, filed 7/16/92, effective 8/16/92)

WAC 326-08-015 ((Procedure to request an)) Full adjudicative proceedings. ~~(((1) When business has been notified that it is to be decertified, denied certification, or assessed a penalty, the aggrieved party may request an adjudicative proceeding.~~

~~(2) The request shall be made in writing on 8 1/2" x 11" paper and shall set forth in detail the reasons the business believes the office's decision is in error.~~

~~(3) The request must be filed and served on the office within twenty calendar days from the service of the notice to decertify or deny certification, or assess penalties. Service must be made pursuant to WAC 326-08-070.)~~ At the office's discretion or a presiding officer's determination that to protect the public interest or if the interest involved in the controversy warrants the use of more formal hearing procedures, the office or presiding officer can convert a brief adjudicative proceeding to a full adjudicative proceeding.

AMENDATORY SECTION (Amending WSR 92-15-077, filed 7/16/92, effective 8/16/92)

WAC 326-08-016 ((Action on requests for)) Commencement of a full adjudicative proceeding. (1) The office shall commence ~~((an)) a full~~ adjudicative proceeding within ninety days after ~~((receipt of a request for an adjudicative proceeding))~~ the determination that the use of more formal hearing procedures is required.

(2) ~~((An))~~ A full adjudicative proceeding commences when the office notifies a party that a prehearing conference, hearing, or other stage of an adjudicative proceeding will be conducted.

(3) Within thirty days after receipt of the request for an adjudicative proceeding, the office shall examine the request, notify the requestor of any obvious errors or omissions, request any additional information the office wishes to obtain and is permitted by law to require, and notify the requestor of the name, mailing address, and telephone number of the office that may be contacted regarding the request.

AMENDATORY SECTION (Amending WSR 92-15-077, filed 7/16/92, effective 8/16/92)

WAC 326-08-018 Presiding officer. The presiding officer in ~~((an)) a full~~ adjudicative proceeding is the administrative law judge designated by the office of administrative hearings after notice of hearing is issued by the office.

AMENDATORY SECTION (Amending WSR 92-15-077, filed 7/16/92, effective 8/16/92)

WAC 326-08-020 General procedures rules for full adjudicative proceedings. The provisions of chapter 10-08 WAC, "Model rules of procedure" shall apply to full adjudicative hearings regarding certification or penalties by the office.

AMENDATORY SECTION (Amending WSR 92-15-077, filed 7/16/92, effective 8/16/92)

WAC 326-08-035 Who may appear. (1) Any party to ~~((an)) a full~~ adjudicative proceeding may participate personally.

(2) The owner of the majority interest in a certified business is a necessary party and shall appear on behalf of the business.

(3) A former employee of the office shall not, at any time after severing his or her employment with the office, appear as a representative or expert witness on behalf of a petitioner in a matter in which he or she previously took an active part as a representative of the office, except with the written permission of the director.

AMENDATORY SECTION (Amending WSR 92-15-077, filed 7/16/92, effective 8/16/92)

WAC 326-08-050 Notice of hearing. (1) When ~~((the director receives a request for an))~~ a full adjudicative proceeding is commenced, the office will issue a notice to all

parties and to the office of administrative hearings as provided by RCW 34.05.434.

(2) Time. All parties shall be served with notice not less than twenty days before the hearing.

(3) The notice shall include:

(a) The names and mailing addresses of all parties to whom notice is being given and, if known, the names and addresses of their representatives;

(b) The name of the proceeding;

(c) The name, official title, mailing address, and telephone number of the presiding officer, if known;

(d) A statement of the time, place, and nature of the proceeding;

(e) A statement of the legal authority and jurisdiction under which the hearing is to be held;

(f) A reference to the particular sections of the statutes and rules involved;

(g) A short and plain statement of the matters asserted by the agency; and

(h) A statement that a party who fails to attend or participate in a hearing or other stage of an adjudicative proceeding may be held in default in accordance with WAC 326-08-105.

AMENDATORY SECTION (Amending WSR 92-15-077, filed 7/16/92, effective 8/16/92)

WAC 326-08-110 Initial order. (1) Within ninety days after the conclusion of ~~((an))~~ a full adjudicative proceeding or after submission of memos, briefs, or proposed findings that the administrative law judge may allow after the adjudicative proceeding, the administrative law judge shall prepare an initial order for signature by the director.

(2) The initial order shall include a statement of findings and conclusions and the reasons and basis on all the material issues of fact, law, or discretion presented on the record, including the remedy or sanction. Any findings based substantially on credibility of evidence or demeanor of witnesses shall be so identified. Findings set forth in language that is essentially a repetition or paraphrase of the relevant provision of law shall be accompanied by a concise and explicit statement of the underlying evidence of record to support the findings. The initial order shall also include a statement of the available procedures and time limits for seeking reconsideration or other administrative relief. An initial order shall include a statement of any circumstances under which the initial order, without further notice, may become a final order.

(3) Findings of fact shall be based exclusively on the evidence of record in the adjudicative proceeding and on matters officially noticed in that proceeding. Findings shall be based on the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs. Findings may be based on such evidence even if it would be inadmissible in a civil trial. However, the administrative law judge shall not base a finding exclusively on such inadmissible evidence unless the administrative law judge determines that doing so would not unduly abridge the parties' opportunities to confront witnesses and rebut evidence. The basis for this determination shall appear in the order.

(4) Where it bears on the issues presented, the experience, technical competency, and specialized knowledge of the office may be used in the evaluation of evidence.

(5) If an administrative law judge becomes unavailable for any reason before the entry of the order, a substitute administrative law judge shall be appointed by the office of administrative hearings. The substitute administrative law judge shall use any existing record and may conduct any further proceedings appropriate in the interests of justice. Any action taken by a duly appointed administrative law judge for an unavailable administrative law judge is as effective as if taken by the unavailable administrative law judge.

(6) The administrative law judge shall cause to be served copies of the order on all parties.

AMENDATORY SECTION (Amending WSR 92-15-077, filed 7/16/92, effective 8/16/92)

WAC 326-08-120 Objections to initial order. (1) Any party to ~~((an))~~ a full adjudicative proceeding may file objections to an initial order pursuant to RCW 34.05.464.

(2) The objections to the initial order shall be filed with the director within twenty days of the date of service of the initial order. Copies of the objections to the initial order shall be served upon all other parties.

(3) The objections to the initial order shall specify the portions of the initial order to which objection is taken and shall refer to the evidence of the record which is relied upon to support each objection.

(4) Any party may file a reply to the objections to the initial order. The reply shall be filed with the director within ten days of the date of service of the objections to the initial order and copies of the reply shall be served upon all other parties.

AMENDATORY SECTION (Amending WSR 04-08-093, filed 4/6/04, effective 5/7/04)

WAC 326-20-120 Submittal of forms. Application forms may be submitted by mail to the office at the following address:

STATE OF WASHINGTON
OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES
P.O. BOX 41160
OLYMPIA, WA 98504-1160

Forms may also be delivered to the office at its location, 406 ~~((South))~~ Water Street S.W., Olympia, Washington.

The minority, woman, or socially and economically disadvantaged owner shall be responsible for ensuring that the form is complete and accurate and is properly delivered to the office. The applicant should keep a copy of the completed form and all documents submitted with the form for its own reference.

AMENDATORY SECTION (Amending WSR 92-11-007, filed 5/11/92, effective 6/11/92)

WAC 326-20-171 Denial of certification—~~((Show cause review))~~ Brief adjudicative proceeding. (1) If the office has reached the conclusion that an application for certification should be denied, the office shall notify the appli-

cant in writing of its denial of certification. Within twenty days of receipt of this notification, the applicant (~~must either:~~

(a) ~~Submit a written request for show cause review by the director or designee, containing the information specified in subsection (2) of this section; or~~

(b) ~~Submit a written request for an adjudicative proceeding, pursuant to WAC 326-08-015.)~~ may request a brief adjudicative proceeding under WAC 326-08-012. Application for and conduct of brief adjudicative proceedings. The written request for a review of the decision must contain the information specified in subsection (2) of this section.

(2) A request for ~~((show cause review))~~ brief adjudicative proceeding must set forth in detail the reasons the applicant believes the office's decision to deny certification is in error and include any additional information and documentation the applicant has to offer.

(3) When an applicant requests a ~~((show cause review))~~ brief adjudicative proceeding, the finality of the denial for appeal purposes is stayed until the ~~((show cause review))~~ brief adjudicative proceeding is complete.

(4) Upon receipt of a timely request for a ~~((show cause review))~~ brief adjudicative proceeding the office will review any additional information provided by the applicant, and may conduct further investigation, and/or schedule a meeting with the applicant.

(5) The office will notify the applicant in writing of its decision either to affirm the denial or to grant certification. ~~((This notification is considered final for purposes of WAC 326-08-015.))~~

AMENDATORY SECTION (Amending WSR 92-11-007, filed 5/11/92, effective 6/11/92)

WAC 326-20-172 Decertification of firms. (1) A business may be decertified at any time the office determines that the business does not meet the current criteria for eligibility. A certified business shall notify the office, in writing, within thirty calendar days of any changes in its size, ownership, control, or operations. Failure to provide such notice in a timely manner may lead to decertification.

(2) When the office has determined that a certified business (a) no longer meets the certification criteria or (b) failed to supply additional information requested by the office in a timely manner, or (c) failed to give timely notice of changes, the office will ~~((notify))~~ provide the business ~~((in writing of its intent to decertify the business))~~ with written notice of decertification.

(3) When a certified business notifies the office that it is no longer in business, has sold the business, or no longer wishes to remain certified, or when the certified business fails or refuses to return the renewal of certification form, the office will notify the business in writing of its decertification. ~~((This notification is final for purposes of appeal pursuant to WAC 326-08-015.))~~

(4) Upon receipt of ~~((an "intent to decertify"))~~ a notice of decertification letter, the business ~~((must either:~~

(a) ~~Submit a written request for a show cause review by the director which meets the criteria set out in (e) of this subsection; or~~

~~(b) Submit a written request for an adjudicative proceeding pursuant to WAC 326-08-015.~~

~~(e))~~ may request a brief adjudicative proceeding under WAC 326-08-012. Application for and conduct of brief adjudicative proceedings.

The request for ~~((show cause review))~~ brief adjudicative proceeding must be received by the office within twenty calendar days of receipt of the notice of ~~((intent to decertify))~~ decertification to the firm. The request for a ~~((show cause review))~~ brief adjudicative proceeding must set forth the reasons the business believes the office's decision to decertify is in error and must include any additional information and documentation the business has to offer.

(5) If the office has not received a request for a ~~((show cause review))~~ brief adjudicative proceeding nor any additional written documentation within twenty days of receipt of the ~~((("intent to decertify"))~~ notice of decertification letter, the decision to decertify becomes final, with no further rights to contest or appeal the decision.

(6) Upon receipt of the request for a ~~((show cause review))~~ brief adjudicative proceeding, the office will review the request and any additional information provided and may conduct further investigation and/or request that the owner(s) attend ~~((a show cause meeting))~~ the brief adjudicative proceeding. The office will thereafter notify the business in writing of its decision to either affirm or reverse ~~((its intent to decertify the business))~~ the firm's decertification. ~~((This decertification decision is considered final for purposes of WAC 326-08-015.~~

~~(7) If a show cause review is requested and the decision to decertify is affirmed, any aggrieved party may request an adjudicative proceeding pursuant to WAC 326-08-015. The request must be made in writing and must be made within twenty days of receipt of the office's decision affirming the decertification decision.~~

~~(8))~~ (7) If the decision to decertify is appealed, the business shall remain certified until:

(a) The time provided by WAC ~~((326-08-015))~~ 326-08-012 for appeal of the decision to decertify has expired without action by the business; or

(b) The entry of a final decertification order issued by the director pursuant to WAC 326-08-130.

~~((9))~~ (8) Decertification shall be effective immediately upon the occurrence of (a) or (b) of this subsection, and will not be stayed pending review by any court.

WSR 11-11-031

PERMANENT RULES

WASHINGTON STATE UNIVERSITY

[Filed May 11, 2011, 9:20 a.m., effective June 11, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: To update and clarify the standards of conduct for students' WACs (chapter 504-26 WAC) including, but not limited to, student conduct hearings, appeals, sanctions, students studying abroad, and distribution of records.

Citation of Existing Rules Affected by this Order: Amending WAC 504-26-001, 504-26-010, 504-26-101, 504-26-102, 504-26-103, 504-26-200, 504-26-209, 504-26-223,

504-26-301, 504-26-303, 504-26-304, 504-26-401, 504-26-402, 504-26-403, 504-26-404, 504-26-405, 504-26-406, 504-26-407, and 504-26-501.

Statutory Authority for Adoption: RCW 28B.30.150.

Adopted under notice filed as WSR 11-06-066 on March 2, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 19, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 19, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 19, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 6, 2011.

Ralph T. Jenks, Director
Procedures, Records, and Forms
and University Rules Coordinator

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-001 Preamble. Washington State University, a community dedicated to the advancement of knowledge, expects all students to behave in a manner consistent with its high standards of scholarship and conduct. Students are expected to uphold and be accountable for these standards both on and off campus and acknowledge the university's authority to take disciplinary action. The purpose of these standards and processes is to educate students and protect the welfare of the community.

AMENDATORY SECTION (Amending WSR 07-11-030, filed 5/8/07, effective 6/8/07)

WAC 504-26-010 Definitions. (1) The term "accused student" means any student accused of violating the standards of conduct for students (this chapter).

(2) The term "appellate board" means any person or persons authorized by the vice-president for student affairs to consider an appeal from a (~~student~~) university conduct board's determination as to whether a student has violated the standards of conduct for students or from the sanctions imposed by the student conduct officer.

(3) The term "cheating" includes, but is not limited to:

(a) Use of unauthorized materials in taking quizzes, tests, or examinations, or giving or receiving unauthorized assistance by any means, including talking, copying information from another student, using electronic devices, or taking an examination for another student.

(b) Use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments.

(c) Acquisition or possession of tests or other academic material belonging to a member of the university faculty or staff when acquired without the permission of the university faculty or staff member.

(d) Fabrication, which is the intentional invention or counterfeiting of information in the course of an academic activity. Fabrication includes, but is not limited to:

(i) Counterfeiting data, research results, information, or procedures with inadequate foundation in fact;

(ii) Counterfeiting a record of internship or practicum experiences;

(iii) Submitting a false excuse for absence or tardiness or a false explanation for failing to complete a class requirement or scheduled examination at the appointed date and time.

(e) Engaging in any behavior for the purpose of gaining an unfair advantage specifically prohibited by a faculty member in the course syllabus or class discussion.

(f) Scientific misconduct. Falsification, fabrication, plagiarism, or other forms of dishonesty in scientific and scholarly research are prohibited. Complaints and inquiries involving cases of scientific misconduct are managed according to the university's policy for responding to allegations of scientific misconduct. A finding of scientific misconduct is subject to sanctions by the office of student (~~conduct~~) standards and accountability. The policy for responding to allegations of scientific misconduct may be reviewed by contacting the (~~vice provost~~) vice-president for research.

(g) Unauthorized collaboration on assignments.

(h) Intentionally obtaining unauthorized knowledge of examination materials.

(i) Plagiarism. Presenting the information, ideas, or phrasing of another person as the student's own work without proper acknowledgment of the source. This includes submitting a commercially prepared paper or research project or submitting for academic credit any work done by someone else. The term "plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

(j) Unauthorized multiple submission of the same work.

(k) Sabotage of others' work.

(l) Tampering with or falsifying records.

(4) The term "complainant" means any person who submits a charge alleging that a student violated the standards of conduct for students.

(5) The term "faculty member" for purposes of this chapter, means any person hired by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty.

(6) The term "gender identity" means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to the person at birth.

(7) The term "may" is used in the permissive sense.

(8) The term "member of the university community" includes any person who is a student, faculty member, university official, or any other person employed by the university. A person's status in a particular situation is determined by the vice-president for student affairs.

(9) The term "organization" means any number of persons who have complied with the formal requirements for university recognition.

(10) The term "policy" means the written regulations of the university as found in, but not limited to, the standards of conduct for students, residence life handbook, the university web page and computer use policy, and graduate/undergraduate catalogs.

(11) The term "shall" is used in the imperative sense.

(12) The term "student" includes all persons taking courses at the university, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating the standards of conduct for students, who are not officially enrolled for a particular term but who have a continuing relationship with the university (including suspended students) or who have been notified of their acceptance for admission are considered "students" as are persons who are living in university residence halls, although not enrolled in this institution.

(13) The term "student conduct officer" means a university official authorized by the vice-president for student affairs to manage conduct complaints including the imposition of sanctions upon any student(s) found to have violated the standards of conduct for students.

(14) The term "university" means all locations of Washington State University.

(15) The term "university conduct board" means those persons who, collectively, have been authorized by the vice-president for student affairs to determine whether a student has violated the standards of conduct for students and to impose sanctions when a rules violation has been committed.

(16) The term "academic integrity hearing board" means those teaching faculty who, collectively, have been authorized by the university or college to review an instructor's determination that a student violated university academic integrity policies and whether or not the outcome proposed by the instructor is in keeping with the instructor's published policies.

(17) The term "university official" includes any person employed by the university, performing assigned administrative or professional responsibilities.

(18) The term "university premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the university (including adjacent streets and sidewalks).

(19) The vice-president for student affairs is that person designated by the university president to be responsible for the administration of the standards of conduct for students.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-101 Convening boards. The student conduct officer convenes boards from the appointed board membership for each conduct matter and for appeals of decisions.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-102 Policies. The vice-president for student affairs or designee shall develop policies for the administration of the ~~((student))~~ standards of conduct for students system and procedural rules for the conduct of ~~((student))~~ university conduct board hearings that are consistent with provisions of the standards of conduct for students.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-103 Decisions. Decisions made by a ~~((student))~~ university conduct board and/or student conduct officer become final twenty-one days after the date the decision is signed, unless an appeal is filed prior to that date.

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-200 Jurisdiction of the university standards of conduct for students. The university standards of conduct for students shall apply to conduct that occurs on university premises, at university sponsored activities, and to off-campus conduct that adversely affects the university community and/or the pursuit of its objectives. Each student is responsible and accountable for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. These standards shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The university has sole discretion to determine what conduct occurring off campus adversely impacts the university community and/or the pursuit of university objectives.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-209 Violation of university policy, rule, or regulation. Violation of any university policy, rule, or regulation published ~~((in hard copy or available))~~ electronically on the university web site or in hard copy.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-223 Stalking. Intentionally and repeatedly harassing or following a person and intentionally or unintentionally placing the person being followed or harassed in fear of physical harm to one's self or property or physical harm to another person or another's property. This includes

but is not limited to, conduct occurring in person, electronically, or through a third party.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-301 Malicious intent. If a student is found responsible for violating any provision of ~~((this code))~~ the standards of conduct for students as a result of causing injury to another or to another's property, or as a result of placing another in reasonable fear of injury to self or property, and if the responsible student is found to have intentionally selected the victim based upon the responsible student's perception of the victim's race, color, religion, ancestry, national or ethnic origin, age, gender, marital status, veteran status, sexual orientation, gender identity, or mental, physical, or sensory disability, such finding is considered an aggravating factor in determining a sanction for such conduct.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-303 ~~((Students studying abroad))~~ International and national exchange programs. Students who participate in any university-sponsored or sanctioned ~~((foreign country))~~ international or national study program shall observe the following rules and regulations:

- (1) The laws of the host country and/or state;
- (2) The academic and disciplinary regulations of the educational institution or residential housing program where the student is studying; and
- (3) Any other agreements related to the student's study program ~~((in a foreign country))~~.

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-304 Group conduct. Sororities, fraternities, and recognized groups shall comply with the standards of conduct for students and with university policies. When a member or members of a student organization violates the standards of conduct for students, the student organization and/or individual members may be subject to appropriate sanctions authorized by these standards.

ARTICLE IV ~~((STUDENT))~~ STANDARDS OF CONDUCT ~~((CODE))~~ FOR STUDENTS PROCEDURES

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-401 Complaints and student conduct process. (1) Any member of the university community may file a complaint against a student for violations of the standards of conduct for students. A complaint is prepared in writing and directed to a student conduct officer. Any complaint is to be submitted as soon as possible after the event takes place, preferably within thirty days.

(2) A student conduct officer, or designee, may review and investigate any complaint to determine whether it

appears to state a violation of the ~~((code))~~ standards of conduct for students. If a conduct officer determines that a complaint appears to state a violation of the ~~((student code))~~ standards of conduct, she or he considers whether the matter might be resolved through agreement with the accused or through alternative dispute resolution proceedings involving the complainant and the accused. The complainant and the accused are informed of university options for alternative dispute resolution and may request that the matter be addressed using alternative dispute resolution techniques. Generally, the accused and complainant must agree to the use of alternative dispute resolution techniques. If the accused and the student conduct officer reach an agreed resolution of the complaint, the disposition is final; there is no right to appeal from an agreed disposition.

(3) If the conduct officer has determined that a complaint has merit and if the matter is not resolved through agreement or alternative dispute resolution, the matter is handled through either a conduct officer hearing or as a university conduct board hearing.

(a) When the allegation involves harm or threat of harm to any person or person's property and the accused disputes the facts and/or denies responsibility, the matter may be referred to the university conduct board for resolution.

(b) If the possible or recommended sanction is expulsion or suspension, the matter is referred to the university conduct board.

(c) Matters other than those listed in (a) and (b) of this subsection are heard by a conduct officer, unless the conduct officer exercises his or her discretion to refer the matter to a conduct board at any time before a decision is issued. A student may request that a conduct board hear the case, but the final decision to refer the matter to the university conduct board for hearing is made by the university conduct officer and such decision is not subject to appeal.

(4) The student conduct officer provides complainants who have been targets of alleged misconduct or who feel victimized thereby with names of university and community advocates or resources who may be able to help the complainant address his or her concerns about the behaviors and provide support to the complainant throughout the conduct process. Upon request, a university advisor from the office of the dean of students is available to the complainant and the accused student to assist in understanding the student conduct process. Due to federal privacy law, the university may not disclose to the complainant any sanctions taken against the accused student, unless the complainant was the victim of a violent crime for which the accused was found responsible as defined under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g; 34 CFR Part 99), or the accused student consents to such disclosure.

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-402 Conduct officer actions. (1) Any student charged by a conduct officer with a violation of any provision of standards of conduct for students is notified of the basis for the charge or charges and of the time, date, and

place of a conference between the student and the conduct officer through one of the following procedures.

(a) The conduct officer provides notice by personal delivery or by regular United States mail addressed to the student or student organization at his, her, or its last known address. Duplicate notice may be provided by electronic mail.

(b) If the student is no longer enrolled at the time notice is sent, the notice is sent to the student's permanent address recorded in the registrar's files. The student or student organization is responsible for maintaining an updated mailing address on file with the registrar.

(c) Any request to extend the time and/or date of the conduct officer conference/hearing should be addressed to the conduct officer.

(2) In order that any informality in disciplinary proceedings not mislead a student as to the seriousness of the matter under consideration, the student is informed of the potential sanctions involved at the initial conference or hearing.

(3) After a review of the evidence and interviewing the student(s) involved in the case, the conduct officer may take any of the following actions:

(a) Terminate the proceeding exonerating the student or students;

(b) Dismiss the case;

(c) Impose appropriate sanctions as provided in WAC 504-26-405. Such sanctions are subject to the student's right of appeal as provided in ~~((this code))~~ these standards of conduct; or

(d) Refer the matter to the university conduct board pursuant to WAC 504-26-401(3).

(4) The conduct officer may consider the student's past contacts with the office of student ~~((conduct))~~ standards and accountability in determining an appropriate sanction and/or deciding whether to refer the case for a university conduct board hearing.

(5) The student is notified in writing of the determination made by the conduct officer within ten business days of the proceeding. The notice includes information regarding the student's right to appeal pursuant to WAC 504-26-407.

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-403 Conduct board proceedings. (1)

Any student charged by a conduct officer with a violation of any provision of standards of conduct for students that is to be heard by a conduct board is provided notice by personal delivery or by regular United States mail addressed to the student or student organization at her, his, or its last known address.

(a) If the student is no longer enrolled at the time notice is sent, the notice is sent to the student's permanent address recorded in the registrar's files.

(b) The student or student organization is responsible for keeping an updated mailing address on file with the registrar.

(2) The written notice shall be completed by the conduct officer and shall include:

(a) The specific complaint, including the university policy or regulation allegedly violated;

(b) The approximate time and place of the alleged act that forms the factual basis for the charge of violation;

(c) The time, date, and place of the hearing;

(d) A list of the witnesses who may be called to testify, to the extent known;

(e) A description of all documentary and real evidence to be used at the hearing, to the extent known, including a statement that the student shall have the right to inspect his or her student conduct file.

(3) Time for hearings.

(a) The conduct board hearing is scheduled not less than seven days after the student has been sent notice of the hearing, except in the case of interim suspensions as set forth in WAC 504-26-406. Ordinarily, the hearing occurs within fifteen days of notice.

(b) Requests to extend the time and/or date for hearing must be addressed to the chair of the university conduct board. Requests made by an accused student must be copied to the office of student ~~((conduct))~~ standards and accountability; requests made by the office of student ~~((conduct))~~ standards and accountability must be copied to the accused student. A request for extension of time is granted only upon a showing of good cause.

(4) University conduct board hearings are conducted by a university conduct board. A goal of the hearing is to have an educational tone and to avoid creation of an unduly adversarial environment. The hearings are conducted according to the following guidelines, except as provided by subsection (6) of this section:

(a) Procedures:

(i) University conduct board hearings are conducted in private.

(ii) The complainant, accused student, and his or her advisor, if any, are allowed to attend the entire portion of the university conduct board hearing at which information is received (excluding deliberations). Admission of any other person to the university conduct board hearing is at the discretion of the university conduct board chair and/or the student conduct officer.

(iii) In university conduct board hearings involving more than one accused student, the student conduct officer, at his or her discretion, may permit joint or separate hearings.

(iv) In university conduct board hearings involving graduate students, board memberships are comprised to include graduate students and graduate teaching faculty to the extent possible.

(v) The complainant and the accused student have the right to be assisted by an advisor they choose, at their own expense. Upon request, a university advisor from the office of the dean of students is available to the complainant and the accused student to assist them in understanding the student conduct process. The complainant and/or the accused student is responsible for presenting his or her own information, and therefore, during the hearing, advisors are not permitted to address the board, witnesses, conduct officers or any party or representatives invited by the parties to the hearing, or to participate directly in any university conduct hearing. An advisor may communicate with the accused and recesses may be allowed for this purpose. A student should select as an advisor a person whose schedule allows attendance at the sched-

uled date and time for the university conduct board hearing because delays are not normally allowed due to the scheduling conflicts of an advisor.

(vi) The complainant, the accused student, and the student conduct officer may arrange for witnesses to present pertinent information to the university conduct board. The conduct officer tries to arrange the attendance of possible witnesses who are identified by the complainant. Complainant witnesses must provide written statements to the conduct officer at least two weekdays prior to the hearing. Witnesses identified by the accused student must provide written statements to the conduct officer at least two weekdays prior to the conduct hearing. The accused student is responsible for informing his or her witnesses of the time and place of the hearing. Witnesses provide information to and answer questions from the university conduct board. Questions may be suggested by the accused student and/or complainant to be answered by each other or by other witnesses. Written questions are directed to the conduct board chair, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an unduly adversarial environment, and to allow the board chair to determine the relevancy of questions. Questions concerning whether potential information may be received are resolved at the discretion of the chair of the university conduct board.

(vii) Pertinent records, exhibits, and written statements (including student impact statements) may be accepted as information for consideration by a university conduct board at the discretion of the chair.

(viii) Questions related to the order of the proceedings are subject to the final decision of the chair of the university conduct board.

(ix) After the portion of the university conduct board hearing concludes in which all pertinent information is received, the ~~((student))~~ university conduct board shall determine (by majority vote) whether the accused student has violated each section of the standards of conduct for students as charged.

(x) The university conduct board's determination is made on the basis of a "preponderance of the evidence," that is, whether it is more likely than not that the accused student violated the standards of conduct for students.

(xi) Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in conduct proceedings. Relevant evidence, including hearsay, is admissible if it is the type of evidence that reasonable members of the university community would rely upon in the conduct of their affairs. The chair of the ~~((student))~~ university conduct board shall have the discretion to determine admissibility of evidence.

(b) If the accused student is found responsible for any of the charges brought against the accused, the board may, at that time, consider the student's past contacts with the office of student ~~((conduct))~~ standards and accountability in determining an appropriate sanction.

(c) The accused student or student organization is notified of the conduct board's decision within ten calendar days from the date the matter is heard. The accused student or organization shall receive written notice of the decision, the reasons for the decision (both the factual basis therefore and

the conclusions as to how those facts apply to the standards of conduct ~~((code))~~ for students), the sanction, notice that the order will become final unless internal appeal is filed within twenty-one days of the date the letter was personally delivered or deposited in the U.S. mail, and a statement of how to file an appeal.

(i) The conduct board's written decision is sent by regular mail or personal delivery, and may also be sent by electronic mail to the accused student's or the president of the student organization's last known address, as set forth in the registrar's files.

(ii) The written decision is the university's initial order.

(iii) If the student or organization does not appeal the conduct board's decision within twenty-one calendar days from the date of the decision letter, it becomes the university's final order.

(5) There is a single verbatim record, such as ~~((a tape recording))~~ an audio record, of all university conduct board hearings (not including deliberations). Deliberations are not recorded. The record is the property of the university.

(6) If an accused student to whom notice of the hearing has been sent (in the manner provided above) does not appear before a university conduct board hearing, the information in support of the complaint is presented and considered in his or her absence, and the board may issue a decision based upon that information.

(7) The university conduct board may for convenience or to accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witnesses during the hearing by providing separate facilities, and/or by permitting participation by telephone, audio tape, written statement, or other means, as determined in the sole judgment of the vice-president for student affairs or designee to be appropriate.

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-404 Procedure for academic integrity violations. (1) Initial hearing.

(a) When a responsible instructor finds that a violation of academic integrity has occurred, the instructor shall assemble the evidence and, upon reasonable notice to the student of the date, time, and nature of the allegations, meet with the student suspected of violating academic integrity policies. If the student admits violating academic integrity policies, the instructor assigns an outcome in keeping with published course policies and notifies the office of student ~~((conduct))~~ standards and accountability in writing, including the allegations, the student's admission, and the sanctions imposed.

(b) If the instructor is unable to meet with the student or if the accused student disputes the allegation(s) and/or the outcome proposed by the instructor, the instructor shall make a determination as to whether the student did or did not violate the academic integrity policy. If the instructor finds that the student was in violation, the instructor shall provide the student and the office of student ~~((conduct))~~ standards and accountability with a written determination, the evidence relied upon, and the sanctions imposed.

(c) The student has twenty-one days from the date of the decision letter to request review of the instructor's determination and/or sanction(s) imposed to the academic integrity hearing board.

(2) Review.

(a) Upon timely request for review by a student who has been found by his or her instructor to have violated the academic integrity policy, the academic integrity hearing board shall make a separate and independent determination of whether or not the student is responsible for violating the academic integrity policy and/or whether the outcome proposed by the instructor is in keeping with the instructor's published course policies.

(b) The academic integrity hearing board is empowered to provide an appropriate remedy for a student including arranging a withdrawal from the course, having the student's work evaluated, or changing a grade where it finds that:

(i) The student is not responsible for violating academic integrity policies; or

(ii) The outcome imposed by the instructor violates the instructor's published policies.

(c) Students who appear before the academic integrity board shall have the same rights to notice and to conduct a defense as enumerated in WAC 504-26-403 except:

(i) Notice of hearing and written orders shall be sent to the address provided by the student in the student's request for review (unless an address is not provided therein); and

(ii) The written decision of the academic integrity hearing board is the university's final order. There is no appeal from findings of responsibility or outcomes assigned by university or college academic integrity hearing boards.

(3) If the reported violation is the student's first offense, the office of student ~~((conduct))~~ standards and accountability ordinarily requires the student to attend a workshop separate from, and in addition to, any academic outcomes imposed by the instructor. A hold is placed on the student's record preventing registration or graduation until completion of the workshop.

(4) If the reported violation is the student's second offense, the student is ordinarily required to appear before a university conduct board with a recommendation that the student be dismissed from the university.

(5) If the instructor or academic integrity hearing board determines that the act of academic dishonesty for which the student is found responsible is particularly egregious in light of all attendant circumstances, the instructor or academic integrity hearing board may direct that the student's case be heard by the university conduct board with a recommendation for dismissal from the university even if it is the student's first offense.

(6) Because instructors and departments have a legitimate educational interest in the outcomes, reports of academic integrity hearing board and/or conduct board hearings shall be reported to the responsible instructor and the chair or dean.

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-405 Sanctions. (1) The following sanctions may be imposed upon any student found to have violated the standards of conduct for students:

(a) Warning. A notice in writing to the student that the student is violating or has violated institutional regulations.

(b) Probation. Formal action placing conditions upon the student's continued attendance at the university. Probation is for a designated period of time and warns the student that suspension or expulsion may be imposed if the student is found to violate any institutional regulation(s) or fails to complete his or her conditions of probation during the probationary period. A student on probation is not eligible to run for or hold an office in any student group or organization; she or he is not eligible for certain jobs on campus, including but not limited to resident advisor or orientation counselor, and she or he is not eligible to serve on the university conduct board.

(c) Loss of privileges. Denial of specified privileges for a designated period of time.

(d) Restitution. Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

(e) Education. The university may require the student to successfully complete an educational project designed to create an awareness of the student's misconduct.

(f) Community service. Imposition of service hours (not to exceed eighty hours per student or per member of an organization).

(g) Residence hall suspension. Separation of the student from the residence halls for a definite period of time, after which the student may be eligible to return. Conditions for readmission may be specified.

(h) Residence hall expulsion. Permanent separation of the student from the residence halls.

(i) University suspension. Separation of the student from the university for a definite period of time, after which the student is eligible to request readmission. Conditions for readmission may be specified.

(j) University expulsion. Permanent separation of the student from the university. Also referred to as university dismissal. The terms are used interchangeably throughout this chapter.

(k) Revocation of admission and/or degree. Admission to or a degree awarded from the university may be revoked for fraud, misrepresentation, or other violation of law or university standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

(l) Withholding degree. The university may withhold awarding a degree otherwise earned until the completion of the process set forth in this ~~((student))~~ standards of conduct ~~((code))~~ for students, including the completion of all sanctions imposed, if any.

(m) Trespass. A student may be restricted from any or all university premises based on his or her misconduct.

(n) Loss of recognition. A student organization's recognition may be withheld permanently or for a specific period of time. A fraternity or sorority may be prohibited from housing freshmen. Loss of recognition is defined as withholding university services, privileges or administrative approval

from a student organization. Services, privileges and approval to be withdrawn include, but are not limited to, intramural sports (although individual members may participate), information technology services, university facility use and rental, campus involvement office organizational activities, and office of Greek life advising.

(o) Hold on transcript and/or registration. A hold restricts release of a student's transcript or access to registration until satisfactory completion of conditions or sanctions imposed by a student conduct officer or university conduct board. Upon proof of satisfactory completion of the conditions or sanctions, the hold is released.

(p) No contact order. A prohibition of direct or indirect physical, verbal, and/or written contact with another individual or group.

(2) More than one of the sanctions listed above may be imposed for any single violation.

(3) In determining an appropriate sanction for a violation of the ~~((student))~~ standards of conduct ~~((code))~~ for students, a student's or student organization's past contacts with the office of student ~~((conduct))~~ standards and accountability may be considered.

(4) Other than university expulsion or revocation or withholding of a degree, disciplinary sanctions are not made part of the student's permanent academic record, but shall become part of the student's disciplinary record.

(5) In cases heard by university conduct boards, sanctions are determined by that board. The student conduct officer has the authority to assign sanctions in any conduct officer hearing.

(6) Academic integrity violations.

No credit need be given for work that is not a student's own. Thus, in academic integrity violations, the responsible instructor has the authority to assign a grade and/or educational sanction in accordance with the expectations set forth in the relevant course syllabus. The instructor's choices may include, but are not limited to, assigning a grade of "F" for the assignment and/or assigning an educational sanction such as extra or replacement assignments, quizzes, or tests, or assigning a grade of "F" for the course.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-406 Interim suspension. In certain circumstances, the vice-president for student affairs, or a designee, may impose ~~((a university))~~ an interim suspension prior to the university conduct board hearing or at any time prior to the university's final order.

(1) Interim suspension may be imposed only in situations involving an immediate danger to the health, safety or welfare of:

(a) Any part of the university community or public at large; or

(b) The student's own physical safety and well-being.

(2) Conduct that creates an ongoing disruption of, or interference with, the operations of the university and that prevents other students, employees, or invitees from members of the university community from completing their

duties as employees or students, is conduct harmful to the welfare of members of the university community.

(3) During the interim suspension, a student may be denied access to the residence halls, and/or to the campus (including classes), and/or all other university activities or privileges for which the student might otherwise be eligible, as the vice-president for student affairs or designee may determine to be appropriate.

(4) The vice-president for student affairs or designee ordering an interim suspension prepares a brief written decision containing the reasons for the decision (both the factual basis and the conclusions as to why those facts constitute a violation of the ~~((student code))~~ standards of conduct for students), and the policy reasons for the interim suspension. The vice-president of student affairs or designee sends copies of the decision by personal delivery or by U.S. mail to all persons or offices bound by it (including, at a minimum, the suspended student and the office of student ~~((conduct))~~ standards and accountability).

(5) The interim suspension does not replace the regular hearing process, which shall proceed to hearing as quickly as feasible, ordinarily within five working days of the notice of the interim suspension where the accused student has not consented to a longer time frame.

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-407 Review of decision. (1) A decision reached by the university conduct board or a sanction imposed by the student conduct officer may be appealed by the accused student(s) in the manner prescribed in the decision letter containing the university's decision and sanctions. Such appeal must be made within twenty-one days of the date of the decision letter.

(a) The university president or designee, of his or her own initiative, may direct that an appeals board be convened to review a conduct board decision without notice to the parties. However, the appeals board may not take any action less favorable to the accused student(s), unless notice and an opportunity to explain the matter is first given to the accused student(s).

(b) If the accused and/or the ~~((office of))~~ student conduct officer or designee wish to explain their views of the matter to the appeals board they shall do so in writing.

(c) The appeals board shall make any inquiries necessary to ascertain whether the proceeding must be converted to a formal adjudicative hearing under the Administrative Procedure Act (chapter 34.05 RCW).

(2) Except as required to explain the basis of new information, an appeal is limited to a review of the verbatim record of the university conduct board hearing and supporting documents for one or more of the following purposes:

(a) To determine whether the university conduct board hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the standards of conduct for students were violated, and giving the accused student a reasonable opportunity to prepare and to present a

response to those allegations. Deviations from designated procedures are not a basis for sustaining an appeal unless significant prejudice results.

(b) To determine whether the decision reached regarding the accused student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the standards of conduct for students occurred.

(c) To determine whether the sanction(s) imposed were appropriate for the violation of the standards of conduct for students which the student was found to have committed.

(d) To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original ((student)) university conduct board hearing.

(3) The university appeals board shall review the record and all information provided by the parties and make determinations based on the following:

(a) Affirm, reverse or modify the conduct board's decision;

(b) Affirm, reverse, or modify the sanctions imposed by the conduct board.

(4) The appeal board's decision shall be personally delivered or mailed via U.S. mail to the student. Such decision shall be delivered or mailed to the last known address of the accused student(s). It is the student's responsibility to maintain a correct and updated address with the registrar. The university appeal board's decision letter is the final order and shall advise the student or student organization that judicial review may be available. If the appeal board does not provide the student with a response within twenty days after the request for appeal is received, the request for appeal is deemed denied.

(5) The appeals board decision is effective as soon as the order is signed(~~(- A petition to delay the date that the order becomes effective (a "petition for stay") may be directed to the chair of the appeals board within ten days of the date the order was personally delivered to the student or placed in the U.S. mail. The chair shall have authority to decide whether to grant or deny the request)~~), except in cases involving expulsion or loss of recognition. In cases involving expulsion or loss of recognition, the appeals board decision is effective ten calendar days from the date the order is signed, unless the university president or designee provides written notice of additional review as provided in subsection (6) of this section.

(6) For cases involving expulsion or loss of recognition, the university president or designee may review a decision of the appeals board by providing written notice to the student or student organization no later than ten calendar days from the date the appeals board decision is signed.

(a) This review is limited to the record and purposes stated in subsection (2) of this section.

(b) Prior to issuing a decision, the president or designee shall make any inquiries necessary to determine whether the proceeding should be converted into a formal adjudicative hearing under the Administrative Procedure Act (chapter 34.05 RCW).

(c) If the accused and/or the student conduct officer or designee wish to explain their views of the matter to the appeals board, they shall do so in writing.

(d) The president or designee's decision is in writing, includes a brief statement of the reasons for the decision, and is issued within twenty calendar days after the date of the appeals board order. The decision becomes effective as soon as it is signed and includes a notice that judicial review may be available.

(7) Students may petition to delay the date that the final order of the university becomes effective by directing a petition to the chair of the appeals board, or the president or designee, as applicable, within ten calendar days of the date the order was personally delivered to the student or placed in the U.S. mail. The chair, or the president or designee, as applicable, shall have authority to decide whether to grant or deny the request.

(8) There is no further review beyond that of the findings of responsibility or outcomes assigned by university or college academic integrity hearing boards.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-501 Records. (1) ~~((Disciplinary))~~ Standards of conduct for students records are maintained in accordance with the university's records retention schedule.

(2) The disciplinary record is confidential.

(3) A student may request a copy of his or her own disciplinary record at his or her own reasonable expense by making a written request to the office of student ~~((conduct))~~ standards and accountability.

(4) Personally identifiable student information is redacted to protect another student's privacy.

(5) A student may authorize release of his or her own disciplinary record to a third party in compliance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g; 34 CFR Part 99) by making a written request to the office of student ~~((conduct))~~ standards and accountability.

(6) The university may inform the complainant of the outcome of any disciplinary proceeding involving a crime of violence as defined by FERPA (20 U.S.C. Sec. 1232g; 34 CFR Part 99).

(7) The university informs the complainant of the outcome of any disciplinary proceeding alleging sexual misconduct. (34 CFR 668.46 (b)(11)(vi)(B).)

(8) The university may not communicate a student's disciplinary record to any person or agency outside the university without the prior written consent of the student, except as required or permitted by law. Exceptions include but are not limited to:

(a) The student's parents or legal guardians may review these records if the student is a minor or a dependent for tax purposes as defined by FERPA (20 U.S.C. Sec. 1232g; 34 CFR Part 99).

(b) Release to another educational institution, upon request, where the student seeks or intends to enroll, as allowed by FERPA (20 U.S.C. Sec. 1232g; 34 CFR Part 99).

WSR 11-11-067
PERMANENT RULES
YAKIMA VALLEY
COMMUNITY COLLEGE

[Filed May 16, 2011, 2:31 p.m., effective July 1, 2011]

Effective Date of Rule: July 1, 2011.

Purpose: The purpose of these regulations is to update procedures and establish reasonable controls for the use of college facilities for noncollege groups and for college groups where applicable. The current rule was last amended in 1993 and changes in the college's organizational structure, technical capability, equipment and staffing make it necessary to update the policy.

The proposed changes repeal the existing chapter in its entirety and establish new sections that will better explain the purpose of the rule, scheduling and reservation practices, limitations of use, denial of use and other related issues.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 132P-136-010 through 132P-136-060.

Statutory Authority for Adoption: RCW 28B.50.140.

Adopted under notice filed as WSR 11-05-065 on February 14, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; **Federal Rules or Standards:** New 0, Amended 0, Repealed 0; or **Recently Enacted State Statutes:** New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 12, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 12, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; **Pilot Rule Making:** New 0, Amended 0, Repealed 0; or **Other Alternative Rule Making:** New 12, Amended 0, Repealed 0.

Date Adopted: May 12, 2011.

Suzanne West
 Rules Coordinator

Chapter 132P-136 WAC

((USE OF COLLEGE FACILITIES)) FACILITY USE FOR OTHER THAN FIRST AMENDMENT ACTIVITIES

NEW SECTION

WAC 132P-136-100 Title. WAC 132P-136-100 through 132P-136-200 will be known as facility use for other than first amendment activities for Community College District 16.

NEW SECTION

WAC 132P-136-105 Statement of purpose. Yakima Valley Community College District 16 is an educational institution provided and maintained by the people of the state

of Washington. The college reserves its facilities, buildings and grounds for those activities that are related to its broad educational mission. At other times, the college facilities may be made available to other individuals and organizations.

The purpose of these regulations is to establish procedures and reasonable controls for the use of college facilities for noncollege groups and for college groups where applicable.

In keeping with this general purpose, and consistent with RCW 28B.50.140(7) and 28B.50.140(9), facilities should be available for a variety of uses which are of benefit to the general public if such general uses substantially relate to and do not interfere with the mission of the college. However, a state agency is under no obligation to make its public facilities available to the community for private purposes.

Primary consideration shall be given at all times to activities specifically related to the college's mission, and no arrangements shall be made that may interfere with, or operate to the detriment of, the college's own teaching or public service programs.

Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of space assigned, time of use, and to ensure the proper maintenance of the facilities. Subject to the same limitations, college facilities shall be made available for assignment to individuals or groups within the college community. Such arrangements by both organizations and individuals must be made through the designated reservation clerk.

The designated reservation clerk shall be the office within the organization of the college which has responsibility for scheduling a particular district facility. The designation of the reservation clerk shall be made by the college president or his/her designee(s).

NEW SECTION

WAC 132P-136-110 Facilities use for first amendment activities. This chapter does not apply to those individuals or groups using the college facilities for first amendment activities. Use of the campus for first amendment activities, as defined by law, is governed by the rules set forth in WAC 132P-142-010 through 132P-142-080.

NEW SECTION

WAC 132P-136-120 Request for use of facilities. Requests to use college facilities shall be made to the designated reservation clerk, who shall be the agent of the college in consummating use agreements.

NEW SECTION

WAC 132P-136-130 Facility use board policy. The board of trustees of Yakima Valley Community College District 16 provides college personnel, students, college organizations and the general public the opportunity to use the college grounds and buildings subject to WAC 132P-136-100 through 132P-136-200 and in compliance with local, state and federal laws.

NEW SECTION

WAC 132P-136-140 Scheduling and reservation practices. The primary purpose of college facilities is to serve the instructional programs of the college. However, the facilities, when not required for scheduled college use, may be available for use in accordance with current fee schedules and other relevant terms and conditions for such use.

College facilities may not be used by individuals or groups from outside the college unless the facilities including buildings, equipment and land have been reserved.

In determining whether to accept a request for the use of college facilities, the designated reservation clerk shall use as guidelines the mission of the college and the following items, listed in priority order:

- (1) Yakima Valley Community College instruction, scheduled programs and activities.
- (2) Major college events.
- (3) Noncollege (outside individual or organization) events.

Arrangements for use of college facilities must be made through the designated reservation clerk. Application for the use of facilities and grounds shall be made no later than ten working days prior to the date the event is scheduled to occur.

NEW SECTION

WAC 132P-136-150 Limitations of use. (1) Where college space is used for an authorized function (such as a class or a public or private meeting under approved sponsorship, administrative functions or service-related activities), groups must obey or comply with directions of an authorized representative of the college.

(2) If at any time actual use of college facilities by an individual or group constitutes an unreasonable disruption of the normal operation of the college, such use shall immediately terminate, all persons engaged in such use shall immediately vacate the premises, and leave the college property upon command of the appropriate college official.

(3) Any individual or group granted permission to use college facilities shall agree in advance to abide by all college rules and regulations. The college reserves the right to deny use of college facilities to any individual or group whose past conduct indicates a likelihood that college rules and regulations will not be obeyed. The college may also deny use to a requesting individual or organization which has used the facilities in the past and has damaged college property, left college buildings and grounds in excessive disorder, or failed to cooperate with college staff concerning use of the facilities.

(4) No person may enter onto college grounds or facilities possessing a visible firearm or other dangerous weapon, except specifically as allowed by law.

(5) College facilities may be used for purposes of political campaigning by or for candidates who have filed for public office, directed to members of the public, only when the full rental cost of the facility is paid. Use of state funds to pay for facility rental costs for political campaigns is prohibited.

(6) Promotional materials or posting for any event being held in a college facility must follow the same procedure as applies to students outlined in WAC 132P-33-130.

(7) Use of audio amplifying equipment is permitted only in locations and at times that will not interfere with the normal conduct of college affairs.

(8) YVCC facilities may not be used for private or commercial purposes unless such activities clearly serve the educational mission of the college, are either sponsored by an appropriate college unit or conducted by contractual agreement with the college.

(9) Alcoholic beverages will not be served without the approval of the president or his/her designee(s). It shall be the responsibility of the event sponsor to obtain all necessary licenses from the Washington state liquor control board and adhere to their regulations including all state and local regulations and laws, and those of Yakima Valley Community College.

(10) The use of tobacco products is prohibited at Yakima Valley Community College except in designated areas.

(11) Authorization for use of college facilities shall not be considered as endorsement of or approval of any group or organization nor the purposes they represent. The name of the college shall not be associated with any program or activity for which the college facilities are used without specific written approval from the president or his/her designee(s).

(12) Rental of college facilities carries no right of advertising on college premises other than the right to post a sign for the purpose of directing people to the place of assembly.

(13) Unless otherwise provided by contractual agreement, an authorized member of the college staff shall be required to be available at times when college facilities are in use by a group. If service beyond normal business hours is required as a result of any meeting, such time shall be paid by the using organization at the currently established rate. The college may require and charge users for security services at the college's discretion.

(14) Audio-visual equipment and materials are intended to support and supplement the college's curriculum. Equipment shall not be rented to external users, unless official prior approval has been granted and currently established rates are charged. The existence of equipment in a rented space does not mean the user has the right to use it.

NEW SECTION

WAC 132P-136-160 Denial of use. Yakima Valley Community College is a state agency and exists to serve the public. However, the college may deny use of its facilities to any individual, group or organization if the requested use would:

- (1) Interfere or conflict with the college's instructional, student services or support programs;
- (2) Interfere with the free flow of pedestrian or vehicular traffic on campus;
- (3) Involve illegal activity;
- (4) Create a hazard or result in damage to college facilities; or
- (5) Create undue stress on college resources

The board of trustees hereby delegates to the president or his/her designee(s) the right to cancel the facilities rental agreement at any time and to refund any payment to the college for the use of college facilities. If imminent danger

exists or unlawful activity is practiced by the using organization, or if there is any violation of any term, condition or provision of the use arrangement, the college may terminate an agreement immediately and without notice.

NEW SECTION

WAC 132P-136-170 Other requirements. When using college facilities, an individual or organization may be required to make an advance deposit, post a bond and/or obtain insurance to protect the college against cost or other liability.

When the college grants permission to an individual or organization to use its facilities, it is with the expressed understanding and condition that the individual or organization assumes full responsibility for any loss or damage resulting from such use and agrees to hold harmless and indemnify the college against any loss or damage claim arising out of such use.

NEW SECTION

WAC 132P-136-180 Facility rental/use fees. Fees will be charged in accordance with the rates available from the designated reservation clerk. The college reserves the right to make pricing changes without prior written notice, except that such price changes shall not apply to facility use agreements already approved by the administration.

The college reserves the right to have trained college staff operate any and all technical equipment at the user's expense. Rates and fees for use of facilities are available from the reservation clerk.

NEW SECTION

WAC 132P-136-190 Animals on campus. Animals are prohibited from events on college grounds and from entering college buildings, with the following exceptions:

- (1) Service animals;
- (2) Events at which animals are participants;
- (3) When animals are part of an academic program.

Owners shall have immediate physical control of their animals (for example: Leashed, caged or carried) while on the grounds of Yakima Valley Community College.

Exceptions to this section may be authorized by the college president or his/her designee(s).

NEW SECTION

WAC 132P-136-200 Trespass. Individuals who are not students or members of the faculty or staff and who violate the rules set forth in this chapter will be advised of the specific nature of the violation, and if they persist in the violation, they will be requested by the president, or his/her designee(s), to leave the college property. Such a request prohibits the entry of and withdraws the license or privilege to enter onto or remain upon any portion of the college facilities by the person or group of persons requested to leave. Such persons shall be subject to arrest under the provisions of chapter 9A.52 RCW. Individuals requested to leave college property may appeal that decision by submitting to the college presi-

dent by certified mail, return receipt requested, a letter stating the reasons the person should not be barred from college facilities. The college president or his/her designee(s) shall respond in writing within fifteen calendar days with a final decision of the college. Persons shall continue to be barred from college property while an appeal is pending.

Students, faculty, and staff of the college who do not comply with these regulations will be reported to the appropriate college office or agency for action in accordance with this chapter or with other applicable rules, regulations, or policies.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132P-136-010	General.
WAC 132P-136-020	Applications—Permits.
WAC 132P-136-030	Rental fees.
WAC 132P-136-040	Regulations.
WAC 132P-136-050	Restrictions—Exceptions.
WAC 132P-136-060	Use of equipment.

WSR 11-11-073

PERMANENT RULES

DEPARTMENT OF HEALTH

(Dental Quality Assurance Commission)

[Filed May 17, 2011, 9:20 a.m., effective June 17, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The adopted rule repeals subsection (4) of WAC 246-817-150. RCW 18.32.195 does not require commission approval of University of Washington, School of Dentistry clinics that are located off campus. The commission is required to approve/license faculty members that meet the requirements of RCW 18.32.195. The Governor's Executive Order 10-06 allows expedited rule making (repeal); the rule is no longer necessary because of changed circumstances.

Citation of Existing Rules Affected by this Order: Amending WAC 246-817-150.

Statutory Authority for Adoption: RCW 18.32.0365.

Other Authority: RCW 18.32.195.

Adopted under notice filed as WSR 11-05-093 on February 16, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 1 [0].

Date Adopted: May 16, 2011.

Andrew A. Vorono, D.D.S., Chair
Dental Quality Assurance
[Assurance] Commission

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-817-150 Licenses—Persons licensed or qualified out-of-state who are faculty at school of dentistry—Conditions. (1) The department shall provide an application for faculty licensure upon receipt of a written request from the dean of the University of Washington, School of Dentistry.

(2) Applicants for faculty licensure shall submit a signed, notarized application, including applicable fees, and other documentation as required by the DQAC.

(3) The dean of the University of Washington, School of Dentistry, or his designee, shall notify the department of health of any changes in employment status of any person holding a faculty license.

~~((4) Clinics situated away from the School of Dentistry on the University of Washington campus, must be recommended by the dean in writing and approved by the DQAC. The recommendation must list the rationale for including each location as a University of Washington School of Dentistry facility.))~~

WSR 11-11-088
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed May 18, 2011, 8:56 a.m., effective June 18, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: On December 15, 2010, the USDA Food and Nutrition Service published the final regulation, "Supplemental Nutrition Assistance Program (SNAP): Clarifications and Corrections to Recipient Claim Establishment and Collection Standards" to correct and clarify provisions of the final rule on recipient claims published at 65 F.R. 41752 on July 6, 2000. The department is amending its rules covering collection of overpayments for SNAP benefits. The amended rules comply with federal SNAP recipient claim establishment and collection regulations by removing alien sponsor liability for SNAP food assistance overpayments received by aliens they have sponsored.

Citation of Existing Rules Affected by this Order: Amending WAC 388-410-0035.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, and 74.08.090.

Other Authority: 7 C.F.R. § 273.18(a).

Adopted under notice filed as WSR 11-07-086 on March 22, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 16, 2011.

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-410-0035 Are alien and alien sponsors jointly responsible for cash((s)) and food assistance overpayments((s))? (1) ~~((A#))~~ The following applies to cash assistance overpayments:

~~(a) When a cash overpayment to a sponsored alien results from incorrect information provided by the alien's sponsor, both the alien and their sponsor are jointly and individually liable for ((any)) the cash assistance overpayment ((of cash or food assistance)) made to the sponsored alien during the three years after the alien's entry into the United States.~~

~~((2) When an overpayment to a sponsored alien results from incorrect information provided by the alien's sponsor, both the alien and the sponsor are liable for repayment.~~

~~(3) When the alien's sponsor had good cause for reporting the incorrect information, the sponsored alien is solely liable for an inadvertent household error overpayment.~~

~~(4) When good cause does not exist, collection action is initiated against:~~

~~(a) The alien's sponsor; or~~

~~(b) The sponsored alien's assistance unit; or~~

~~(c) Of the two, the one considered most likely to repay first.~~

~~(5) Collection action is initiated against an alien's sponsor for an inadvertent household error when:~~

~~(a) A department representative contacts the sponsor in person or by phone; and~~

~~(b) The sponsor is informed in writing there will be no responsibility for repayment if good cause for reporting incorrect information causing the overpayment can be demonstrated.~~

~~(6))~~ (b) Collection action is initiated against the sponsored alien's cash assistance unit for an inadvertent household error when:

~~((a))~~ (i) Collection action is taken first against the alien's sponsor; and

~~((b))~~ (ii) The alien's sponsor does not respond within thirty days; or

~~((c))~~ (iii) The sponsored alien provides incorrect information concerning the sponsor or sponsor's spouse through misunderstanding or unintended error.

(2) The following applies to food assistance overpayments:

(a) Responsibility for food assistance overpayments under WAC 388-410-0025 also apply to sponsored alien assistance units.

(b) A sponsored alien is individually liable for any food assistance overpayments made to the sponsored alien. The alien's sponsor cannot be held liable for food assistance overpayments.

WSR 11-11-089
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed May 18, 2011, 8:56 a.m., effective June 18, 2011]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The community services division is amending WAC 388-450-0215 How does the department estimate my assistance unit's income to determine eligibility and benefits?

This amendment eliminates the requirement for the department to budget actual income received, or expected to be received, by the assistance unit in the month of application using the anticipated monthly budgeting method. This amendment allows the department to average the household's income in the month of application if the income is also averaged for the rest of months in the certification period.

This rule filing meets guideline 3(a), required by federal law, of the Governor's Executive Order 10-06 because it is necessary to comply with the United States Department of Agriculture, Food and Nutrition Services (FNS), supplemental nutrition assistance program (SNAP) regulations under 7 C.F.R. 273.10 (c)(2).

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-0215.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.500, 74.04.510, 74.08.090, 74.08A.120.

Adopted under notice filed as WSR 11-07-075 on March 22, 2011.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: May 16, 2011.

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 11-03-001, filed 1/5/11, effective 2/5/11)

WAC 388-450-0215 How does the department estimate my assistance unit's income to determine my eligibility and benefits? (1) We decide if your assistance unit (AU) is eligible for benefits and calculate your monthly benefits based on an estimate of your AU's gross monthly income and expenses. This is known as prospective budgeting.

(2) We use your current, past, and future circumstances for a representative estimate of your monthly income.

(3) We may need proof of your circumstances to ensure our estimate is reasonable. This may include documents, statements from other people, or other proof as explained in WAC 388-490-0005.

(4) We use one of two methods to estimate income:

(a) **Anticipating monthly income (AM):** With this method, we base the estimate on the actual income we expect your AU to receive in the month (see subsection ~~((5))~~ (6)); and

(b) **Averaging income (CA):** With this method, we add the total income we expect your AU to receive for a period of time and divide by the number of months in the period (see subsection ~~((6))~~ (7)).

(5) When determining eligibility for apple health for kids programs as listed in WAC 388-505-0210 or pregnancy medical as listed in WAC 388-462-0015, we can use the method most beneficial to your AU.

(6) Anticipating monthly income: We must use the anticipating monthly method:

(a) ~~((For the month you apply for benefits unless:~~

~~(i) We are determining eligibility for apple health for kids programs as listed in WAC 388-505-0210, or pregnancy medical as listed in WAC 388-462-0015. For apple health for kids and pregnancy medical we can use either method; or~~

~~(ii) You are paid less often than monthly (for example: you are paid quarterly or annually). If you are paid less often than monthly, we average your income for the month you apply. Section (6) explains how we average your income.~~

~~(b))~~ When we estimate income for anyone in your AU, if you or anyone in your AU receive SSI-related medical benefits under chapter 388-475 WAC.

~~((c))~~ (b) When we must allocate income to someone who is receiving SSI-related medical benefits under chapter 388-475 WAC.

~~((d))~~ (c) In the month of application, when you are a destitute migrant or destitute seasonal farmworker under

WAC 388-406-0021. In this situation, we must use anticipating monthly (AM) for all your AU's income.

~~((e))~~ (d) To budget SSI or Social Security benefits even if we average other sources of income your AU receives.

~~((6))~~ (7) Averaging income: When we average your income, we consider changes we expect for your AU's income. We determine a monthly amount of your income based on how often you are paid:

(a) If you are paid weekly, we multiply your expected income by 4.3;

(b) If you are paid every other week, we multiply your expected income by 2.15;

(c) In most cases if you receive your income other than weekly or every other week, we estimate your income over your certification period by:

(i) Adding the total income for representative period of time;

(ii) Dividing by the number of months in the time frame; and

(iii) Using the result as a monthly average.

(d) If you receive your yearly income over less than a year because you are self employed or work under a contract, we average this income over the year unless you are:

(i) Paid on an hourly or piecework basis; or

(ii) A migrant or seasonal farmworker under WAC 388-406-0021.

~~((7))~~ (8) ~~((If we used the anticipating monthly income method for the month you applied for benefits, we may average your income for the rest of your certification period if we do not have to use this method for any other reason in section (5))~~ We use the same method for each month in your certification period, including the month of application, unless:

(a) A full month's income is not anticipated in the month of application. In this situation, we budget your income in the month of application using the anticipated monthly (AM) method and average your income (CA) for the rest of the months in your certification.

(b) You are a destitute migrant or destitute seasonal farmworker. We must budget your income in the month of application using the anticipated monthly method, as required by subsection (6). We may average your income for the rest of the months in your certification period.

~~((8))~~ (9) If you report a change in your AU's income, and we expect the change to last through the end of the next month after you reported it, we update the estimate of your AU's income based on this change.

~~((9))~~ (10) If your actual income is different than the income we estimated, we don't make you repay an overpayment under chapter 388-410 WAC or increase your benefits unless you meet one of the following conditions:

(a) You provided incomplete or false information; or

(b) We made an error in calculating your benefits.