

WSR 12-19-021
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed September 10, 2012, 9:17 a.m.]

Continuance of WSR 12-14-115.

Preproposal statement of inquiry was filed as WSR 12-10-084.

Title of Rule and Other Identifying Information: WAC 232-12-011 Wildlife classified as protected shall not be hunted or fished, this proposal removes Steller sea lions from the state endangered species list.

Hearing Location(s): Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA 98504, on November 8-9, 2012, at 8:30 a.m.

Date of Intended Adoption: December 14, 2012.

Submit Written Comments to: Bill Tweit, Washington Department of Fish and Wildlife (WDFW), 600 Capitol Way North, Olympia, WA 98501-1091, e-mail William.Tweit@dfw.wa.gov, fax (360) 902-2158, by October 15, 2012.

Assistance for Persons with Disabilities: Contact Tami Lininger by October 15, 2012, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposal has not changed from what is described in the CR-102 filed on July 5, 2012, as WSR 12-14-115. However, the date of the public hearing has changed from November 2-3 to November 8-9, 2012.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Rule is necessary because of federal law, 77 F.R. 23209.

Name of Proponent: WDFW, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Bill Tweit, WDFW Director's Office, Olympia, (360) 902-2723; and Enforcement: Chief Bruce Bjork, WDFW Enforcement, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Delisting Steller sea lions will have no economic impact or impose any costs on small businesses or school districts.

A cost-benefit analysis is not required under RCW 34.05.328. This proposal does not involve hydraulics.

September 10, 2012

Lori Preuss

Rules Coordinator

WSR 12-19-024
PROPOSED RULES
PARKS AND RECREATION
COMMISSION

[Filed September 11, 2012, 9:38 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-15-018.

Title of Rule and Other Identifying Information: The agency has completed a review of the following chapter of administrative rules and has proposed amendments to chapter 352-32 WAC, Public use of state park areas.

Hearing Location(s): City of Vancouver (City Hall), Council Chambers, 415 West 6th Street, Vancouver, WA 98668-1995, on October 25, 2012, at 9:00 a.m.

Date of Intended Adoption: October 25, 2012.

Submit Written Comments to: Pamela McConkey, 1111 Israel Road S.W., Olympia, WA 98504, e-mail pamelamccokey@parks.wa.gov, fax (360) 586-6651, by October 15, 2012.

Assistance for Persons with Disabilities: Contact Pauli Sayres at (360) 902-8505 or 1111 Israel Road S.W., Olympia, WA 98504-2650.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: State parks staff has reviewed the commission rules in consideration of changes to current business practices. The agency has proposed minor changes to the rule in order to consider winter recreation program specific issues related to overnight camping, peace and quiet, fires and campfires.

Substantive changes are requested in the following chapter:

WAC 352-32-030 Camping, allows overnight camping in approved areas within designated sno-park parking areas.

WAC 352-32-056 Peace and quiet, allows the operation of electric generators after 9:00 p.m. during the winter season which is often a necessity, as subfreezing temperatures are the norm.

WAC 352-32-125 Fires and campfires, changes language to the rule that restricts campfires at Crystal Springs and Easton Reload sno-parks to portable fire receptacles.

State parks will request changes to these sections of WAC pertaining to activities specifically in state park winter recreation program sno-parks.

Statutory Authority for Adoption: RCW 79A.05.030, 79A.05.035.

Name of Proponent: Washington state parks and recreation commission, governmental.

Name of Agency Personnel Responsible for Drafting: Pamela McConkey, 1111 Israel Road, Olympia, WA 98504, (360) 902-8595; and Enforcement: Robert Ingram, 1111 Israel Road, Olympia, WA 98504, (360) 902-8615.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This chapter of administrative rule does not regulate or have economic impact through regulations on small business. There are no compliance costs to small business as a result of the modifications to these rules.

A cost-benefit analysis is not required under RCW 34.05.328. Significant legislative rule-making requirements are not imposed on the state parks and recreation commission, nor has the commission voluntarily applied those requirements.

September 11, 2012

Valeria Evans

Management Analyst

AMENDATORY SECTION (Amending WSR 07-03-121, filed 1/22/07, effective 2/22/07)

WAC 352-32-030 Camping. (1) Camping facilities of the state parks within the Washington state parks and recreation commission system are designed and administered specifically to provide recreational opportunities for park visitors. Use of park facilities for purposes which are of a nonrecreational nature, such as long-term residency at park facilities, obstructs opportunities for recreational use, and is inconsistent with the purposes for which those facilities were designed.

No person or camping party may use any state park facility for residence purposes, as defined (WAC 352-32-010).

(2) No person shall camp in any state park area except in areas specifically designated and/or marked for that purpose or as directed by a ranger.

(3) Occupants shall vacate camping facilities by removing their personal property therefrom no later than 1:00 p.m., if the applicable camping fee has not been paid or if the time limit for occupancy of the campsite has expired or the site is reserved by another party. Remaining in a campsite beyond the established checkout time shall subject the occupant to the payment of an additional camping fee.

(4) Use of utility campsites by tent campers shall be subject to payment of the utility campsite fee except when otherwise specified by a ranger.

(5) A campsite is considered occupied when it is being used for purposes of camping by a person or persons who have paid the camping fee within the applicable time limits or when it has been reserved through the appropriate procedures of the reservation system. No person shall take or attempt to take possession of a campsite when it is being occupied by another party, or when informed by a ranger that such site is occupied, or when the site is posted with a "reserved" sign. In the case of a reserved site, a person holding a valid reservation for that specific site may occupy it according to the rules relating to the reservation system for that park. In order to afford the public the greatest possible use of the state park system on a fair and equal basis, campsites in those parks not on the state park reservation system will be available on a first-come, first-serve basis. No person shall hold or attempt to hold campsite(s), for another camping party for present or future camping dates, except as prescribed for multiple campsites. Any site occupied by a camping party must be actively utilized for camping purposes.

(6) One person may register for one or more sites within a multiple campsite by paying the multiple campsite fee and providing the required information regarding the occupants of the other sites. An individual may register and hold a multiple campsite for occupancy on the same day by other camping parties. Multiple campsites in designated reservation parks may be reserved under the reservation system.

(7) In order to afford the general public the greatest possible use of the state park system, on a fair and equal basis, and to prevent residential use, continuous occupancy of facilities by the same camping party shall be limited. Campers may stay ten consecutive nights in one park, after which the camping party must vacate the park for three consecutive nights, April 1 through September 30, not to exceed thirty days in a forty-day time period; provided that at the discretion

of the park ranger the maximum stay may be extended to fourteen consecutive nights if the campground is not fully occupied. Campers may stay twenty consecutive nights in one park, after which the camping party must vacate the park for three consecutive nights, October 1 through March 31, not to exceed forty days in a sixty-day time period. This limitation shall not apply to those individuals who meet the qualifications of WAC 352-32-280 and 352-32-285.

(8) A maximum of eight people shall be permitted at a campsite overnight, unless otherwise authorized by a ranger. The number of vehicles occupying a campsite shall be limited to one car and one recreational vehicle: Provided, That one additional vehicle without built-in sleeping accommodations may occupy a designated campsite when in the judgment of a ranger the constructed facilities so warrant. The number of tents allowed at each campsite shall be limited to the number that will fit on the developed tent pad or designated area as determined by a ranger.

(9) Persons traveling by bicycles, motor bikes or other similar modes of transportation and utilizing campsites shall be limited to eight persons per site, provided no more than four motorcycles may occupy a campsite.

(10) Water trail camping sites are for the exclusive use of persons traveling by human and wind powered beachable vessels as their primary mode of transportation to the areas. Such camping areas are subject to the campsite capacity limitations as otherwise set forth in this section. Exceptions for emergencies may be approved by the ranger on an individual basis. Water trail site fees, as published by state parks, must be paid at the time the site is occupied.

(11) Overnight stays (bivouac) on technical rock climbing routes will be allowed as outlined in the park's site specific climbing management plan. All litter and human waste must be contained and disposed of properly.

(12) Emergency camping areas may be used only when all designated campsites are full and at the park ranger's discretion. Persons using emergency areas must pay the applicable campsite fee and must vacate the site when directed by the park ranger.

(13) Designated overflow camping areas may be used only when all designated campsites in a park are full and the demand for camping in the geographic area around the park appears to exceed available facilities. Persons using overflow camping areas must pay the applicable campsite fee.

(14) Overnight camping will be allowed in approved areas within designated sno-parks in Washington state parks, when posted, provided the appropriate required sno-park permit is displayed.

(15) Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 07-03-121, filed 1/22/07, effective 2/22/07)

WAC 352-32-056 Peace and quiet. To insure peace and quiet for visitors:

(1) No person shall conduct themselves so that park users are disturbed in their sleeping quarters or in campgrounds or park employees in their sleeping quarters between the quiet hours of 10:00 p.m. and 6:30 a.m.

(2) No person shall, at any time, use sound-emitting electronic equipment including electrical speakers, radios, phonographs, televisions, or other such equipment, at a volume which emits sound beyond the person's vehicle or immediate area of use, individual camp or picnic site that may disturb other park users without specific permission of the park ranger.

(3) Engine driven electric generators may be operated only between the hours of 8:00 a.m. and 9:00 p.m., except at Crystal Springs and Easton Reload sno-parks where engine driven electric generators may be operated after 9:00 p.m. during the winter recreation season.

(4) Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 07-03-121, filed 1/22/07, effective 2/22/07)

WAC 352-32-125 Fires and campfires. All fires, except campfires, fires for stoves, candles, torches, barbeques and charcoal, are prohibited in state parks. Campfires are restricted to within the designated campfire pit, ring or other provided campfire enclosure and the flame must be no higher than two feet. On ocean beaches, campfires must be at least one hundred feet from the dunes, no more than four feet in diameter and no more than four feet high. No campfires are allowed on any shellfish bed. Park rangers may impose additional restrictions on fires for the protection of the health, safety and welfare of the public, park visitors or staff, or for the protection of park resources.

At Crystal Springs and Easton Reload sno-parks all campfires must be restricted to portable fire receptacles not to exceed three feet in diameter and must be at least six inches off the ground, and are only permitted when the sno-parks are open for winter recreation access.

Any violation of this section is an infraction under chapter 7.84 RCW.

WSR 12-19-033
PROPOSED RULES
LIQUOR CONTROL BOARD

[Filed September 12, 2012, 10:47 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-15-081.

Title of Rule and Other Identifying Information: Internet sales and home delivery of spirits.

Hearing Location(s): Washington State Liquor Control Board, Board Room, 3000 Pacific Avenue S.E., Lacey, WA 98504, on October 24, 2012, at 10:00 a.m.

Date of Intended Adoption: October 31, 2012.

Submit Written Comments to: Karen McCall, P.O. Box 43080, Olympia, WA 98504, e-mail rules@liq.wa.gov, fax (360) 664-9689, by October 24, 2012.

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

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Initiative 1183

changed the state of Washington from a controlled liquor system to a privatized liquor system. Rules need to be written to reflect internet sales and delivery of spirits, formalize associated public safety regulations, and to provide clear direction to spirits retail liquor licensees in these areas.

Reasons Supporting Proposal: Creating rules clarifies policies surrounding internet sales and delivery of spirits by spirits retail liquor licensees.

Statutory Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: RCW 66.24.630.

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

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

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

No small business economic impact statement has been prepared under chapter 19.85 RCW. A fiscal impact statement was not required.

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

September 12, 2012

Sharon Foster

Chairman

NEW SECTION

WAC 314-03-030 Consumer orders, internet sales, and delivery for spirits retail licensees. A spirit retail licensee may accept orders for spirits from, and deliver spirits to, customers.

(1) **Resale.** Spirits shall not be for resale.

(2) **Stock location.** Spirits must come directly from a licensed retail location.

(3) **How to place an order.** Spirits may be ordered in person at a licensed location, by mail, telephone, or internet, or by other similar methods.

(4) **Sales and payment.**

(a) Only a spirits retail licensee or a licensee's direct employees may accept and process orders and payments. A contractor may not do so on behalf of a spirits retail licensee, except for transmittal of payment through a third-party service. A third-party service may not solicit customer business on behalf of a spirits retail licensee.

(b) All orders and payments shall be fully processed before spirits transfers ownership or, in the case of delivery, leaves a licensed premises.

(c) Payment method. Payment methods include, but are not limited to: Cash, credit or debit card, check or money order, electronic funds transfer, or an existing prepaid account. An existing prepaid account may not have a negative balance.

(d) Internet. To sell spirits via the internet, a new spirits retail license applicant must request internet-sales privileges in his or her application. An existing spirits retail licensee

must notify the board prior to beginning internet sales. A corporate entity representing multiple stores may notify the board in a single letter on behalf of affiliated spirits retail licensees, as long as the liquor license numbers of all licensee locations utilizing internet sales privileges are clearly identified.

(5) **Delivery location.** Delivery shall be made only to a residence or business that has an address recognized by the United States postal service; however, the board may grant an exception to this rule at its discretion. A residence includes a hotel room, a motel room, or other similar lodging that temporarily serves as a residence.

(6) **Hours of delivery.** Spirits may be delivered each day of the week between the hours of 6:00 a.m. and 2:00 a.m. Delivery must be fully completed by 2:00 a.m.

(7) **Age requirement.**

(a) Under chapter 66.44 RCW, any person under twenty-one years of age is prohibited from purchasing, delivering, or accepting delivery of liquor.

(b) A delivery person must verify the age of the person accepting delivery before handing over liquor.

(c) If no person twenty-one years of age or older is present to accept a liquor order at the time of delivery, the liquor shall be returned.

(8) **Intoxication.** Delivery of liquor is prohibited to any person who shows signs of intoxication.

(9) **Containers and packaging.**

(a) Individual units of spirits must be factory sealed in bottles. For the purposes of this subsection, "factory sealed" means that a unit is in one hundred percent resalable condition, with all manufacturer's seals intact.

(b) The outermost surface of a liquor package, delivered by a third party, must have language stating that:

(i) The package contains liquor;

(ii) The recipient must be twenty-one years of age or older; and

(iii) Delivery to intoxicated persons is prohibited.

(10) **Required information.**

(a) Records and files shall be retained at the licensed premises. Each delivery sales record shall include the following:

(i) Name of the purchaser;

(ii) Name of the person who accepts delivery;

(iii) Street addresses of the purchaser and the delivery location; and

(iv) Time and date of purchase and delivery.

(b) A private carrier must obtain the signature of the person who receives liquor upon delivery.

(c) A sales record does not have to include the name of the delivery person, but it is encouraged.

(11) **Web site requirements.** When selling over the internet, all web site pages associated with the sale of liquor must display the spirits retail licensee's registered trade name.

(12) **Accountability.** A spirits retail licensee shall be accountable for all deliveries of liquor made on its behalf.

(13) **Violations.** The board may impose administrative enforcement action upon a licensee, or suspend or revoke a licensee's delivery privileges, or any combination thereof, should a licensee violate any condition, requirement, or restriction.

WSR 12-19-052

PROPOSED RULES

GAMBLING COMMISSION

[Filed September 13, 2012, 2:05 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-02-060.

Title of Rule and Other Identifying Information: Amending WAC 230-21-001 Purpose and new section WAC 230-21-030 Inspecting criminal history record information.

Hearing Location(s): Comfort Inn Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, on November 15 or 16, 2012, at 9:00 a.m. or 1:00 p.m. NOTE: Meeting dates and times are tentative. Visit our web site at www.wsgc.wa.gov and select public meeting about ten days before the meeting to confirm meeting date/location/start time.

Date of Intended Adoption: November 15 or 16, 2012. NOTE: Meeting dates and times are tentative. Visit our web site at www.wsgc.wa.gov and select public meeting about ten days before the meeting to confirm meeting date/location/start time.

Submit Written Comments to: Susan Arland, P.O. Box 42400, Olympia, WA 98504-2400, e-mail SusanA@wsgc.wa.gov, fax (360) 486-3625, by November 1, 2012.

Assistance for Persons with Disabilities: Contact Gail Grate, executive assistant, by November 1, 2012, TTY (360) 486-3637 or (360) 486-3453.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposal brings our rules current with state law, including ESB 6296 which became effective on June 7, 2012, and allows criminal justice agencies to provide copies of criminal history record information (CHRI) and charge reasonable fees for fingerprinting (to verify identities of requestors) or copies. This proposal outlines how individuals can access their CHRI held by us. RCW 10.97.080 requires all criminal justice agencies to adopt rules and have forms to facilitate the inspection, review, and copying of CHRI upon request.

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 9.46.070, 10.97.080.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Washington state gambling commission, governmental.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Mark Harris, Assistant Director, Lacey, (360) 486-3579.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement was not prepared because the rule change would not impose additional costs on any businesses.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state gambling commission is

not an agency that is statutorily required to prepare a cost-benefit analysis under RCW 34.05.328.

September 13, 2012
Susan Arland
Rules Coordinator

AMENDATORY SECTION (Amending Order 616, filed 9/17/07, effective 1/1/08)

WAC 230-21-001 Purpose. The purpose of this chapter is to ensure the Washington state gambling commission complies with the Public Records Act, chapter 42.56 RCW and the Criminal Records Privacy Act, chapter 10.97 RCW.

NEW SECTION

WAC 230-21-030 Inspecting your criminal history record information. You may inspect your criminal history record information (CHRI) held by us at our administrative office, during normal business hours, Monday through Friday, except for legal holidays. You must request your CHRI in writing on the form we require. CHRI is defined in RCW 10.97.030.

(1) Before reviewing or obtaining copies of your CHRI, you must provide at least two forms of identification, one of which includes your photograph, such as your state issued identification, state issued driver license, or passport. Alternatively, you must provide fingerprints that will be taken at our administrative office and will be used for verification purposes.

(2) We will charge a reasonable fee for fingerprinting and providing a copy of your CHRI.

(3) After we verify your identity, we will notify you when you will be allowed to review your records.

(4) You will be allowed a reasonable period of time to examine your CHRI at our administrative office.

(5) If you need assistance, you may designate your counsel, interpreter, or other appropriate person to help you. You must consent, on the form we require, for the person to assist you.

(6) If you would like to make corrections or challenge your CHRI, you must do so in accordance with RCW 10.97.080.

WSR 12-19-063

PROPOSED RULES

TREE FRUIT RESEARCH COMMISSION

[Filed September 14, 2012, 1:33 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-16-044.

Title of Rule and Other Identifying Information: WAC 16-560-06001 Assessment rates.

Hearing Location(s): W. L. Hansen Building, 105 South 18th Street, Yakima, WA, on Wednesday, November 14, 4:00 p.m.; and the Washington Apple Commission, 2900 Euclid Avenue, Wenatchee, WA, on Thursday, November 15, 4:00 p.m.

Date of Intended Adoption: February 15, 2013.

Submit Written Comments to: Kathleen Schmidt, 1719 Springwater Avenue, Wenatchee, WA 98801, e-mail Kathy@treefruitresearch.com, fax (509) 665-8271, by November 21, 2012.

Assistance for Persons with Disabilities: Contact receptionist by November 7, 2012, TTY (360) 1-800-833-6388 or (360) 902-1976.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Establishment of an additional assessment for special projects on all commercial cherry and stone fruit produced in the state, pursuant to RCW 15.26.150. Establishment of the assessment requires approval by a majority of the cherry and stone fruit producers voting and will be conducted by the Washington state department of agriculture.

Reasons Supporting Proposal: The assessment for special projects would provide funding for the establishment of contractual endowments with Washington State University to permanently expand and enhance the institution's capability to conduct research of specific interest to cherry and stone fruit producers in Washington state.

Statutory Authority for Adoption: Chapters 15.26, 34.05 RCW.

Statute Being Implemented: RCW 15.26.150.

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

Name of Proponent: Washington tree fruit research commission, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: James McFerson, 1719 Springwater Avenue, Wenatchee, WA 98801, (509) 665-8271.

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

Small Business Economic Impact Statement

See Reviser's note below.

A copy of the statement may be obtained by contacting Kathy Schmidt, 1719 Springwater Avenue, Wenatchee, WA 98801, phone (509) 665-8271, fax (509) 663-5827, e-mail kathy@treefruitresearch.com.

A cost-benefit analysis is not required under RCW 34.05.328. The department of agriculture and the Washington tree fruit research commission are not named agencies in RCW 34.05.328 (5)(a)(i).

September 14, 2012

James R. McFerson
Manager

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 12-20 issue of the Register.

**WSR 12-19-068
PROPOSED RULES
BOARD OF
PILOTAGE COMMISSIONERS**

[Filed September 17, 2012, 12:22 p.m.]

Original Notice.

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

Title of Rule and Other Identifying Information: WAC 363-116-185 Pilotage rates for the Grays Harbor pilotage district.

Hearing Location(s): 2901 Third Avenue, 5th Floor, Alki Conference Room, Seattle, WA 98121, on October 24, 2012, at 10:30 a.m.

Date of Intended Adoption: October 24, 2012.

Submit Written Comments to: Captain Harry Dudley, Chairman, 2901 Third Avenue, Suite 500, Seattle, WA 98121, e-mail laronp@wsdot.wa.gov, fax (206) 515-3906, by October 4, 2012.

Assistance for Persons with Disabilities: Contact Shawna Erickson by October 22, 2012, (206) 515-3647.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of the proposal is to establish a 2013 Grays Harbor pilotage district annual tariff.

The proposed rule reflects an effective overall increase to the tariff of 4.3 percent or \$275 per pilotage job.

The proposal as detailed calls for a four percent across-the-board increase in all tariff categories except as specified below:

Boarding Charge: No change.

Travel Allowance: No change.

Pension Charge: An increase from \$280 to \$353*.

*As the administrator of Grays Harbor pension funds for retired Grays Harbor pilots, Puget Sound pilots provides this calculation.

Reasons Supporting Proposal: RCW 88.16.035 requires that a tariff be set annually.

Statutory Authority for Adoption: Chapter 88.16 RCW. Statute Being Implemented: RCW 88.16.035.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Current rates for the Grays Harbor pilotage district expire on December 31, 2012. New rates must be set accordingly.

All requirements necessary to amend the existing Grays Harbor pilotage district tariff as set forth in chapter 53.08 RCW have been met.

The board may adopt a rule that varies from the proposed rule upon consideration of presentations and written comments from the public and any other interested parties.

Name of Proponent: Port of Grays Harbor, public.

Name of Agency Personnel Responsible for Drafting: Peggy Larson, 2901 Third Avenue, Seattle, WA 98121, (206) 515-3904; Implementation and Enforcement: Board of Pilotage Commissioners, 2901 Third Avenue, Seattle, WA 98121, (206) 515-3904.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule is being considered in the context of the required annual review of the rates charged for pilotage services.

The application of the proposed revisions is clear in the description of the proposal and its anticipated effects as well as the proposed tariff shown below.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to the adoption of these rules. The Washington state board of pilotage commissioners is not a listed agency in RCW 34.05.328 (5)(a)(i).

September 17, 2012

Peggy Larson

Executive Director

AMENDATORY SECTION (Amending WSR 11-21-084, filed 10/18/11, effective 1/1/12)

WAC 363-116-185 Pilotage rates for the Grays Harbor pilotage district. Effective 0001 hours January 1, ~~((2012))~~ 2013, through 2400 hours December 31, ~~((2012))~~ 2013.

CLASSIFICATION	RATE
Charges for piloting of vessels in the inland waters and tributaries of Grays Harbor shall consist of the following:	
Draft and Tonnage Charges:	
Each vessel shall be charged according to its draft and tonnage for each vessel movement inbound to the Grays Harbor pilotage district, and for each movement outbound from the district.	
Draft	\$ ((96.79)) <u>100.66</u> per meter
	or
	\$ ((29.49)) <u>30.68</u> per foot
Tonnage	\$ ((0.277)) <u>0.288</u> per net registered ton
Minimum Net Registered Tonnage	\$ ((970.00)) <u>1,009.00</u>
Extra Vessel (in case of tow)	\$ ((543.00)) <u>565.00</u>

CLASSIFICATION

RATE

Provided that, due to unique circumstances in the Grays Harbor pilotage district, vessels that call, and load or discharge cargo, at Port of Grays Harbor Terminal No. 2 shall be charged \$((~~5,377.00~~)) 5,592.00 per movement for each vessel movement inbound to the district for vessels that go directly to Terminal No. 2, or that go to anchor and then go directly to Terminal No. 2, or because Terminal No. 2 is not available upon arrival that go to layberth at Terminal No. 4 (without loading or discharging cargo) and then go directly to Terminal No. 2, and for each vessel movement outbound from the district from Terminal No. 2, and that this charge shall be in lieu of only the draft and tonnage charges listed above.

Boarding Charge:

Per each boarding/deboarding from a boat or helicopter \$1,000.00

Harbor Shifts:

For each shift from dock to dock, dock to anchorage, anchorage to dock, or anchorage to anchorage \$((~~676.00~~)) 703.00

Delays per hour \$((~~159.00~~)) 165.00

Cancellation charge (pilot only) \$((~~265.00~~)) 276.00

Cancellation charge (boat or helicopter only) \$((~~795.00~~)) 827.00

Two Pilots Required:

When two pilots are employed for a single vessel transit, the second pilot charge shall include the harbor shift charge of \$((~~676.00~~)) 703.00 and in addition, when a bridge is transited the bridge transit charge of \$((~~291.00~~)) 303.00 shall apply.

Pension Charge:

Charge per pilotage assignment, including cancellations \$((~~280.00~~)) 353.00

Travel Allowance:

Transportation charge per assignment \$100.00

Pilot when traveling to an outlying port to join a vessel or returning through an outlying port from a vessel which has been piloted to sea shall be paid \$931.00 for each day or fraction thereof, and the travel expense incurred.

Bridge Transit:

Charge for each bridge transited \$((~~291.00~~)) 303.00

Additional surcharge for each bridge transited for vessels in excess of 27.5 meters in beam \$((~~805.00~~)) 829.00

Miscellaneous:

The balance of amounts due for pilotage rates not paid within 30 days of invoice will be assessed at 1 1/2% per month late charge.

**WSR 12-19-076
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**
[Filed September 18, 2012, 9:22 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-13-071.

Title of Rule and Other Identifying Information: Chapter 296-17 WAC, General reporting rules, audit and record-keeping, rates and rating system for Washington workers' compensation insurance, and chapter 296-17B WAC, Retrospective rating for workers' compensation insurance.

Hearing Location(s): Labor and Industries, 12806 Gateway Drive, Tukwila, WA 98168-1050, on October 23, 2012, at 10:00 a.m.; at the Bellingham Public Library, Lecture Room, 210 Central Avenue, Bellingham, WA 98227-9710, on October 23, 2012, at 1:00 p.m.; at the Centerplace Event Center, 2426 North Discovery Place, Spokane Valley, WA

99216, on October 24, 2012, at 10:00 a.m.; at the Richland Community Center, Activity Room, 500 Amon Park Drive, Richland, WA 99352, on October 25, 2012, at 10:00 a.m.; at Labor and Industries, Auditorium, 7273 Linderson Way S.W., Tumwater, WA 98501, on October 26, 2012, at 10:00 a.m.; and at the Red Lion at the Quay, Quayside Portside Room, 100 Columbia Street, Vancouver, WA 98660, on October 29, 2012, at 10:00 a.m.

Date of Intended Adoption: November 30, 2012.

Submit Written Comments to: Doug Stewart, Employer Services Program Manager, P.O. Box 41440 [44140], Olympia, WA 98504-4140, e-mail doug.stewart@lni.wa.gov, fax (360) 902-4988, by 5 p.m. on November 5, 2012.

Assistance for Persons with Disabilities: Contact office of information and assistance by October 17, 2012, TTY (360) 902-5797.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule proposal will amend the tables of classification base premium rates, experience rating plan parameters, experience modification

factor calculation limitations and retrospective rating plan size groupings for the workers' compensation insurance program for calendar year 2013. Classification base rates were amended for updated loss and payroll experience. The department proposes a zero percent overall average premium rate increase.

Amending WAC 296-17-855 Experience modification, 296-17-875 Table I, 296-17-880 Table II, 296-17-885 Table III, 296-17-890 Table IV, 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry, 296-17-89502 Industrial insurance accident fund, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications, 296-17-89504 Horse racing industry industrial insurance, medical aid, and supplemental pension by class, 296-17-920 Assessment for supplemental pension fund, 296-17B-540 Determining loss incurred for each claim, and 296-17B-900 Retrospective rating plans standard premium size ranges.

Reasons Supporting Proposal: The department's decision not to increase overall rates is intended to provide adequate premium income to cover expected losses for 2013 claims and to begin rebuilding the trust funds' contingency reserves. Washington law provides that rates should be adjusted annually to reflect the hazards of each industry and in accordance with recognized workers' compensation insurance principles.

Statutory Authority for Adoption: RCW 51.16.035 (base rates), 51.32.073 (supplemental pension), 51.18.010 (retrospective rating), and 51.04.020(1) (general authority).

Statute Being Implemented: RCW 51.16.035, 51.32.-073, and 51.18.010.

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

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

Name of Agency Personnel Responsible for Drafting: Jo Anne Attwood, Tumwater, Washington, (360) 902-4777; Implementation: Doug Stewart, Tumwater, Washington, (360) 902-4826; and Enforcement: Beth Dupre, Tumwater, Washington, (360) 902-4209.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No small business economic impact statement is required as the proposed rules are adjusting rates pursuant to legislative standards.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rules are adjusting rates pursuant to legislative standards.

September 18, 2012
 Judy Schurke
 Director

AMENDATORY SECTION (Amending WSR 11-24-026, filed 12/1/11, effective 1/1/12)

WAC 296-17-855 Experience modification. The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the expected losses for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to weigh

the extent to which the actual experience is credible, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification factor shall be calculated from the formula:

$$\begin{aligned} \text{EXPERIENCE MODIFICATION FACTOR} &= \frac{(\text{Credible Actual Primary Loss} + \text{Credible Actual Excess Loss}) / \text{Expected Loss}}{\text{Where}} \\ \text{Credible Actual Primary Loss} &= \text{Actual Primary Loss} \times \text{Primary Credibility} \\ &+ \text{Expected Primary Loss} \times (100\% - \text{Primary Credibility}) \\ \text{Credible Actual Excess Loss} &= \text{Actual Excess Loss} \times \text{Excess Credibility} \\ &+ \text{Expected Excess Loss} \times (100\% - \text{Excess Credibility}) \end{aligned}$$

The meaning and function of each term in the formula is specified below.

For each claim, the actual primary loss is the first dollar portion of the claim costs, which has been shown in actuarial studies, to have the greater credibility in predicting future experience. These amounts are summed over all claims. For each claim in excess of \$20,112 the actual primary loss shall be determined from the formula:

$$\text{ACTUAL PRIMARY LOSS} = \frac{50,280}{(\text{Total loss} + 30,168)} \times \text{total loss}$$

For each claim, less than \$20,112 the full value of the claim shall be considered a primary loss.

For each claim, the excess actual loss is the remaining portion of the claim costs, which have been shown in actuarial studies to have less credibility in predicting future experience. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss. These amounts are summed over all claims.

For any claim without disability benefits (time loss, partial permanent disability, total permanent disability or death) either actually paid or estimated to be paid, the total actual losses for calculating the primary loss and excess loss shall first be reduced by the lesser of \$(~~2,330~~) 2,460 or the total cost of the claim. Here are some examples for these claims:

Total Loss	Type of Claim	Total Loss (after deduction)	Primary Loss	Excess Loss
200	Medical Only	0	0	0
2,500	Medical Only	((170))	((170))	0
		<u>40</u>	<u>40</u>	
2,500	Time Loss	2,500	2,500	0
25,000	Medical Only	((22,670))	((21,572))	((1,098))
		<u>22,540</u>	<u>21,502</u>	<u>1,038</u>
25,000	Time Loss	25,000	22,785	2,215
100,000	PPD	100,000	38,627	61,373
2,000,000	TPD Pension	((253,784))	((44,938))	((208,846))
		<u>266,241</u>	<u>45,163</u>	<u>221,078</u>

Note: The deduction, \$(~~2,330~~) 2,460, is twice the average case incurred cost of these types of claims occurring during the three-year period used for experience rating. On average

this results in reducing the average actual loss about seventy percent for these types of claims adjusted. This is done to help make the transition between the two different experience rating methods better by helping make the change in experience factor reasonable for small changes to the actual losses. The \$2,000,000 loss is limited by the Maximum Claim Value before the reduction of \$((2,330)) 2,460 is applied.

For each employer, the primary credibility and the excess credibility determines the percentage weight given to the corresponding actual primary losses and the actual excess losses, included in the calculation of the experience modification, based on the volume of expected losses. Primary credibility and excess credibility values are set forth in Table II.

An employer's expected losses shall be determined by summing the expected loss for each of the three years of the experience period, which are calculated by multiplying the reported exposure in each classification during the year by the corresponding classification expected loss rate and rounding the result to the nearest cent. Classification expected loss rates by year are set forth in Table III.

Expected losses in each classification shall be multiplied by the classification "Primary-Ratio" to obtain "expected primary losses" which shall be rounded to the nearest cent. Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses rounded to the nearest cent. Primary-Ratios are also set forth in Table III.

AMENDATORY SECTION (Amending WSR 11-24-026, filed 12/1/11, effective 1/1/12)

WAC 296-17-875 Table I.

**Primary Losses for Selected Claim Values
Effective January 1, ((2012)) 2013**

TOTAL LOSS AFTER DEDUCTION	PRIMARY LOSS
5,000	5,000
10,000	10,000
15,000	15,000
20,112	20,112
29,834	25,000
44,627	30,000
69,102	35,000
100,000	38,627
117,385	40,000
200,000	43,690
((253,784))	((44,938))
<u>266,241**</u>	<u>45,163</u>

** Maximum claim value

AMENDATORY SECTION (Amending WSR 11-24-026, filed 12/1/11, effective 1/1/12)

WAC 296-17-880 Table II.

PRIMARY AND EXCESS CREDIBILITY VALUES

Effective January 1, ((2012)) 2013

Maximum Claim Value = \$253,784

Average Death Value = \$253,784

((Expected Losses	Primary-Credibility	Excess-Credibility
+ - 8,389	12%	7%
8,390 - 8,954	13%	7%
8,955 - 9,528	14%	7%
9,529 - 10,106	15%	7%
10,107 - 10,691	16%	7%
10,692 - 11,285	17%	7%
11,286 - 11,886	18%	7%
11,887 - 12,495	19%	7%
12,496 - 13,111	20%	7%
13,112 - 13,736	21%	7%
13,737 - 14,371	22%	7%
14,372 - 15,014	23%	7%
15,015 - 15,666	24%	7%
15,667 - 16,331	25%	7%
16,332 - 17,005	26%	7%
17,006 - 17,687	27%	7%
17,688 - 18,385	28%	7%
18,386 - 19,092	29%	7%
19,093 - 19,815	30%	7%
19,816 - 20,551	31%	7%
20,552 - 21,300	32%	7%
21,301 - 22,066	33%	7%
22,067 - 22,847	34%	7%
22,848 - 23,645	35%	7%
23,646 - 24,463	36%	7%
24,464 - 25,301	37%	7%
25,302 - 26,162	38%	7%
26,163 - 27,044	39%	7%
27,045 - 27,953	40%	7%
27,954 - 28,889	41%	7%
28,890 - 29,856	42%	7%
29,857 - 30,857	43%	7%
30,858 - 31,895	44%	7%
31,896 - 32,975	45%	7%
32,976 - 34,103	46%	7%
34,104 - 35,284	47%	7%
35,285 - 36,531	48%	7%
36,532 - 37,852	49%	7%
37,853 - 39,263	50%	7%
39,264 - 40,785	51%	7%
40,786 - 42,452	52%	7%

((Expected Losses		Primary- Credibility	Excess- Credibility	((Expected Losses		Primary- Credibility	Excess- Credibility		
42,453	-	44,311	53%	7%	906,362	-	946,676	75%	31%
44,312	-	44,500	54%	7%	946,677	-	951,235	75%	32%
44,501	-	46,453	54%	8%	951,236	-	987,257	76%	32%
46,454	-	49,069	55%	8%	987,258	-	997,390	76%	33%
49,070	-	74,262	56%	8%	997,391	-	1,028,107	77%	33%
74,263	-	81,852	57%	8%	1,028,108	-	1,043,548	77%	34%
81,853	-	116,914	57%	9%	1,043,549	-	1,069,230	78%	34%
116,915	-	120,419	57%	10%	1,069,231	-	1,089,704	78%	35%
120,420	-	152,192	58%	10%	1,089,705	-	1,110,625	79%	35%
152,193	-	166,575	58%	11%	1,110,626	-	1,135,860	79%	36%
166,576	-	187,691	59%	11%	1,135,861	-	1,152,297	80%	36%
187,692	-	212,732	59%	12%	1,152,298	-	1,182,014	80%	37%
212,733	-	223,403	60%	12%	1,182,015	-	1,194,249	81%	37%
223,404	-	258,889	60%	13%	1,194,250	-	1,228,172	81%	38%
258,890	-	259,342	61%	13%	1,228,173	-	1,236,485	82%	38%
259,343	-	295,504	61%	14%	1,236,486	-	1,274,329	82%	39%
295,505	-	305,045	61%	15%	1,274,330	-	1,279,007	83%	39%
305,046	-	331,892	62%	15%	1,279,008	-	1,320,486	83%	40%
331,893	-	351,201	62%	16%	1,320,487	-	1,321,817	84%	40%
351,202	-	368,508	63%	16%	1,321,818	-	1,364,916	84%	41%
368,509	-	397,358	63%	17%	1,364,917	-	1,366,639	84%	42%
397,359	-	405,354	64%	17%	1,366,640	-	1,408,310	85%	42%
405,355	-	442,433	64%	18%	1,408,311	-	1,412,797	85%	43%
442,434	-	443,513	64%	19%	1,412,798	-	1,452,004	86%	43%
443,514	-	479,749	65%	19%	1,452,005	-	1,458,955	86%	44%
479,750	-	489,670	65%	20%	1,458,956	-	1,495,996	87%	44%
489,671	-	517,300	66%	20%	1,495,997	-	1,505,112	87%	45%
517,301	-	535,827	66%	21%	1,505,113	-	1,540,293	88%	45%
535,828	-	555,090	67%	21%	1,540,294	-	1,551,267	88%	46%
555,091	-	581,984	67%	22%	1,551,268	-	1,584,896	89%	46%
581,985	-	593,123	68%	22%	1,584,897	-	1,597,423	89%	47%
593,124	-	628,138	68%	23%	1,597,424	-	1,629,810	90%	47%
628,139	-	631,398	69%	23%	1,629,811	-	1,643,581	90%	48%
631,399	-	669,921	69%	24%	1,643,582	-	1,675,036	91%	48%
669,922	-	674,294	69%	25%	1,675,037	-	1,689,735	91%	49%
674,295	-	708,690	70%	25%	1,689,736	-	1,720,578	92%	49%
708,691	-	720,452	70%	26%	1,720,579	-	1,735,894	92%	50%
720,453	-	747,713	71%	26%	1,735,895	-	1,766,442	93%	50%
747,714	-	766,609	71%	27%	1,766,443	-	1,782,049	93%	51%
766,610	-	786,989	72%	27%	1,782,050	-	1,812,628	94%	51%
786,990	-	812,764	72%	28%	1,812,629	-	1,828,205	94%	52%
812,765	-	826,520	73%	28%	1,828,206	-	1,859,141	95%	52%
826,521	-	858,922	73%	29%	1,859,142	-	1,874,360	95%	53%
858,923	-	866,309	74%	29%	1,874,361	-	1,905,983	96%	53%
866,310	-	905,077	74%	30%	1,905,984	-	1,920,518	96%	54%
905,078	-	906,361	75%	30%	1,920,519	-	1,953,159	97%	54%

<u>((Expected Losses</u>		<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>	<u>Expected Losses</u>		<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>		
1,953,160	-	1,966,673	97%	55%	12,621	=	13,242	20%	7%
1,966,674	-	2,000,671	98%	55%	13,243	=	13,873	21%	7%
2,000,672	-	2,012,831	98%	56%	13,874	=	14,515	22%	7%
2,012,832	-	2,048,526	99%	56%	14,516	=	15,164	23%	7%
2,048,527	-	2,058,986	99%	57%	15,165	=	15,823	24%	7%
2,058,987	-	2,096,725	100%	57%	15,824	=	16,494	25%	7%
2,096,726	-	2,145,272	100%	58%	16,495	=	17,175	26%	7%
2,145,273	-	2,194,170	100%	59%	17,176	=	17,864	27%	7%
2,194,171	-	2,243,425	100%	60%	17,865	=	18,569	28%	7%
2,243,426	-	2,293,040	100%	61%	18,570	=	19,283	29%	7%
2,293,041	-	2,343,017	100%	62%	19,284	=	20,013	30%	7%
2,343,018	-	2,393,363	100%	63%	20,014	=	20,757	31%	7%
2,393,364	-	2,444,080	100%	64%	20,758	=	21,513	32%	7%
2,444,081	-	2,495,173	100%	65%	21,514	=	22,287	33%	7%
2,495,174	-	2,546,648	100%	66%	22,288	=	23,075	34%	7%
2,546,649	-	2,598,506	100%	67%	23,076	=	23,881	35%	7%
2,598,507	-	2,650,752	100%	68%	23,882	=	24,708	36%	7%
2,650,753	-	2,703,393	100%	69%	24,709	=	25,554	37%	7%
2,703,394	-	2,756,430	100%	70%	25,555	=	26,424	38%	7%
2,756,431	-	2,809,869	100%	71%	26,425	=	27,314	39%	7%
2,809,870	-	2,863,717	100%	72%	27,315	=	28,233	40%	7%
2,863,718	-	2,917,973	100%	73%	28,234	=	29,178	41%	7%
2,917,974	-	2,972,648	100%	74%	29,179	=	30,155	42%	7%
2,972,649	-	3,027,740	100%	75%	30,156	=	31,166	43%	7%
3,027,741	-	3,083,260	100%	76%	31,167	=	32,214	44%	7%
3,083,261	-	3,139,210	100%	77%	32,215	=	33,305	45%	7%
3,139,211	-	3,195,597	100%	78%	33,306	=	34,444	46%	7%
3,195,598	-	3,252,424	100%	79%	34,445	=	35,637	47%	7%
3,252,425	-	3,309,697	100%	80%	35,638	=	36,896	48%	7%
3,309,698	-	3,367,424	100%	81%	36,897	=	38,231	49%	7%
3,367,425	-	3,425,603	100%	82%	38,232	=	39,656	50%	7%
3,425,604	-	3,484,247	100%	83%	39,657	=	41,193	51%	7%
3,484,248	-	3,543,356	100%	84%	41,194	=	42,877	52%	7%
3,543,357	-	3,602,942	100%	85%	42,878	=	44,754	53%	7%
3,602,943	-	& over	100%	86%))	44,755	=	44,945	54%	7%
					44,946	=	46,918	54%	8%
					46,919	=	49,560	55%	8%
					49,561	=	75,005	56%	8%
					75,006	=	82,671	57%	8%
					82,672	=	118,083	57%	9%
					118,084	=	121,623	57%	10%
					121,624	=	153,714	58%	10%
					153,715	=	168,241	58%	11%
					168,242	=	189,568	59%	11%
					189,569	=	214,859	59%	12%
					214,860	=	225,637	60%	12%
<u>Expected Losses</u>		<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>		<u>Expected Losses</u>		<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>	
0	=	8,473	12%	7%	49,561	=	75,005	56%	8%
8,474	=	9,044	13%	7%	75,006	=	82,671	57%	8%
9,045	=	9,623	14%	7%	82,672	=	118,083	57%	9%
9,624	=	10,207	15%	7%	118,084	=	121,623	57%	10%
10,208	=	10,798	16%	7%	121,624	=	153,714	58%	10%
10,799	=	11,398	17%	7%	153,715	=	168,241	58%	11%
11,399	=	12,005	18%	7%	168,242	=	189,568	59%	11%
12,006	=	12,620	19%	7%	189,569	=	214,859	59%	12%
					214,860	=	225,637	60%	12%

<u>Expected Losses</u>		<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>	<u>Expected Losses</u>		<u>Primary</u> <u>Credibility</u>	<u>Excess</u> <u>Credibility</u>		
<u>225,638</u>	=	<u>261,478</u>	<u>60%</u>	<u>13%</u>	<u>1,206,193</u>	=	<u>1,240,454</u>	<u>81%</u>	<u>38%</u>
<u>261,479</u>	=	<u>261,935</u>	<u>61%</u>	<u>13%</u>	<u>1,240,455</u>	=	<u>1,248,850</u>	<u>82%</u>	<u>38%</u>
<u>261,936</u>	=	<u>298,459</u>	<u>61%</u>	<u>14%</u>	<u>1,248,851</u>	=	<u>1,287,072</u>	<u>82%</u>	<u>39%</u>
<u>298,460</u>	=	<u>308,095</u>	<u>61%</u>	<u>15%</u>	<u>1,287,073</u>	=	<u>1,291,797</u>	<u>83%</u>	<u>39%</u>
<u>308,096</u>	=	<u>335,211</u>	<u>62%</u>	<u>15%</u>	<u>1,291,798</u>	=	<u>1,333,691</u>	<u>83%</u>	<u>40%</u>
<u>335,212</u>	=	<u>354,713</u>	<u>62%</u>	<u>16%</u>	<u>1,333,692</u>	=	<u>1,335,035</u>	<u>84%</u>	<u>40%</u>
<u>354,714</u>	=	<u>372,193</u>	<u>63%</u>	<u>16%</u>	<u>1,335,036</u>	=	<u>1,378,565</u>	<u>84%</u>	<u>41%</u>
<u>372,194</u>	=	<u>401,332</u>	<u>63%</u>	<u>17%</u>	<u>1,378,566</u>	=	<u>1,380,305</u>	<u>84%</u>	<u>42%</u>
<u>401,333</u>	=	<u>409,408</u>	<u>64%</u>	<u>17%</u>	<u>1,380,306</u>	=	<u>1,422,393</u>	<u>85%</u>	<u>42%</u>
<u>409,409</u>	=	<u>446,857</u>	<u>64%</u>	<u>18%</u>	<u>1,422,394</u>	=	<u>1,426,925</u>	<u>85%</u>	<u>43%</u>
<u>446,858</u>	=	<u>447,948</u>	<u>64%</u>	<u>19%</u>	<u>1,426,926</u>	=	<u>1,466,524</u>	<u>86%</u>	<u>43%</u>
<u>447,949</u>	=	<u>484,547</u>	<u>65%</u>	<u>19%</u>	<u>1,466,525</u>	=	<u>1,473,545</u>	<u>86%</u>	<u>44%</u>
<u>484,548</u>	=	<u>494,567</u>	<u>65%</u>	<u>20%</u>	<u>1,473,546</u>	=	<u>1,510,956</u>	<u>87%</u>	<u>44%</u>
<u>494,568</u>	=	<u>522,473</u>	<u>66%</u>	<u>20%</u>	<u>1,510,957</u>	=	<u>1,520,163</u>	<u>87%</u>	<u>45%</u>
<u>522,474</u>	=	<u>541,185</u>	<u>66%</u>	<u>21%</u>	<u>1,520,164</u>	=	<u>1,555,696</u>	<u>88%</u>	<u>45%</u>
<u>541,186</u>	=	<u>560,641</u>	<u>67%</u>	<u>21%</u>	<u>1,555,697</u>	=	<u>1,566,780</u>	<u>88%</u>	<u>46%</u>
<u>560,642</u>	=	<u>587,804</u>	<u>67%</u>	<u>22%</u>	<u>1,566,781</u>	=	<u>1,600,745</u>	<u>89%</u>	<u>46%</u>
<u>587,805</u>	=	<u>599,054</u>	<u>68%</u>	<u>22%</u>	<u>1,600,746</u>	=	<u>1,613,397</u>	<u>89%</u>	<u>47%</u>
<u>599,055</u>	=	<u>634,419</u>	<u>68%</u>	<u>23%</u>	<u>1,613,398</u>	=	<u>1,646,108</u>	<u>90%</u>	<u>47%</u>
<u>634,420</u>	=	<u>637,712</u>	<u>69%</u>	<u>23%</u>	<u>1,646,109</u>	=	<u>1,660,017</u>	<u>90%</u>	<u>48%</u>
<u>637,713</u>	=	<u>676,620</u>	<u>69%</u>	<u>24%</u>	<u>1,660,018</u>	=	<u>1,691,786</u>	<u>91%</u>	<u>48%</u>
<u>676,621</u>	=	<u>681,037</u>	<u>69%</u>	<u>25%</u>	<u>1,691,787</u>	=	<u>1,706,632</u>	<u>91%</u>	<u>49%</u>
<u>681,038</u>	=	<u>715,777</u>	<u>70%</u>	<u>25%</u>	<u>1,706,633</u>	=	<u>1,737,784</u>	<u>92%</u>	<u>49%</u>
<u>715,778</u>	=	<u>727,657</u>	<u>70%</u>	<u>26%</u>	<u>1,737,785</u>	=	<u>1,753,253</u>	<u>92%</u>	<u>50%</u>
<u>727,658</u>	=	<u>755,190</u>	<u>71%</u>	<u>26%</u>	<u>1,753,254</u>	=	<u>1,784,106</u>	<u>93%</u>	<u>50%</u>
<u>755,191</u>	=	<u>774,275</u>	<u>71%</u>	<u>27%</u>	<u>1,784,107</u>	=	<u>1,799,870</u>	<u>93%</u>	<u>51%</u>
<u>774,276</u>	=	<u>794,859</u>	<u>72%</u>	<u>27%</u>	<u>1,799,871</u>	=	<u>1,830,754</u>	<u>94%</u>	<u>51%</u>
<u>794,860</u>	=	<u>820,892</u>	<u>72%</u>	<u>28%</u>	<u>1,830,755</u>	=	<u>1,846,487</u>	<u>94%</u>	<u>52%</u>
<u>820,893</u>	=	<u>834,785</u>	<u>73%</u>	<u>28%</u>	<u>1,846,488</u>	=	<u>1,877,732</u>	<u>95%</u>	<u>52%</u>
<u>834,786</u>	=	<u>867,511</u>	<u>73%</u>	<u>29%</u>	<u>1,877,733</u>	=	<u>1,893,104</u>	<u>95%</u>	<u>53%</u>
<u>867,512</u>	=	<u>874,972</u>	<u>74%</u>	<u>29%</u>	<u>1,893,105</u>	=	<u>1,925,043</u>	<u>96%</u>	<u>53%</u>
<u>874,973</u>	=	<u>914,128</u>	<u>74%</u>	<u>30%</u>	<u>1,925,044</u>	=	<u>1,939,723</u>	<u>96%</u>	<u>54%</u>
<u>914,129</u>	=	<u>915,425</u>	<u>75%</u>	<u>30%</u>	<u>1,939,724</u>	=	<u>1,972,691</u>	<u>97%</u>	<u>54%</u>
<u>915,426</u>	=	<u>956,143</u>	<u>75%</u>	<u>31%</u>	<u>1,972,692</u>	=	<u>1,986,340</u>	<u>97%</u>	<u>55%</u>
<u>956,144</u>	=	<u>960,747</u>	<u>75%</u>	<u>32%</u>	<u>1,986,341</u>	=	<u>2,020,678</u>	<u>98%</u>	<u>55%</u>
<u>960,748</u>	=	<u>997,130</u>	<u>76%</u>	<u>32%</u>	<u>2,020,679</u>	=	<u>2,032,959</u>	<u>98%</u>	<u>56%</u>
<u>997,131</u>	=	<u>1,007,364</u>	<u>76%</u>	<u>33%</u>	<u>2,032,960</u>	=	<u>2,069,011</u>	<u>99%</u>	<u>56%</u>
<u>1,007,365</u>	=	<u>1,038,388</u>	<u>77%</u>	<u>33%</u>	<u>2,069,012</u>	=	<u>2,079,576</u>	<u>99%</u>	<u>57%</u>
<u>1,038,389</u>	=	<u>1,053,983</u>	<u>77%</u>	<u>34%</u>	<u>2,079,577</u>	=	<u>2,117,692</u>	<u>100%</u>	<u>57%</u>
<u>1,053,984</u>	=	<u>1,079,922</u>	<u>78%</u>	<u>34%</u>	<u>2,117,693</u>	=	<u>2,166,725</u>	<u>100%</u>	<u>58%</u>
<u>1,079,923</u>	=	<u>1,100,601</u>	<u>78%</u>	<u>35%</u>	<u>2,166,726</u>	=	<u>2,216,112</u>	<u>100%</u>	<u>59%</u>
<u>1,100,602</u>	=	<u>1,121,731</u>	<u>79%</u>	<u>35%</u>	<u>2,216,113</u>	=	<u>2,265,859</u>	<u>100%</u>	<u>60%</u>
<u>1,121,732</u>	=	<u>1,147,219</u>	<u>79%</u>	<u>36%</u>	<u>2,265,860</u>	=	<u>2,315,970</u>	<u>100%</u>	<u>61%</u>
<u>1,147,220</u>	=	<u>1,163,820</u>	<u>80%</u>	<u>36%</u>	<u>2,315,971</u>	=	<u>2,366,447</u>	<u>100%</u>	<u>62%</u>
<u>1,163,821</u>	=	<u>1,193,834</u>	<u>80%</u>	<u>37%</u>	<u>2,366,448</u>	=	<u>2,417,297</u>	<u>100%</u>	<u>63%</u>
<u>1,193,835</u>	=	<u>1,206,192</u>	<u>81%</u>	<u>37%</u>	<u>2,417,298</u>	=	<u>2,468,521</u>	<u>100%</u>	<u>64%</u>

Expected Losses	Primary Credibility	Excess Credibility	((Class	2008	2009	2010	Primary Ratio
<u>2,468,522</u> = <u>2,520,125</u>	<u>100%</u>	<u>65%</u>	0301	0.7838	0.7323	0.6121	0.497
<u>2,520,126</u> = <u>2,572,114</u>	<u>100%</u>	<u>66%</u>	0302	2.1939	2.0482	1.7225	0.390
<u>2,572,115</u> = <u>2,624,491</u>	<u>100%</u>	<u>67%</u>	0303	1.7907	1.6733	1.4096	0.401
<u>2,624,492</u> = <u>2,677,260</u>	<u>100%</u>	<u>68%</u>	0306	1.0502	0.9774	0.8135	0.446
<u>2,677,261</u> = <u>2,730,427</u>	<u>100%</u>	<u>69%</u>	0307	0.9370	0.8717	0.7233	0.470
<u>2,730,428</u> = <u>2,783,994</u>	<u>100%</u>	<u>70%</u>	0308	0.6123	0.5730	0.4799	0.515
<u>2,783,995</u> = <u>2,837,968</u>	<u>100%</u>	<u>71%</u>	0403	1.8928	1.7613	1.4617	0.465
<u>2,837,969</u> = <u>2,892,354</u>	<u>100%</u>	<u>72%</u>	0502	1.3540	1.2617	1.0531	0.423
<u>2,892,355</u> = <u>2,947,153</u>	<u>100%</u>	<u>73%</u>	0504	1.8017	1.6934	1.4386	0.423
<u>2,947,154</u> = <u>3,002,374</u>	<u>100%</u>	<u>74%</u>	0507	3.2769	3.0832	2.6273	0.413
<u>3,002,375</u> = <u>3,058,017</u>	<u>100%</u>	<u>75%</u>	0508	1.8724	1.7511	1.4803	0.371
<u>3,058,018</u> = <u>3,114,093</u>	<u>100%</u>	<u>76%</u>	0509	1.7950	1.6820	1.4264	0.381
<u>3,114,094</u> = <u>3,170,602</u>	<u>100%</u>	<u>77%</u>	0510	1.9812	1.8566	1.5686	0.425
<u>3,170,603</u> = <u>3,227,553</u>	<u>100%</u>	<u>78%</u>	0511	1.6068	1.4941	1.2394	0.460
<u>3,227,554</u> = <u>3,284,948</u>	<u>100%</u>	<u>79%</u>	0512	1.5554	1.4563	1.2302	0.411
<u>3,284,949</u> = <u>3,342,794</u>	<u>100%</u>	<u>80%</u>	0513	0.8213	0.7657	0.6391	0.448
<u>3,342,795</u> = <u>3,401,098</u>	<u>100%</u>	<u>81%</u>	0514	1.9965	1.8553	1.5360	0.472
<u>3,401,099</u> = <u>3,459,859</u>	<u>100%</u>	<u>82%</u>	0516	1.6942	1.5855	1.3372	0.414
<u>3,459,860</u> = <u>3,519,089</u>	<u>100%</u>	<u>83%</u>	0517	2.4354	2.2855	1.9393	0.404
<u>3,519,090</u> = <u>3,578,790</u>	<u>100%</u>	<u>84%</u>	0518	1.4642	1.3675	1.1478	0.421
<u>3,578,791</u> = <u>3,638,971</u>	<u>100%</u>	<u>85%</u>	0519	1.9071	1.7866	1.5088	0.418
<u>3,638,972</u> & over	<u>100%</u>	<u>86%</u>	0521	0.5997	0.5609	0.4721	0.433
			0601	0.6424	0.5983	0.4980	0.458
			0602	0.7642	0.7088	0.5853	0.458
			0603	1.0248	0.9583	0.8083	0.396
			0604	1.2176	1.1424	0.9652	0.471
			0606	0.6308	0.5865	0.4840	0.520
			0607	0.7540	0.7001	0.5778	0.504
			0608	0.3589	0.3358	0.2819	0.461
			0701	1.9379	1.8087	1.5284	0.338
			0803	0.5836	0.5426	0.4485	0.524
			0901	1.4642	1.3675	1.1478	0.421
			1002	1.0471	0.9824	0.8316	0.436
			1003	0.8911	0.8346	0.7024	0.463
			1004	0.6155	0.5716	0.4721	0.476
			1005	9.0730	8.4492	7.0351	0.421
			1007	0.3831	0.3560	0.2951	0.461
			1101	0.8515	0.7931	0.6587	0.498
			1102	1.5977	1.4892	1.2442	0.436
			1103	1.3365	1.2506	1.0535	0.429
			1104	0.7229	0.6733	0.5573	0.535
			1105	0.9161	0.8540	0.7124	0.454
			1106	0.3734	0.3517	0.2988	0.494
			1108	0.7020	0.6545	0.5445	0.509
			1109	1.6292	1.5227	1.2762	0.460
			1301	0.6301	0.5815	0.4724	0.535

AMENDATORY SECTION (Amending WSR 11-24-026, filed 12/1/11, effective 1/1/12)

WAC 296-17-885 Table III.

Expected Loss Rates and Primary Ratios
by Risk Classification and Fiscal Year

Expected Loss Rates in Dollars Per Worker Hour
Effective January 1, (~~2012~~) 2013

((Class	2008	2009	2010	Primary Ratio
0101	1.4826	1.3888	1.1748	0.401
0103	1.8753	1.7608	1.4952	0.412
0104	1.0107	0.9440	0.7911	0.441
0105	1.5004	1.3944	1.1513	0.501
0107	1.2527	1.1692	0.9803	0.425
0108	1.0107	0.9440	0.7911	0.441
0112	0.7166	0.6706	0.5641	0.445
0201	2.5321	2.3625	1.9890	0.362
0202	3.3315	3.1181	2.6297	0.398
0210	1.1460	1.0672	0.8905	0.424
0212	1.3433	1.2513	1.0445	0.428
0214	1.5106	1.4092	1.1801	0.421
0217	1.1440	1.0655	0.8873	0.454
0219	1.3421	1.2479	1.0346	0.457

((Class	2008	2009	2010	Primary Ratio	((Class	2008	2009	2010	Primary Ratio
1303	0.2372	0.2205	0.1817	0.535	3403	0.2314	0.2169	0.1831	0.475
1304	0.0320	0.0298	0.0248	0.498	3404	0.5307	0.4968	0.4167	0.496
1305	0.5548	0.5165	0.4285	0.511	3405	0.3126	0.2927	0.2452	0.515
1401	0.2360	0.2209	0.1851	0.506	3406	0.2927	0.2725	0.2250	0.563
1404	1.0636	0.9878	0.8141	0.545	3407	0.9050	0.8431	0.7020	0.466
1405	0.8223	0.7602	0.6182	0.560	3408	0.2581	0.2381	0.1925	0.579
1407	0.5842	0.5475	0.4601	0.505	3409	0.1877	0.1740	0.1425	0.582
1501	0.6862	0.6350	0.5199	0.522	3410	0.2689	0.2523	0.2124	0.521
1507	0.6622	0.6171	0.5130	0.493	3411	0.5878	0.5486	0.4587	0.467
1701	0.9241	0.8640	0.7249	0.445	3412	0.6547	0.6115	0.5130	0.435
1702	1.8931	1.7720	1.5028	0.349	3414	0.6592	0.6176	0.5201	0.464
1703	1.0030	0.9316	0.7764	0.383	3415	0.9266	0.8736	0.7475	0.406
1704	0.9241	0.8640	0.7249	0.445	3501	1.1780	1.0995	0.9174	0.475
1801	0.4965	0.4684	0.4017	0.403	3503	0.3535	0.3332	0.2829	0.522
1802	0.8277	0.7737	0.6446	0.492	3506	0.9578	0.8875	0.7294	0.480
2002	0.9140	0.8560	0.7190	0.485	3509	0.4565	0.4258	0.3539	0.556
2004	0.8617	0.8047	0.6708	0.501	3510	0.3843	0.3587	0.2983	0.526
2007	0.6174	0.5789	0.4875	0.489	3511	0.6717	0.6314	0.5349	0.451
2008	0.4031	0.3783	0.3196	0.475	3512	0.4310	0.4035	0.3373	0.539
2009	0.4231	0.3958	0.3310	0.521	3513	0.5899	0.5579	0.4787	0.459
2101	0.8828	0.8239	0.6858	0.516	3602	0.1335	0.1247	0.1038	0.520
2102	0.6770	0.6319	0.5264	0.515	3603	0.5332	0.4988	0.4170	0.513
2104	0.3679	0.3458	0.2912	0.569	3604	0.8594	0.8154	0.7042	0.455
2105	0.6300	0.5873	0.4871	0.538	3605	0.5996	0.5575	0.4610	0.502
2106	0.5432	0.5080	0.4242	0.512	3701	0.2922	0.2735	0.2296	0.495
2201	0.2763	0.2590	0.2183	0.492	3702	0.5031	0.4679	0.3864	0.525
2202	0.8749	0.8150	0.6770	0.506	3708	0.6586	0.6126	0.5074	0.506
2203	0.5438	0.5082	0.4238	0.539	3802	0.2341	0.2188	0.1825	0.526
2204	0.2763	0.2590	0.2183	0.492	3808	0.4555	0.4258	0.3571	0.450
2401	0.5423	0.5004	0.4062	0.526	3901	0.1889	0.1772	0.1488	0.558
2903	0.7377	0.6897	0.5766	0.510	3902	0.5226	0.4903	0.4122	0.523
2904	0.7803	0.7303	0.6132	0.477	3903	1.2650	1.1915	1.0129	0.490
2905	0.7657	0.7146	0.5947	0.529	3905	0.1713	0.1607	0.1349	0.558
2906	0.3983	0.3743	0.3162	0.493	3906	0.5172	0.4859	0.4109	0.493
2907	0.5934	0.5548	0.4635	0.507	3909	0.3676	0.3439	0.2874	0.529
2908	1.2248	1.1474	0.9663	0.457	4002	1.3834	1.2876	1.0708	0.459
2909	0.4459	0.4176	0.3501	0.509	4101	0.3925	0.3665	0.3060	0.496
3101	0.8081	0.7540	0.6290	0.482	4103	0.6214	0.5786	0.4785	0.548
3102	0.2922	0.2735	0.2296	0.495	4107	0.1813	0.1693	0.1415	0.497
3103	0.5909	0.5528	0.4639	0.464	4108	0.2352	0.2186	0.1805	0.548
3104	0.6936	0.6478	0.5415	0.482	4109	0.2293	0.2148	0.1805	0.493
3105	0.8182	0.7669	0.6446	0.498	4201	0.7725	0.7158	0.5900	0.473
3303	0.5060	0.4710	0.3900	0.523	4301	0.7783	0.7292	0.6120	0.510
3304	0.5864	0.5492	0.4607	0.530	4302	0.8029	0.7466	0.6164	0.524
3309	0.4265	0.4000	0.3381	0.452	4304	1.0552	0.9924	0.8408	0.489
3402	0.5903	0.5524	0.4634	0.475	4305	1.3363	1.2376	1.0157	0.503

((Class	2008	2009	2010	Primary Ratio	((Class	2008	2009	2010	Primary Ratio
4401	0.4685	0.4423	0.3774	0.468	5208	0.8598	0.8037	0.6709	0.504
4402	0.9698	0.9008	0.7432	0.541	5209	0.7691	0.7206	0.6064	0.465
4404	0.5921	0.5565	0.4704	0.491	5300	0.1433	0.1330	0.1092	0.533
4501	0.2155	0.2015	0.1676	0.571	5301	0.0439	0.0408	0.0336	0.546
4502	0.0476	0.0447	0.0375	0.508	5302	0.0170	0.0159	0.0133	0.483
4504	0.1415	0.1321	0.1093	0.579	5305	0.0667	0.0620	0.0511	0.577
4601	0.8849	0.8254	0.6873	0.490	5306	0.0594	0.0556	0.0464	0.558
4801	3.3315	3.1181	2.6297	0.398	5307	0.7307	0.6783	0.5596	0.500
4802	0.3907	0.3671	0.3101	0.490	5308	0.1190	0.1109	0.0918	0.575
4803	0.3501	0.3289	0.2771	0.562	6103	0.0961	0.0901	0.0753	0.580
4804	0.5561	0.5214	0.4380	0.534	6104	0.4384	0.4091	0.3404	0.537
4805	0.3493	0.3267	0.2727	0.539	6105	0.4400	0.4097	0.3405	0.492
4806	0.0713	0.0670	0.0568	0.507	6107	0.1722	0.1626	0.1381	0.551
4808	0.5378	0.5056	0.4281	0.477	6108	0.5397	0.5051	0.4224	0.537
4809	0.3631	0.3416	0.2894	0.513	6109	0.1203	0.1123	0.0933	0.511
4810	0.1617	0.1523	0.1288	0.536	6110	0.6804	0.6355	0.5306	0.508
4811	0.3954	0.3715	0.3130	0.553	6120	0.3604	0.3339	0.2735	0.527
4812	0.4317	0.4043	0.3389	0.527	6121	0.4066	0.3789	0.3152	0.501
4813	0.1981	0.1859	0.1564	0.541	6201	0.3494	0.3274	0.2758	0.466
4900	0.1852	0.1738	0.1476	0.391	6202	0.7450	0.6971	0.5833	0.498
4901	0.0706	0.0659	0.0550	0.472	6203	0.1288	0.1203	0.0999	0.617
4902	0.1376	0.1278	0.1053	0.532	6204	0.1481	0.1384	0.1156	0.551
4903	0.1781	0.1653	0.1356	0.572	6205	0.2934	0.2748	0.2305	0.517
4904	0.0292	0.0274	0.0228	0.535	6206	0.2701	0.2525	0.2108	0.530
4905	0.4492	0.4221	0.3560	0.539	6207	1.4277	1.3514	1.1599	0.490
4906	0.1102	0.1022	0.0838	0.553	6208	0.2968	0.2790	0.2352	0.546
4907	0.0627	0.0589	0.0493	0.524	6209	0.3617	0.3393	0.2854	0.523
4908	0.1018	0.0965	0.0817	0.541	6301	0.1452	0.1350	0.1119	0.463
4909	0.0449	0.0433	0.0378	0.518	6303	0.0863	0.0805	0.0670	0.509
4910	0.5386	0.5035	0.4216	0.492	6304	0.4117	0.3867	0.3259	0.549
4911	0.0680	0.0638	0.0536	0.474	6305	0.1266	0.1182	0.0981	0.563
5001	8.7558	8.2268	7.0179	0.358	6306	0.3340	0.3122	0.2607	0.501
5002	0.6894	0.6398	0.5262	0.521	6308	0.0801	0.0745	0.0617	0.535
5003	2.3130	2.1551	1.8033	0.403	6309	0.2434	0.2279	0.1907	0.520
5004	0.8764	0.8264	0.7066	0.418	6402	0.3269	0.3046	0.2519	0.573
5005	0.7934	0.7424	0.6256	0.409	6403	0.1938	0.1819	0.1531	0.542
5006	1.5351	1.4385	1.2194	0.369	6404	0.3064	0.2871	0.2408	0.533
5101	1.0280	0.9544	0.7870	0.495	6405	0.6136	0.5729	0.4785	0.484
5103	0.9240	0.8652	0.7247	0.535	6406	0.1476	0.1380	0.1149	0.568
5106	0.9240	0.8652	0.7247	0.535	6407	0.3167	0.2959	0.2468	0.542
5108	0.9622	0.8997	0.7512	0.529	6408	0.4992	0.4650	0.3858	0.514
5109	0.6294	0.5841	0.4810	0.501	6409	0.8154	0.7600	0.6333	0.475
5201	0.4371	0.4072	0.3382	0.509	6410	0.3443	0.3217	0.2682	0.525
5204	1.0571	0.9897	0.8344	0.444	6501	0.1839	0.1713	0.1419	0.549
5206	0.4108	0.3850	0.3247	0.457	6502	0.0356	0.0333	0.0278	0.522
5207	0.1728	0.1627	0.1375	0.531	6503	0.0811	0.0753	0.0624	0.489

((Class	2008	2009	2010	Primary Ratio	((Class	2008	2009	2010	Primary Ratio
6504	0.4365	0.4097	0.3439	0.566	7111	0.5063	0.4713	0.3923	0.449
6505	0.1390	0.1310	0.1102	0.594	7112	0.7921	0.7416	0.6216	0.529
6506	0.1344	0.1256	0.1046	0.557	7113	0.4615	0.4323	0.3625	0.526
6509	0.4218	0.3951	0.3308	0.546	7114	0.6940	0.6490	0.5412	0.581
6510	0.5071	0.4729	0.3948	0.451	7115	0.6382	0.5980	0.5023	0.538
6511	0.4471	0.4179	0.3489	0.530	7116	0.7144	0.6673	0.5571	0.499
6512	0.1726	0.1614	0.1351	0.484	7117	1.4892	1.3920	1.1637	0.516
6601	0.2360	0.2209	0.1851	0.506	7118	1.6677	1.5634	1.3153	0.499
6602	0.6014	0.5633	0.4730	0.518	7119	1.6091	1.4952	1.2338	0.533
6603	0.3675	0.3440	0.2884	0.510	7120	6.9042	6.4609	5.4219	0.483
6604	0.0938	0.0876	0.0731	0.547	7121	6.4598	6.0453	5.0733	0.483
6605	0.4464	0.4160	0.3432	0.573	7122	0.5838	0.5451	0.4538	0.554
6607	0.1907	0.1781	0.1485	0.523	7200	1.6572	1.5263	1.2353	0.528
6608	0.5779	0.5382	0.4508	0.389	7201	1.9112	1.7694	1.4522	0.494
6620	3.7935	3.4911	2.8173	0.558	7202	0.0323	0.0302	0.0253	0.452
6704	0.1552	0.1450	0.1210	0.524	7203	0.1448	0.1376	0.1181	0.562
6705	1.0604	0.9908	0.8245	0.571	7204	0.0000	0.0000	0.0000	0.500
6706	0.3416	0.3226	0.2762	0.483	7205	0.0000	0.0000	0.0000	0.500
6707	5.7762	5.3620	4.3741	0.650	7301	0.4679	0.4402	0.3737	0.471
6708	9.5681	9.2172	8.1794	0.426	7302	1.0482	0.9870	0.8391	0.474
6709	0.3217	0.3009	0.2510	0.536	7307	0.5139	0.4829	0.4083	0.485
6801	0.7538	0.6970	0.5686	0.530	7308	0.4740	0.4435	0.3704	0.556
6802	0.6936	0.6438	0.5287	0.557	7309	0.3197	0.2999	0.2521	0.551
6803	0.8947	0.8423	0.7236	0.325	7400	1.9112	1.7694	1.4522	0.494))
6804	0.4083	0.3820	0.3193	0.523					
6809	5.5474	5.2119	4.3748	0.536					
6901	0.0227	0.0234	0.0222	0.730	Class	2009	2010	2011	Primary Ratio
6902	1.0507	0.9820	0.8277	0.400	0101	1.6709	1.4606	1.1832	0.392
6903	7.2850	6.9225	6.0630	0.301	0103	1.9771	1.7366	1.4133	0.414
6904	0.5914	0.5423	0.4333	0.560	0104	1.0969	0.9583	0.7716	0.438
6905	0.4808	0.4443	0.3614	0.564	0105	1.6192	1.4106	1.1234	0.502
6906	0.2013	0.1973	0.1802	0.651	0107	1.2819	1.1160	0.8955	0.432
6907	1.4762	1.3750	1.1412	0.517	0108	1.0969	0.9583	0.7716	0.438
6908	0.4828	0.4514	0.3775	0.491	0112	0.7933	0.6939	0.5588	0.456
6909	0.1323	0.1239	0.1038	0.539	0201	2.4413	2.1188	1.7063	0.349
7100	0.0361	0.0342	0.0293	0.451	0202	3.5066	3.0617	2.4686	0.404
7101	0.0257	0.0242	0.0207	0.433	0210	1.1800	1.0268	0.8237	0.420
7102	4.9017	4.6618	4.0280	0.535	0212	1.4218	1.2367	0.9901	0.439
7103	0.7672	0.7089	0.5780	0.534	0214	1.5645	1.3635	1.0963	0.421
7104	0.0374	0.0348	0.0288	0.566	0217	1.2855	1.1212	0.9005	0.443
7105	0.0333	0.0310	0.0257	0.556	0219	1.3177	1.1473	0.9186	0.443
7106	0.2931	0.2725	0.2247	0.580	0301	0.8574	0.7530	0.6080	0.494
7107	0.2788	0.2624	0.2221	0.537	0302	2.4191	2.1006	1.6834	0.401
7108	0.2481	0.2324	0.1948	0.550	0303	1.9137	1.6685	1.3458	0.409
7109	0.1783	0.1663	0.1380	0.565	0306	1.1171	0.9712	0.7766	0.441
7110	0.3655	0.3410	0.2852	0.458	0307	0.9819	0.8540	0.6810	0.467

<u>Class</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>Primary Ratio</u>	<u>Class</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>Primary Ratio</u>
<u>0308</u>	<u>0.6742</u>	<u>0.5939</u>	<u>0.4801</u>	<u>0.526</u>	<u>1405</u>	<u>0.9118</u>	<u>0.7904</u>	<u>0.6208</u>	<u>0.560</u>
<u>0403</u>	<u>2.0317</u>	<u>1.7655</u>	<u>1.4055</u>	<u>0.466</u>	<u>1407</u>	<u>0.6360</u>	<u>0.5610</u>	<u>0.4551</u>	<u>0.514</u>
<u>0502</u>	<u>1.4382</u>	<u>1.2508</u>	<u>1.0023</u>	<u>0.419</u>	<u>1501</u>	<u>0.7598</u>	<u>0.6588</u>	<u>0.5205</u>	<u>0.527</u>
<u>0504</u>	<u>1.9130</u>	<u>1.6879</u>	<u>1.3811</u>	<u>0.421</u>	<u>1507</u>	<u>0.7140</u>	<u>0.6236</u>	<u>0.4992</u>	<u>0.498</u>
<u>0507</u>	<u>3.5999</u>	<u>3.1719</u>	<u>2.5886</u>	<u>0.428</u>	<u>1701</u>	<u>0.9093</u>	<u>0.7970</u>	<u>0.6444</u>	<u>0.441</u>
<u>0508</u>	<u>1.9726</u>	<u>1.7135</u>	<u>1.3773</u>	<u>0.379</u>	<u>1702</u>	<u>1.9051</u>	<u>1.6575</u>	<u>1.3398</u>	<u>0.348</u>
<u>0509</u>	<u>1.7721</u>	<u>1.5464</u>	<u>1.2514</u>	<u>0.381</u>	<u>1703</u>	<u>1.0590</u>	<u>0.9131</u>	<u>0.7260</u>	<u>0.386</u>
<u>0510</u>	<u>2.1685</u>	<u>1.9021</u>	<u>1.5439</u>	<u>0.424</u>	<u>1704</u>	<u>0.9093</u>	<u>0.7970</u>	<u>0.6444</u>	<u>0.441</u>
<u>0511</u>	<u>1.7310</u>	<u>1.5011</u>	<u>1.1925</u>	<u>0.464</u>	<u>1801</u>	<u>0.5159</u>	<u>0.4559</u>	<u>0.3743</u>	<u>0.411</u>
<u>0512</u>	<u>1.6122</u>	<u>1.4092</u>	<u>1.1385</u>	<u>0.417</u>	<u>1802</u>	<u>0.8677</u>	<u>0.7579</u>	<u>0.6041</u>	<u>0.492</u>
<u>0513</u>	<u>0.9095</u>	<u>0.7923</u>	<u>0.6349</u>	<u>0.447</u>	<u>2002</u>	<u>0.9797</u>	<u>0.8616</u>	<u>0.6972</u>	<u>0.490</u>
<u>0514</u>	<u>2.0904</u>	<u>1.8168</u>	<u>1.4467</u>	<u>0.477</u>	<u>2004</u>	<u>0.8732</u>	<u>0.7663</u>	<u>0.6173</u>	<u>0.496</u>
<u>0516</u>	<u>1.7296</u>	<u>1.5121</u>	<u>1.2219</u>	<u>0.413</u>	<u>2007</u>	<u>0.6919</u>	<u>0.6096</u>	<u>0.4944</u>	<u>0.494</u>
<u>0517</u>	<u>2.5877</u>	<u>2.2749</u>	<u>1.8552</u>	<u>0.407</u>	<u>2008</u>	<u>0.4332</u>	<u>0.3813</u>	<u>0.3092</u>	<u>0.481</u>
<u>0518</u>	<u>1.5736</u>	<u>1.3698</u>	<u>1.1002</u>	<u>0.412</u>	<u>2009</u>	<u>0.4386</u>	<u>0.3864</u>	<u>0.3126</u>	<u>0.519</u>
<u>0519</u>	<u>2.0062</u>	<u>1.7558</u>	<u>1.4193</u>	<u>0.425</u>	<u>2101</u>	<u>0.9441</u>	<u>0.8303</u>	<u>0.6701</u>	<u>0.518</u>
<u>0521</u>	<u>0.6281</u>	<u>0.5499</u>	<u>0.4444</u>	<u>0.438</u>	<u>2102</u>	<u>0.7725</u>	<u>0.6754</u>	<u>0.5403</u>	<u>0.517</u>
<u>0601</u>	<u>0.6700</u>	<u>0.5828</u>	<u>0.4656</u>	<u>0.454</u>	<u>2104</u>	<u>0.3808</u>	<u>0.3388</u>	<u>0.2765</u>	<u>0.564</u>
<u>0602</u>	<u>0.7991</u>	<u>0.6908</u>	<u>0.5469</u>	<u>0.456</u>	<u>2105</u>	<u>0.6957</u>	<u>0.6082</u>	<u>0.4855</u>	<u>0.538</u>
<u>0603</u>	<u>0.9873</u>	<u>0.8604</u>	<u>0.6929</u>	<u>0.404</u>	<u>2106</u>	<u>0.5927</u>	<u>0.5210</u>	<u>0.4203</u>	<u>0.513</u>
<u>0604</u>	<u>1.3191</u>	<u>1.1636</u>	<u>0.9472</u>	<u>0.482</u>	<u>2201</u>	<u>0.3033</u>	<u>0.2676</u>	<u>0.2176</u>	<u>0.504</u>
<u>0606</u>	<u>0.6837</u>	<u>0.5966</u>	<u>0.4755</u>	<u>0.521</u>	<u>2202</u>	<u>0.9240</u>	<u>0.8074</u>	<u>0.6461</u>	<u>0.510</u>
<u>0607</u>	<u>0.8420</u>	<u>0.7333</u>	<u>0.5844</u>	<u>0.505</u>	<u>2203</u>	<u>0.5730</u>	<u>0.5040</u>	<u>0.4057</u>	<u>0.537</u>
<u>0608</u>	<u>0.3725</u>	<u>0.3263</u>	<u>0.2631</u>	<u>0.463</u>	<u>2204</u>	<u>0.3033</u>	<u>0.2676</u>	<u>0.2176</u>	<u>0.504</u>
<u>0701</u>	<u>1.9802</u>	<u>1.7123</u>	<u>1.3747</u>	<u>0.339</u>	<u>2401</u>	<u>0.5569</u>	<u>0.4815</u>	<u>0.3786</u>	<u>0.515</u>
<u>0803</u>	<u>0.6241</u>	<u>0.5445</u>	<u>0.4342</u>	<u>0.525</u>	<u>2903</u>	<u>0.8052</u>	<u>0.7073</u>	<u>0.5698</u>	<u>0.513</u>
<u>0901</u>	<u>1.5736</u>	<u>1.3698</u>	<u>1.1002</u>	<u>0.412</u>	<u>2904</u>	<u>0.8070</u>	<u>0.7081</u>	<u>0.5719</u>	<u>0.474</u>
<u>1002</u>	<u>1.0738</u>	<u>0.9427</u>	<u>0.7643</u>	<u>0.448</u>	<u>2905</u>	<u>0.8003</u>	<u>0.7030</u>	<u>0.5663</u>	<u>0.525</u>
<u>1003</u>	<u>0.9138</u>	<u>0.8027</u>	<u>0.6501</u>	<u>0.464</u>	<u>2906</u>	<u>0.4373</u>	<u>0.3862</u>	<u>0.3134</u>	<u>0.496</u>
<u>1004</u>	<u>0.6389</u>	<u>0.5551</u>	<u>0.4413</u>	<u>0.477</u>	<u>2907</u>	<u>0.6394</u>	<u>0.5607</u>	<u>0.4506</u>	<u>0.514</u>
<u>1005</u>	<u>9.5750</u>	<u>8.3242</u>	<u>6.6516</u>	<u>0.426</u>	<u>2908</u>	<u>1.3094</u>	<u>1.1513</u>	<u>0.9339</u>	<u>0.459</u>
<u>1007</u>	<u>0.4069</u>	<u>0.3527</u>	<u>0.2802</u>	<u>0.467</u>	<u>2909</u>	<u>0.4854</u>	<u>0.4267</u>	<u>0.3438</u>	<u>0.516</u>
<u>1101</u>	<u>0.9263</u>	<u>0.8075</u>	<u>0.6442</u>	<u>0.505</u>	<u>3101</u>	<u>0.8446</u>	<u>0.7391</u>	<u>0.5943</u>	<u>0.483</u>
<u>1102</u>	<u>1.6900</u>	<u>1.4714</u>	<u>1.1782</u>	<u>0.450</u>	<u>3102</u>	<u>0.3012</u>	<u>0.2646</u>	<u>0.2137</u>	<u>0.496</u>
<u>1103</u>	<u>1.4286</u>	<u>1.2497</u>	<u>1.0085</u>	<u>0.439</u>	<u>3103</u>	<u>0.6125</u>	<u>0.5378</u>	<u>0.4350</u>	<u>0.465</u>
<u>1104</u>	<u>0.7697</u>	<u>0.6736</u>	<u>0.5383</u>	<u>0.532</u>	<u>3104</u>	<u>0.7375</u>	<u>0.6454</u>	<u>0.5191</u>	<u>0.483</u>
<u>1105</u>	<u>0.9543</u>	<u>0.8316</u>	<u>0.6661</u>	<u>0.456</u>	<u>3105</u>	<u>0.8671</u>	<u>0.7629</u>	<u>0.6170</u>	<u>0.500</u>
<u>1106</u>	<u>0.3729</u>	<u>0.3310</u>	<u>0.2711</u>	<u>0.488</u>	<u>3303</u>	<u>0.5443</u>	<u>0.4751</u>	<u>0.3789</u>	<u>0.526</u>
<u>1108</u>	<u>0.7315</u>	<u>0.6406</u>	<u>0.5144</u>	<u>0.506</u>	<u>3304</u>	<u>0.6200</u>	<u>0.5476</u>	<u>0.4442</u>	<u>0.533</u>
<u>1109</u>	<u>1.7797</u>	<u>1.5572</u>	<u>1.2524</u>	<u>0.471</u>	<u>3309</u>	<u>0.4582</u>	<u>0.4026</u>	<u>0.3267</u>	<u>0.459</u>
<u>1301</u>	<u>0.6580</u>	<u>0.5684</u>	<u>0.4456</u>	<u>0.533</u>	<u>3402</u>	<u>0.5878</u>	<u>0.5158</u>	<u>0.4163</u>	<u>0.476</u>
<u>1303</u>	<u>0.2497</u>	<u>0.2177</u>	<u>0.1731</u>	<u>0.533</u>	<u>3403</u>	<u>0.2394</u>	<u>0.2104</u>	<u>0.1705</u>	<u>0.477</u>
<u>1304</u>	<u>0.0337</u>	<u>0.0294</u>	<u>0.0235</u>	<u>0.502</u>	<u>3404</u>	<u>0.5617</u>	<u>0.4922</u>	<u>0.3950</u>	<u>0.513</u>
<u>1305</u>	<u>0.5843</u>	<u>0.5105</u>	<u>0.4090</u>	<u>0.508</u>	<u>3405</u>	<u>0.3333</u>	<u>0.2926</u>	<u>0.2354</u>	<u>0.514</u>
<u>1401</u>	<u>0.2393</u>	<u>0.2133</u>	<u>0.1766</u>	<u>0.429</u>	<u>3406</u>	<u>0.3224</u>	<u>0.2824</u>	<u>0.2256</u>	<u>0.563</u>
<u>1404</u>	<u>1.1049</u>	<u>0.9653</u>	<u>0.7706</u>	<u>0.541</u>	<u>3407</u>	<u>0.9768</u>	<u>0.8509</u>	<u>0.6797</u>	<u>0.477</u>

<u>Class</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>Primary</u> <u>Ratio</u>	<u>Class</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>Primary</u> <u>Ratio</u>
<u>3408</u>	<u>0.2868</u>	<u>0.2483</u>	<u>0.1945</u>	<u>0.577</u>	<u>4504</u>	<u>0.1479</u>	<u>0.1296</u>	<u>0.1036</u>	<u>0.570</u>
<u>3409</u>	<u>0.1984</u>	<u>0.1732</u>	<u>0.1378</u>	<u>0.575</u>	<u>4601</u>	<u>0.9401</u>	<u>0.8231</u>	<u>0.6614</u>	<u>0.492</u>
<u>3410</u>	<u>0.2678</u>	<u>0.2369</u>	<u>0.1929</u>	<u>0.520</u>	<u>4801</u>	<u>3.5066</u>	<u>3.0617</u>	<u>2.4686</u>	<u>0.404</u>
<u>3411</u>	<u>0.6379</u>	<u>0.5571</u>	<u>0.4473</u>	<u>0.468</u>	<u>4802</u>	<u>0.3905</u>	<u>0.3457</u>	<u>0.2824</u>	<u>0.487</u>
<u>3412</u>	<u>0.7032</u>	<u>0.6130</u>	<u>0.4920</u>	<u>0.444</u>	<u>4803</u>	<u>0.3731</u>	<u>0.3311</u>	<u>0.2699</u>	<u>0.563</u>
<u>3414</u>	<u>0.7469</u>	<u>0.6551</u>	<u>0.5287</u>	<u>0.475</u>	<u>4804</u>	<u>0.6025</u>	<u>0.5313</u>	<u>0.4297</u>	<u>0.540</u>
<u>3415</u>	<u>0.9505</u>	<u>0.8390</u>	<u>0.6878</u>	<u>0.406</u>	<u>4805</u>	<u>0.3782</u>	<u>0.3335</u>	<u>0.2696</u>	<u>0.539</u>
<u>3501</u>	<u>1.2438</u>	<u>1.0889</u>	<u>0.8757</u>	<u>0.478</u>	<u>4806</u>	<u>0.0787</u>	<u>0.0698</u>	<u>0.0570</u>	<u>0.519</u>
<u>3503</u>	<u>0.3871</u>	<u>0.3438</u>	<u>0.2808</u>	<u>0.528</u>	<u>4808</u>	<u>0.5642</u>	<u>0.4986</u>	<u>0.4058</u>	<u>0.488</u>
<u>3506</u>	<u>1.0352</u>	<u>0.8948</u>	<u>0.7054</u>	<u>0.490</u>	<u>4809</u>	<u>0.3839</u>	<u>0.3403</u>	<u>0.2778</u>	<u>0.519</u>
<u>3509</u>	<u>0.4809</u>	<u>0.4226</u>	<u>0.3399</u>	<u>0.553</u>	<u>4810</u>	<u>0.1776</u>	<u>0.1576</u>	<u>0.1285</u>	<u>0.543</u>
<u>3510</u>	<u>0.4146</u>	<u>0.3634</u>	<u>0.2913</u>	<u>0.526</u>	<u>4811</u>	<u>0.4333</u>	<u>0.3838</u>	<u>0.3118</u>	<u>0.555</u>
<u>3511</u>	<u>0.6905</u>	<u>0.6085</u>	<u>0.4948</u>	<u>0.450</u>	<u>4812</u>	<u>0.4492</u>	<u>0.3956</u>	<u>0.3197</u>	<u>0.524</u>
<u>3512</u>	<u>0.4489</u>	<u>0.3951</u>	<u>0.3182</u>	<u>0.540</u>	<u>4813</u>	<u>0.2037</u>	<u>0.1802</u>	<u>0.1465</u>	<u>0.533</u>
<u>3513</u>	<u>0.6440</u>	<u>0.5729</u>	<u>0.4720</u>	<u>0.471</u>	<u>4900</u>	<u>0.1879</u>	<u>0.1644</u>	<u>0.1335</u>	<u>0.387</u>
<u>3602</u>	<u>0.1390</u>	<u>0.1220</u>	<u>0.0979</u>	<u>0.527</u>	<u>4901</u>	<u>0.0749</u>	<u>0.0653</u>	<u>0.0522</u>	<u>0.480</u>
<u>3603</u>	<u>0.5800</u>	<u>0.5093</u>	<u>0.4097</u>	<u>0.516</u>	<u>4902</u>	<u>0.1495</u>	<u>0.1303</u>	<u>0.1036</u>	<u>0.534</u>
<u>3604</u>	<u>0.8853</u>	<u>0.7903</u>	<u>0.6549</u>	<u>0.459</u>	<u>4903</u>	<u>0.1972</u>	<u>0.1716</u>	<u>0.1356</u>	<u>0.569</u>
<u>3605</u>	<u>0.6387</u>	<u>0.5563</u>	<u>0.4427</u>	<u>0.504</u>	<u>4904</u>	<u>0.0300</u>	<u>0.0264</u>	<u>0.0213</u>	<u>0.541</u>
<u>3701</u>	<u>0.3012</u>	<u>0.2646</u>	<u>0.2137</u>	<u>0.496</u>	<u>4905</u>	<u>0.4859</u>	<u>0.4310</u>	<u>0.3512</u>	<u>0.552</u>
<u>3702</u>	<u>0.5470</u>	<u>0.4772</u>	<u>0.3798</u>	<u>0.531</u>	<u>4906</u>	<u>0.1164</u>	<u>0.1013</u>	<u>0.0801</u>	<u>0.549</u>
<u>3708</u>	<u>0.7330</u>	<u>0.6383</u>	<u>0.5083</u>	<u>0.515</u>	<u>4907</u>	<u>0.0663</u>	<u>0.0584</u>	<u>0.0471</u>	<u>0.525</u>
<u>3802</u>	<u>0.2510</u>	<u>0.2203</u>	<u>0.1771</u>	<u>0.527</u>	<u>4908</u>	<u>0.1118</u>	<u>0.0992</u>	<u>0.0799</u>	<u>0.542</u>
<u>3808</u>	<u>0.4728</u>	<u>0.4132</u>	<u>0.3321</u>	<u>0.452</u>	<u>4909</u>	<u>0.0458</u>	<u>0.0415</u>	<u>0.0341</u>	<u>0.514</u>
<u>3901</u>	<u>0.1924</u>	<u>0.1703</u>	<u>0.1382</u>	<u>0.552</u>	<u>4910</u>	<u>0.5514</u>	<u>0.4843</u>	<u>0.3910</u>	<u>0.494</u>
<u>3902</u>	<u>0.5528</u>	<u>0.4878</u>	<u>0.3950</u>	<u>0.529</u>	<u>4911</u>	<u>0.0765</u>	<u>0.0672</u>	<u>0.0543</u>	<u>0.482</u>
<u>3903</u>	<u>1.3378</u>	<u>1.1874</u>	<u>0.9733</u>	<u>0.494</u>	<u>5001</u>	<u>9.5887</u>	<u>8.4028</u>	<u>6.8485</u>	<u>0.360</u>
<u>3905</u>	<u>0.1762</u>	<u>0.1561</u>	<u>0.1267</u>	<u>0.561</u>	<u>5002</u>	<u>0.7365</u>	<u>0.6404</u>	<u>0.5077</u>	<u>0.522</u>
<u>3906</u>	<u>0.5576</u>	<u>0.4929</u>	<u>0.4013</u>	<u>0.502</u>	<u>5003</u>	<u>2.4025</u>	<u>2.0829</u>	<u>1.6638</u>	<u>0.414</u>
<u>3909</u>	<u>0.4055</u>	<u>0.3569</u>	<u>0.2880</u>	<u>0.534</u>	<u>5004</u>	<u>0.9078</u>	<u>0.8040</u>	<u>0.6603</u>	<u>0.428</u>
<u>4002</u>	<u>1.4638</u>	<u>1.2732</u>	<u>1.0168</u>	<u>0.464</u>	<u>5005</u>	<u>0.8714</u>	<u>0.7622</u>	<u>0.6158</u>	<u>0.418</u>
<u>4101</u>	<u>0.4125</u>	<u>0.3609</u>	<u>0.2894</u>	<u>0.505</u>	<u>5006</u>	<u>1.5820</u>	<u>1.3830</u>	<u>1.1218</u>	<u>0.372</u>
<u>4103</u>	<u>0.6761</u>	<u>0.5910</u>	<u>0.4716</u>	<u>0.545</u>	<u>5101</u>	<u>1.0945</u>	<u>0.9517</u>	<u>0.7569</u>	<u>0.487</u>
<u>4107</u>	<u>0.1941</u>	<u>0.1703</u>	<u>0.1371</u>	<u>0.504</u>	<u>5103</u>	<u>1.0315</u>	<u>0.9076</u>	<u>0.7309</u>	<u>0.540</u>
<u>4108</u>	<u>0.2467</u>	<u>0.2158</u>	<u>0.1725</u>	<u>0.544</u>	<u>5106</u>	<u>1.0315</u>	<u>0.9076</u>	<u>0.7309</u>	<u>0.540</u>
<u>4109</u>	<u>0.2404</u>	<u>0.2113</u>	<u>0.1708</u>	<u>0.495</u>	<u>5108</u>	<u>1.0191</u>	<u>0.8952</u>	<u>0.7198</u>	<u>0.528</u>
<u>4201</u>	<u>0.8187</u>	<u>0.7082</u>	<u>0.5606</u>	<u>0.480</u>	<u>5109</u>	<u>0.6822</u>	<u>0.5915</u>	<u>0.4676</u>	<u>0.508</u>
<u>4301</u>	<u>0.8154</u>	<u>0.7191</u>	<u>0.5830</u>	<u>0.511</u>	<u>5201</u>	<u>0.4493</u>	<u>0.3926</u>	<u>0.3139</u>	<u>0.508</u>
<u>4302</u>	<u>0.8663</u>	<u>0.7563</u>	<u>0.6028</u>	<u>0.527</u>	<u>5204</u>	<u>1.2009</u>	<u>1.0502</u>	<u>0.8460</u>	<u>0.460</u>
<u>4304</u>	<u>1.1315</u>	<u>1.0029</u>	<u>0.8202</u>	<u>0.496</u>	<u>5206</u>	<u>0.4260</u>	<u>0.3740</u>	<u>0.3031</u>	<u>0.454</u>
<u>4305</u>	<u>1.3564</u>	<u>1.1758</u>	<u>0.9311</u>	<u>0.496</u>	<u>5207</u>	<u>0.1837</u>	<u>0.1629</u>	<u>0.1326</u>	<u>0.534</u>
<u>4401</u>	<u>0.4892</u>	<u>0.4341</u>	<u>0.3556</u>	<u>0.471</u>	<u>5208</u>	<u>0.9082</u>	<u>0.7983</u>	<u>0.6439</u>	<u>0.501</u>
<u>4402</u>	<u>1.0140</u>	<u>0.8856</u>	<u>0.7074</u>	<u>0.538</u>	<u>5209</u>	<u>0.8167</u>	<u>0.7161</u>	<u>0.5774</u>	<u>0.469</u>
<u>4404</u>	<u>0.6099</u>	<u>0.5385</u>	<u>0.4378</u>	<u>0.491</u>	<u>5300</u>	<u>0.1466</u>	<u>0.1275</u>	<u>0.1013</u>	<u>0.533</u>
<u>4501</u>	<u>0.2340</u>	<u>0.2057</u>	<u>0.1646</u>	<u>0.568</u>	<u>5301</u>	<u>0.0445</u>	<u>0.0389</u>	<u>0.0310</u>	<u>0.543</u>
<u>4502</u>	<u>0.0525</u>	<u>0.0463</u>	<u>0.0373</u>	<u>0.516</u>	<u>5302</u>	<u>0.0174</u>	<u>0.0152</u>	<u>0.0122</u>	<u>0.490</u>

<u>Class</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>Primary</u> <u>Ratio</u>	<u>Class</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>Primary</u> <u>Ratio</u>
<u>5305</u>	<u>0.0727</u>	<u>0.0636</u>	<u>0.0507</u>	<u>0.577</u>	<u>6511</u>	<u>0.4778</u>	<u>0.4205</u>	<u>0.3390</u>	<u>0.540</u>
<u>5306</u>	<u>0.0598</u>	<u>0.0527</u>	<u>0.0423</u>	<u>0.555</u>	<u>6512</u>	<u>0.1678</u>	<u>0.1474</u>	<u>0.1194</u>	<u>0.478</u>
<u>5307</u>	<u>0.8144</u>	<u>0.7079</u>	<u>0.5626</u>	<u>0.502</u>	<u>6601</u>	<u>0.2559</u>	<u>0.2253</u>	<u>0.1819</u>	<u>0.515</u>
<u>5308</u>	<u>0.1251</u>	<u>0.1096</u>	<u>0.0875</u>	<u>0.569</u>	<u>6602</u>	<u>0.6409</u>	<u>0.5655</u>	<u>0.4586</u>	<u>0.527</u>
<u>6103</u>	<u>0.1049</u>	<u>0.0927</u>	<u>0.0748</u>	<u>0.581</u>	<u>6603</u>	<u>0.3908</u>	<u>0.3434</u>	<u>0.2771</u>	<u>0.512</u>
<u>6104</u>	<u>0.4892</u>	<u>0.4287</u>	<u>0.3436</u>	<u>0.536</u>	<u>6604</u>	<u>0.1030</u>	<u>0.0904</u>	<u>0.0727</u>	<u>0.549</u>
<u>6105</u>	<u>0.4579</u>	<u>0.3994</u>	<u>0.3196</u>	<u>0.490</u>	<u>6605</u>	<u>0.4840</u>	<u>0.4230</u>	<u>0.3352</u>	<u>0.571</u>
<u>6107</u>	<u>0.1739</u>	<u>0.1547</u>	<u>0.1263</u>	<u>0.548</u>	<u>6607</u>	<u>0.1887</u>	<u>0.1662</u>	<u>0.1346</u>	<u>0.513</u>
<u>6108</u>	<u>0.5570</u>	<u>0.4904</u>	<u>0.3950</u>	<u>0.546</u>	<u>6608</u>	<u>0.6144</u>	<u>0.5319</u>	<u>0.4247</u>	<u>0.396</u>
<u>6109</u>	<u>0.1282</u>	<u>0.1120</u>	<u>0.0893</u>	<u>0.523</u>	<u>6620</u>	<u>4.0862</u>	<u>3.5191</u>	<u>2.7428</u>	<u>0.555</u>
<u>6110</u>	<u>0.7494</u>	<u>0.6560</u>	<u>0.5258</u>	<u>0.518</u>	<u>6704</u>	<u>0.1578</u>	<u>0.1387</u>	<u>0.1117</u>	<u>0.521</u>
<u>6120</u>	<u>0.3807</u>	<u>0.3305</u>	<u>0.2611</u>	<u>0.532</u>	<u>6705</u>	<u>1.1046</u>	<u>0.9736</u>	<u>0.7845</u>	<u>0.569</u>
<u>6121</u>	<u>0.4244</u>	<u>0.3714</u>	<u>0.2983</u>	<u>0.500</u>	<u>6706</u>	<u>0.3602</u>	<u>0.3209</u>	<u>0.2648</u>	<u>0.488</u>
<u>6201</u>	<u>0.3634</u>	<u>0.3191</u>	<u>0.2580</u>	<u>0.469</u>	<u>6707</u>	<u>6.5030</u>	<u>5.6892</u>	<u>4.4993</u>	<u>0.637</u>
<u>6202</u>	<u>0.8032</u>	<u>0.7047</u>	<u>0.5666</u>	<u>0.504</u>	<u>6708</u>	<u>9.9770</u>	<u>9.0973</u>	<u>7.7497</u>	<u>0.432</u>
<u>6203</u>	<u>0.1402</u>	<u>0.1239</u>	<u>0.0996</u>	<u>0.611</u>	<u>6709</u>	<u>0.3339</u>	<u>0.2942</u>	<u>0.2374</u>	<u>0.532</u>
<u>6204</u>	<u>0.1592</u>	<u>0.1401</u>	<u>0.1129</u>	<u>0.551</u>	<u>6801</u>	<u>0.8792</u>	<u>0.7586</u>	<u>0.5929</u>	<u>0.541</u>
<u>6205</u>	<u>0.2931</u>	<u>0.2585</u>	<u>0.2097</u>	<u>0.517</u>	<u>6802</u>	<u>0.7410</u>	<u>0.6476</u>	<u>0.5163</u>	<u>0.558</u>
<u>6206</u>	<u>0.2884</u>	<u>0.2535</u>	<u>0.2043</u>	<u>0.533</u>	<u>6803</u>	<u>0.8818</u>	<u>0.7716</u>	<u>0.6296</u>	<u>0.327</u>
<u>6207</u>	<u>1.6079</u>	<u>1.4334</u>	<u>1.1816</u>	<u>0.505</u>	<u>6804</u>	<u>0.4125</u>	<u>0.3627</u>	<u>0.2923</u>	<u>0.517</u>
<u>6208</u>	<u>0.3188</u>	<u>0.2825</u>	<u>0.2296</u>	<u>0.548</u>	<u>6809</u>	<u>6.1351</u>	<u>5.4152</u>	<u>4.3578</u>	<u>0.546</u>
<u>6209</u>	<u>0.3729</u>	<u>0.3292</u>	<u>0.2667</u>	<u>0.522</u>	<u>6901</u>	<u>0.0241</u>	<u>0.0237</u>	<u>0.0207</u>	<u>0.758</u>
<u>6301</u>	<u>0.1486</u>	<u>0.1290</u>	<u>0.1029</u>	<u>0.465</u>	<u>6902</u>	<u>1.1084</u>	<u>0.9660</u>	<u>0.7783</u>	<u>0.413</u>
<u>6303</u>	<u>0.0937</u>	<u>0.0822</u>	<u>0.0659</u>	<u>0.518</u>	<u>6903</u>	<u>7.4357</u>	<u>6.5965</u>	<u>5.5025</u>	<u>0.301</u>
<u>6304</u>	<u>0.4000</u>	<u>0.3548</u>	<u>0.2894</u>	<u>0.539</u>	<u>6904</u>	<u>0.7057</u>	<u>0.6050</u>	<u>0.4671</u>	<u>0.556</u>
<u>6305</u>	<u>0.1318</u>	<u>0.1159</u>	<u>0.0931</u>	<u>0.560</u>	<u>6905</u>	<u>0.5696</u>	<u>0.4916</u>	<u>0.3835</u>	<u>0.567</u>
<u>6306</u>	<u>0.3643</u>	<u>0.3190</u>	<u>0.2559</u>	<u>0.506</u>	<u>6906</u>	<u>0.2261</u>	<u>0.2138</u>	<u>0.1894</u>	<u>0.648</u>
<u>6308</u>	<u>0.0832</u>	<u>0.0727</u>	<u>0.0579</u>	<u>0.530</u>	<u>6907</u>	<u>1.4815</u>	<u>1.2972</u>	<u>1.0407</u>	<u>0.513</u>
<u>6309</u>	<u>0.2597</u>	<u>0.2283</u>	<u>0.1841</u>	<u>0.520</u>	<u>6908</u>	<u>0.5148</u>	<u>0.4514</u>	<u>0.3633</u>	<u>0.496</u>
<u>6402</u>	<u>0.3277</u>	<u>0.2878</u>	<u>0.2308</u>	<u>0.562</u>	<u>6909</u>	<u>0.1386</u>	<u>0.1220</u>	<u>0.0982</u>	<u>0.538</u>
<u>6403</u>	<u>0.2065</u>	<u>0.1828</u>	<u>0.1483</u>	<u>0.542</u>	<u>7100</u>	<u>0.0381</u>	<u>0.0338</u>	<u>0.0279</u>	<u>0.457</u>
<u>6404</u>	<u>0.3312</u>	<u>0.2923</u>	<u>0.2367</u>	<u>0.538</u>	<u>7101</u>	<u>0.0272</u>	<u>0.0241</u>	<u>0.0196</u>	<u>0.441</u>
<u>6405</u>	<u>0.6766</u>	<u>0.5907</u>	<u>0.4726</u>	<u>0.493</u>	<u>7102</u>	<u>5.1874</u>	<u>4.6799</u>	<u>3.9097</u>	<u>0.537</u>
<u>6406</u>	<u>0.1519</u>	<u>0.1338</u>	<u>0.1078</u>	<u>0.567</u>	<u>7103</u>	<u>0.8623</u>	<u>0.7458</u>	<u>0.5859</u>	<u>0.539</u>
<u>6407</u>	<u>0.3148</u>	<u>0.2766</u>	<u>0.2222</u>	<u>0.541</u>	<u>7104</u>	<u>0.0400</u>	<u>0.0351</u>	<u>0.0279</u>	<u>0.563</u>
<u>6408</u>	<u>0.5349</u>	<u>0.4672</u>	<u>0.3732</u>	<u>0.512</u>	<u>7105</u>	<u>0.0303</u>	<u>0.0266</u>	<u>0.0214</u>	<u>0.533</u>
<u>6409</u>	<u>0.8476</u>	<u>0.7395</u>	<u>0.5918</u>	<u>0.481</u>	<u>7106</u>	<u>0.3237</u>	<u>0.2840</u>	<u>0.2275</u>	<u>0.578</u>
<u>6410</u>	<u>0.3706</u>	<u>0.3245</u>	<u>0.2599</u>	<u>0.525</u>	<u>7107</u>	<u>0.2990</u>	<u>0.2653</u>	<u>0.2165</u>	<u>0.539</u>
<u>6501</u>	<u>0.1853</u>	<u>0.1626</u>	<u>0.1307</u>	<u>0.545</u>	<u>7108</u>	<u>0.2484</u>	<u>0.2202</u>	<u>0.1795</u>	<u>0.545</u>
<u>6502</u>	<u>0.0375</u>	<u>0.0330</u>	<u>0.0265</u>	<u>0.522</u>	<u>7109</u>	<u>0.1829</u>	<u>0.1607</u>	<u>0.1289</u>	<u>0.558</u>
<u>6503</u>	<u>0.0854</u>	<u>0.0742</u>	<u>0.0589</u>	<u>0.493</u>	<u>7110</u>	<u>0.3832</u>	<u>0.3347</u>	<u>0.2692</u>	<u>0.459</u>
<u>6504</u>	<u>0.4714</u>	<u>0.4168</u>	<u>0.3371</u>	<u>0.566</u>	<u>7111</u>	<u>0.5255</u>	<u>0.4571</u>	<u>0.3657</u>	<u>0.446</u>
<u>6505</u>	<u>0.1596</u>	<u>0.1414</u>	<u>0.1140</u>	<u>0.595</u>	<u>7112</u>	<u>0.8662</u>	<u>0.7624</u>	<u>0.6152</u>	<u>0.535</u>
<u>6506</u>	<u>0.1464</u>	<u>0.1286</u>	<u>0.1032</u>	<u>0.557</u>	<u>7113</u>	<u>0.4820</u>	<u>0.4256</u>	<u>0.3454</u>	<u>0.523</u>
<u>6509</u>	<u>0.4325</u>	<u>0.3821</u>	<u>0.3094</u>	<u>0.549</u>	<u>7114</u>	<u>0.7919</u>	<u>0.6985</u>	<u>0.5627</u>	<u>0.581</u>
<u>6510</u>	<u>0.5152</u>	<u>0.4504</u>	<u>0.3624</u>	<u>0.449</u>	<u>7115</u>	<u>0.6401</u>	<u>0.5669</u>	<u>0.4622</u>	<u>0.534</u>

<u>Class</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>Primary Ratio</u>	<u>((Expected Loss Range</u>	<u>Maximum Experience Modification</u>
7116	0.7646	0.6721	0.5428	0.502	9,277 - 10,275	0.88
7117	1.4701	1.2919	1.0422	0.505	10,276 - 11,200	0.87
7118	1.7969	1.5823	1.2805	0.507	11,201 - 12,176	0.86
7119	1.7782	1.5533	1.2401	0.539	12,177 - 13,198	0.85
7120	7.3133	6.4231	5.1888	0.487	13,199 - 14,098	0.84
7121	6.8444	6.0116	4.8563	0.487	14,099 - 15,011	0.83
7122	0.5813	0.5121	0.4133	0.544	15,012 - 15,961	0.82
7200	1.7530	1.5132	1.1868	0.520	15,962 - 16,950	0.81
7201	2.0607	1.7864	1.4153	0.494	16,951 - 17,978	0.80
7202	0.0343	0.0299	0.0241	0.460	17,979 - 19,045	0.79
7203	0.1526	0.1371	0.1128	0.564	19,046 - 20,154	0.78
7204	0.0000	0.0000	0.0000	0.500	20,155 - 21,300	0.77
7205	0.0000	0.0000	0.0000	0.500	21,301 - 22,489	0.76
7301	0.5029	0.4434	0.3600	0.487	22,490 - 23,716	0.75
7302	1.1385	1.0070	0.8219	0.488	23,717 - 24,986	0.74
7307	0.5436	0.4811	0.3926	0.490	24,987 - 26,296	0.73
7308	0.4816	0.4249	0.3428	0.550	26,297 - 27,651	0.72
7309	0.3448	0.3053	0.2482	0.552	27,652 - 29,045	0.71
7400	2.0607	1.7864	1.4153	0.494	29,046 - 30,484	0.70

Expected Loss Rates in Dollars Per Sq. Ft. of Wallboard Installed

<u>((Class</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>Primary Ratio</u>	<u>Expected Loss Range</u>	<u>Maximum Experience Modification</u>
0540	0.0232	0.0217	0.0183	0.435	30,485 - 31,964	0.69
0541	0.0122	0.0114	0.0095	0.413	31,965 - 33,486	0.68
0550	0.0242	0.0227	0.0192	0.387	33,487 - 35,053	0.67
0551	0.0150	0.0140	0.0118	0.379))	35,054 - 36,660	0.66
					36,661 - 38,314	0.65
					38,315 - 40,889	0.64
					40,890 - 44,392	0.63
					44,393 - 48,441	0.62
					48,442 - 56,314	0.61
					56,315 & Over	0.60))

<u>Class</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>Primary Ratio</u>	<u>Expected Loss Range</u>	<u>Maximum Experience Modification</u>
0540	0.0265	0.0233	0.0187	0.433	0 = 7,672	0.90
0541	0.0129	0.0113	0.0091	0.414	7,673 = 9,369	0.89
0550	0.0264	0.0230	0.0187	0.399	9,370 = 10,378	0.88
0551	0.0157	0.0136	0.0109	0.392	10,379 = 11,312	0.87

AMENDATORY SECTION (Amending WSR 11-24-026, filed 12/1/11, effective 1/1/12)

WAC 296-17-890 Table IV.

Maximum experience modifications for firms with no compensable accidents: Effective January 1, ((2012)) 2013

<u>((Expected Loss Range</u>	<u>Maximum Experience Modification</u>	
0 - 7,596	0.90	
7,597 - 9,276	0.89	
	18,159 = 19,235	0.79
	19,236 = 20,356	0.78
	20,357 = 21,513	0.77

<u>21,514</u>	=	<u>22,714</u>	<u>0.76</u>
<u>22,715</u>	=	<u>23,953</u>	<u>0.75</u>
<u>23,954</u>	=	<u>25,236</u>	<u>0.74</u>
<u>25,237</u>	=	<u>26,559</u>	<u>0.73</u>
<u>26,560</u>	=	<u>27,928</u>	<u>0.72</u>
<u>27,929</u>	=	<u>29,335</u>	<u>0.71</u>
<u>29,336</u>	=	<u>30,789</u>	<u>0.70</u>
<u>30,790</u>	=	<u>32,284</u>	<u>0.69</u>
<u>32,285</u>	=	<u>33,821</u>	<u>0.68</u>
<u>33,822</u>	=	<u>35,404</u>	<u>0.67</u>
<u>35,405</u>	=	<u>37,027</u>	<u>0.66</u>
<u>37,028</u>	=	<u>38,697</u>	<u>0.65</u>
<u>38,698</u>	=	<u>41,298</u>	<u>0.64</u>
<u>41,299</u>	=	<u>44,836</u>	<u>0.63</u>
<u>44,837</u>	=	<u>48,925</u>	<u>0.62</u>
<u>48,926</u>	=	<u>56,877</u>	<u>0.61</u>
<u>56,878</u>	=	<u>& Over</u>	<u>0.60</u>

**Base Rates Effective
January 1, ((2012)) 2013**

Class	Accident Fund	Stay at Work	Medical Aid Fund
0403	2.6340	0.0554	1.1070
0502	2.0472	0.0433	0.7162
0504	2.3871	0.0500	1.1730
0507	4.4241	0.0928	2.1162
0508	3.0709	0.0651	0.9016
0509	2.8228	0.0597	0.9398
0510	2.7530	0.0579	1.2024
0511	2.3420	0.0494	0.8910
0512	2.3024	0.0486	0.8803
0513	1.1755	0.0248	0.4710
0514	2.8244	0.0595	1.1351
0516	2.4727	0.0521	0.9671
0517	3.4242	0.0720	1.4518
0518	2.2222	0.0469	0.8042
0519	2.7195	0.0572	1.1272
0521	0.8364	0.0176	0.3559
0601	0.9290	0.0196	0.3690
0602	1.1531	0.0244	0.3914
0603	1.5984	0.0338	0.5377
0604	1.5021	0.0313	0.8464
0606	0.7915	0.0166	0.4146
0607	0.9780	0.0205	0.4598
0608	0.4868	0.0102	0.2319
0701	3.4845	0.0742	0.7547
0803	0.7222	0.0151	0.3850
0901	2.2222	0.0469	0.8042
1002	1.4141	0.0297	0.6689
1003	1.1516	0.0241	0.5890
1004	0.8553	0.0180	0.3527
1005	13.3633	0.2821	4.8795
1007	0.5610	0.0118	0.2085
1101	1.0912	0.0229	0.5443
1102	2.3102	0.0487	0.8794
1103	1.8556	0.0390	0.7967
1104	0.8493	0.0177	0.5093
1105	1.2965	0.0273	0.5344
1106	0.4204	0.0087	0.2933
1108	0.8800	0.0184	0.4696
1109	2.1337	0.0447	1.0309
1301	0.8316	0.0175	0.3670
1303	0.2942	0.0061	0.1596
1304	0.0415	0.0009	0.0208
1305	0.6940	0.0145	0.3605
1401	0.2742	0.0057	0.1712

AMENDATORY SECTION (Amending WSR 11-24-026, filed 12/1/11, effective 1/1/12)

WAC 296-17-895 Industrial insurance accident fund base rates, stay at work and medical aid base rates by class of industry. Industrial insurance accident fund, stay at work and medical aid fund base rates by class of industry shall be as set forth below.

**Base Rates Effective
January 1, ((2012)) 2013**

Class	Accident Fund	Stay at Work	Medical Aid Fund
((0101	2.2105	0.0466	0.8308
0103	2.6331	0.0554	1.1450
0104	1.4200	0.0299	0.5971
0105	1.9557	0.0410	0.9352
0107	1.8951	0.0400	0.6787
0108	1.4200	0.0299	0.5971
0112	0.9925	0.0208	0.4440
0201	4.3456	0.0924	1.1014
0202	5.0508	0.1066	1.8416
0210	1.7191	0.0363	0.5995
0212	1.9888	0.0420	0.7148
0214	2.2803	0.0482	0.8078
0217	1.6099	0.0339	0.6533
0219	1.9052	0.0402	0.7511
0301	0.9628	0.0201	0.5333
0302	3.5011	0.0742	1.0826
0303	2.7585	0.0583	0.9281
0306	1.5497	0.0327	0.5738
0307	1.3203	0.0278	0.5477
0308	0.6909	0.0143	0.4492

Base Rates Effective January 1, ((2012)) 2013				Base Rates Effective January 1, ((2012)) 2013			
Class	Accident Fund	Stay at Work	Medical Aid Fund	Class	Accident Fund	Stay at Work	Medical Aid Fund
1404	1.2236	0.0255	0.7144	3405	0.3749	0.0078	0.2315
1405	0.9958	0.0208	0.5347	3406	0.3299	0.0068	0.2159
1407	0.6542	0.0136	0.4332	3407	1.2434	0.0261	0.5365
1501	0.9043	0.0190	0.4053	3408	0.3037	0.0063	0.1682
1507	0.8600	0.0180	0.4237	3409	0.2039	0.0042	0.1321
1701	1.2465	0.0262	0.5691	3410	0.2904	0.0060	0.2073
1702	3.1784	0.0675	0.8722	3411	0.7967	0.0167	0.3631
1703	1.7181	0.0366	0.4071	3412	0.9522	0.0201	0.3743
1704	1.2465	0.0262	0.5691	3414	0.8619	0.0180	0.4362
1801	0.6838	0.0143	0.3286	3415	1.2706	0.0266	0.6082
1802	1.1202	0.0234	0.5777	3501	1.5072	0.0316	0.7602
2002	1.1230	0.0234	0.6343	3503	0.3620	0.0074	0.2970
2004	1.0650	0.0222	0.5907	3506	1.4112	0.0298	0.5215
2007	0.7568	0.0158	0.4403	3509	0.4978	0.0103	0.3392
2008	0.5051	0.0105	0.2826	3510	0.4613	0.0096	0.2752
2009	0.4868	0.0101	0.3134	3511	0.8813	0.0184	0.4662
2101	1.0314	0.0215	0.6207	3512	0.4953	0.0103	0.3352
2102	0.8100	0.0169	0.4732	3513	0.6765	0.0140	0.4620
2104	0.3553	0.0073	0.3232	3602	0.1631	0.0034	0.0948
2105	0.7492	0.0156	0.4489	3603	0.6406	0.0133	0.3876
2106	0.6495	0.0135	0.3922	3604	1.0045	0.0208	0.7010
2201	0.3242	0.0067	0.1964	3605	0.7857	0.0165	0.3777
2202	1.0958	0.0229	0.5719	3701	0.3753	0.0078	0.2036
2203	0.6098	0.0126	0.4096	3702	0.6220	0.0130	0.3368
2204	0.3242	0.0067	0.1964	3708	0.8533	0.0179	0.4176
2401	0.7318	0.0154	0.3098	3802	0.2754	0.0057	0.1710
2903	0.8800	0.0183	0.5271	3808	0.6428	0.0135	0.2786
2904	1.0020	0.0210	0.5214	3901	0.1927	0.0040	0.1560
2905	0.8813	0.0183	0.5475	3902	0.5878	0.0122	0.4044
2906	0.4895	0.0102	0.3005	3903	1.4014	0.0290	0.9893
2907	0.7303	0.0152	0.4173	3905	0.1755	0.0036	0.1431
2908	1.5998	0.0335	0.8051	3906	0.5887	0.0122	0.3904
2909	0.5307	0.0110	0.3286	3909	0.4227	0.0088	0.2737
3101	1.0759	0.0226	0.5131	4002	1.9645	0.0414	0.7827
3102	0.3753	0.0078	0.2036	4101	0.4982	0.0104	0.2634
3103	0.7554	0.0158	0.3843	4103	0.7123	0.0148	0.4431
3104	0.9078	0.0190	0.4502	4107	0.2297	0.0048	0.1237
3105	0.9994	0.0208	0.5889	4108	0.2705	0.0056	0.1628
3303	0.6148	0.0128	0.3420	4109	0.2838	0.0059	0.1611
3304	0.6452	0.0134	0.4488	4201	1.1351	0.0240	0.4036
3309	0.5653	0.0118	0.2789	4301	0.8753	0.0181	0.5803
3402	0.7709	0.0161	0.3951	4302	0.9901	0.0207	0.5367
3403	0.3013	0.0063	0.1569	4304	1.1860	0.0246	0.8049
3404	0.6652	0.0139	0.3742	4305	1.8151	0.0382	0.7653

Base Rates Effective January 1, ((2012)) 2013				Base Rates Effective January 1, ((2012)) 2013			
Class	Accident Fund	Stay at Work	Medical Aid Fund	Class	Accident Fund	Stay at Work	Medical Aid Fund
4401	0.5580	0.0116	0.3677	5207	0.1824	0.0038	0.1434
4402	1.1387	0.0237	0.6446	5208	1.0491	0.0219	0.6079
4404	0.7050	0.0146	0.4476	5209	1.0129	0.0212	0.5164
4501	0.2355	0.0049	0.1771	5300	0.1809	0.0038	0.0927
4502	0.0563	0.0012	0.0357	5301	0.0532	0.0011	0.0306
4504	0.1546	0.0032	0.1129	5302	0.0223	0.0005	0.0116
4601	1.1012	0.0230	0.5819	5305	0.0742	0.0015	0.0497
4802	0.4492	0.0093	0.2945	5306	0.0662	0.0014	0.0463
4803	0.3295	0.0067	0.2969	5307	0.9691	0.0204	0.4352
4804	0.6169	0.0128	0.4349	5308	0.1323	0.0027	0.0919
4805	0.3826	0.0079	0.2662	6103	0.0966	0.0020	0.0821
4806	0.0794	0.0016	0.0555	6104	0.5004	0.0104	0.3194
4808	0.6297	0.0131	0.4010	6105	0.5820	0.0122	0.2733
4809	0.3927	0.0081	0.2903	6107	0.1815	0.0037	0.1567
4810	0.1676	0.0034	0.1368	6108	0.6014	0.0124	0.4158
4811	0.4042	0.0083	0.3327	6109	0.1534	0.0032	0.0812
4812	0.5011	0.0104	0.3264	6110	0.8184	0.0171	0.4733
4813	0.2069	0.0043	0.1586	6120	0.4615	0.0097	0.2257
4900	0.2852	0.0060	0.1034	6121	0.5199	0.0109	0.2624
4901	0.0971	0.0020	0.0446	6201	0.4702	0.0099	0.2314
4902	0.1716	0.0036	0.0905	6202	0.9158	0.0191	0.5292
4903	0.2117	0.0044	0.1280	6203	0.1232	0.0025	0.1132
4904	0.0336	0.0007	0.0223	6204	0.1639	0.0034	0.1141
4905	0.4484	0.0092	0.3682	6205	0.3385	0.0070	0.2153
4906	0.1348	0.0028	0.0733	6206	0.3138	0.0065	0.1975
4907	0.0735	0.0015	0.0483	6207	1.4688	0.0302	1.2090
4908	0.1124	0.0023	0.1022	6208	0.2957	0.0061	0.2513
4909	0.0495	0.0010	0.0575	6209	0.4080	0.0084	0.2830
4910	0.6647	0.0139	0.3686	6301	0.2100	0.0044	0.0794
4911	0.0855	0.0018	0.0475	6303	0.1079	0.0023	0.0590
5001	13.4672	0.2846	4.7177	6304	0.4186	0.0086	0.3411
5002	0.8856	0.0186	0.4382	6305	0.1365	0.0028	0.0976
5003	3.5730	0.0756	1.1465	6306	0.4224	0.0088	0.2299
5004	1.1281	0.0236	0.6035	6308	0.0967	0.0020	0.0554
5005	1.1352	0.0239	0.4552	6309	0.2834	0.0059	0.1792
5006	2.3677	0.0501	0.8017	6402	0.3556	0.0074	0.2466
5101	1.3857	0.0291	0.6151	6403	0.2001	0.0041	0.1600
5103	1.0423	0.0216	0.7068	6404	0.3333	0.0069	0.2360
5106	1.0423	0.0216	0.7068	6405	0.8104	0.0170	0.3962
5108	1.1374	0.0236	0.7126	6406	0.1556	0.0032	0.1179
5109	0.8552	0.0180	0.3777	6407	0.3596	0.0075	0.2370
5201	0.5674	0.0119	0.2877	6408	0.6408	0.0134	0.3325
5204	1.4256	0.0299	0.6562	6409	1.1063	0.0232	0.5011
5206	0.5613	0.0118	0.2660	6410	0.4196	0.0087	0.2475

Base Rates Effective January 1, ((2012)) 2013				Base Rates Effective January 1, ((2012)) 2013			
Class	Accident Fund	Stay at Work	Medical Aid Fund	Class	Accident Fund	Stay at Work	Medical Aid Fund
6501	0.2071	0.0043	0.1321	7106	0.3050	0.0063	0.2178
6502	0.0425	0.0009	0.0265	7107	0.2861	0.0059	0.2341
6503	0.1153	0.0024	0.0478	7108	0.2505	0.0052	0.1981
6504	0.4477	0.0092	0.3686	7109	0.1913	0.0040	0.1348
6505	0.1354	0.0028	0.1332	7110	0.4978	0.0105	0.2183
6506	0.1492	0.0031	0.1032	7111	0.7311	0.0154	0.2817
6509	0.4506	0.0093	0.3356	7112	0.9015	0.0187	0.5976
6510	0.6974	0.0147	0.3007	7113	0.5071	0.0105	0.3508
6511	0.4939	0.0102	0.3313	7114	0.6756	0.0139	0.5716
6512	0.2110	0.0044	0.1156	7115	0.6764	0.0140	0.4946
6601	0.2742	0.0057	0.1712	7116	0.8412	0.0175	0.4952
6602	0.6634	0.0137	0.4489	7117	1.7846	0.0372	1.0579
6603	0.4418	0.0092	0.2632	7118	1.9291	0.0401	1.2187
6604	0.1043	0.0022	0.0725	7119	1.9057	0.0398	1.0695
6605	0.5033	0.0104	0.3501	7120	8.6410	0.1805	4.7014
6607	0.2159	0.0045	0.1383	7121	8.0832	0.1688	4.4057
6608	0.9544	0.0203	0.2638	7122	0.6253	0.0129	0.4452
6620	4.9278	0.1035	2.1833	7200	2.1977	0.0463	0.9131
6704	0.1827	0.0038	0.1118	7201	2.5886	0.0545	1.0643
6705	1.0775	0.0222	0.8472	7202	0.0457	0.0010	0.0196
6706	0.3755	0.0078	0.2699	7203	0.1358	0.0027	0.1483
6707	5.5420	0.1134	4.8487	7204	0.0000	0.0000	0.0000
6708	9.2192	0.1867	9.6389	7205	0.0000	0.0000	0.0000
6709	0.3543	0.0073	0.2466	7301	0.5851	0.0122	0.3433
6801	1.0383	0.0218	0.4453	7302	1.2133	0.0252	0.7860
6802	0.8169	0.0170	0.4777	7307	0.5805	0.0120	0.3854
6803	1.4891	0.0316	0.4474	7308	0.4998	0.0103	0.3802
6804	0.4899	0.0102	0.3017	7309	0.3219	0.0066	0.2604
6809	6.2922	0.1299	4.6346	7400	2.5886	0.0545	1.0643))
6901	0.0000	0.0000	0.0602	<u>0101</u>	<u>2.4521</u>	<u>0.0544</u>	<u>0.8672</u>
6902	1.5975	0.0338	0.5472	<u>0103</u>	<u>2.6794</u>	<u>0.0592</u>	<u>1.1423</u>
6903	11.3751	0.2400	4.2906	<u>0104</u>	<u>1.4858</u>	<u>0.0329</u>	<u>0.6091</u>
6904	0.7977	0.0168	0.3227	<u>0105</u>	<u>1.9690</u>	<u>0.0434</u>	<u>0.9560</u>
6905	0.6054	0.0127	0.3071	<u>0107</u>	<u>1.8473</u>	<u>0.0410</u>	<u>0.6658</u>
6906	0.0000	0.0000	0.3071	<u>0108</u>	<u>1.4858</u>	<u>0.0329</u>	<u>0.6091</u>
6907	1.7741	0.0370	0.9916	<u>0112</u>	<u>1.0337</u>	<u>0.0228</u>	<u>0.4616</u>
6908	0.6101	0.0127	0.3290	<u>0201</u>	<u>4.0605</u>	<u>0.0907</u>	<u>1.0336</u>
6909	0.1509	0.0031	0.1027	<u>0202</u>	<u>5.0794</u>	<u>0.1126</u>	<u>1.8737</u>
7100	0.0440	0.0009	0.0269	<u>0210</u>	<u>1.6933</u>	<u>0.0376</u>	<u>0.5936</u>
7101	0.0339	0.0007	0.0186	<u>0212</u>	<u>1.9761</u>	<u>0.0438</u>	<u>0.7294</u>
7102	4.0647	0.0816	4.7986	<u>0214</u>	<u>2.2407</u>	<u>0.0497</u>	<u>0.8127</u>
7103	0.9822	0.0206	0.4542	<u>0217</u>	<u>1.7454</u>	<u>0.0386</u>	<u>0.6949</u>
7104	0.0423	0.0009	0.0281	<u>0219</u>	<u>1.8077</u>	<u>0.0400</u>	<u>0.6968</u>
7105	0.0379	0.0008	0.0244	<u>0301</u>	<u>0.9934</u>	<u>0.0218</u>	<u>0.5550</u>

Base Rates Effective January 1, (2012) 2013				Base Rates Effective January 1, (2012) 2013			
Class	Accident Fund	Stay at Work	Medical Aid Fund	Class	Accident Fund	Stay at Work	Medical Aid Fund
<u>0302</u>	<u>3.6601</u>	<u>0.0815</u>	<u>1.1392</u>	<u>1301</u>	<u>0.8129</u>	<u>0.0180</u>	<u>0.3556</u>
<u>0303</u>	<u>2.7861</u>	<u>0.0619</u>	<u>0.9609</u>	<u>1303</u>	<u>0.2901</u>	<u>0.0064</u>	<u>0.1581</u>
<u>0306</u>	<u>1.5788</u>	<u>0.0350</u>	<u>0.5780</u>	<u>1304</u>	<u>0.0413</u>	<u>0.0009</u>	<u>0.0202</u>
<u>0307</u>	<u>1.3218</u>	<u>0.0292</u>	<u>0.5398</u>	<u>1305</u>	<u>0.6926</u>	<u>0.0152</u>	<u>0.3542</u>
<u>0308</u>	<u>0.6992</u>	<u>0.0152</u>	<u>0.4697</u>	<u>1401</u>	<u>0.2750</u>	<u>0.0060</u>	<u>0.1766</u>
<u>0403</u>	<u>2.7006</u>	<u>0.0598</u>	<u>1.0958</u>	<u>1404</u>	<u>1.1914</u>	<u>0.0261</u>	<u>0.6895</u>
<u>0502</u>	<u>2.0864</u>	<u>0.0463</u>	<u>0.7219</u>	<u>1405</u>	<u>1.0249</u>	<u>0.0225</u>	<u>0.5500</u>
<u>0504</u>	<u>2.4230</u>	<u>0.0533</u>	<u>1.1955</u>	<u>1407</u>	<u>0.6643</u>	<u>0.0145</u>	<u>0.4439</u>
<u>0507</u>	<u>4.5735</u>	<u>0.1007</u>	<u>2.2194</u>	<u>1501</u>	<u>0.9245</u>	<u>0.0204</u>	<u>0.4241</u>
<u>0508</u>	<u>3.1055</u>	<u>0.0692</u>	<u>0.8958</u>	<u>1507</u>	<u>0.8642</u>	<u>0.0190</u>	<u>0.4307</u>
<u>0509</u>	<u>2.7067</u>	<u>0.0602</u>	<u>0.8784</u>	<u>1701</u>	<u>1.1763</u>	<u>0.0260</u>	<u>0.5330</u>
<u>0510</u>	<u>2.9031</u>	<u>0.0642</u>	<u>1.2429</u>	<u>1702</u>	<u>3.1012</u>	<u>0.0692</u>	<u>0.8394</u>
<u>0511</u>	<u>2.3957</u>	<u>0.0531</u>	<u>0.8983</u>	<u>1703</u>	<u>1.7348</u>	<u>0.0388</u>	<u>0.4136</u>
<u>0512</u>	<u>2.2743</u>	<u>0.0504</u>	<u>0.8712</u>	<u>1704</u>	<u>1.1763</u>	<u>0.0260</u>	<u>0.5330</u>
<u>0513</u>	<u>1.2434</u>	<u>0.0275</u>	<u>0.4905</u>	<u>1801</u>	<u>0.6773</u>	<u>0.0149</u>	<u>0.3276</u>
<u>0514</u>	<u>2.7645</u>	<u>0.0612</u>	<u>1.1382</u>	<u>1802</u>	<u>1.1150</u>	<u>0.0245</u>	<u>0.5657</u>
<u>0516</u>	<u>2.4353</u>	<u>0.0540</u>	<u>0.9330</u>	<u>2002</u>	<u>1.1335</u>	<u>0.0248</u>	<u>0.6412</u>
<u>0517</u>	<u>3.4633</u>	<u>0.0765</u>	<u>1.4857</u>	<u>2004</u>	<u>1.0274</u>	<u>0.0225</u>	<u>0.5725</u>
<u>0518</u>	<u>2.3260</u>	<u>0.0517</u>	<u>0.7983</u>	<u>2007</u>	<u>0.7879</u>	<u>0.0172</u>	<u>0.4681</u>
<u>0519</u>	<u>2.7303</u>	<u>0.0604</u>	<u>1.1198</u>	<u>2008</u>	<u>0.5148</u>	<u>0.0113</u>	<u>0.2863</u>
<u>0521</u>	<u>0.8335</u>	<u>0.0184</u>	<u>0.3552</u>	<u>2009</u>	<u>0.4719</u>	<u>0.0103</u>	<u>0.3097</u>
<u>0601</u>	<u>0.9317</u>	<u>0.0206</u>	<u>0.3622</u>	<u>2101</u>	<u>1.0118</u>	<u>0.0221</u>	<u>0.6393</u>
<u>0602</u>	<u>1.1507</u>	<u>0.0256</u>	<u>0.3819</u>	<u>2102</u>	<u>0.8862</u>	<u>0.0194</u>	<u>0.4882</u>
<u>0603</u>	<u>1.4680</u>	<u>0.0326</u>	<u>0.4980</u>	<u>2104</u>	<u>0.3390</u>	<u>0.0073</u>	<u>0.3202</u>
<u>0604</u>	<u>1.5115</u>	<u>0.0331</u>	<u>0.8807</u>	<u>2105</u>	<u>0.7810</u>	<u>0.0171</u>	<u>0.4580</u>
<u>0606</u>	<u>0.7953</u>	<u>0.0175</u>	<u>0.4260</u>	<u>2106</u>	<u>0.6615</u>	<u>0.0145</u>	<u>0.4066</u>
<u>0607</u>	<u>1.0208</u>	<u>0.0225</u>	<u>0.4840</u>	<u>2201</u>	<u>0.3285</u>	<u>0.0072</u>	<u>0.2061</u>
<u>0608</u>	<u>0.4780</u>	<u>0.0105</u>	<u>0.2288</u>	<u>2202</u>	<u>1.0855</u>	<u>0.0239</u>	<u>0.5671</u>
<u>0701</u>	<u>3.4398</u>	<u>0.0770</u>	<u>0.7428</u>	<u>2203</u>	<u>0.6037</u>	<u>0.0131</u>	<u>0.4068</u>
<u>0803</u>	<u>0.7238</u>	<u>0.0159</u>	<u>0.3855</u>	<u>2204</u>	<u>0.3285</u>	<u>0.0072</u>	<u>0.2061</u>
<u>0901</u>	<u>2.3260</u>	<u>0.0517</u>	<u>0.7983</u>	<u>2401</u>	<u>0.7058</u>	<u>0.0156</u>	<u>0.3005</u>
<u>1002</u>	<u>1.3782</u>	<u>0.0304</u>	<u>0.6488</u>	<u>2903</u>	<u>0.8998</u>	<u>0.0197</u>	<u>0.5404</u>
<u>1003</u>	<u>1.1253</u>	<u>0.0247</u>	<u>0.5731</u>	<u>2904</u>	<u>0.9947</u>	<u>0.0219</u>	<u>0.5054</u>
<u>1004</u>	<u>0.8381</u>	<u>0.0185</u>	<u>0.3485</u>	<u>2905</u>	<u>0.8652</u>	<u>0.0189</u>	<u>0.5371</u>
<u>1005</u>	<u>13.3656</u>	<u>0.2965</u>	<u>4.8837</u>	<u>2906</u>	<u>0.5070</u>	<u>0.0111</u>	<u>0.3180</u>
<u>1007</u>	<u>0.5638</u>	<u>0.0125</u>	<u>0.2066</u>	<u>2907</u>	<u>0.7312</u>	<u>0.0160</u>	<u>0.4213</u>
<u>1101</u>	<u>1.1185</u>	<u>0.0246</u>	<u>0.5476</u>	<u>2908</u>	<u>1.6124</u>	<u>0.0355</u>	<u>0.8226</u>
<u>1102</u>	<u>2.2770</u>	<u>0.0504</u>	<u>0.8926</u>	<u>2909</u>	<u>0.5415</u>	<u>0.0118</u>	<u>0.3339</u>
<u>1103</u>	<u>1.8916</u>	<u>0.0418</u>	<u>0.8024</u>	<u>3101</u>	<u>1.0553</u>	<u>0.0232</u>	<u>0.5163</u>
<u>1104</u>	<u>0.8531</u>	<u>0.0187</u>	<u>0.5089</u>	<u>3102</u>	<u>0.3638</u>	<u>0.0080</u>	<u>0.2020</u>
<u>1105</u>	<u>1.2801</u>	<u>0.0283</u>	<u>0.5214</u>	<u>3103</u>	<u>0.7431</u>	<u>0.0163</u>	<u>0.3774</u>
<u>1106</u>	<u>0.4049</u>	<u>0.0088</u>	<u>0.2780</u>	<u>3104</u>	<u>0.9171</u>	<u>0.0202</u>	<u>0.4514</u>
<u>1108</u>	<u>0.8625</u>	<u>0.0189</u>	<u>0.4641</u>	<u>3105</u>	<u>1.0010</u>	<u>0.0219</u>	<u>0.5872</u>
<u>1109</u>	<u>2.1887</u>	<u>0.0482</u>	<u>1.0581</u>	<u>3303</u>	<u>0.6232</u>	<u>0.0137</u>	<u>0.3421</u>

Base Rates Effective January 1, (2012) 2013				Base Rates Effective January 1, (2012) 2013			
Class	Accident Fund	Stay at Work	Medical Aid Fund	Class	Accident Fund	Stay at Work	Medical Aid Fund
3304	0.6318	0.0137	0.4528	4201	1.1239	0.0249	0.4075
3309	0.5745	0.0126	0.2852	4301	0.8649	0.0188	0.5681
3402	0.7259	0.0160	0.3758	4302	0.9936	0.0218	0.5499
3403	0.2970	0.0065	0.1538	4304	1.1888	0.0258	0.8256
3404	0.6549	0.0144	0.3690	4305	1.7574	0.0389	0.7249
3405	0.3833	0.0084	0.2281	4401	0.5558	0.0121	0.3632
3406	0.3337	0.0073	0.2219	4402	1.1152	0.0244	0.6306
3407	1.2606	0.0278	0.5470	4404	0.6912	0.0151	0.4303
3408	0.3102	0.0068	0.1724	4501	0.2389	0.0052	0.1741
3409	0.2003	0.0044	0.1293	4502	0.0580	0.0013	0.0369
3410	0.2728	0.0059	0.1950	4504	0.1528	0.0033	0.1082
3411	0.8249	0.0182	0.3686	4601	1.1025	0.0242	0.5798
3412	0.9685	0.0214	0.3814	4802	0.4275	0.0093	0.2821
3414	0.9173	0.0202	0.4644	4803	0.3283	0.0070	0.2961
3415	1.2609	0.0278	0.5903	4804	0.6222	0.0135	0.4387
3501	1.5004	0.0330	0.7564	4805	0.3836	0.0083	0.2743
3503	0.3760	0.0081	0.3036	4806	0.0812	0.0018	0.0587
3506	1.4096	0.0312	0.5345	4808	0.6253	0.0136	0.3998
3509	0.4917	0.0107	0.3347	4809	0.3903	0.0085	0.2898
3510	0.4659	0.0102	0.2789	4810	0.1708	0.0037	0.1405
3511	0.8664	0.0190	0.4544	4811	0.4127	0.0089	0.3387
3512	0.4810	0.0105	0.3283	4812	0.4929	0.0107	0.3199
3513	0.6992	0.0152	0.4776	4813	0.2036	0.0044	0.1518
3602	0.1559	0.0034	0.0947	4900	0.2798	0.0062	0.1004
3603	0.6534	0.0143	0.3942	4901	0.0970	0.0021	0.0445
3604	0.9929	0.0216	0.6886	4902	0.1733	0.0038	0.0927
3605	0.7860	0.0173	0.3781	4903	0.2183	0.0048	0.1293
3701	0.3638	0.0080	0.2020	4904	0.0321	0.0007	0.0216
3702	0.6261	0.0137	0.3455	4905	0.4431	0.0095	0.3763
3708	0.8849	0.0195	0.4348	4906	0.1327	0.0029	0.0726
3802	0.2778	0.0061	0.1716	4907	0.0729	0.0016	0.0484
3808	0.6351	0.0140	0.2744	4908	0.1171	0.0025	0.1004
3901	0.1860	0.0040	0.1496	4909	0.0496	0.0010	0.0561
3902	0.5808	0.0126	0.4031	4910	0.6420	0.0141	0.3581
3903	1.4019	0.0305	0.9902	4911	0.0912	0.0020	0.0497
3905	0.1657	0.0036	0.1405	5001	14.2821	0.3172	4.9189
3906	0.5958	0.0130	0.3978	5002	0.8855	0.0195	0.4383
3909	0.4312	0.0094	0.2886	5003	3.5579	0.0792	1.1030
4002	1.9643	0.0435	0.7829	5004	1.1090	0.0243	0.6096
4101	0.4891	0.0107	0.2593	5005	1.1812	0.0261	0.4763
4103	0.7331	0.0160	0.4412	5006	2.3416	0.0520	0.7925
4107	0.2271	0.0050	0.1273	5101	1.4077	0.0311	0.6131
4108	0.2651	0.0058	0.1598	5103	1.0949	0.0238	0.7413
4109	0.2818	0.0062	0.1596	5106	1.0949	0.0238	0.7413

Base Rates Effective January 1, (2012) 2013				Base Rates Effective January 1, (2012) 2013			
Class	Accident Fund	Stay at Work	Medical Aid Fund	Class	Accident Fund	Stay at Work	Medical Aid Fund
5108	1.1334	0.0248	0.7066	6406	0.1486	0.0032	0.1143
5109	0.8679	0.0192	0.3809	6407	0.3394	0.0074	0.2217
5201	0.5499	0.0121	0.2825	6408	0.6453	0.0142	0.3347
5204	1.5391	0.0340	0.6890	6409	1.0812	0.0239	0.4915
5206	0.5550	0.0122	0.2626	6410	0.4269	0.0094	0.2441
5207	0.1834	0.0040	0.1434	6501	0.1945	0.0042	0.1261
5208	1.0405	0.0228	0.6152	6502	0.0422	0.0009	0.0263
5209	1.0261	0.0226	0.5134	6503	0.1137	0.0025	0.0476
5300	0.1707	0.0038	0.0896	6504	0.4536	0.0098	0.3737
5301	0.0498	0.0011	0.0296	6505	0.1447	0.0031	0.1381
5302	0.0217	0.0005	0.0110	6506	0.1519	0.0033	0.1040
5305	0.0745	0.0016	0.0504	6509	0.4253	0.0092	0.3297
5306	0.0625	0.0014	0.0446	6510	0.6737	0.0149	0.2928
5307	1.0113	0.0223	0.4561	6511	0.4844	0.0105	0.3347
5308	0.1306	0.0028	0.0896	6512	0.1963	0.0043	0.1060
6103	0.0976	0.0021	0.0835	6601	0.2750	0.0060	0.1766
6104	0.5314	0.0116	0.3263	6602	0.6545	0.0142	0.4540
6105	0.5759	0.0127	0.2671	6603	0.4433	0.0097	0.2623
6107	0.1740	0.0037	0.1513	6604	0.1073	0.0023	0.0736
6108	0.5734	0.0125	0.4054	6605	0.5161	0.0112	0.3468
6109	0.1519	0.0033	0.0813	6607	0.2010	0.0044	0.1308
6110	0.8459	0.0185	0.4813	6608	0.9685	0.0216	0.2680
6120	0.4528	0.0100	0.2245	6620	4.9459	0.1092	2.1603
6121	0.5110	0.0112	0.2600	6704	0.1750	0.0038	0.1081
6201	0.4640	0.0102	0.2315	6705	1.0472	0.0226	0.8269
6202	0.9320	0.0204	0.5342	6706	0.3749	0.0081	0.2726
6203	0.1224	0.0026	0.1164	6707	5.7200	0.1231	4.9261
6204	0.1641	0.0036	0.1155	6708	9.2814	0.1975	9.6979
6205	0.3159	0.0069	0.2061	6709	0.3464	0.0075	0.2409
6206	0.3115	0.0068	0.2002	6801	1.1170	0.0247	0.4887
6207	1.5595	0.0337	1.2587	6802	0.7898	0.0173	0.4896
6208	0.3017	0.0065	0.2515	6803	1.4287	0.0318	0.4212
6209	0.3984	0.0087	0.2744	6804	0.4717	0.0103	0.2904
6301	0.2032	0.0045	0.0782	6809	6.4856	0.1405	4.9240
6303	0.1074	0.0024	0.0614	6901	0.0000	0.0000	0.0660
6304	0.3904	0.0084	0.3128	6902	1.5931	0.0354	0.5527
6305	0.1324	0.0029	0.0958	6903	11.3132	0.2508	4.2662
6306	0.4339	0.0095	0.2345	6904	0.8761	0.0194	0.3551
6308	0.0955	0.0021	0.0531	6905	0.6698	0.0148	0.3244
6309	0.2859	0.0062	0.1782	6906	0.0000	0.0000	0.3244
6402	0.3363	0.0073	0.2339	6907	1.6832	0.0369	0.9362
6403	0.2007	0.0043	0.1592	6908	0.6082	0.0133	0.3311
6404	0.3352	0.0073	0.2412	6909	0.1499	0.0033	0.1009
6405	0.8424	0.0186	0.4046	7100	0.0442	0.0010	0.0270

**Base Rates Effective
January 1, ((2012)) 2013**

Class	Accident Fund	Stay at Work	Medical Aid Fund
<u>7101</u>	<u>0.0347</u>	<u>0.0008</u>	<u>0.0184</u>
<u>7102</u>	<u>4.0666</u>	<u>0.0858</u>	<u>4.8031</u>
<u>7103</u>	<u>1.0239</u>	<u>0.0226</u>	<u>0.4723</u>
<u>7104</u>	<u>0.0422</u>	<u>0.0009</u>	<u>0.0279</u>
<u>7105</u>	<u>0.0333</u>	<u>0.0007</u>	<u>0.0210</u>
<u>7106</u>	<u>0.3079</u>	<u>0.0067</u>	<u>0.2269</u>
<u>7107</u>	<u>0.2901</u>	<u>0.0063</u>	<u>0.2355</u>
<u>7108</u>	<u>0.2335</u>	<u>0.0050</u>	<u>0.1904</u>
<u>7109</u>	<u>0.1859</u>	<u>0.0040</u>	<u>0.1285</u>
<u>7110</u>	<u>0.4966</u>	<u>0.0110</u>	<u>0.2159</u>
<u>7111</u>	<u>0.7247</u>	<u>0.0161</u>	<u>0.2755</u>
<u>7112</u>	<u>0.9217</u>	<u>0.0201</u>	<u>0.6107</u>
<u>7113</u>	<u>0.4995</u>	<u>0.0109</u>	<u>0.3477</u>
<u>7114</u>	<u>0.7211</u>	<u>0.0155</u>	<u>0.6031</u>
<u>7115</u>	<u>0.6305</u>	<u>0.0137</u>	<u>0.4754</u>
<u>7116</u>	<u>0.8409</u>	<u>0.0184</u>	<u>0.5029</u>
<u>7117</u>	<u>1.7056</u>	<u>0.0373</u>	<u>0.9913</u>
<u>7118</u>	<u>1.9595</u>	<u>0.0428</u>	<u>1.2244</u>
<u>7119</u>	<u>1.9361</u>	<u>0.0424</u>	<u>1.1135</u>
<u>7120</u>	<u>8.6413</u>	<u>0.1896</u>	<u>4.7038</u>
<u>7121</u>	<u>8.0855</u>	<u>0.1774</u>	<u>4.4099</u>
<u>7122</u>	<u>0.5889</u>	<u>0.0128</u>	<u>0.4189</u>
<u>7200</u>	<u>2.1784</u>	<u>0.0482</u>	<u>0.9040</u>
<u>7201</u>	<u>2.6166</u>	<u>0.0579</u>	<u>1.0803</u>
<u>7202</u>	<u>0.0456</u>	<u>0.0010</u>	<u>0.0198</u>
<u>7203</u>	<u>0.1357</u>	<u>0.0029</u>	<u>0.1504</u>
<u>7204</u>	<u>0.0000</u>	<u>0.0000</u>	<u>0.0000</u>
<u>7205</u>	<u>0.0000</u>	<u>0.0000</u>	<u>0.0000</u>
<u>7301</u>	<u>0.5894</u>	<u>0.0129</u>	<u>0.3450</u>
<u>7302</u>	<u>1.2427</u>	<u>0.0271</u>	<u>0.7998</u>
<u>7307</u>	<u>0.5780</u>	<u>0.0126</u>	<u>0.3837</u>
<u>7308</u>	<u>0.4811</u>	<u>0.0104</u>	<u>0.3633</u>
<u>7309</u>	<u>0.3242</u>	<u>0.0070</u>	<u>0.2638</u>
<u>7400</u>	<u>2.6166</u>	<u>0.0579</u>	<u>1.0803</u>

AMENDATORY SECTION (Amending WSR 11-24-026, filed 12/1/11, effective 1/1/12)

WAC 296-17-89502 Industrial insurance accident fund, stay at work, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications. The base rates as set forth below are for classifications whose premium rates are based on units other than hours worked.

**Base Rates Effective
January 1, ((2012)) 2013**

Class	Accident Fund	Stay at Work	Medical Aid Fund	Supplemental Pension Fund
<u>((0540</u>	<u>0.0325</u>	<u>0.0007</u>	<u>0.0139</u>	<u>0.0007</u>
<u>0541</u>	<u>0.0184</u>	<u>0.0004</u>	<u>0.0064</u>	<u>0.0007</u>
<u>0550</u>	<u>0.0368</u>	<u>0.0008</u>	<u>0.0129</u>	<u>0.0007</u>
<u>0551</u>	<u>0.0239</u>	<u>0.0005</u>	<u>0.0074</u>	<u>0.0007))</u>
<u>0540</u>	<u>0.0361</u>	<u>0.0008</u>	<u>0.0147</u>	<u>0.0007</u>
<u>0541</u>	<u>0.0188</u>	<u>0.0004</u>	<u>0.0065</u>	<u>0.0007</u>
<u>0550</u>	<u>0.0377</u>	<u>0.0008</u>	<u>0.0138</u>	<u>0.0007</u>
<u>0551</u>	<u>0.0236</u>	<u>0.0005</u>	<u>0.0075</u>	<u>0.0007</u>

AMENDATORY SECTION (Amending WSR 11-24-026, filed 12/1/11, effective 1/1/12)

WAC 296-17-89504 Horse racing industry industrial insurance, accident fund, medical aid fund, stay at work and supplemental pension by class.

**Base Rates Effective
January 1, ((2012)) 2013**

Class	Accident Fund	Stay at Work	Medical Aid Fund	Supplemental Pension Fund
<u>((6614</u>	<u>100*</u>	<u>3*</u>	<u>81*</u>	<u>†</u>
<u>6615</u>	<u>539*</u>	<u>12*</u>	<u>376*</u>	<u>†</u>
<u>6616</u>	<u>19*</u>	<u>0*</u>	<u>10*</u>	<u>†</u>
<u>6617</u>	<u>151*</u>	<u>3*</u>	<u>88*</u>	<u>†</u>
<u>6618</u>	<u>84*</u>	<u>2*</u>	<u>63*</u>	<u>†</u>
<u>6622</u>	<u>102**</u>	<u>3*</u>	<u>84**</u>	<u>†</u>
<u>6623</u>	<u>22**</u>	<u>1*</u>	<u>11**</u>	<u>†))</u>
<u>6614</u>	<u>100*</u>	<u>2*</u>	<u>82*</u>	<u>†</u>
<u>6615</u>	<u>515*</u>	<u>12*</u>	<u>362*</u>	<u>†</u>
<u>6616</u>	<u>20*</u>	<u>1*</u>	<u>8*</u>	<u>†</u>
<u>6617</u>	<u>140*</u>	<u>3*</u>	<u>86*</u>	<u>†</u>
<u>6618</u>	<u>80*</u>	<u>2*</u>	<u>67*</u>	<u>†</u>
<u>6622</u>	<u>105**</u>	<u>3*</u>	<u>91**</u>	<u>†</u>
<u>6623</u>	<u>20**</u>	<u>1*</u>	<u>13**</u>	<u>†</u>

* These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

** These rates are calculated on a per horse basis for parimutuel race tracks and are base rated.

AMENDATORY SECTION (Amending WSR 12-11-109, filed 5/22/12, effective 7/1/12)

WAC 296-17-920 Assessment for supplemental pension fund. The amount of ~~((46.6)) 46.4~~ mils (~~\$((0.0466)) 0.0464~~) shall be retained by each employer from the earnings of each worker for each hour or fraction thereof the worker is employed. The amount of money so retained from the employee shall be matched in an equal amount by each employer, except as otherwise provided in these rules, all such moneys shall be remitted to the department on or before the last day of January, April, July and October of each year for the preceding calendar quarter, provided self-insured employers shall remit to the department as provided under WAC 296-15-229. All such moneys shall be deposited in the supplemental pension fund.

AMENDATORY SECTION (Amending WSR 11-24-026, filed 12/1/11, effective 1/1/12)

WAC 296-17B-540 Determining loss incurred for each claim. (1) Calculating the initial loss incurred:

For each of your claims, we will multiply the case incurred loss by the appropriate discounted loss development(~~(, and discount)~~) factors to determine the initial loss incurred.

If you have a fatality, we will use two hundred (~~(eighty-seven thousand four hundred ten)~~) eighty-five thousand dollars as the claim's initial incurred loss for the claim, with two hundred (~~(seventy-five thousand three hundred nine)~~) fifty-seven thousand one hundred dollars for accident fund incurred loss and (~~(twelve thousand one hundred one)~~) twenty-seven thousand nine hundred dollars for the medical aid incurred loss, regardless of the case incurred loss, and before recovery factors if applicable.

(2) Applying the single loss occurrence limit:

The initial loss incurred for a claim will be the amount we use as the loss incurred unless the single loss occurrence limit applies.

The single loss occurrence limit applies when the sum of all initial losses incurred for your claims arising out of a single event is greater than your selected single loss occurrence limit. In that case, each claim's initial loss incurred will be its proportionate share of your single loss occurrence limit.

(3) Applying the expected loss ratio factors:

The preliminary loss incurred for a claim will be the amount of the initial loss incurred, after application of the single loss limit, multiplied by the appropriate expected loss ratio factor. The accident fund and medical aid fund portions of each claim will have separate expected loss ratio factors applied.

AMENDATORY SECTION (Amending WSR 11-24-026, filed 12/1/11, effective 1/1/12)

WAC 296-17B-900 Retrospective rating plans standard premium size ranges.

RETROSPECTIVE RATING STANDARD PREMIUM SIZE RANGES

Effective January 1, (~~2012~~) 2013

Size Group Number	Standard Premium Range	
	From:	To:
1	5,690 -	6,649
2	6,650 -	7,529
3	7,530 -	8,469
4	8,470 -	9,489
5	9,490 -	10,579
6	10,580 -	11,739
7	11,740 -	12,979
8	12,980 -	14,299
9	14,300 -	15,699
10	15,700 -	17,169
11	17,170 -	18,749

Size Group Number	Standard Premium Range	
	From:	To:
12	18,750 -	20,419
13	20,420 -	22,189
14	22,190 -	24,069
15	24,070 -	26,049
16	26,050 -	28,159
17	28,160 -	30,379
18	30,380 -	32,739
19	32,740 -	35,229
20	35,230 -	37,869
21	37,870 -	40,679
22	40,680 -	43,669
23	43,670 -	46,829
24	46,830 -	50,199
25	50,200 -	53,769
26	53,770 -	57,569
27	57,570 -	61,619
28	61,620 -	65,929
29	65,930 -	70,519
30	70,520 -	75,419
31	75,420 -	80,669
32	80,670 -	86,289
33	86,290 -	92,309
34	92,310 -	98,769
35	98,770 -	105,699
36	105,700 -	113,199
37	113,200 -	121,399
38	121,400 -	129,999
39	130,000 -	139,499
40	139,500 -	149,599
41	149,600 -	160,499
42	160,500 -	172,199
43	172,200 -	184,799
44	184,800 -	198,599
45	198,600 -	213,399
46	213,400 -	229,499
47	229,500 -	247,099
48	247,100 -	266,299
49	266,300 -	287,399
50	287,400 -	310,399
51	310,400 -	335,899
52	335,900 -	364,299
53	364,300 -	395,899
54	395,900 -	431,099
55	431,100 -	470,799
56	470,800 -	515,899
57	515,900 -	566,899

Size Group Number	Standard Premium Range	
	From:	To:
58	566,900 -	625,699
59	625,700 -	693,499
60	693,500 -	772,599
61	772,600 -	865,699
62	865,700 -	976,799
63	976,800 -	1,110,999
64	1,111,000 -	1,275,999
65	1,276,000 -	1,481,999
66	1,482,000 -	1,748,999
67	1,749,000 -	2,100,999
68	2,101,000 -	2,591,999
69	2,592,000 -	3,315,999
70	3,316,000 -	4,510,999
71	4,511,000 -	6,759,999
72	6,760,000 -	12,369,999
73	12,370,000 -	31,659,999
74	31,660,000 -	and over

WSR 12-19-083
PROPOSED RULES
DEPARTMENT OF HEALTH
 [Filed September 18, 2012, 2:39 p.m.]

Original Notice.

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

Title of Rule and Other Identifying Information: Amending WAC 246-817-99005 Dental assistant and expanded function dental auxiliary fees and renewal cycle and 246-841-990 Nursing assistant—Fees and renewal cycle; and new sections WAC 246-827-990 Medical assistant fees and renewal cycle and 246-831-990 Reflexology fees and renewal cycle.

Hearing Location(s): Department of Health, Town Center 2, Room 158, 111 Israel Road S.E., Tumwater, WA 98503, on October 23, 2012, at 9:00 a.m.

Date of Intended Adoption: October 24, 2012.

Submit Written Comments to: Andy Fernando, Department of Health, P.O. Box 47860, 111 Israel Road S.E., Olympia, WA 98504-7860, e-mail <http://www3.doh.wa.gov/policyreview/>, fax (360) 236-4626, by October 23, 2012.

Assistance for Persons with Disabilities: Contact Andy Fernando by October 18, 2012, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department of health (DOH) is proposing initial application, renewal, and other fees for four new health care credentials authorized in 2012 legislation; ESHB 2473, E2SSB 5620, ESSB 6103 and 6237.

1. Nursing Assistant-Certified Medication Assistant Endorsement. ESHB 2473 (chapter 208, Laws of 2012) creates a medication assistant endorsement available only to

nursing assistants-certified (NA-C) working in nursing homes. The endorsement would allow an NA-C to administer certain oral, topical or inhaled medications in a nursing home setting under the direct supervision of a registered nurse.

The nursing care quality assurance commission is developing rules separately on the minimum requirements to obtain a medication assistant endorsement. DOH has the authority in ESHB 2473 to adopt fees for this new credential, which are proposed in amended WAC 246-841-990. The rule is also being amended to delete obsolete language regarding reduction of fees.

2. Dental Anesthesia Assistant. E2SSB 5620 (chapter 23, Laws of 2012) creates the new profession of certified dental anesthesia assistant. A dental anesthesia assistant works under the supervision of an oral and maxillofacial surgeon or a dental anesthesiologist.

The dental quality assurance commission is developing rules on the minimum requirements to obtain a dental anesthesia assistant credential separately from this proposal. The department has the authority under E2SSB 5620 to adopt fees for this new profession, which are proposed in amended WAC 246-817-99005. The rule is also being amended to delete obsolete content on faculty and resident licenses, and on reduction of fees.

3. Reflexology. ESSB 6103 (chapter 137, Laws of 2012) creates the new profession of certified reflexologist. A reflexologist provides care by applying alternating pressure with the thumb and finger techniques to the lower third of the body, feet, hands, or outer ears based on reflex maps. The department is developing minimum training, examination and other requirements for certified reflexologists under a separate rule proposal. Fees for this profession are in proposed new WAC 246-831-990.

4. Medical Assistants. ESB [ESSB] 6237 (chapter 153, Laws of 2012) creates four new medical assistant credentials. Effective in July 2013, persons holding a current health care assistant (HCA)-certified credentials [credential] under chapter 246-826 WAC will have their certification transferred to the new medical assistant-certified, medical assistant-hemodialysis technician, or medical assistant-phlebotomist credentials. The bill also creates a new medical assistant-registered credential. The department is developing minimum requirements to obtain a medical assistant credential separately from these fee rules. Fees for medical assistants are in proposed new WAC 246-827-990.

Reasons Supporting Proposal: RCW 43.70.110 and 43.70.250 require the department to charge fees for obtaining a license, and that fee amounts [amount] be set at a sufficient level to defray costs of credentialing, monitoring, discipline and other licensing activities.

Statutory Authority for Adoption: RCW 43.70.250, ESHB 2473, ESSB [E2SSB] 5620, ESSB 6103, 6237.

Statute Being Implemented: RCW 43.70.110, ESHB 2473, E2SSB 5620, ESSB 6103, 6237.

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

Name of Proponent: DOH, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Andy Fernando, 111 Israel Road S.E., Tumwater, WA, (360) 236-4692.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Under RCW 19.85.025 and 34.05.310 (4)(f), a small business economic impact statement is not required for proposed rules that set or adjust fees or rates pursuant to legislative standards.

A cost-benefit analysis is not required under RCW 34.05.328. The agency did not complete a cost-benefit analysis under RCW 34.05.328. RCW 34.05.328 (5)(b)(vi) exempts rules that set or adjust fees or rates pursuant to legislative standards.

September 18, 2012
 Mary C. Selecky
 Secretary

AMENDATORY SECTION (Amending WSR 10-19-071, filed 9/16/10, effective 10/15/10)

WAC 246-817-99005 Dental assistant, dental anesthesia assistant, and expanded function dental auxiliary fees and renewal cycle. (1) Credentials must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2 (~~except faculty and resident licenses. The secretary may require payment of renewal fees less than those established in this section if the current level of fees is likely to result in a surplus of funds. Surplus funds are those in excess of the amount necessary to pay for the costs of administering the program and to maintain a reasonable reserve. Notice of any adjustment in the required payment will be provided to practitioners. The adjustment in the required payment shall remain in place for the duration of a renewal cycle to assure practitioners an equal benefit from the adjustment~~)).

(2) The following nonrefundable fees will be charged for dental assistant, dental anesthesia assistant, and expanded function dental auxiliary credentials:

Title of Fee - Dental Professionals	Fee
Registered dental assistant application	\$40.00
Registered dental assistant renewal	21.00
Registered dental assistant late <u>renewal</u>	21.00
Registered dental assistant expired reactivation	20.00
<u>Certified dental anesthesia assistant application</u>	<u>100.00</u>
<u>Certified dental anesthesia assistant renewal</u>	<u>75.00</u>
<u>Certified dental anesthesia assistant late renewal</u>	<u>50.00</u>
<u>Certified dental anesthesia assistant expired reactivation</u>	<u>75.00</u>
Licensed expanded function dental auxiliary application	175.00
Licensed expanded function dental auxiliary renewal	160.00
Licensed expanded function dental auxiliary late <u>renewal</u>	80.00

Title of Fee - Dental Professionals	Fee
Licensed expanded function dental auxiliary expired reactivation	50.00
Duplicate <u>credential</u>	15.00
((Verification)) <u>Certification of credential</u>	25.00

NEW SECTION

WAC 246-827-990 Medical assistant—Fees and renewal cycle. (1) Credentials must be renewed every two years.

(2) The following nonrefundable fees will be charged for medical assistant-certified, medical assistant-hemodialysis technician, and medical assistant-phlebotomist credentials:

Title of Fee	Fee
Initial credential	\$115.00
Renewal	115.00
Expired credential reissuance	55.00
Certification of credential	20.00
Late renewal penalty	55.00
Duplicate credential	30.00

(3) The following nonrefundable fees will be charged for a medical assistant-registered credential:

Title of Fee	Fee
Initial credential	\$90.00
Renewal	90.00
Expired credential reissuance	40.00
Certification of credential	20.00
Late renewal penalty	40.00
Duplicate credential	30.00

NEW SECTION

WAC 246-831-990 Certified reflexologist—Fees and renewal cycle. (1) Credentials must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged for a certified reflexologist credential:

Title of Fee	Fee
Initial credential	\$50.00
Renewal	40.00
Late renewal penalty	25.00
Expired credential reissuance	25.00
Certification of credential	10.00
Duplicate credential	10.00

AMENDATORY SECTION (Amending WSR 10-19-071, filed 9/16/10, effective 10/15/10)

WAC 246-841-990 Nursing assistant—Fees and renewal cycle. (1) (~~Certificates and registrations~~) Creden-

tials must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2. ~~((The secretary may require payment of renewal fees less than those established in this section if the current level of fees is likely to result in a surplus of funds. Surplus funds are those in excess of the amount necessary to pay for the costs of administering the program and to maintain a reasonable reserve. Notice of any adjustment in the required payment will be provided to practitioners. The adjustment in the required payment shall remain in place for the duration of a renewal cycle to assure practitioners an equal benefit from the adjustment.))~~

(2) The following nonrefundable fees will be charged for registration(~~(s)~~) credentials:

Title of Fee	Fee
Application - registration	\$48.00
Renewal of registration	53.00
Duplicate registration	10.00
Registration late penalty	53.00
Expired registration reissuance	52.00

(3) The following nonrefundable fees will be charged for certification(~~(s)~~) credentials:

Title of Fee	Fee
Application for certification	\$48.00
Certification renewal	53.00
Duplicate certification	10.00
Certification late penalty	53.00
Expired certification reissuance	52.00

(4) The following nonrefundable fees will be charged for medication assistant endorsement credentials:

Title of Fee	Fee
<u>Application for endorsement</u>	<u>\$25.00</u>
<u>Endorsement renewal</u>	<u>10.00</u>

**WSR 12-19-086
PROPOSED RULES
OFFICE OF**

INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2012-23—Filed September 18, 2012, 3:25 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-16-090.

Title of Rule and Other Identifying Information: Electronic submission of fingerprints to Washington State Patrol.

Hearing Location(s): Insurance Commissioner's Office, TR 120, 5000 Capitol Boulevard, Tumwater, WA 98504-0255, on October 23, 2012, at 9:00 a.m.

Date of Intended Adoption: October 29, 2012.

Submit Written Comments to: Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, e-mail rulescoordinator@oic.wa.gov, fax (360) 586-3109, by October 22, 2012.

Assistance for Persons with Disabilities: Contact Lorrie [Lorie] Villaflores by October 22, 2012, TTY (360) 586-0241 or (360) 725-7087.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: RCW 48.17.090 and 48.17.380 require the submission of fingerprints for background checks as part of the application process for resident licensees. This proposed rule would automate that process by requiring electronic submission to the Washington state patrol instead of the current manual process.

Reasons Supporting Proposal: The proposed rule would automate a licensing process which would result in reduced staff time to process licenses and provide licensees faster returned background results.

Statutory Authority for Adoption: RCW 48.02.060 and 48.17.005.

Statute Being Implemented: Chapter 48.17 RCW.

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

Name of Proponent: Mike Kreidler, insurance commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: Kacy Scott, P.O. Box 40255 [40258], Olympia, WA 98504-0258, (360) 725-7041; Implementation: John Hamje, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7262; and Enforcement: Carol Sureau, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7050.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Although this proposed rule will impact small businesses the net cost effect will be minimal. The actual cost of being fingerprinted will be approximately the same; the charged processing cost for submitting fingerprints will be \$10 less; and the distribution of the centers for getting an electronic fingerprint means that there should be little or no extra cost to travel to a location where electronic fingerprinting is done. These anticipated cost impacts to small businesses fall well below the minimum cost threshold for preparing a small business economic impact statement.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Kacy Scott, P.O. Box 40258, Olympia, WA 98501-0258, phone (360) 725-7041, fax (360) 586-3109, e-mail rulescoordinator@oic.wa.gov.

September 18, 2012

Mike Kreidler

AMENDATORY SECTION (Amending Matter No. R 2011-12, filed 9/13/11, effective 10/14/11)

WAC 284-17-001 Definitions. For purposes of this chapter, unless the context requires otherwise:

(1) "Affiliation" is a type of appointment whereby a business entity authorizes an individual insurance producer or surplus line broker to represent it when conducting insurance business.

(2) "Business entity" has the meaning set forth in RCW 48.17.010(2) and includes a sole proprietorship having associated licensees authorized to act on its behalf in the business or trade name of the sole proprietorship.

(3) "Days" means calendar days including Saturday and Sunday and holidays, unless otherwise specified.

(4) "Electronic submission" or "submitted electronically" means submission of a licensing process by an applicant, licensee, insurer, or education provider by means of the commissioner's web site or a third-party licensing provider or other state agency.

(5) "File" means a record in any retrievable format, and unless otherwise specified, includes paper and electronic formats.

(6) "Home state" has the meaning set forth in RCW 48.17.010(4).

(7) "Insurer" has the meaning set forth in RCW 48.17.010(7).

(8) "Licensee" means a person licensed by the commissioner under Title 48 RCW to sell, solicit or negotiate insurance and includes adjusters and surplus line brokers.

(9) "Line of authority" means a license issued in one or more lines of insurance listed in RCW 48.17.170.

(10) "NAIC" means the National Association of Insurance Commissioners.

(11) "Third-party licensing provider" is designated on the commissioner's web site at: www.insurance.wa.gov.

(12) "Reinstatement" means the reissuance by the commissioner of a license that was not renewed more than sixty days but fewer than twelve months after its expiration date.

(13) "Resident" means a person who has elected to make Washington his or her home state, or, in the case of a business entity, has a place of business in this state.

(14) "Sending written notice" or "sending a copy of the written notice" means transmitting the required information in writing and, where required, on forms designated by the commissioner for that purpose, via first class mail, commercial parcel delivery company, telefacsimile, or electronic transmission, unless a specific method of transmission is specified.

(15) "Surety" means that limited line of authority of insurance or bond that covers obligations to pay the debts of, or answer for the default of another, including faithlessness in a position of public or private trust.

(16) "Travel insurance" means that limited line of authority of insurance coverage for trip cancellation, trip interruption, baggage, life, sickness and accident, disability, and personal effects when limited to a specific trip and sold in connection with transportation provided by a common carrier.

(17) "Written" or "in writing" means any retrievable method of recording an agreement or document, and, unless otherwise specified, includes paper and electronic formats.

AMENDATORY SECTION (Amending Matter No. R 2010-07, filed 1/28/11, effective 2/28/11)

WAC 284-17-055 Electronic submission of licensing processes—Implementation dates. (1) Beginning May 1, 2011, all company appointments including new, renewal, and terminations must be submitted electronically.

(2) Beginning June 1, 2011, all license renewals, both individual and business entity, must be submitted electronically.

(3) Beginning July 1, 2011, all applications for licenses, including affiliations, must be submitted electronically.

(4) Beginning July 1, 2011, all processes determined by the commissioner to be exclusive on-line licensing processes must be completed electronically through the commissioner's web site or through a third-party licensing provider. A list of exclusive on-line licensing processes is available on the commissioner's web site at: www.insurance.wa.gov.

(5) Beginning February 1, 2013, all fingerprints for a resident insurance license must be submitted electronically. A list of locations where electronic submission is available can be found on the commissioner's web site: www.insurance.wa.gov.

(6) The commissioner will no longer print or mail any document generated as part of a licensing process which the commissioner has determined to be an exclusive on-line licensing process.

WSR 12-19-087

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 10-06—Filed September 18, 2012, 3:27 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 10-12-051.

Title of Rule and Other Identifying Information: Chapter 173-350 WAC, Solid waste handling standards, primarily amending WAC 173-350-220 Composting facilities, but also amending parts of WAC 173-350-020 Applicability, 173-350-030 Effective dates, 173-350-100 Definitions, and adding new sections WAC 173-350-225 Other organic material handling activities and 173-350-250 Anaerobic digesters.

Hearing Location(s): Department of Ecology, Northwest Regional Office, 3190 160th Avenue S.E., Bellevue, WA 98008-5452, Receptionist (425) 649-7000, on October 24, 2012, at 1:30 p.m., presentation and question and answer session followed by the formal public hearing; and at the Department of Ecology, Central Regional Office, 15 West Yakima Avenue, Suite 200, Yakima, WA 98902-3452, Receptionist (509) 575-2490, on October 25, 2012, at 1:30 p.m., presentation and question and answer session followed by the formal public hearing.

Date of Intended Adoption: December 19, 2012.

Submit Written Comments to: Kyle Dorsey, Washington State Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, e-mail kyle.dorsey@ecy.wa.gov, fax (360) 407-6102, by 5 p.m., Friday, November 2, 2012.

Assistance for Persons with Disabilities: Contact Michelle Payne at (360) 407-6129, by Friday, October 12, 2012, TTY 711 or (877) 833-6341.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These amendments pertain to composting and digestion of organic wastes. Key changes will:

- Improve environmental performance of large scale composters by adding requirements that include but are not limited to:

- o Requiring facilities to plan for response to odor complaints,
- o Addressing facility capacity and throughput,
- o Requiring training for facility personnel,
- o Requiring representative sampling,
- o Addressing site management in product storage areas, and
- o Requiring facilities to address the control of agricultural pests;
- Help protect long-term markets for compost products by improving compost quality;
- Allow for new, innovative methods of handling organic materials, including permit exemptions;
- Encourage development of small facilities through expansion of conditional permit exemptions;
- Adopt permit exemptions for qualified anaerobic digesters as required by chapter 70.95 RCW; and
- Describe permit requirements for nonexempt digesters.

Reasons Supporting Proposal: The department of ecology fully supports processing and treating organic materials to produce valuable end products through means such as composting and anaerobic/aerobic digestion, and recognizes the potential for other new conversion technologies for processing organic materials. These processes preserve valuable nutrient value and organic matter that can be used in lawns and gardens, or returned to our soils to enhance them for crop production, or aid in restoration projects for habitat protection and wildlife enhancement. Gas generated during anaerobic digestion can be used to generate electricity for local use, or returned to the power grid. At the same time, these management approaches reduce the amount of organic materials disposed in landfills or burned.

Growing pressure within the solid waste management system to process more diverse feedstocks in ever larger quantities has strained the capacity of the solid waste management system. In some cases it has distressed neighbors and impaired marketability of final products. Ecology is directed by statute to provide permit exemptions for qualified anaerobic digesters. The agency further believes additional conditional permit exemptions for small digesters and compost facilities will help grow necessary infrastructure for handling increasing volumes of organic wastes by providing relief from administrative burdens, while continuing to require protection of the environment as a condition of exemption. The agency believes that a new requirement for odor management plans at larger compost facilities, expanded requirements at those same facilities to improve operational management where finished product is stored, as well as other new requirements such as defining capacity and throughput, ensuring proper training, and requiring representative sampling are necessary to protect health and the environment. The agency believes tighter standards for physical contaminants are necessary to protect the environment and to ensure viable compost markets in the long term. The amendments to the rule are intended as steps to repair the observed problems while preserving the long-term integrity of critical solid waste management system elements.

Statutory Authority for Adoption: Chapter 70.95 RCW; particularly RCW 70.95.170, 70.95.260(6), 70.95.305, 70.95.330.

Statute Being Implemented: Chapter 70.95 RCW.

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

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

Name of Agency Personnel Responsible for Drafting: Kyle Dorsey, Olympia, (360) 407-6559; Implementation: Department of ecology and jurisdictional health authorities, ecology headquarters office in Lacey and regional offices in Bellevue, Lacey, Yakima, and Spokane. Local jurisdictional health authorities generally located at the county level; and Enforcement: Jurisdictional health authorities, generally at the county level.

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

Small Business Economic Impact Statement

Executive Summary: Based on research and analysis required by the Regulatory Fairness Act, RCW 19.85.070, ecology has determined the proposed rule amendments to chapter 173-350 WAC are not likely to have a disproportionate impact on small business. Therefore, ecology has not been required to include cost-minimizing features in the rule where it is legal and feasible to do so.

This document presents the:

- Background for the analysis of impacts on small businesses relative to other businesses.
- Results of the analysis.
- Industry and jobs [job] impacts of the proposed rule.

This document is intended to be read with the associated cost-benefit analysis (Ecology Publication #12-07-001) which contains more in-depth discussion of the analyses, as well as any references or appendices.

Authorized by chapter 70.95 RCW (Solid waste management—Reduction and recycling), the proposed rule amendments:

- Add an anaerobic digester exemption from RCW 70.95.330 and a new section (WAC 173-350-250) for anaerobic digester facilities that do not meet the exemption.
- Address the regulation of composting odors within ecology's delegated solid waste management, reduction and recycling authority.
- Clarify existing rule language, process and control requirements, permitting exemptions, and definitions.
- Ensure consistency with other compost-related rules, laws, and policy decisions.
- Address other issues such as definitions of feedstock types related to WAC 173-350-220 Composting facilities.

Ecology calculated the estimated per-facility costs to comply with the proposed rule amendments. For new compliance costs, which will likely be incurred by large businesses, the per-facility cost (for existing facilities) is \$4,384 to \$4,434 over twenty years. This cost is only borne by exist-

ing larger composters, as existing anaerobic digesters are not expected to incur additional costs under the proposed rule amendments.

For small businesses, ecology estimated the minimum per-facility cost reduction, of avoided permit fees. An existing business, if able to fall under a permit exemption under the proposed rule amendments, could save \$2,300 each year.

As a cost savings is not a greater burden than an increased cost, ecology does not believe that the proposed rule, overall, imposes negative disproportionate burden on small businesses.

A net benefit (cost savings minus costs) of 0.52 million dollars that, at minimum, is likely to result from the proposed rule, would create nine ongoing positions in the state economy. These job impacts occur across all industries in the state - not just those that are regulated by the proposed rule, as cost savings in those industries with new permit exemptions result in added employment, which outweighs any losses in employment in industries incurring small increases in compliance costs.

Section 1: Introduction and Background: Based on research and analysis required by the Regulatory Fairness Act, RCW 19.85.070, ecology has determined the proposed rule amendments to chapter 173-350 WAC are not likely to have a disproportionate impact on small business. Therefore, ecology has not been required to include cost-minimizing features in the rule where it is legal and feasible to do so.

This document presents the:

- Background for the analysis of impacts on small businesses relative to other businesses.
- Results of the analysis.
- Industry and jobs [job] impacts of the proposed rule.

This document is intended to be read with the associated cost-benefit analysis (Ecology Publication #12-07-001) which contains more in-depth discussion of the analyses, as well as any references or appendices.

A small business is defined as having fifty or fewer employees. Estimated impacts are determined as compared to the existing regulatory environment - the way composters and anaerobic digesters would be regulated in the absence of the proposed rule amendments.

The existing regulatory environment is called the "baseline" in this document. It includes only existing laws and rules at federal, state, and local levels.

Description of the proposed rule amendments: Authorized by chapter 70.95 RCW (Solid waste management—Reduction and recycling), the proposed rule amendments:

- Add an anaerobic digester exemption from RCW 70.95.330 and a new section (WAC 173-350-250) for anaerobic digester facilities that do not meet the exemption.
- Address the regulation of composting odors within ecology's delegated solid waste management, reduction and recycling authority.
- Clarify existing rule language, process and control requirements, permitting exemptions, and definitions.
- Ensure consistency with other compost-related rules, laws, and policy decisions.

- Address other issues such as definitions of feedstock types related to WAC 173-350-220 Composting facilities.

Reasons for the Proposed Rule Amendments: The proposed rule amendments are necessary to:

- Be consistent with current law regarding anaerobic digesters.
- Maintain strong environmental and human-health standards while expanding organics recycling.
- Respond to public concerns regarding impacts, particularly odors, from composting facilities.
- Respond to business and public concerns regarding compost products.

Baseline: In most cases, the regulatory baseline is the existing rule. In this case of proposed amendments to chapter 173-350 WAC, the regulatory baseline includes:

- The existing solid waste handling standards rule.
- New exemptions and requirements of the authorizing statute (RCW 70.95.330).
- Existing statutes and rules regulating water pollution, air pollution, and biosolids handling.

Ecology analyzed the elements of the proposed rule that were different than the existing rule, but were not specifically required by the authorizing statute.

Section 2: Compliance Costs: Ecology estimated the expected costs associated with the proposed rule amendments to the solid waste handling standards rule, as compared to the baseline described in Section 1 of this document. The costs analyzed in this document are associated with specific individual proposed amendments listed in the associated cost-benefit analysis (Ecology Publication #12-07-001).

New Compliance Costs: Ecology estimated present-value compliance costs over twenty years for the proposed rule amendments. Table 1 below shows estimated total costs, in twenty-year present values.

Table 1: Likely New Compliance Costs of the Proposed Rule Amendments

COMPOSTER COSTS	Low	High
Update plans for group 4 composters	\$2,293	\$2,625
Supervisor training	\$276,815	\$276,815
Odor plan	\$22,258	\$25,479
Closure plan	\$556	\$637
ANAEROBIC DIGESTER COSTS	Low	High
Operating report	\$11,720	\$13,416
Closure plan	\$146	\$168
TOTAL 20-YEAR COSTS (across existing and future facilities)	\$175,381	\$180,731

The total quantifiable present-value costs of the proposed rule amendments are approximately \$175,381 - \$180,731. Where prices, number of applicable facilities, or timing were uncertain, ecology made assumptions that would

overestimate costs, as to conservatively underestimate net benefits of the proposed rule.

Cost mitigation through new exemptions: The proposed rule creates numerous new exemptions that would apply primarily to small businesses. These include new exemptions available to businesses that must still notify and report to ecology, but also numerous small businesses that would meet the exemptions and never need to interact with ecology. Such businesses might include restaurants that could initiate compost programs, or share compost programs across multiple locations, in addition to saving them permit fees as described in the table below.

Table 2: Likely Cost Mitigations of the Proposed Rule Amendments

COMPOSTER BENEFITS
<p>New permit exemptions for existing composters, one new exempt facility per year that reports to ecology, and numerous small composters not required to interact with ecology. Resulting in avoided permit costs of at least \$398,924 plus avoided compliance costs, and ability to expand operations:</p> <ul style="list-style-type: none"> • New permit exemption for small compost facilities. • New permit exemption for facilities per year composting contaminated soils. • New permit exemption for facilities composting post-consumer food waste, preconsumer vegetative waste, pre-consumer animal-based waste, yard debris, bulking agents, and manufactured organics. • New permit exemption for facilities composting yard debris, crop residues, manure and bedding, and bulking agents. • New permit exemption for facilities composting yard debris and bulking agents. • New permit exemption for facilities composting agricultural wastes and bulking agents.
ANAEROBIC DIGESTER BENEFITS
<p>New permit exemption for new facilities digesting post-consumer food waste, preconsumer vegetative food waste, preconsumer animal-based waste, and yard debris. Resulting in avoided permit costs of at least \$299,193 plus avoided compliance costs.</p>

Section 3: Quantification of Cost Ratios: Ecology calculated the estimated per-facility costs to comply with the proposed rule amendments. For new compliance costs, which will likely be incurred by large businesses, the per-facility cost (for existing facilities) is \$4,384 to \$4,434 over twenty years. This cost is only borne by existing larger composters, as existing anaerobic digesters are not expected to incur additional costs under the proposed rule amendments.

For small businesses, ecology estimated the minimum per-facility cost reduction, of avoided permit fees. An existing business, if able to fall under a permit exemption under the proposed rule amendments, could save \$2,300 each year.

As a cost savings is not a greater burden than an increased cost, ecology does not believe that the proposed

rule, overall, imposes negative disproportionate burden on small businesses.

(Due to space constraints in this document, the full cost and benefit analyses are presented in the associated cost-benefit analysis, Ecology Publication #12-07-001.)

Section 4: Action Taken to Reduce Small Business Impacts: As ecology determined in Section 3, above, the proposed rule amendments do not impose a negative disproportionate cost on small businesses. While the largest existing businesses are likely to experience, if anything, small new costs of compliance with the proposed rule amendments, small businesses are likely to benefit from *reduced* costs of compliance through increased availability of permit exemptions. Permit exemption saves these businesses not only the permit fees (\$2,300 per year on average, depending on location), but also costs of permit compliance (not quantified as a savings in this analysis).

Ecology was not, therefore, required to include cost-mitigating features in the proposed rule amendments.

Section 5: Small Business and Government Involvement: Ecology has involved small businesses and local governments (as well as large businesses and other interested parties) during the rule-making process. Ecology:

- Held public meetings during the rule development process to get input on what issues to address and to get feedback on issues and draft rule language.
- Received comments from small businesses and government entities during the rule development process, and rule suspension decision.
- Developed a web site to communicate with all businesses about rule-making developments.
- Involved multiple small businesses in the stakeholder process.
- Set up a listserv for the rule process.
- Sent rule information to the rule mailing list, which includes small businesses and local governments.

Section 6: NAICS Codes of Impacted Industries: The table below lists NAICS codes for industries ecology expects could be impacted by the proposed rule amendments.¹

1119	2213	3253	4241	5312	5622	9211
1121	2372	4233	4244	5416	6113	9221
1129	2373	4238	4441	5417	7121	9241
1133	2389	4239	4442	5619	9112	9261

Additionally, there are numerous small businesses that fall under the exemptions in the proposed rule amendments, that would not be required to interact with ecology at all (no notification or reporting). These businesses could be in any industry that could have small exempt compost or digester operations.

Section 7: Impact on Jobs: Ecology used the Washington state office of financial management's 2002 Washington input-output model.² The model accounts for interindustry impacts and spending multipliers of earned income and changes in output.

The proposed rule will result in transfers of money between industries; businesses complying with the proposed rule amendments will [with] employees or trainers, who will in turn spend earnings on a mix of goods and services. Ecology based estimates on the overall industry mix in the state, as certain proposed rule amendment impacts would prospectively affect a very broad range of industries.

A net benefit (cost savings minus costs) of 0.52 million dollars that, at minimum, is likely to result from the proposed rule, would create nine ongoing positions in the state economy. These job impacts occur across all industries in the state - not just those that are regulated by the proposed rule, as cost savings in those industries with new permit exemptions result in added employment, which outweighs any losses in employment in industries incurring small increases in compliance costs.

¹North American Industry Classification System (NAICS) codes have largely taken the place of standard industry classification (SIC) codes in the categorization of industries.

²See the Washington state office of financial management's site for more information on the input-output model, <http://www.ofm.wa.gov/economy/io/2002/default.asp>.

A copy of the statement may be obtained by contacting Michelle Payne, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6129, fax (360) 407-6102, e-mail michelle.payne@ecy.wa.gov.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Michelle Payne, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6129, fax (360) 407-6102, e-mail michelle.payne@ecy.wa.gov.

September 18, 2012
Polly Zehm
Deputy Director

AMENDATORY SECTION (Amending Order 99-24, filed 1/10/03, effective 2/10/03)

WAC 173-350-020 Applicability. This chapter applies to facilities and activities that manage solid wastes as that term is defined in WAC 173-350-100. This chapter does not apply to the following:

- (1) Overburden from mining operations intended for return to the mine;
- (2) Wood waste used for ornamental, animal bedding, mulch and plant bedding, or road building purposes;
- (3) Wood waste directly resulting from the harvesting of timber left at the point of generation and subject to chapter 76.09 RCW, Forest practices;
- (4) Land application of manures and crop residues at agronomic rates;
- (5) Agricultural composting when all agricultural wastes are generated, processed, and applied on-farm at agronomic rates in accordance with accepted agricultural practices. This categorical exemption does not apply to producers subject to RCW 70.95.306, composting of bovine and equine carcasses;
- (6) Mushroom substrate production when materials that are not solid waste (such as processed chicken manure) are used in the production;

(7) Home composting as defined in WAC 173-350-100;
~~((6))~~ (8) Single-family residences and single-family farms whose year round occupants engage in solid waste disposal regulated under WAC 173-351-700(4);

~~((7))~~ (9) Clean soils and clean dredged material as defined in WAC 173-350-100;

~~((8))~~ (10) Dredged material as defined in 40 C.F.R. 232.2 that is subject to:

(a) The requirements of a permit issued by the U.S. Army Corps of Engineers or an approved state under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344);

(b) The requirements of a permit issued by the U.S. Army Corps of Engineers under section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413); or

(c) In the case of U.S. Army Corps of Engineers civil works projects, the administrative equivalent of the permits referred to in (a) and (b) of this subsection, as provided for in U.S. Army Corps of Engineers regulations, including, for example, 33 C.F.R. 336.1, 336.2, and 337.6;

~~((9))~~ (11) Biosolids that are managed under chapter 173-308 WAC, Biosolids management;

~~((10))~~ (12) Domestic septage taken to a sewage treatment plant permitted under chapter 90.48 RCW, Water pollution control;

~~((11))~~ (13) Liquid wastes, the discharge or potential discharge of which, is regulated under federal, state or local water pollution permits;

~~((12))~~ (14) Domestic wastewater facilities and industrial wastewater facilities otherwise regulated by federal, state, or local water pollution permits;

~~((13))~~ (15) Dangerous wastes fully regulated under chapter 70.105 RCW, Hazardous waste management, and chapter 173-303 WAC, Dangerous waste regulations;

~~((14))~~ (16) Special incinerator ash regulated under chapter 173-306 WAC, Special incinerator ash management standards;

~~((15))~~ (17) PCB wastes regulated under 40 C.F.R. Part 761, Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions, except for:

(a) PCB household waste; and

(b) PCB bulk product wastes identified in 40 C.F.R. Part 761.62 (b)(1) that are disposed of in limited purpose landfills;

~~((16))~~ (18) Radioactive wastes, defined by chapter 246-220 WAC, Radiation protection—General provisions, and chapter 246-232 WAC, Radioactive protection—Licensing applicability;

~~((17))~~ (19) Landfilling of municipal solid waste regulated under chapter 173-351 WAC, Criteria for municipal solid waste landfills;

~~((18))~~ (20) Drop boxes used solely for collecting recyclable materials;

~~((19))~~ (21) Intermodal facilities as defined in WAC 173-350-100; and

~~((20))~~ (22) Solid waste handling facilities that have engaged in closure and closed before the effective date of this chapter.

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

AMENDATORY SECTION (Amending Order 99-24, filed 1/10/03, effective 2/10/03)

WAC 173-350-030 Effective dates. (1) *Effective dates.* These standards apply to all facilities, except existing facilities, ~~((upon the effective date of this chapter))~~ when updated or new sections in this chapter become effective.

(2) *Effective dates - Existing facilities.*

(a) The owner or operator of existing facilities ~~((shall))~~ must:

(i) Meet all applicable operating, environmental monitoring, closure and post-closure planning, and financial assurance requirements of this chapter within ~~((twenty-four))~~ twelve months of the effective date of updated or new sections in this chapter; and

(ii) Meet all applicable performance and design requirements, other than location or setback requirements, within ~~((thirty-six))~~ eighteen months of the effective date of updated or new sections in this chapter.

(b) These standards apply to all new solid waste handling units at existing facilities upon the effective date of this chapter.

(c) The owner or operator of existing facilities ~~((shall))~~ must initiate the permit modification process outlined in WAC 173-350-710(4) within ~~((eighteen))~~ twelve months after the effective date of updated or new sections in this chapter. If a permit modification is necessary, every application for a permit modification ~~((shall))~~ must describe the date and methods for altering an existing facility to meet (a)(i) ~~((through (iii)))~~ and (ii) of this subsection.

(d) The jurisdictional health department ~~((shall))~~ must determine if a new permit application is required based on the extent of the changes needed to bring the facility into compliance.

~~((An existing facility completing closure within twelve months of the effective date of this chapter may close in compliance with the requirements of chapter 173-304 WAC, Minimum functional standards for solid waste handling. Any facility that does not complete closure within twelve months of the effective date of this chapter shall))~~ All facilities must close in compliance with applicable requirements of this chapter.

AMENDATORY SECTION (Amending Order 04-12, filed 5/10/05, effective 6/10/05)

WAC 173-350-100 Definitions. When used in this chapter, the following terms have the meanings given below.

"Active area" means that portion of a facility where solid waste recycling, reuse, treatment, storage, or disposal operations are being, are proposed to be, or have been conducted. Setbacks ~~((shall))~~ must not be considered part of the active area of a facility.

"Aerobic decomposition" means decomposition of organic materials primarily by aerobic microbes under controlled conditions.

"Agricultural composting" means composting of agricultural waste as an integral component of a system designed to improve soil health and recycle agricultural wastes. Agricultural composting is conducted on lands used for farming.

"Agricultural wastes" means wastes on farms resulting from the raising or growing of plants and animals including, but not limited to, crop residue, manure ~~((and))~~ from herbivores and nonherbivores, animal bedding, and carcasses of dead animals ~~((weighing each or collectively in excess of fifteen pounds))~~.

"Agronomic rates" means the application rate (dry weight basis) that will provide the amount of nitrogen or other critical nutrient required for optimum growth of vegetation, and that will not result in the violation of applicable standards or requirements for the protection of ground or surface water as established under chapter 90.48 RCW, Water pollution control and related rules including chapter 173-200 WAC, Water quality standards for groundwaters of the state of Washington, and chapter 173-201A WAC, Water quality standards for surface waters of the state of Washington.

"Air quality standard" means a standard set for maximum allowable contamination in ambient air as set forth in chapter 173-400 WAC, General regulations for air pollution sources.

"Anaerobic digester" means an enclosed vessel or container that processes organic material into biogas and digestate through microbial decomposition under anaerobic (low oxygen) conditions.

"Below ground tank" means a device meeting the definition of "tank" in this chapter where a portion of the tank wall is situated to any degree within the ground, thereby preventing visual inspection of that external surface of the tank that is in the ground.

"Beneficial use" means the use of solid waste as an ingredient in a manufacturing process, or as an effective substitute for natural or commercial products, in a manner that does not pose a threat to human health or the environment. Avoidance of processing or disposal cost alone does not constitute beneficial use.

"Biofilter" means a bed or layer of material that supports beneficial microorganisms, typically a mixture of compost and wood chips, designed to filter and treat air emissions. A biofilter adsorbs and then biologically degrades odorous compounds.

"Biosolids" means municipal sewage sludge that is a primarily organic, semisolid product resulting from the wastewater treatment process, that can be beneficially recycled and meets all applicable requirements under chapter 173-308 WAC, Biosolids management. Biosolids includes a material derived from biosolids and septic tank sludge, also known as septage, that can be beneficially recycled and meets all applicable requirements under chapter 173-308 WAC, Biosolids management.

"Buffer" means a permanently vegetated strip adjacent to an application area, the purpose of which is to filter runoff or overspray from the application area and protect an adjacent area.

"Bulking agent" means an ingredient used to improve structure and porosity, or to lower moisture content, primarily in composting. Bulking agents improve convective air

flow and reduce settling and compaction. Bulking agents may include, but are not limited to, clean wood waste, straw, and other high-carbon materials.

"Cab cards" means a license carried in a vehicle that authorizes that vehicle to legally pick up waste tires and haul to a permitted, licensed facility or an exempt facility for deposit.

"Capacity" means the maximum amount of material that can be contained. Capacity is identified by the conditions of exemption, the permit, or the plan of operations as approved by the jurisdictional health department or the department. All material includes, but is not limited to, incoming waste, feedstocks, stockpiled wastes, active composting, curing piles, composted materials, and sorted recyclable materials on-site.

"Captive insurance companies" means companies that are wholly owned subsidiaries controlled by the parent company and established to insure the parent company or its other subsidiaries.

"Channel migration zone" means the lateral extent of likely movement of a stream or river channel along a stream reach.

"Clean soils and clean dredged material" means soils and dredged material which are not dangerous wastes, contaminated soils, or contaminated dredged material as defined in this section.

"Closure" means those actions taken by the owner or operator of a solid waste handling facility to cease disposal operations or other solid waste handling activities, to ensure that all such facilities are closed in conformance with applicable regulations at the time of such closures and to prepare the site for the post-closure period.

"Closure plan" means a written plan developed by an owner or operator of a facility detailing how a facility is to close at the end of its active life.

"Composted material" means organic solid waste that has undergone biological degradation and transformation under controlled conditions designed to promote aerobic decomposition at a solid waste facility in compliance with the requirements of this chapter. Composting is a form of organic material recycling. Natural decay of organic solid waste under uncontrolled conditions does not result in composted material.

"Composting" means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition. Natural decay of organic solid waste under uncontrolled conditions is not composting.

"Conditionally exempt small quantity generator (CESQG)" means a dangerous waste generator whose dangerous wastes are not subject to regulation under chapter 70.105 RCW, Hazardous waste management, solely because the waste is generated or accumulated in quantities below the threshold for regulation and meets the conditions prescribed in WAC 173-303-070 (8)(b).

"Conditionally exempt small quantity generator (CESQG) waste" means dangerous waste generated by a conditionally exempt small quantity generator.

"Container" means a portable device used for the collection, storage, and/or transportation of solid waste includ-

ing, but not limited to, reusable containers, disposable containers, and detachable containers.

"Contaminant" means any chemical, physical, biological, or radiological substance that does not occur naturally in the environment or that occurs at concentrations greater than natural background levels.

"Contaminate" means the release of solid waste, leachate, or gases emitted by solid waste, such that contaminants enter the environment at concentrations that pose a threat to human health or the environment, or cause a violation of any applicable environmental regulation.

"Contaminated dredged material" means dredged material resulting from the dredging of surface waters of the state where contaminants are present in the dredged material at concentrations not suitable for open water disposal and the dredged material is not dangerous waste and is not regulated by section 404 of the Federal Clean Water Act (P.L. 95-217).

"Contaminated soils" means soils removed during the cleanup of a hazardous waste site, or a dangerous waste facility closure, corrective actions or other clean-up activities and which contain harmful substances but are not designated dangerous wastes.

"Controlled conditions" means the conditions in which facilities must be operated to meet the performance standards of WAC 173-350-040 and the applicable handling standards of this chapter. Controlled conditions at compost facilities may include, but are not limited to, controlling odors, run-on and runoff, moisture levels, pH levels, carbon to nitrogen ratios, temperatures, oxygen levels, particle sizes, and free air space.

"Corrosion expert" means a person certified by the National Association of Corrosion Engineers (NACE) or a registered professional engineer who has certification or licensing that includes education and experience in corrosion control.

"Crop residues" means vegetative material leftover from the harvesting of crops, including leftover pieces or whole fruits or vegetables, crop leaves and stems. Crop residue does not include food processing waste.

"Dangerous wastes" means any solid waste designated as dangerous waste by the department under chapter 173-303 WAC, Dangerous waste regulations.

"Department" means the Washington state department of ecology.

"Detachable containers" means reusable containers that are mechanically loaded or handled, such as a dumpster or drop box.

"Digestate" means both solid and liquid substances that remain following anaerobic digestion of organic material in an anaerobic digester.

"Disposable containers" means containers that are used once to handle solid waste, such as plastic bags, cardboard boxes and paper bags.

"Disposal" or **"deposition"** means the discharge, deposit, injection, dumping, leaking, or placing of any solid waste into or on any land or water.

"Domestic septage" means Class I, II or III domestic septage as defined in chapter 173-308 WAC, Biosolids management.

"Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim, or dispose of domestic wastewater together with such industrial waste as may be present.

"Drop box facility" means a facility used for the placement of a detachable container including the area adjacent for necessary entrance and exit roads, unloading and turn-around areas. Drop box facilities normally serve the general public with loose loads and receive waste from ~~((offsite))~~ off-site.

"Energy recovery" means the recovery of energy in a useable form from mass burning or refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste that involves high temperature (above twelve hundred degrees Fahrenheit) processing.

"Existing facility" means a facility which is owned or leased, and in operation, or for which facility construction has begun, on or before the effective date of this chapter and the owner or operator has obtained permits or approvals necessary under federal, state and local statutes, regulations and ordinances.

"Facility" means all contiguous land (including buffers and setbacks) and structures, other appurtenances, and improvements on the land used for solid waste handling.

"Facility construction" means the continuous on-site physical act of constructing solid waste handling unit(s) or when the owner or operator of a facility has entered into contractual obligations for physical construction of the facility that cannot be canceled or modified without substantial financial loss.

"Facility structures" means constructed infrastructure such as buildings, sheds, utility lines, and piping on the facility.

"Feedstock" means a source separated waste material used as a component of composting, manufacturing, or as part of an industrial process.

"Food processing waste" means a source-separated organic material that is generated by a food processing facility licensed to process food by the United States Department of Agriculture, the United States Food and Drug Administration, the Washington state department of agriculture, or other applicable regulatory agency. Food processing wastes may include, but are not limited to, sludge from food processing water treatment plants, culls, DAF (dissolved air flotation from a food processing facility), pomace, and paunch manure, not intended for animal or human consumption.

"Garbage" means ~~((animal and vegetable waste resulting from the handling, storage, sale, preparation, cooking, and serving of foods))~~ putrescible solid wastes.

"Groundwater" means that part of the subsurface water that is in the zone of saturation.

"Holocene fault" means a plane along which earthen material on one side has been displaced with respect to that on the other side and has occurred in the most recent epoch of the Quaternary period extending from the end of the Pleistocene to the present.

"Home composting" means composting of on-site generated wastes, and incidental materials beneficial to the composting process, by the owner or person in control of a single-family residence, or for a dwelling that houses two to five families, such as a duplex or clustered dwellings.

"Household hazardous wastes" means any waste which exhibits any of the properties of dangerous wastes that is exempt from regulation under chapter 70.105 RCW, Hazardous waste management, solely because the waste is generated by households. Household hazardous waste can also include other solid waste identified in the local hazardous waste management plan prepared pursuant to chapter 70.105 RCW, Hazardous waste management.

"Hydrostratigraphic unit" means any water-bearing geologic unit or units hydraulically connected or grouped together on the basis of similar hydraulic conductivity which can be reasonably monitored; several geologic formations or part of a geologic formation may be grouped into a single hydrostratigraphic unit; perched sand lenses may be considered a hydrostratigraphic unit or part of a hydrostratigraphic unit, for example.

"Incineration" means reducing the volume of solid wastes by use of an enclosed device using controlled flame combustion.

"Incompatible waste" means a waste that is unsuitable for mixing with another waste or material because the mixture might produce excessive heat or pressure, fire or explosion, violent reaction, toxic dust, fumes, mists, or gases, or flammable fumes or gases.

"Industrial solid wastes" means solid waste generated from manufacturing operations, food processing, or other industrial processes.

"Industrial wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim, or dispose of industrial wastewater.

"Inert waste" means solid wastes that meet the criteria for inert waste in WAC 173-350-990.

"Inert waste landfill" means a landfill that receives only inert wastes.

"Intermediate solid waste handling facility" means any intermediate use or processing site engaged in solid waste handling which is not the final site of disposal. This includes material recovery facilities, transfer stations, drop boxes, baling and compaction sites.

"Intermodal facility" means any facility operated for the purpose of transporting closed containers of waste and the containers are not opened for further treatment, processing or consolidation of the waste.

"Jurisdictional health department" means city, county, city-county or district public health department.

"Land application site" means a contiguous area of land under the same ownership or operational control on which solid wastes are beneficially utilized for their agronomic or soil-amending capability.

"Land reclamation" means using solid waste to restore drastically disturbed lands including, but not limited to, construction sites and surface mines. Using solid waste as a component of fill is not land reclamation.

"Landfill" means a disposal facility or part of a facility at which solid waste is permanently placed in or on land including facilities that use solid waste as a component of fill.

"Leachate" means water or other liquid within a solid waste handling unit that has been contaminated by dissolved or suspended materials due to contact with solid waste or gases.

"Limited moderate risk waste" means waste batteries, waste oil, and waste antifreeze generated from households.

"Limited moderate risk waste facility" means a facility that collects, stores, and consolidates only limited moderate risk waste.

"Limited purpose landfill" means a landfill which is not regulated or permitted by other state or federal environmental regulations that receives solid wastes limited by type or source. Limited purpose landfills include, but are not limited to, landfills that receive segregated industrial solid waste, construction, demolition and landclearing debris, wood waste, ash (other than special incinerator ash), and dredged material. Limited purpose landfills do not include inert waste landfills, municipal solid waste landfills regulated under chapter 173-351 WAC, Criteria for municipal solid waste landfills, landfills disposing of special incinerator ash regulated under chapter 173-306 WAC, Special incinerator ash management standards, landfills regulated under chapter 173-303 WAC, Dangerous waste regulations, or chemical waste landfills used for the disposal of polychlorinated biphenyls (PCBs) regulated under Title 40 C.F.R. Part 761, Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions.

"Liquid" means a substance that flows readily and assumes the form of its container but retains its independent volume.

"Liquid waste" means any solid waste which is deemed to contain free liquids as determined by the Paint Filter Liquids Test, Method 9095, in *"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,"* EPA Publication SW-846.

"Lithified earth material" means all rock, including all naturally occurring and naturally formed aggregates or masses of minerals or small particles of older rock that formed by crystallization of magma or by induration of loose sediments. This term does not include man-made materials, such as fill, concrete or asphalt, or unconsolidated earth materials, soil or regolith lying at or near the earth's surface.

"Local fire control agency" means a public or private agency or corporation providing fire protection such as a local fire department, the department of natural resources or the United States Forest Service.

"Lower explosive limits" means the lowest percentage by volume of a mixture of explosive gases that will propagate a flame in air at twenty-five degrees centigrade and atmospheric pressure.

"Manufactured organics" means source separated solid wastes, such as nonplastic coated paper plates, cups, compostable bags, and other items designed to decompose through composting, anaerobic digestion, or through other organic materials recycling processes. Manufactured organics do not include physical contaminants such as plastics and coated paper products that will not readily decompose under typical composting conditions, or wood derived fuel or wood waste as defined in this section.

"Manure and bedding" means manure (feces) and bedding from herbivorous animals such as horses, cows, sheep, and goats.

"Material recovery facility" means any facility that collects, compacts, repackages, sorts, or processes for trans-

port source separated solid waste for the purpose of recycling.

"Mobile systems and collection events" means activities conducted at a temporary location to collect moderate risk waste.

"Moderate risk waste (MRW)" means solid waste that is limited to conditionally exempt small quantity generator (CESQG) waste and household hazardous waste (HHW) as defined in this chapter.

"MRW facility" means a solid waste handling unit that is used to collect, treat, recycle, exchange, store, consolidate, and/or transfer moderate risk waste. This does not include mobile systems and collection events or limited MRW facilities that meet the applicable terms and conditions of WAC 173-350-360 (2) or (3).

"Municipal solid waste (MSW)" means a subset of solid waste which includes unsegregated garbage, refuse and similar solid waste material discarded from residential, commercial, institutional and industrial sources and community activities, including residue after recyclables have been separated. Solid waste that has been segregated by source and characteristic may qualify for management as a non-MSW solid waste, at a facility designed and operated to address the waste's characteristics and potential environmental impacts. The term MSW does not include:

- Dangerous wastes other than wastes excluded from the requirements of chapter 173-303 WAC, Dangerous waste regulations, in WAC 173-303-071 such as household hazardous wastes;

- Any solid waste, including contaminated soil and debris, resulting from response action taken under section 104 or 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601), chapter 70.105D RCW, Hazardous waste cleanup—Model Toxics Control Act, chapter 173-340 WAC, the Model Toxics Control Act cleanup regulation or a remedial action taken under those rules; nor

- Mixed or segregated recyclable material that has been source-separated from garbage, refuse and similar solid waste. The residual from source separated recyclables is MSW.

"Natural background" means the concentration of chemical, physical, biological, or radiological substances consistently present in the environment that has not been influenced by regional or localized human activities. Metals at concentrations naturally occurring in bedrock, sediments and soils due solely to the geologic processes that formed the materials are natural background. In addition, low concentrations of other persistent substances due solely to the global use or formation of these substances are natural background.

"New solid waste handling unit" means a solid waste handling unit that begins operation or facility construction, and significant modifications to existing solid waste handling units, after the effective date of this chapter.

"Nuisance odor" means any odor which is found offensive or may unreasonably interfere with any person's health, comfort, or enjoyment beyond the property boundary of a facility.

"On-farm" means activities taking place on any agricultural land under the control of the same entity including

parcels that are not geographically contiguous but managed by the same entity for agricultural production.

"One hundred-year flood plain" means any land area that is subject to one percent or greater chance of flooding in any given year from any source.

"Open burning" means the burning of solid waste materials in an open fire or an outdoor container without providing for the control of combustion or the control of emissions from the combustion.

"Organic feedstocks" means source separated organic materials suitable for vermicomposting, composting, anaerobic digestion, and other processes that transform waste organic materials into usable or marketable materials.

"Organic materials" means any solid waste that is a biological substance of plant or animal origin capable of microbial degradation. Organic materials include, but are not limited to, manure, yard debris, food waste, food processing wastes, wood waste, animal manure, and garden wastes.

"Overburden" means the earth, rock, soil, and topsoil that lie above mineral deposits.

"Permeability" means the ease with which a porous material allows liquid or gaseous fluids to flow through it. For water, this is usually expressed in units of centimeters per second and termed hydraulic conductivity.

"Permit" means an authorization issued by the jurisdictional health department which allows a person to perform solid waste activities at a specific location and which includes specific conditions for such facility operations.

"Person" means an individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatever.

"Physical contaminants" as they relate to incoming feedstocks and compost quality means inorganic and organic constituents that are not readily decomposed during the composting process including, but not limited to, plastics, glass, textiles, rubber, leather, metal, ceramics, rocks, polystyrene, and wood pieces containing paint, laminates, bonding agents or chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenate.

"Pile" means any noncontainerized accumulation of solid waste that is used for treatment or storage.

"Plan of operation" means the written plan developed by an owner or operator of a facility detailing how a facility is to be operated during its active life.

"Point of compliance" means a point established in the groundwater by the jurisdictional health department as near a possible source of release as technically, hydrogeologically and geographically feasible.

"Post-closure" means the requirements placed upon disposal facilities after closure to ensure their environmental safety for at least a twenty-year period or until the site becomes stabilized (i.e., little or no settlement, gas production, or leachate generation).

"Post-closure plan" means a written plan developed by an owner or operator of a facility detailing how a facility is to meet the post-closure requirements for the facility.

"Post-consumer food waste" means source separated organic materials originally intended for human consumption including, but not limited to, vegetables, fruits, grains, meats

and dairy products resulting from serving food. Post-consumer food waste is typically collected from cafeterias, homes, and restaurants.

"Preconsumer animal-based wastes" means source separated organic materials from animals such as meat, fat, dairy, or eggs that are a result of food preparation for human consumption or are products that did not reach the intended consumer. Preconsumer animal-based wastes are typically collected from food processing facilities and grocery stores.

"Preconsumer vegetative waste" means source separated organic materials from vegetables, such as pits, peels, and pomace from human food preparation, or vegetable products that did not reach the consumer. Preconsumer vegetative wastes are typically collected from food processing facilities and grocery stores.

"Premises" means a tract or parcel of land with or without habitable buildings.

"Private facility" means a privately owned facility maintained on private property solely for the purpose of managing waste generated by the entity owning the site.

"Processing" means an operation to convert a material into a useful product or to prepare it for reuse, recycling, or disposal.

"Product take-back center" means a retail outlet or distributor that accepts household hazardous waste of comparable types as the products offered for sale or distributed at that outlet.

"Public facility" means a publicly or privately owned facility that accepts solid waste generated by other persons;

"Putrescible waste" means solid waste which contains material capable of being readily decomposed by microorganisms and which is likely to produce offensive odors.

"Pyrolysis" means the process in which solid wastes are heated in an enclosed device in the absence of oxygen to vaporization, producing a hydrocarbon-rich gas capable of being burned for recovery of energy.

"Recyclable materials" means those solid wastes that are separated for recycling or reuse, including, but not limited to, papers, metals, and glass, that are identified as recyclable material pursuant to a local comprehensive solid waste plan.

"Recycling" means transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill disposal or incineration. Recycling does not include collection, compacting, repackaging, and sorting for the purpose of transport.

"Representative sample" means a sample that can be expected to exhibit the average properties of the sample source.

"Reserved" means a section having no requirements and which is set aside for future possible rule making as a note to the regulated community.

"Reusable containers" means containers that are used more than once to handle solid waste, such as garbage cans.

"Runoff" means any rainwater, leachate or other liquid that drains over land from any part of the facility.

"Run-on" means any rainwater or other liquid that drains over land onto any part of a facility.

"Scavenging" means the removal of materials at a disposal facility, or intermediate solid waste-handling facility,

without the approval of the owner or operator and the jurisdictional health department.

"Seismic impact zone" means an area with a ten percent or greater probability that the maximum horizontal acceleration in lithified earth material, expressed as a percentage of the earth's gravitational pull, will exceed 0.10g in two hundred fifty years.

"Setback" means that part of a facility that lies between the active area and the property boundary.

"Sewage sludge" means solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated.

"Soil amendment" means any substance that is intended to improve the physical characteristics of soil, except composted material, commercial fertilizers, agricultural liming agents, unmanipulated animal manures, unmanipulated vegetable manures, food wastes, food processing wastes, and materials exempted by rule of the department, such as biosolids as defined in chapter 70.95J RCW, Municipal sewage sludge—Biosolids and wastewater, as regulated in chapter 90.48 RCW, Water pollution control.

"Solid waste" or **"wastes"** means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, and recyclable materials.

"Solid waste handling" means the management, storage, collection, transportation, treatment, use, processing or final disposal of solid wastes, including the recovery and recycling of materials from solid wastes, the recovery of energy resources from such wastes or the conversion of the energy in such wastes to more useful forms or combinations thereof.

"Solid waste handling unit" means discrete areas of land, sealed surfaces, liner systems, excavations, facility structures, or other appurtenances within a facility used for solid waste handling.

"Source separation" means the separation of different kinds of solid waste at the place where the waste originates.

"Storage" means the holding of solid waste materials for a temporary period.

"Surface impoundment" means a facility or part of a facility which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), and which is designed to hold an accumulation of liquids or sludges. The term includes holding, storage, settling, and aeration pits, ponds, or lagoons, but does not include injection wells.

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

"Tank" means a stationary device designed to contain an accumulation of liquid or semisolid materials meeting the definition of solid waste or leachate, and which is constructed primarily of nonearthen materials to provide structural support.

"Throughput" means the amount of feedstocks in tons or cubic yards that a solid waste facility processes in a given amount of time, such as a calendar year. Throughput is identified by the conditions of exemption, the permit, or the plan of operations as approved by the jurisdictional health department or the department.

"Transfer station" means a permanent, fixed, supplemental collection and transportation facility, used by persons and route collection vehicles to deposit collected solid waste from ~~((offsite))~~ off-site into a larger transfer vehicle for transport to a solid waste handling facility.

"Treatment" means the physical, chemical, or biological processing of solid waste to make such solid wastes safer for storage or disposal, amenable for recycling or energy recovery, or reduced in volume.

"Twenty-five-year storm" means a storm of twenty-four hours duration and of such intensity that it has a four percent probability of being equaled or exceeded each year.

~~("Type 1 feedstocks" means source-separated yard and garden wastes, wood wastes, agricultural crop residues, wax-coated cardboard, preconsumer vegetative food wastes, other similar source-separated materials that the jurisdictional health department determines to have a comparable low level of risk in hazardous substances, human pathogens, and physical contaminants.~~

~~"Type 2 feedstocks" means manure and bedding from herbivorous animals that the jurisdictional health department determines to have a comparable low level of risk in hazardous substances and physical contaminants when compared to a type 1 feedstock.~~

~~"Type 3 feedstocks" means meat and postconsumer source-separated food wastes or other similar source-separated materials that the jurisdictional health department determines to have a comparable low level of risk in hazardous substances and physical contaminants, but are likely to have high levels of human pathogens.~~

~~"Type 4 feedstocks" means mixed municipal solid wastes, postcollection separated or processed solid wastes, industrial solid wastes, industrial biological treatment sludges, or other similar compostable materials that the jurisdictional health department determines to have a comparable high level of risk in hazardous substances, human pathogens and physical contaminants.)~~

"Universal wastes" means universal wastes as defined in chapter 173-303 WAC, Dangerous waste regulations. Universal wastes include, but may not be limited to, dangerous waste batteries, mercury-containing thermostats, and universal waste lamps generated by fully regulated dangerous waste generators or CESQGs.

"Unstable area" means a location that is susceptible to forces capable of impairing the integrity of the facility's liners, monitoring system or structural components. Unstable areas can include poor foundation conditions and areas susceptible to mass movements.

"**Vadose zone**" means that portion of a geologic formation in which soil pores contain some water, the pressure of that water is less than atmospheric pressure, and the formation occurs above the zone of saturation.

"**Vector**" means a living animal, including, but not limited to, insects, rodents, and birds, which is capable of transmitting an infectious disease from one organism to another.

"**Vermicomposting**" means the controlled and managed process by which live worms convert organic residues into dark, fertile, granular excrement.

"**Waste tires**" means any tires that are no longer suitable for their original intended purpose because of wear, damage or defect. Used tires, which were originally intended for use on public highways that are considered unsafe in accordance with RCW 46.37.425, are waste tires. Waste tires also include quantities of used tires that may be suitable for their original intended purpose when mixed with tires considered unsafe per RCW 46.37.425.

"**Wetlands**" means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

"**Wood derived fuel**" means wood pieces or particles used as a fuel for energy recovery, which contain paint, bonding agents, or creosote. Wood derived fuel does not include wood pieces or particles coated with paint that contains lead or mercury, or wood treated with other chemical preservatives such as pentachlorophenol, copper naphthanate, or copper-chrome-arsenate.

"**Wood waste**" means solid waste consisting of wood pieces or particles generated as a by-product or waste from the manufacturing of wood products, construction, demolition, handling and storage of raw materials, trees and stumps. This includes, but is not limited to, sawdust, chips, shavings, bark, pulp, hogged fuel, and log sort yard waste, but does not include wood pieces or particles containing paint, laminates, bonding agents or chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenate.

"**Yard debris**" means plant material commonly created in the course of maintaining yards and gardens and through horticulture, gardening, landscaping or similar activities. Yard debris includes, but is not limited to, grass clippings, leaves, branches, brush, weeds, flowers, roots, windfall fruit, and vegetable garden debris. Yard debris does not include sod (a combination of grass, roots, soil, and rocks) or soil.

"**Zone of saturation**" means that part of a geologic formation in which soil pores are filled with water and the pressure of that water is equal to or greater than atmospheric pressure.

AMENDATORY SECTION (Amending Order 99-24, filed 1/10/03, effective 2/10/03)

WAC 173-350-220 Composting facilities. (1) *Composting facilities - Applicability.*

(a) This section ~~((is applicable))~~ applies to all facilities or sites that treat solid waste by composting. This section ~~((is))~~ does not ~~((applicable))~~ apply to:

~~(i) ((Composting used as a treatment for dangerous wastes regulated under chapter 173-303 WAC, Dangerous waste regulation;))~~ Methods of managing organic materials, including composting, or recycling that are excluded from the solid waste handling standards in WAC 173-350-020;

~~(ii) Composting used as a treatment for ((petroleum)) contaminated soils regulated under WAC 173-350-320;~~

~~(iii) ((Treatment of liquid sewage sludge or biosolids in digesters at wastewater treatment facilities regulated under chapter 90.48 RCW, Water pollution control and chapter 70.95J RCW, Municipal sewage sludge - Biosolids;~~

~~(iv) Treatment of other liquid solid wastes in digesters regulated under WAC 173-350-330; and))~~ Anaerobic digesters regulated under WAC 173-350-250, or treatment of other liquid or solid wastes in digesters regulated under WAC 173-350-330;

(iv) Composting of bovine and equine carcasses for producers subject to RCW 70.95.306. Producers that fail to meet the conditions of RCW 70.95.306 will be required to obtain a solid waste handling permit from the jurisdictional health department and must comply with all other conditions of this chapter; and

(v) Composting biosolids when permitted under chapter 173-308 WAC, Biosolids management, when all of the following conditions are met:

(A) The department and jurisdictional health department agree in writing that a biosolids permit issued by the department will be adequate;

(B) When composting biosolids and other organic wastes together, the conditions of the biosolids permit issued by the department meet or exceed the requirements of this chapter and a solid waste permit is not required; and

(C) The jurisdictional health department does not otherwise find that a local solid waste permit is necessary.

~~(b) ((In accordance with RCW 70.95.305, the operation of the following activities in this subsection are subject solely to the requirements of (c) of this subsection and are))~~ Conditionally exempt facilities composting materials and volumes in Table 220-A must meet the conditions listed in Table 220-A, and (c) of this subsection to be conditionally exempt from solid waste handling permitting. Feedstocks not listed in Table 220-A must be approved by the department and jurisdictional health department. For the purposes of this subsection, "material on-site at any one time" includes feedstocks, active composting, curing piles, and composted materials. An owner or operator that does not comply with the terms and conditions of Table 220-A and (c) of this subsection is required to obtain a permit from the jurisdictional health department and ~~((shall))~~ must comply with all other applicable requirements of this chapter. ~~((In addition,))~~ Violations of the terms and conditions of Table 220-A and (c) of this subsection may be subject to the penalty provisions of RCW 70.95.315.

~~((i) Production of substrate used solely on-site to grow mushrooms;~~

~~(ii) Vermicomposting, when used to process Type 1, Type 2, or Type 3 feedstocks generated on-site;~~

~~(iii) Composting of Type 1 or Type 2 feedstocks with a volume limit of forty cubic yards of material on-site at any~~

time. Material on-site includes feedstocks, partially composted feedstocks, and finished compost;

(iv) Composting of food waste generated on-site and composted in containers designed to prohibit vector attraction and prevent nuisance odor generation. Total volume of the containers shall be limited to ten cubic yards or less;

(v) Agricultural composting when all the agricultural wastes are generated on-site and all finished compost is used on-site;

(vi) Agricultural composting when any agricultural wastes are generated offsite, and all finished compost is used on-site, and total volume of material is limited to one thousand cubic yards on-site at any time. Material on-site includes feedstocks, partially composted feedstocks, and finished compost; and

(vii) Agricultural composting at registered dairies when the composting is a component of a fully certified dairy nutrient management plan as required by chapter 90.64 RCW, Dairy Nutrient Management Act.

(viii) Composting of Type 1 or Type 2 feedstocks when more than forty cubic yards and less than two hundred fifty cubic yards of material is on-site at any one time.

(ix) Agricultural composting, when any of the finished compost is distributed offsite and when it meets the following requirements:

(A) More than forty cubic yards, but less than one thousand cubic yards of agricultural waste is on-site at any time; and

(B) Agricultural composting is managed according to a farm management plan written in conjunction with a conservation district, a qualified engineer, or other agricultural professional able to certify that the plan meets applicable conservation practice standards in the *Washington Field Office Technical Guide* produced by the Natural Resources Conservation Service.

(x) Vermicomposting when used to process Type 1 or Type 2 feedstocks generated offsite. Total volume of materials is limited to one thousand cubic yards on-site at any one time.))

Table 220-A Terms and Conditions for Solid Waste Permit Exemptions

	<u>Organic Materials</u>	<u>Volume</u>	<u>Specific Requirements for Activity or Operation</u>
(1)	<ul style="list-style-type: none"> • <u>Post-consumer food waste</u> • <u>Preconsumer vegetative food waste</u> • <u>Preconsumer animal-based waste</u> • <u>Yard debris</u> • <u>Bulking agents</u> • <u>Manufactured organics</u> 	<p><u>Up to 20 cubic yards of all material on-site at any one time, not to exceed 100 cubic yards processed in a calendar year.</u></p>	<p><u>(a) Materials may be generated on-or off-site. Bulking materials such as wood chips may be generated off-site when used as part of the compost process.</u></p> <p><u>(b) Active composting must occur in containers designed to prevent vector attraction and nuisance odors.</u></p>
(2)	<ul style="list-style-type: none"> • <u>Yard debris</u> • <u>Crop residues</u> • <u>Manure and bedding</u> 	<p><u>Up to 500 cubic yards of material on-site at any one time, not to exceed 2,500 cubic yards processed in a calendar year.</u></p>	<p><u>(a) Thirty days prior to operation, facilities managing more than 20 cubic yards of organic materials on-site at any one time must submit a notification of intent to operate as a conditionally exempt composter to the jurisdictional health department and the department. Notice of intent must be submitted on a form provided by the department.</u></p> <p><u>(b) Facilities managing more than 20 cubic yards of organic materials on-site at any one time and that distribute composted materials off-site must meet the following conditions:</u></p> <p><u>(i) Manage the operation to reduce pathogens as indicated by testing for fecal coliform or salmonella at limits set by Table 220-B;</u></p>

	<u>Organic Materials</u>	<u>Volume</u>	<u>Specific Requirements for Activity or Operation</u>
	<ul style="list-style-type: none"> • <u>Bulking agents</u> 		<p>(ii) <u>Conduct compost analysis according to the requirements of Table 220-B. Compost testing frequency is based on volume of compost produced annually as required by subsection (4)(a)(x)(B) of this section; and</u></p>
			<p>(iii) <u>Submit annual reports and results of composted material analysis to the department and the jurisdictional health department by April 1st of each calendar year. Annual reports must be submitted on forms provided by the department.</u></p>
(3)	<ul style="list-style-type: none"> • <u>Agricultural wastes</u> • <u>Yard debris</u> • <u>Bulking agents</u> 	<ul style="list-style-type: none"> • <u>Up to 1,000 cubic yards of agricultural wastes and bulking agents on-farm at any one time, and up to 50% of organic materials on-farm can be yard debris.</u> 	<p>(a) <u>Agricultural farms managing more than 20 cubic yards of imported yard debris on-site at any one time must meet the following conditions. Thirty days prior to operation, facilities must submit a notification of intent to operate as a conditionally exempt composter to the jurisdictional health department and the department. Notification must be submitted on a form provided by the department;</u></p> <p>(b) <u>If agricultural farm is only managing agricultural waste and not distributing composted material off farm, then notification in (3)(a)(i) of this table is not required.</u></p> <p>(c) <u>Agricultural farms managing more than 20 cubic yards of organic materials on-farm at any one time and distributing composted material off-site must meet the following conditions:</u></p> <p>(i) <u>Meet the conditions of (3)(a)(i) of this table;</u></p> <p>(ii) <u>Manage operation to reduce pathogens as indicated by testing for fecal coliform or salmonella at limits set by Table 220-B of this section;</u></p> <p>(iii) <u>Conduct compost analysis according to the requirements of Table 220-B. Compost testing frequency is based on volume of compost produced annually as required by subsection (4)(a)(x)(B) of this section; and</u></p> <p>(iv) <u>Submit annual reports and results of composted material analysis to the department and the jurisdictional health department by April 1st of each calendar year. Annual reports must be submitted on forms provided by the department.</u></p>

	Organic Materials	Volume	Specific Requirements for Activity or Operation
(4)	<ul style="list-style-type: none"> • <u>Agricultural wastes</u> • <u>Bulking agents</u> 	<p><u>No limits when only agricultural wastes and bulking agents are processed on-farm.</u></p>	<p><u>(a) For composting at a dairy, composting must occur as part of an updated dairy nutrient management plan as required by chapter 90.64 RCW, Dairy Nutrient Management Act.</u></p> <p><u>(b) For composting at a farm other than a dairy, composting must occur as part of an updated farm management plan written in conjunction with a conservation district, a qualified engineer, or other agricultural professional able to certify that the plan meets applicable conservation practice standards in the USDA <i>Washington Field Office Technical Guide</i>, Code 317, produced by the Natural Resources Conservation Service.</u></p> <p><u>(c) Facilities managing more than 20 cubic yards of organic materials on-farm at any one time and distributing composted material off farm must meet the following conditions:</u></p> <p><u>(i) Thirty days prior to operation, facilities must submit a notification of intent to operate as a conditionally exempt composter to the jurisdictional health department and the department. Notification must be submitted on a form provided by the department;</u></p> <p><u>(ii) Manage the operation to reduce pathogens as indicated by testing for fecal coliform or salmonella at limits set by Table 220-B of this section;</u></p> <p><u>(iii) Conduct compost analysis according to the requirements of Table 220-B. Compost testing frequency is based on volume of compost produced annually as required by subsection (4)(a)(x)(B) of this section; and</u></p> <p><u>(iv) Submit annual reports and results of composted material analysis to the department and the jurisdictional health department by April 1st of each calendar year. Annual reports must be submitted on forms provided by the department.</u></p>

(c) Composting operations managing the types and volumes of materials identified in ((subsection (b) shall be managed according to)) Table 220-A must meet the following terms and conditions to maintain their exempt status:

(i) Comply with the performance standards of WAC 173-350-040;

(ii) ((Protect surface water and groundwater through the use of best management practices and all known available

and reasonable methods of prevention, control, and treatment as appropriate. This includes, but is not limited to, setbacks from wells, surface waters, property lines, roads, public access areas, and site specific setbacks when appropriate;)) Manage the operation to prevent the migration of agricultural pests identified by local horticultural pest and disease control boards, as applicable;

(iii) Control nuisance odors to prevent migration beyond property boundaries;

(iv) Manage the operation to prevent attraction of flies, rodents, and other vectors;

(v) ~~(Conduct an annual analysis, prepared in accordance with the requirements of subsection (4)(a)(viii) of this section, for composted material that is distributed offsite from categorically exempt facilities described in subsection (1)(b)(vii) through (ix) of this section.)~~ Ensure that at least fifty percent of the composted material on-site is used within one year and composted material is not stockpiled for more than three years.

(vi) Prepare and submit an annual report to the department and the jurisdictional health department by April 1st of each calendar year for ~~((categorically))~~ exempt facilities ~~((described))~~ as required in ~~((subsection (1)(b)(vii) through (ix) of this section. Annual reports are not required for facilities operating under the permit exemption provided in (b)(vii) of this subsection if the composted material is not distributed offsite))~~ Table 220-A. The annual report ~~((shall))~~ must be on forms supplied by the department and ~~((shall))~~ must detail facility activities during the previous calendar year and ~~((shall))~~ must include the following information:

(A) Name and address of the facility;

(B) Calendar year covered by the report;

(C) Annual quantity and type of feedstocks received and compost produced, in cubic yards or tons;

(D) Annual quantity of composted material sold or distributed, in cubic yards or tons;

(E) Results of the annual analysis of composted material required by ~~((subsection (1)(e)(v) of this section))~~ Table 220-A; and

(F) Any additional information required by written notification of the department~~(-)~~; and

(vii) Allow the department or the jurisdictional health department to inspect the site at reasonable times~~(;~~

~~((viii) For activities under (b)(viii) through (x) of this subsection, and registered dairies where compost is distributed offsite, the department and jurisdictional health department shall be notified in writing thirty days prior to beginning any composting activity. Notification shall include name of owner or operator, location of composting operation and identification of feedstocks)).~~

(2) *Composting facilities - Location standards (permit requirements)*. There are no specific location standards for composting facilities subject to this chapter; however, composting facilities must meet the requirements ~~((provided))~~ of other federal, state, or local laws and regulations that apply under WAC 173-350-040(5).

Note: When considering compost facility location, please review the U.S. Department of Transportation Federal Aviation Advisory Circular, No. 150/5200-33B 2007.

(3) *Composting facilities - Design standards (permit requirements)*. ~~((The owner or operator of a composting facility shall prepare engineering reports/plans and specifications, including a construction quality assurance plan, to address the design standards of this subsection. Scale drawings of the facility including the location and size of feedstock and finished product storage areas, compost processing areas, fixed equipment, buildings, leachate collection~~

~~devices, access roads and other appurtenant facilities; and design specifications for compost pads, storm water run-on prevention system, and leachate collection and conveyance systems shall be provided. All composting facilities shall be designed and constructed to meet the following requirements:~~

~~(a) When necessary to provide public access, all weather roads shall be provided from the public highway or roads to and within the compost facility and shall be designed and maintained to prevent traffic congestion, traffic hazards, dust and noise pollution;~~

~~(b) Composting facilities shall separate storm water from leachate by designing storm water run-on prevention systems, which may include covered areas (roofs), diversion swales, ditches or other designs to divert storm water from areas of feedstock preparation, active composting and curing;~~

~~(c) Composting facilities shall collect any leachate generated from areas of feedstock preparation, active composting and curing. The leachate shall be conveyed to a leachate holding pond, tank or other containment structure. The leachate holding structure shall be of adequate capacity to collect the amount of leachate generated, and the volume calculations shall be based on the facility design, monthly water balance, and precipitation data. Leachate holding ponds and tanks shall be designed according to the following:~~

~~(i) For leachate ponds at registered dairies, the design and installation shall meet Natural Resources Conservation Service standards for a waste storage facility in the *Washington Field Office Technical Guide*;~~

~~(ii) For leachate ponds at composting facilities other than registered dairies, the pond shall be designed to meet the following requirements:~~

~~(A) Have a liner consisting of a minimum 30 mil thickness geomembrane overlying a structurally stable foundation to support the liners and the contents of the impoundment. High density polyethylene geomembranes used as primary liners or leak detection liners shall be at least 60 mil thick to allow for proper welding. The jurisdictional health department may approve the use of alternative designs if the owner or operator can demonstrate during the permitting process that the proposed design will prevent migration of solid waste constituents or leachate into the ground or surface waters at least as effectively as the liners described in this subsection;~~

~~(B) Have dikes and slopes designed to maintain their structural integrity under conditions of a leaking liner and capable of withstanding erosion from wave action, overfilling, or precipitation;~~

~~(C) Have freeboard equal to or greater than eighteen inches to avoid overtopping from wave action, overfilling, or precipitation. The jurisdictional health department may reduce the freeboard requirement provided that other engineering controls are in place which prevent overtopping. These engineering controls shall be specified during the permitting process;~~

~~(D) Leachate ponds that have the potential to impound more than ten acre feet (three million two hundred fifty nine thousand gallons) of liquid measured from the top of the dike and which would be released by a failure of the containment dike shall be reviewed and approved by the dam safety section of the department.~~

(iii) Tanks used to store leachate shall meet design standards in WAC 173-350-330 (3)(b).

(d) Composting facilities shall be designed with process parameters and management procedures that promote an aerobic composting process. This requirement is not intended to mandate forced aeration or any other specific composting technology. This requirement is meant to ensure that compost facility designers take into account porosity, nutrient balance, pile oxygen, pile moisture, pile temperature, and retention time of composting when designing a facility.

(e) Incoming feedstocks, active composting, and curing materials shall be placed on compost pads that meet the following requirements:

(i) All compost pads shall be curbed or graded in a manner to prevent ponding, run-on and runoff, and direct all leachate to collection devices. Design calculations shall be based upon the volume of water resulting from a twenty-five-year storm event as defined in WAC 173-350-100;

(ii) All compost pads shall be constructed over soils that are competent to support the weight of the pad and the proposed composting materials;

(iii) The entire surface area of the compost pad shall maintain its integrity under any machinery used for composting activities at the facility; and

(iv) The compost pad shall be constructed of materials such as concrete (with sealed joints), asphaltic concrete, or soil cement to prevent subsurface soil and groundwater contamination;

(v) ~~The jurisdictional health department may approve other materials for compost pad construction if the permit applicant is able to demonstrate that the compost pad will meet the requirements of this subsection.~~) Composting facilities must be designed and constructed to meet the requirements of this subsection.

(a) Composting facilities must be designed and constructed such that:

(i) The facility can be operated to meet the performance standard requirements in WAC 173-350-040; and

(ii) The facility can be operated to promote controlled, aerobic decomposition. This requirement is intended to ensure that compost facility designers take into account porosity, nutrient balance, pile oxygen, pile moisture, pile temperature, and retention time of composting when designing a facility. It is not intended to mandate force aeration or any other specific composting technology.

(b) The owner or operator of a composting facility must prepare and provide to the jurisdictional health department engineering reports, plans, and specifications that address the design standards of this subsection. The reports, plans, and specifications must be prepared by an engineer licensed in the state of Washington, and must include:

(i) An engineering report that presents the design basis and calculations for the engineered features of the facility including, but not limited to: Pad, impoundments, storm water management features, leachate management features, and aeration and emission control features as required by the permitting air authority where applicable. The engineering report must demonstrate that the proposed design will meet the performance standards of this chapter;

(ii) Scale drawings of the facility including the location and size of feedstock and composted material storage areas, compost processing areas, fixed equipment, buildings, storm water management features where applicable, access roads, and other constructed areas and buildings integral to facility operation;

(iii) Design specifications for the engineered features of the facility including, but not limited to, pads, storm water management features, leachate management features, and aeration and emission management features as required by a permitting air authority where applicable; and

(iv) A construction quality assurance plan that describes monitoring, testing, and documentation procedures that will be performed during construction of the facility to ensure the facility is constructed in accordance with the approved design.

(c) When operations require public access, all-weather roads must be provided from the highway or roads to and within the compost facility and must be designed and maintained to prevent traffic congestion, traffic hazards, dust, and noise pollution.

(d) Compost facilities must manage storm water and leachate to meet the standards of this section and of any federal, state, and local water, and air quality permits.

(e) Composting facilities must minimize the production of leachate and runoff by designing storm water management features such as run-on prevention systems, which may include covered areas (roofs), diversion swales, ditches, or other features designed to divert storm water from areas of feedstock preparation, active composting, and curing.

(i) Composting facilities must manage any leachate generated at the facility by providing leachate management features. The leachate management features include, but are not limited to, leachate collection, conveyance, and storage structures, or treatment systems. Leachate must be collected from areas of feedstock preparation, active composting, and curing, and be conveyed to a leachate storage structure or treatment system. Any discharges to ground that result in contaminants migrating to groundwater require a waste discharge permit under chapter 90.48 RCW, Water pollution control, prior to discharge. Discharges to ground that result in degradation of groundwater quality are prohibited under chapter 90.48 RCW, Water pollution control. Any discharge to sanitary sewer requires additional permitting by the local delegated authority or department;

(ii) Storm water and leachate collection and conveyance structures must be designed based on the volume of water resulting from a twenty-five-year storm event as defined in WAC 173-350-100;

(iii) Leachate storage structures such as ponds or tanks must be of adequate capacity to store the normal maximum volume of leachate generated by the facility. The normal maximum volume will be established based on the following conditions:

(A) Facility design;

(B) Normal climatic precipitation and evaporation data for the location of the facility;

(C) Monthly leachate reuse or removal; and

(D) A factor of safety to accommodate variability of actual conditions from normal conditions.

(iv) Leachate holding ponds and tanks must be designed according to the following:

(A) Leachate ponds at registered dairies must meet Natural Resources Conservation Service standards for a waste storage facility in the 2001 (revised June 2011) *Washington Field Office Technical Guide* (Code 313).

(B) Leachate ponds at composting facilities other than registered dairies must be designed to meet the following requirements:

(I) Have a liner consisting of a minimum 30-mil thickness geomembrane on a subgrade that provides sufficient bearing capacity to support the liner and the contents of the pond. A liner constructed with a high density polyethylene geomembrane must be at least 60-mil thick to allow for proper welding. The jurisdictional health department may approve the use of an alternative liner design if the owner or operator can demonstrate during the permitting process that the proposed design will prevent migration of solid waste constituents or leachate into the ground or surface waters at least as effectively as the liners described in this subsection:

(II) Have dikes and slopes designed to maintain their structural integrity under conditions of a leaking liner and capable of withstanding erosion from wave action, overfilling, or precipitation;

(III) Have freeboard (distance between the liquid level and the top of the pond) equal to or greater than eighteen inches to avoid overtopping from wave action, overfilling, or precipitation. The jurisdictional health department may reduce the freeboard requirement provided that other engineering controls are in place that prevent overtopping. These engineering controls must be specified during the permitting process; and

(IV) Leachate ponds that have the potential to impound more than ten-acre feet (three million two hundred fifty-nine thousand gallons) of liquid measured from the top of the dike and which would be released by a failure of the containment dike must be reviewed and approved by the dam safety section of the department.

(C) Tanks used to store leachate must meet design standards in WAC 173-350-330 (3)(b).

(f) Incoming feedstocks, active composting, and curing materials must be placed on pads that prevent contamination of soil or groundwater underlying or adjacent to the pads. Pads must meet the following requirements:

(i) All pads must be curbed or graded in a manner to prevent ponding, to control run-on and runoff, and to separately collect and convey all storm water and leachate to separate storage or holding systems. Storm water that is combined with leachate must be managed as leachate in accordance with this section;

(ii) All pads must be constructed on subgrades that provide sufficient bearing capacity to support the weight of the pad, the materials placed on them, and the equipment used in handling the materials;

(iii) The entire surface area of the pad must be designed to maintain its structural and hydraulic integrity against loads resulting from any machinery used for feedstock and compost handling activities, and from surface wear or damage caused by feedstock and compost handling, or by active composting at the facility;

(iv) The pad may be constructed of materials such as concrete (with sealed joints), asphaltic concrete, or soil cement that prevents subsurface soil and groundwater contamination;

(v) The jurisdictional health department may allow pads for compost facilities to be designed and constructed with materials other than those listed in (f)(iv) of this subsection, provided the applicant demonstrates in the engineering report to the jurisdictional health department's and the department's satisfaction that the alternative pad provides sufficient protection to meet the performance standards of this section and of WAC 173-350-040.

(4) Composting facilities - Operating standards (permit requirements). The owner or operator of a composting facility ((shall)) must:

(a) Operate the facility to:

(i) Control air contaminants such as dust((;)) and nuisance odors((, and)) to prevent other contaminants ((to prevent migration of air contaminants)) from migrating beyond property boundaries in accordance with WAC 173-350-040(4);

(ii) Prevent the attraction of vectors;

(iii) ((Ensure that only feedstocks identified in the approved plan of operation are accepted at the facility;)) Prevent the migration of agricultural pests identified by local pest and disease control boards, as applicable;

(iv) Ensure ((the facility operates under the supervision and control of a properly trained individual during all hours of operation, and)) access to the facility is restricted when the facility is closed;

(v) ((Ensure facility employees are trained in appropriate facility operations, maintenance procedures, and safety and emergency procedures according to individual job duties and according to an approved plan of operation;

(vi) Implement and document pathogen reduction activities when Type 2, 3 or 4 feedstocks are composted. Documentation shall include compost pile temperature and notation of turning as appropriate, based on the composting method used. Pathogen reduction activities shall at a minimum include the following:

(A) In vessel composting — the temperature of the active compost pile shall be maintained at fifty-five degrees Celsius (one hundred thirty-one degrees Fahrenheit) or higher for three days; or

(B) Aerated static pile — the temperature of the active compost pile shall be maintained at fifty-five degrees Celsius (one hundred thirty-one degrees Fahrenheit) or higher for three days; or

(C) Windrow composting — the temperature of the active compost pile shall be maintained at fifty-five degrees Celsius (one hundred thirty-one degrees Fahrenheit) or higher for fifteen days or longer. During the period when the compost is maintained at fifty-five degrees Celsius (one hundred thirty-one degrees Fahrenheit) or higher, there shall be a minimum of five turnings of the windrow; or

(D) An alternative method that can be demonstrated by the owner or operator to achieve an equivalent reduction of human pathogens;

(vii) Monitor the composting process according to the plan of operation submitted during the permitting process.

Monitoring shall include inspection of incoming loads of feedstocks and pathogen reduction requirements of (a)(vi) of this subsection; and

(viii) Analyze composted material for:

(A) Metals in Table A at the minimum frequency listed in Table C. Compost facilities composting only Type 1 and Type 2 feedstocks are not required to test for molybdenum and selenium. Testing frequency is based on the feedstock type and the volume of feedstocks processed per year;

(B) Parameters in Table B at the minimum frequency listed in Table C. Testing frequency is based on the feedstock type and the volume of feedstocks processed per year;

(C) Nitrogen content at the minimum frequency listed in Table C; and

(D) Biological stability as outlined in United States Composting Council Test Methods for the Examination of Composting and Compost at the minimum frequency listed in Table C;

(E) The jurisdictional health department may require testing of additional metal or contaminants, and/or modify the frequency of testing based on historical data for a particular facility, to appropriately evaluate the composted material;)) Ensure that only feedstocks identified in the approved plan of operation are accepted at the facility;

(vi) Ensure the facility operates under the supervision and control of a properly trained individual(s) during all hours of operation;

(A) Facility supervisors responsible for daily operation must receive training, or be able to document prior training, in the basics of composting within the first year of supervising the facility. Training must consist of classroom and hands-on course work and conclude with a certificate of completion that must be kept on-site at all times. Appropriate compost training can be obtained through organizations such as the Washington organic recycling council, the Solid Waste Association of North America, the U.S. Composting Council, or other training as approved by the jurisdictional health department.

(B) Ensure facility employees are trained in appropriate facility operations, maintenance procedures, and safety and emergency procedures according to individual job duties and according to an approved plan of operation. A trained supervisor may provide appropriate training to employees responsible for daily operations.

(vii) Implement and document pathogen reduction activities. Documentation must include compost pile temperatures representative of the composting materials, and notation of turnings as appropriate, based on the composting method used. Pathogen reduction activities must at a minimum include the following:

(A) In vessel composting - The temperature of the active compost pile must be maintained at fifty-five degrees Celsius (one hundred thirty-one degrees Fahrenheit) or higher for three consecutive days (seventy-two hours); or

(B) Aerated static pile must have a cover to ensure that pathogen reduction temperatures are reached and vectors are controlled - The temperature of the active compost pile must be maintained at fifty-five degrees Celsius (one hundred thirty-one degrees Fahrenheit) or higher for three consecutive days (seventy-two hours); or

(C) Windrow composting - The temperature of the active compost pile must be maintained at fifty-five degrees Celsius (one hundred thirty-one degrees Fahrenheit) or higher for fifteen days or longer. During the period when the compost is maintained at fifty-five degrees Celsius (one hundred thirty-one degrees Fahrenheit) or higher, there must be a minimum of five turnings of the windrow; or

(D) An alternative method of composting that can be demonstrated by the owner or operator to achieve an equivalent reduction of human pathogens.

(viii) Monitor the composting process according to the plan of operation submitted during the permitting process. Monitoring must include inspection of incoming loads of feedstocks and pathogen reduction requirements of (a)(vii) of this subsection;

(ix) Collect composted material samples for analysis that are representative of the pile. Use a sampling method such as described in the U.S. Composting Council 2002 Test Methods for the Examination of Composting and Compost, Method 02.01-A through E, or as specified; and

(x) Analyze composted material for metals and other testing parameters listed in Table 220-B.

(A) The jurisdictional health department may require additional tests for metals and contaminants;

(B) Testing frequency is based on amount of composted material produced. A representative sample of composted material must be tested for every 5,000 cubic yards produced, or every three hundred sixty-five days, whichever is more frequent. The jurisdictional health department may modify the frequency of testing based on historical data for a particular facility;

(C) Composted material meeting the conditions of subsection (4)(a)(x) and (g) of this section can be stored off of a pad.

Table ((A—Metals)) 220-B Testing Parameters

<u>Metals and other testing parameters</u>	<u>Limit (mg/kg dry weight), unless otherwise specified</u>
Arsenic	((=<)) ≤ 20 ppm
Cadmium	((=<)) ≤ 10 ppm
Copper	((=<)) ≤ 750 ppm
Lead	((=<)) ≤ 150 ppm
Mercury	((=<)) ≤ 8 ppm
Molybdenum(+)	((=<)) ≤ 9 ppm
Nickel	((=<)) ≤ 210 ppm
Selenium(+)	((=<)) ≤ 18 ppm
Zinc	((=<)) ≤ 1400 ppm
<u>Total Nitrogen</u>	<u>No limits</u>
<u>Physical contaminants</u>	<u>< 1 percent by weight total, not to exceed .10 percent film plastic</u>
<u>Sharps</u>	<u>0</u>
<u>Electrical conductivity</u>	<u>No range</u>
<u>Carbon to nitrogen ratio</u>	<u>No range</u>

Metals and other testing parameters	Limit (mg/kg dry weight), unless otherwise specified
Moisture at 70°C	No range
Organic matter	No range
pH	5 - 10 (range)
Biological stability	Moderately unstable to very stable
Fecal coliform ¹	< 1,000 Most Probable Number per gram of total solids (dry weight)
OR	
Salmonella	< 3 Most Probable Number per 4 grams of total solids (dry weight)

¹((Not required for composted material made from Type 1, Type 2 or a mixture of Type 1 and Type 2 feedstocks.) Test for either fecal coliform or salmonella.

Note: Biosolids composters regulated under this chapter must communicate with the jurisdictional health department to determine if different testing parameters and testing frequencies are required.

((Table B – Other Testing Parameters

Parameter	Limit
Manufactured Inerts	< 1 percent
Sharps	0
pH	5 – 10 (range)
Fecal Coliform	< 1,000 Most Probable Number per gram of total solids (dry weight).
Salmonella	< 3 Most Probable Number per 4 grams of total solids (dry weight).

Table C – Frequency of Testing Based on Feedstocks Received

Feedstock Type	< 5,000 cubic yards	= or > 5,000 cubic yards
Type 1 – or Type 2	Once per year	Every 10,000 cubic yards or every six months whichever is more frequent
Type 3	Once per quarter (four times per year)	Every 5,000 cubic yards or every other month whichever is more frequent
Type 4	Every 1,000 cubic yards	Every 1,000 cubic yards or once per month whichever is more frequent))

(b) Inspect the facility to prevent malfunctions and deterioration, operator errors and discharges(~~(–which))~~ that may cause or lead to the release of waste to the environment or a threat to human health. Inspections (~~((shall))~~ must be conducted at least weekly, unless an alternate schedule is approved by the jurisdictional health department as part of the permitting process.

(c) For compost facilities with leachate holding ponds, conduct regular liner inspections at least once every five years, unless an alternate schedule is approved by the jurisdictional health department as part of the permitting process. The frequency of inspections (~~((shall))~~ must be specified in the operations plan and (~~((shall))~~ must be based on the type of liner, expected service life of the material, and the site-specific service conditions(~~(–The jurisdictional health department shall be given sufficient notice and have the opportunity to be present during liner inspections. An inspection log or summary shall be kept at the facility or other convenient location if permanent office facilities are not on-site, for at least five years from the date of inspection. Inspection records shall be available to the jurisdictional health department upon request.~~

(e) Maintain daily operating records of the following):

(i) ((Temperatures and compost pile turnings for Type 2, Type 3 and Type 4 feedstocks;

(ii) Additional process monitoring data as prescribed in the plan of operation; and

(iii) Results of laboratory analyses for composted materials as required in (a)(viii) of this subsection. Facility inspection reports shall be maintained in the operating record. Significant deviations from the plan of operation shall be noted in the operating record. Records shall be kept for a minimum of five years and shall be available upon request by the jurisdictional health department.

(d) Prepare and submit a copy of an annual report to the jurisdictional health department and the department by April 1st on forms supplied by the department. The annual report shall detail the facility's activities during the previous calendar year and shall include the following information:

(i) Name and address of the facility;

(ii) Calendar year covered by the report;

(iii) Annual quantity and type of feedstocks received and compost produced, in tons;

(iv) Annual quantity of composted material sold or distributed, in tons;

(v) Annual summary of laboratory analyses of composted material; and

(vi) Any additional information required by the jurisdictional health department as a condition of the permit.

(e) Develop, keep and abide by a plan of operation approved as part of the permitting process. The plan of operation shall convey to site personnel the concept of operation intended by the designer. The plan of operation shall be available for inspection at the request of the jurisdictional health department. If necessary, the plan shall be modified with the approval, or at the direction of the jurisdictional health department. Each plan of operation shall include the following:

(i) List of feedstocks to be composted, including a general description of the source of feedstocks;

(ii) A description of how wastes are to be handled on-site during the facility's active life including:

(A) Acceptance criteria that will be applied to the feedstocks;

(B) Procedures for ensuring that only the waste described will be accepted;

(C) Procedures for handling unacceptable wastes;

(D) Mass balance calculations for feedstocks and amendments to determine an acceptable mix of materials for efficient decomposition;

(E) Material flow plan describing general procedures to manage all materials on-site from incoming feedstock to finished product;

(F) A description of equipment, including equipment to add water to compost as necessary;

(G) Process monitoring plan, including temperature, moisture, and porosity;

(H) Pathogen reduction plan for facilities that accept Type 2, Type 3, and Type 4 feedstocks;

(I) Sampling and analysis plan for the final product;

(J) Nuisance odor management plan (air quality control plan);

(K) Leachate management plan, including monthly water balance; and

(L) Storm water management plan;

(iii) A description of how equipment, structures and other systems are to be inspected and maintained, including the frequency of inspections and inspection logs;

(iv) A neighbor relations plan describing how the owner or operator will manage complaints;

(v) Safety, fire and emergency plans;

(vi) Forms for recordkeeping of daily weights or volumes of incoming feedstocks by type and finished compost product, and process monitoring results; and

(xvii) Other such details to demonstrate that the facility will be operated in accordance with this subsection and as required by the jurisdictional health department.) Inspect the liner for degradation and ruptures of the liner material and for failure of any seams or joints in the liner material. If the maximum wetted extent of the liner geomembrane cannot be directly inspected visually, then the liner must be tested for leaks by electrical leak detection survey methods. If leaks, degradation, or ruptures of the liner material are detected, the liner must be repaired; and

(ii) The jurisdictional health department must be given sufficient notice and have the opportunity to be present during liner inspections. An inspection record must be kept at the facility or other convenient location if permanent office facilities are not on-site, for at least five years from the date of inspection. Inspection records must be available to the jurisdictional health department upon request.

(d) Maintain operating records of the following:

(i) Daily temperatures representative of compost piles;

(ii) Additional process monitoring data as prescribed in the plan of operation;

(iii) Results of analyses for composted materials as required in (a)(x) of this subsection and Table 220-B; and

(iv) Facility inspection reports must be maintained in the operating record. Significant deviations from the plan of operation must be noted in the operating record. Records

must be kept for a minimum of five years and must be available upon request by the jurisdictional health department.

(e) Prepare and submit a copy of an annual report to the jurisdictional health department and the department by April 1st of each calendar year on forms provided by the department. The annual report must detail the facility's activities during the previous calendar year and must include the following information:

(i) Name and address of the facility;

(ii) Calendar year covered by the report;

(iii) Annual quantity and type of feedstocks received and compost produced, in cubic yards or tons;

(iv) Annual quantity of composted material sold or distributed, in cubic yards or tons;

(v) Annual summary of laboratory analysis of composted material; and

(vi) Any additional information required by the jurisdictional health department as a condition of the permit.

(f) Develop, keep, and follow a plan of operation approved as part of the permitting process. The plan of operation must convey to site personnel the concept of operation intended by the designer. The plan of operation must be kept on-site and be available for inspection at the request of the jurisdictional health department. If necessary, the plan must be modified with the approval, or at the direction of the jurisdictional health department. Each plan of operation must include the following:

(i) List of feedstocks to be composted, including a general description of the source of feedstocks. Feedstocks must be approved by the department or jurisdictional health department;

(ii) A plan to control air contaminants such as dust and nuisance odors to prevent contaminants from migrating beyond property boundaries in accordance with WAC 173-350-040(4), including:

(A) A plan to document nuisance odor complaints should they arise. The plan must include date and time of complaints, weather conditions, and operations at the facility at the time of the complaint;

(B) A progressive odor management plan that must include a description of facility and operational improvements that could be made if nuisance odors are identified beyond the facility's property boundary, as determined by the jurisdictional health department, the department, or the air authority. The description must address the receiving, composting, curing, and storage areas of the facility. Facilities will have eighteen months after the effective date of this chapter to complete the progressive odor management section of their plan of operation;

(C) A description of facility maintenance activities that encompass nuisance odor prevention and control, such as acquiring critical odor control backup equipment in the event of a breakdown, a schedule for purging aeration lines and changing biofilter media as appropriate, and a schedule for cleaning leachate ponds or leachate storage tanks as appropriate; and

(D) A description of how feedstocks with high moisture or the potential for high odors will be managed to reduce nuisance odors upon receipt, and through the composting process.

(iii) A description of how wastes and organic materials including incoming feedstocks, composting, curing, and composted materials are to be handled on-site during the facility's active life, including:

(A) Maximum capacity in cubic yards for all materials on-site at any one time. The jurisdictional health department may require cumulative capacity for materials or separate capacities for incoming feedstocks, composting, curing, and composted materials, or any combination;

(B) Throughput in tons or cubic yards of solid waste feedstocks processed in a given amount of time. The jurisdictional health department may require monthly or annual throughput;

(C) Procedures and criteria for ensuring that only the feedstocks described will be accepted. This includes a plan for rejecting feedstocks contaminated with greater than five percent physical contaminants by volume, or a plan to accept and separate contaminated loads from noncontaminated loads, and reduce physical contaminants to an acceptable level prior to composting;

(D) Procedure to reduce physical contaminants in composted material to meet testing parameters in Table 220-B. Grinding to reduce the size of physical contaminants does not meet the requirements of this section;

(E) Procedures for handling unacceptable wastes;

(F) Mass balance calculations for feedstocks and amendments to determine an acceptable mix of materials for efficient decomposition;

(G) Material flow plan describing general procedures to manage all materials on-site from incoming feedstock to composted material;

(H) A description of equipment, including equipment to add water to compost as necessary;

(I) Compost process monitoring plan, including compost mix (carbon to nitrogen ratio), temperature, moisture, and porosity;

(J) Pathogen reduction plan;

(K) Representative sampling and analysis plan for the composted material such as described in the 2002 U.S. Composting Council Test Methods for the Examination of Composting and Compost Method 02.01-A through E;

(L) Leachate management plan, including monthly precipitation and evaporation data, and if applicable, monthly leachate reuse or removal; and

(M) Storm water management plan.

(iv) A description of how equipment, structures, and other systems are to be inspected and maintained, including the frequency of inspections and inspection logs;

(v) A description of how facility staff will receive appropriate training in the operation of the facility, including how they will be trained to identify nuisance odors and how to correct them;

(vi) A community relations plan describing how the owner or operator will document and manage complaints;

(vii) Safety, fire, and emergency plans;

(viii) Forms for recordkeeping of daily volumes or weights of incoming feedstocks by type, outgoing composted material, and process monitoring results; and

(ix) Other details to demonstrate that the facility will be operated in accordance with this subsection and as required by the jurisdictional health department.

(g) Manage composted material piles that have met the testing parameters in Table 220-B in the following manner:

(i) Comply with the performance standards of WAC 173-350-040; and

(ii) Minimize and control runoff from composted material piles through the use of covers, diversion swales, berms, ditches, or other features designed to prevent runoff and divert storm water from compost material; and

(iii) Minimize odor by maintaining porosity of composted material piles and managing moisture levels in composted material piles, not to exceed sixty percent moisture.

(5) Composting facilities - Groundwater monitoring requirements (permit requirements). There are no specific groundwater monitoring requirements for composting facilities subject to this chapter; however, composting facilities must meet the requirements (~~provided~~) of other federal, state, or local laws and regulations that apply under WAC 173-350-040(5).

(6) Composting facilities - Closure requirements (permit requirements). The owner or operator of a composting facility (~~shall~~) must:

(a) Notify the jurisdictional health department sixty days in advance of closure. At closure, the facility owner or operator is financially responsible for the removal of all solid waste, including but not limited to, raw or partially composted feedstocks, composted material and leachate from the facility (~~shall be removed~~). The materials must be sent to another facility that (~~conforms~~) complies with the applicable regulations for handling the waste.

(b) Develop, keep, and (~~abide by~~) follow a closure plan approved by the jurisdictional health department as part of the permitting process. At a minimum, the closure plan (~~shall~~) must include methods of removing solid waste, leachate, and other organic materials from the facility. For planning purposes, assume that the facility is at full, permitted capacity at the time of closure.

(7) Composting facilities - Financial assurance requirements (permit requirements). There are no specific financial assurance requirements for composting facilities subject to this chapter; however, composting facilities must meet the requirements (~~provided~~) of other federal, state, or local laws and regulations that apply under WAC 173-350-040(5).

(8) Composting facilities - Permit application contents (permit requirements). The owner or operator of a composting facility (~~shall~~) must obtain a solid waste permit from the jurisdictional health department. All applications for permits (~~shall~~) must be submitted in accordance with the procedures established in WAC 173-350-710. In addition to the requirements of WAC 173-350-710 and 173-350-715, each application for a permit (~~shall~~) must contain:

(a) Engineering reports(~~†~~), plans, and specifications that address the design standards of subsection (3) of this section;

(b) A plan of operation meeting the requirements of subsection (4) of this section; and

(c) A closure plan meeting the requirements of subsection (6) of this section.

(9) *Composting facilities - Construction records (permit requirements).* Within thirty days of completing construction, the owner or operator of a composting facility ~~((shall))~~ must provide copies of the construction record drawings for engineered facilities at the site and a report documenting facility construction, including the results of observations and testing carried out as part of the construction quality assurance plan, to the jurisdictional health department and the department. Facilities ~~((shall))~~ must not ~~((commence operation))~~ begin operating until the jurisdictional health department has determined that the construction was completed in accordance with the approved engineering report~~((s))~~, plans, and specifications and has approved the construction documentation in writing.

(10) *Composting facilities - Designation of composted materials (permit requirements).* When used on-site or distributed off-site, composted materials meeting the ~~((limits for metals in Table A and the))~~ testing parameters of Table 220-B ~~((of this section, and having a stability rating of very stable, stable, or moderately unstable as determined by the analysis~~

~~required in subsection (4)(a)(viii)(D) of this section, shall no longer be considered a solid waste and shall))~~ are no longer ~~((be))~~ subject to this chapter. Composted materials that do not meet these ~~((limits are still considered solid waste and))~~ requirements are subject to management under chapter 70.95 RCW, Solid waste management—Reduction and recycling.

NEW SECTION

WAC 173-350-225 Other organic material handling activities. (1) In accordance with RCW 70.95.305, activities identified in this section are exempt from solid waste handling permitting when in compliance with the terms and conditions of this section. Any person engaged in the activities in this section that does not comply with the terms and conditions of this section is required to obtain a permit from the jurisdictional health department in accordance with the requirements of WAC 173-350-490. In addition, violations of the terms and conditions of this subsection may be subject to the penalty provisions of RCW 70.95.315.

Table 225-A Terms and Conditions for Solid Waste Permit Exemptions

	Organic Materials	Volume	Specific Requirements for Activity or Operation
(1)	<ul style="list-style-type: none"> • Postconsumer food waste • Preconsumer vegetative food waste • Preconsumer animal-based waste • Yard debris • Crop residues • Manure and bedding • Bulking agents 	Up to 20 cubic yards of material generated on- or off-site, or up to 1000 cubic yards of material generated on-site at any one time.	Facilities must be managed to promote vermicomposting, and: <ul style="list-style-type: none"> (a) Thirty days prior to operation, facilities managing more than 20 cubic yards of organic materials on-site at any one time must submit a notification of intent to operate as a conditionally exempt vermicomposter to the jurisdictional health department and the department. Notice of intent must be submitted on a form provided by the department. (b) Facilities managing more than 20 cubic yards of organic materials on-site at any one time and that distribute materials off-site must submit annual reports to the department and the jurisdictional health department by April 1st of each calendar year. Annual reports must be submitted on forms provided by the department.
(2)	<ul style="list-style-type: none"> • Preconsumer vegetative food waste • Yard debris • Crop residues • Manure and bedding • Bulking agents 	Up to 1000 cubic yards of material on-site at any one time.	Facilities must be managed to promote vermicomposting, and: <ul style="list-style-type: none"> (a) Thirty days prior to operation, facilities managing more than 20 cubic yards of organic materials on-site at any one time must submit a notification of intent to operate as a conditionally exempt vermicomposter to the jurisdictional health department and the department. Notice of intent must be submitted on a form provided by the department. (b) Facilities managing more than 20 cubic yards of organic materials on-site at any one time and that distribute materials off-site must submit annual reports to the department and the jurisdictional health department by April 1st of each calendar year. Annual reports must be submitted on forms provided by the department.

	Organic Materials	Volume	Specific Requirements for Activity or Operation
(3)	<ul style="list-style-type: none"> • Postconsumer food waste • Preconsumer vegetative food waste • Preconsumer animal-based waste • Yard debris • Crop residues • Manure and bedding • Bulking agents 	<p>Other conversion technologies managing up to 3000 gallons of liquid or semi-solid organic feedstocks on-site at any one time, when individual tanks or enclosed vessels have a capacity of ≤ 1000 gallons or 20 cubic yards of nonliquid organic feedstocks on-site at any one time.</p>	<p>Other conversion technologies managing more than 1000 gallons liquid or semi-solid or 10 cubic yards of nonliquid material must meet the following conditions:</p> <p>(a) Tanks used must comply with at least one of the following design conditions:</p> <p>(i) Surface impoundment and tank standards, WAC 173-350-330; or</p> <p>(ii) Other engineered design that the owner or operator can demonstrate complies with the conditions of WAC 173-350-040, and is approved by the department.</p> <p>(b) Thirty days prior to operation, facilities must submit a notification of intent to operate as a conditionally exempt facility to the jurisdictional health department and the department. Notification must be submitted on a form provided by the department.</p> <p>(c) Submit annual reports to the department and the jurisdictional health department by April 1st of each calendar year. Annual reports must be submitted on forms provided by the department.</p> <p>(d) For material being distributed off-site, the following conditions apply:</p> <p>(i) Sample and test material every 5,000 cubic yards or twice yearly, whichever is more frequent, to demonstrate it meets compost quality standards of WAC 173-350-220(4) (Table 220-B) before it is distributed for off-site use; or</p> <p>(ii) Ensure material meets the conditions for a commercial fertilizer as applicable in chapter 15.54 RCW; or</p> <p>(iii) Send material to a compliant permitted or conditionally exempt compost facility for further treatment to meet compost quality standards; or</p> <p>(iv) Land apply material in accordance with WAC 173-350-230, Land application; or</p> <p>(v) Use material in accordance with WAC 173-350-200, Beneficial use permit exemption; or</p> <p>(vi) Process or manage material in an alternate manner approved by the department or the jurisdictional health department.</p>

(2) Facilities managing under the rules and volumes of material described in Table 225-A above are conditionally exempt facilities when they meet the following conditions:

- (a) Comply with the performance standards, WAC 173-350-040;
- (b) Manage the operation to prevent attraction of flies, rodents, and other vectors;
- (c) Control nuisance odors to prevent migration beyond property boundaries; and
- (d) Manage the operation to prevent the migration of agricultural pests identified by local horticultural pest and disease control boards, as applicable.

NEW SECTION

WAC 173-350-250 Anaerobic digesters. (1) *Anaerobic digesters - Applicability.* This section applies to all facilities or sites that treat solid waste by anaerobic digestion, except (a), (b), and (c) of this subsection:

- (a) Storage or treatment of solid or liquid wastes in surface impoundments or tanks regulated under WAC 173-350-330;
- (b) Anaerobic digesters regulated in accordance with chapter 90.48 RCW, Water pollution control; and
- (c) Anaerobic digesters regulated in accordance with chapter 173-308 WAC, Biosolids management.

(2) *Anaerobic digester - Permit exemptions.* In accordance with RCW 70.95.305, anaerobic digester facilities processing the types and volumes of materials identified in Table 250-A are subject solely to the requirements of Table 250-A and (b) of this subsection and are exempt from solid waste handling permitting. Feedstocks not listed in Table 250-A must be approved by the department. Violations of the terms and conditions of Table 250-A and (b) of this subsection may be subject to penalty provisions of RCW 70.95.315.

- (a) An owner or operator that does not comply with the terms and conditions of Table 250-A and (b) of this subsection must:

- Obtain a solid waste handling permit from the jurisdictional health department; and
- Comply with all applicable requirements of this chapter.

Table 250-A Terms and Conditions for Exemptions

	Feedstocks	Volumes	Conditions
(1)	<p>Livestock manure; organic feedstocks.</p> <p>May include livestock manure that is imported, which means originating off of the farm or site where the anaerobic digester is being operated. For the purposes of this exemption (Table 250-A (1)), organic feedstocks do not include materials collected from municipal, commercial, or residential solid waste collection programs.</p>	<p>No limits when livestock manure is at least 50% of total feedstocks volume, and imported, nonmanure organic feedstocks are not greater than 30% of total feedstock volume.</p>	<p>(a) All imported organic feedstocks must be fed into the anaerobic digester within 36 hours;</p> <p>(b) All organic materials must be received and stored in a structure(s) that:</p> <p>(i) Complies with the Natural Resources Conservation Service's Practice Standard Code 313 in effect as of July 26, 2009, or other approved storage construction standard approved by the department or the jurisdictional health department;</p> <p>(ii) Is certified by a representative of the Natural Resources Conservation Service to be effective at protecting surface and groundwater; or</p> <p>(iii) Meets applicable construction industry standards adopted by the American Concrete Institute or the American Institute of Steel Construction in effect as of July 26, 2009; and</p> <p>(iv) Prevents migration of nuisance odors beyond property boundaries and minimizes attraction of flies, rodents, and other vectors;</p> <p>(c) All imported organic materials must be preconsumer;</p>

	Feedstocks	Volumes	Conditions
			<p>(d) If imported organic feedstocks are likely to contain animal by-products, they must be previously source separated at a facility licensed to process food by the United States Department of Agriculture, the United States Food and Drug Administration, the Washington state department of agriculture, or other applicable regulatory agency;</p> <p>(e) If imported organic feedstock contains bovine processing waste, it must be derived from animals approved by the United States Department of Agriculture Food Safety and Inspection Service and not contain any specified risk material, defined as: Skull, brain, trigeminal ganglia (nerves attached to brain and close to the skull exterior), eyes, spinal cord, distal ileum (a part of the small intestine), and the dorsal root ganglia (nerves attached to the spinal cord and close to the vertebral column) of cattle aged 30 months or older;</p> <p>(f) Imported organic feedstocks cannot contain sheep carcasses or sheep processing waste;</p> <p>(g) The anaerobic digester must be designed and operated in accordance with standards in the Natural Resources Conservation Service's Conservation Practice Standard, Code 366, in effect as of July 26, 2009;</p> <p>(h) Digestate must:</p> <p>(i) Be managed in accordance with a dairy nutrient management plan under chapter 90.64 RCW or a farm management plan developed under the Natural Resource Conservation Service's conservation planning process, that includes elements addressing management and use of digestate; or</p>

	Feedstocks	Volumes	Conditions
			<p>(ii) Meet compost quality standards of WAC 173-350-220 for pathogens, stability, nutrient testing, metals and other testing before it is distributed for off-site use, or be sent to an off-site permitted compost facility for further treatment to meet compost quality standards; or</p> <p>(iii) Be processed or managed in an alternate manner approved by the department. The owner or operator must submit an annual report to the department and the jurisdictional health department reporting the volume of nonmanure material in the anaerobic digester, and test results of digested fiber as described in Table 250-A</p> <p>(1)(h)(ii). Annual reports must be submitted on forms provided by the department and are due April 1st of each calendar year;</p> <p>(i) Digestate that is managed in accordance with the dairy nutrient management plan under chapter 90.64 RCW, or a farm management plan developed under the Natural Resource Conservation Service's conservation planning process, is no longer a solid waste when those plans include elements addressing management and use of digestate.</p>
(2)	<ul style="list-style-type: none"> • Post-consumer food waste • Preconsumer vegetative food waste • Preconsumer animal-based waste 	<p>3,000 gallons of liquid or semi-solid organic feedstocks on-site at any one time, when individual tanks have a capacity of ≤ 1,000 gallons, or 20 cubic yards of nonliquid organic feedstocks on-site at any one time.</p>	<p>(a) The anaerobic digester design must comply with at least one of the following three conditions:</p> <p>(i) Design and operating standards in the Natural Resources Conservation Service's Washington Conservation Practice Standard, Anaerobic Digester Code 366 in effect October 2010, or as specified by the department; or</p> <p>(ii) Surface impoundment and tank standards, WAC 173-350-330; or</p>

	Feedstocks	Volumes	Conditions
	<ul style="list-style-type: none"> • Yard debris 		<p>(iii) Other engineered design that the owner or operator can demonstrate complies with the conditions of WAC 173-350-040, and is approved by the department.</p> <p>(b) For facilities managing more than 1000 gallons or 10 cubic yards on-site at any one time, and if organic materials are received from off-site, the owner or operator must submit an annual report to the department and the jurisdictional health department. Annual reports must be on forms provided by the department and are due April 1st of each calendar year. The annual report must detail the facility's activities during the previous calendar year and must include:</p> <ul style="list-style-type: none"> (i) Annual quantity in cubic yards or gallons, and type of feedstocks received; (ii) Annual quantity in cubic yards or gallons of digestate distributed if applicable; (iii) Annual summary of digestate analysis if digestate is distributed off-site; and (iv) Any additional information required by the department or the jurisdictional health department. <p>(c) For digestate (solids, semi-solids or liquids) being distributed off-site, the following conditions apply:</p> <ul style="list-style-type: none"> (i) Sample and test digestate solids every 5,000 cubic yards or twice yearly, whichever is more frequent, to demonstrate it meets compost quality standards of WAC 173-350-220(4) (Table 220-B) before it is distributed for off-site use; or (ii) Ensure digestate liquids or nonseparated digestate meets the conditions for a commercial fertilizer as applicable in chapter 15.54 RCW; or

	Feedstocks	Volumes	Conditions
			(iii) Send digestate to a compliant permitted or conditionally exempt compost facility for further treatment to meet compost quality standards; or (iv) Land apply digestate in accordance with WAC 173-350-230, Land application; or (v) Use digestate in accordance with WAC 173-350-200, Beneficial use permit exemptions; or (vi) Process or manage digestate in an alternate manner approved by the department or the jurisdictional health department.

(b) The owner or operator of an anaerobic digester in compliance with all of the conditions of Table 250-A must also meet all of the following conditions in order to maintain exempt status:

(i) Receive, handle, and store all organic materials in a manner that complies with WAC 173-350-040, Performance standards;

(ii) Allow inspections by the department and/or jurisdictional health department at reasonable times to verify compliance with the conditions specified in this subsection;

(iii) Manage the operation to prevent the attraction of flies, rodents, and other vectors; and

(iv) Manage the operation to prevent the migration of agricultural pests identified by local horticultural pest and disease control boards, as applicable.

(v) For facilities managing more than 1000 gallons or 10 cubic yards on-site at any one time, notify the department and jurisdictional health department thirty days prior to operation. Notification must be on forms supplied by the department.

(3) *Anaerobic digester - Location standards (permit requirements)*. There are no specific location standards for anaerobic digesters subject to this chapter; however, anaerobic digesters must meet the requirements of other federal, state, or local laws and regulations that apply under WAC 173-350-040(5).

Note: When considering anaerobic digestion facility location, please review the U.S. Department of Transportation Federal Aviation Advisory Circular No. 150/5200-33B. 2007.

(4) *Anaerobic digester - Design standards (permit requirements)*. Anaerobic digesters must be designed such that the facility can be operated to meet the performance standard requirements in WAC 173-350-040. The owner or operator of an anaerobic digester facility must:

(a) Prepare and provide to the jurisdictional health department engineering reports, plans, specifications, and a construction quality assurance plan that address the standards of this subsection. The reports, plans, and specifications must be prepared by an engineer licensed in the state of Washington and must include:

(i) An engineering report that presents the design basis and calculations for the engineered features of the facility including, but not limited to, pads, impoundments, leachate management features (if applicable), digestate management features, storm water management features, and anaerobic digester features. The engineering report must demonstrate that the proposed design will meet the performance standards of this chapter;

(ii) Scale drawings of the facility including the location and size of feedstock storage areas, fixed equipment, buildings, leachate management features (if applicable), digestate management features, storm water management features, access road and other constructed areas, and buildings integral to facility operation;

(iii) Design specifications for the engineered features of the facility including, but not limited to, pads, storm water management features, leachate management features (if applicable), digestate management features, and an anaerobic digester design that demonstrates all structures, containers, tanks, and/or surface impoundments will meet the requirements of this section, and of any federal, state, or local water and air quality permits; and

(iv) A construction quality assurance plan that describes monitoring, testing and documentation procedures that must be performed during construction of the facility to ensure the facility is constructed in accordance with the approved design.

(b) Provide all weather roads from the public highway to and within the facility when operations require public access. Roads must be designed and maintained to prevent traffic congestion, traffic hazards, dust and noise pollution.

(c) Design waste receiving areas, digesters, digestate management features, storm water, and leachate management features (if applicable), to prevent contamination of air, soil, surface water, and groundwater.

(i) Feedstock, leachate (if applicable), and digestate receiving and storage areas must either be in tanks or surface impoundments meeting the requirements of this section, or be on pads to prevent contamination of air, soil, surface water, and groundwater underlying or adjacent to receiving and storage areas;

(ii) Pads must meet the following requirements:

(A) All pads must be curbed or graded in a manner to prevent ponding, control run-on and runoff, and separately collect and convey all storm water and leachate to separate storage or holding systems. Storm water that is combined with leachate must be treated as leachate in accordance with this section;

(B) All pads must be constructed on subgrades that provide sufficient bearing capacity to support the weight of the pad, the materials placed on them, and the equipment used in handling the materials;

(C) The entire surface area of the pad must be designed to maintain its structural and hydraulic integrity against loads resulting from feedstock and digestate storage, machinery used for feedstock handling, and against surface wear or damage caused by feedstock and digestate handling and storage;

(D) The pad may be constructed of materials such as concrete (with sealed joints) or asphaltic concrete that prevents subsurface soil and groundwater contamination; and

(E) The jurisdictional health department may allow pads to be designed and constructed with materials other than those listed in (c)(ii)(D) of this subsection, provided the applicant demonstrates in the engineering report to the jurisdictional health department's satisfaction that the alternative pad provides sufficient protection to meet the performance standards of this section and of WAC 173-350-040.

(iii) The anaerobic digester design must comply with one of the following three conditions:

(A) Design criteria in the Natural Resources Conservation Service's Washington Conservation Practice Standard, Anaerobic Digester Code 366 in effect October 2010, or other effective date as specified by the department; or

(B) Surface impoundment and tank design standards, WAC 173-350-330(3); or

(C) Other engineered design that the owner or operator can demonstrate complies with the conditions of WAC 173-350-040 to the jurisdictional health department's and the department's satisfaction. Written consent from the jurisdictional health department and the department constitutes approval.

(iv) Storm water management features must divert storm water from feedstock receiving and storage areas, and from digestate collection and storage areas. Features may include, but are not limited to, run-on prevention systems, berms, diversion swales, ditches, and other features;

(v) Leachate management features may include, but are not limited to, runoff prevention systems, leachate collection, conveyance, storage structures, and treatment systems;

(vi) Leachate (if applicable) must be contained or collected. Any discharges to ground that result in contaminants migrating to groundwater require a waste discharge permit under chapter 90.48 RCW, Water pollution control, prior to discharge. Discharges to ground that result in degradation of groundwater quality are prohibited under chapter 90.48 RCW, Water pollution control. Any discharge to sanitary sewer requires additional permitting by the local delegated authority or department;

(vii) Leachate ponds or tanks, or digestate liquid storage in ponds or tanks must meet one of the following conditions:

(A) Ponds must meet Natural Resources Conservation Service Standard for a waste storage facility in the 2001 *Washington Field Office Technical Guide 313* (revised June 2011); or

(B) Ponds must have a liner consisting of a minimum 30-mil thickness geomembrane on a subgrade that provides sufficient bearing capacity to support the liner and the contents of the pond. A liner constructed with a high density polyethylene geomembrane must be at least 60-mil thick to allow for proper welding; and

(I) Have dikes and slopes designed to maintain their structural integrity under conditions of a leaking liner and capable of withstanding erosion from wave action, overfilling, or precipitation; and

(II) Have freeboard (distance between the liquid level and the top of the pond) equal to or greater than eighteen inches to avoid overtopping from wave action, overfilling, or precipitation. The jurisdictional health department may reduce the freeboard requirement provided that other engineering controls are in place that prevent overtopping. These engineering controls must be specified during the permitting process; or

(C) The jurisdictional health department may approve the use of an alternative liner design if the owner or operator can demonstrate during the permitting process that the proposed design will prevent migration of solid waste constituents or leachate into the ground or surface waters at least as effectively as the liners described in this subsection; or

(D) Tanks used to store leachate or digestate liquid must meet design standards in WAC 173-350-330 (3)(b).

(viii) Leachate ponds and digestate liquid storage that have the potential to impound more than 10-acre feet (three million two hundred fifty-nine thousand gallons) of liquid measured from the top of the dike and that would be released by a failure of the containment dike must be reviewed and approved by the department's dam safety section.

(5) *Anaerobic digester - Operating standards (permit requirements)*. The owner or operator of an anaerobic digester must operate in compliance with the performance standards of WAC 173-350-040 or Natural Resource Conservation Service Practice Standard Code 366 as applicable, and:

(a) Operate the facility to:

(i) Control air contaminants, such as dust and nuisance odors, to prevent these and other contaminants from migrating beyond property boundaries;

(ii) Prevent the attraction of vectors;

(iii) Prevent the migration of agricultural pests identified by the local horticultural pest and disease control boards as applicable;

(iv) Confine organic materials prior to and after processing to specifically designated areas, meeting the applicable standards of this section;

(v) Ensure that dangerous waste is not accepted, treated, or stored;

(vi) Ensure the facility operates under the supervision and control of a properly trained individual during hours of operation when facility staffing is required;

(vii) Ensure facility employees are trained in appropriate facility operations, maintenance procedures, and safety and

emergency procedures according to individual job duties and according to an approved plan of operation; and

(viii) Restrict access to the facility when the facility is closed.

(b) Inspect the facility to prevent malfunctions and deterioration, operator errors, and discharges that may lead to the release of wastes to the environment or cause a threat to human health. The owner or operator must conduct these inspections as needed, but at least weekly, unless an alternate schedule is approved by the jurisdictional health department as part of the permitting process.

(c) Maintain operating records of the following:

(i) Process monitoring data as described in the plan of operation;

(ii) The quantity in gallons or cubic yards, and types of feedstocks received;

(iii) Results of analysis for digestate that is sold or distributed, according to subsection (5)(e) of this section; and

(iv) Facility inspection reports. Significant deviations from the plan of operation must be noted in the operating record. Records must be kept for a minimum of five years and must be available upon request by the jurisdictional health department.

(d) Prepare and submit a copy of an annual report to the jurisdictional health department and the department by April 1st of each calendar year for activities during the previous calendar year. Annual reports must be submitted on forms provided by the department and must include:

(i) Annual quantity and type of feedstocks received;

(ii) Annual quantity of digestate distributed if applicable;

(iii) Annual summary of digestate analysis as applicable, if digestate is distributed off-site; and

(iv) Any additional information required by the department or the jurisdictional health department.

(e) If distributing digestate (solids, semi-solids, or liquids) off-site, produce and manage the product so that it does not harm human health or the environment; and:

(i) Test representative samples of digestate solids every 5,000 cubic yards to demonstrate it meets compost quality standards in WAC 173-350-220(4) (Table 220-B). An alternate testing frequency may be required or approved by the jurisdictional health department; or

(ii) Ensure digestate meets the conditions for a commercial fertilizer as applicable in chapter 15.54 RCW; or

(iii) Send digestate to a permitted compost facility for further processing; or

(iv) Land apply digestate in accordance with WAC 173-350-230, Land application; or

(v) Use digestate in accordance with WAC 173-350-200, Beneficial use permit exemption; or

(vi) Apply digestate on agricultural lands at agronomic rates in accordance with a dairy nutrient management plan or a nutrient management plan; or

(vii) Manage digestate in an alternate manner as approved by the jurisdictional health department and the department.

(f) Develop, keep, and abide by a plan of operation approved as part of the permitting process. The plan must describe the facility's operation and must convey to site operating personnel the concept of operation intended by the

facility designer. The plan of operation must be kept on-site and available for inspection at the request of the jurisdictional health department. When necessary, the plan must be modified with the approval, or at the direction of the jurisdictional health department. Each plan of operation must include the following:

(i) A description of the types of feedstocks to be handled at the facility. Feedstocks must be approved by the department or jurisdictional health department;

(ii) Procedures for ensuring that only feedstocks described will be accepted;

(iii) Procedures for handling unacceptable wastes;

(iv) A plan for processing digestate to meet the requirements of (e) of this subsection, if distributing digestate off-site;

(v) A nutrient management plan for agricultural lands and farm lands (as described in RCW 84.34.020) if using digestate on-site;

(vi) A description of how facility staff will be appropriately trained;

(vii) A calculation of monthly capacity based on maximum volume (cubic yards or gallons) of all materials on-site at any one time. All materials on-site include feedstocks, digesting materials and digestate;

(viii) A material flow plan describing general procedures to manage all materials on-site. All materials on-site include incoming feedstock, digesting materials, and digestate;

(ix) An odor management plan including, but not limited to, the following components:

(A) Methods for treating emissions to reduce odors, if any;

(B) A community relations plan to address odor issues should they arise; and

(C) A description of facility and operational improvements that could be made, if nuisance odors are identified beyond the facility's property boundary, as determined by the jurisdictional health department, the department, or the permitting air authority. The description of operational improvements must address feedstock receiving, processing, and digestate storage areas of the facility.

(x) A description of how equipment, structures, and other systems will be inspected and maintained, including frequency of inspection and inspection logs. This description must include, but is not limited to:

(A) The groundwater monitoring system, if required;

(B) The overflowing prevention equipment, including details of filling and emptying techniques;

(C) The liners of surface impoundments and tanks, tank piping, and secondary containment, as applicable.

(xi) Safety, fire, and emergency plans including a spill prevention/response plan;

(xii) The forms used to record volumes (in cubic yards or gallons) of accepted feedstocks; and

(xiii) Other such details to demonstrate that the facility is operated in accordance with this chapter and as required by the jurisdictional health department.

(6) *Anaerobic digester - Groundwater monitoring requirements (permit requirements)*. There are no specific groundwater monitoring requirements for anaerobic digestion facilities subject to this chapter; however, anaerobic

digestion facilities must meet the requirements of other federal, state, or local laws and regulations that apply under WAC 173-350-040(5).

(7) *Anaerobic digester - Closure requirements.* The owner or operator of an anaerobic digester facility must:

(a) Develop, keep, and follow a closure plan approved by the jurisdictional health department as part of the permitting process. At a minimum, the closure plan must include removing all organic materials, including digestate, from the facility. For planning purposes, assume the facility is at full permitted capacity when it is closed;

(b) Notify the jurisdictional health department sixty days in advance of closure. At closure, the facility is financially responsible for the removal of all organic materials including, but not limited to, raw or partially digested feedstocks, and digestate from the facility. The materials must be sent to another facility that complies with the applicable regulations for handling the waste.

(8) *Anaerobic digester - Financial assurance requirements (permit requirements).* There are no specific financial assurance requirements for anaerobic digestion facilities subject to this chapter; however, anaerobic digestion facilities must meet the requirements of other federal, state, or local laws and regulations that apply under WAC 173-350-040(5).

(9) *Anaerobic digester - Permit application contents (permit requirements).* The owner or operator of an anaerobic digestion facility not exempt under subsection (2) of this section must obtain a solid waste permit from the jurisdictional health department. All applications for permits must be in accordance with the procedures established in WAC 173-350-710. In addition to the requirements of WAC 173-350-710 and 173-350-715, each permit application must contain:

(a) Engineering reports, plans, and specifications that address the design standards of subsection (4) of this section;

(b) A plan of operation that addresses the requirements of subsection (5) of this section; and

(c) A closure plan meeting the requirements of subsection (7) of this section.

(10) *Anaerobic digester - Construction records (permit requirements).* Facilities must not start operation until the jurisdictional health department has determined that the construction was completed in accordance with the approved engineering report, plans, and specifications and has approved the construction documentation in writing and issued a permit. Within thirty days of completing construction, the owner or operator of an anaerobic digestion facility must provide the following materials to the jurisdictional health department and the department:

(a) Copies of the construction record drawings for engineered facilities at the site; and

(b) A report documenting facility construction, including the results of observations and testing carried out as part of the construction quality assurance plan.

WSR 12-19-091
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed September 19, 2012, 9:13 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-10-035.

Title of Rule and Other Identifying Information: The subject of this proposed rule making is updating, reorganizing, clarifying, and streamlining several wildlife and fish rules within the department's WACs. Sections from chapters 220-16, 220-20, 220-55, 220-56, 220-74, 220-76, 220-85, 220-90, 220-100, 232-12, 232-13, 232-16, and 232-28 WAC are involved in this rule-making project. The title of this project is technical WAC amendments and repeal, Round 4 (changes to wildlife rules and other rules) as found on the department's rule-making activity page.

The following rules are amended: WAC 220-20-039 Live fish—Import and transfer, 220-20-040 General provisions—Rearing and planting food fish, 220-55-230 Columbia River endorsement, 220-56-360 Razor clams—Areas and seasons, 220-56-372 Razor clam sanctuaries, 220-76-020 Aquatic farm registration form—Required information, 220-90-010 Herring hardship validations, qualifications, and conditions, 220-90-015 Resort or marina—Owner or operator, 232-12-025 Hunts authorized pursuant to RCW 77.12.240, 232-12-064 Live wildlife, 232-12-091 Commercial buying and processing of anadromous game fish or roe, 232-12-097 Transportation of anadromous game fish and roe, 232-12-242 Hunting restrictions, 232-12-261 Live decoys unlawful, 232-12-289 Official hunting hours for game birds and game animals, 232-28-248 Special closures and firearm restriction areas, 232-28-273 2012-2014 Moose, bighorn sheep, and mountain goat seasons and permit quotas, 232-28-337 Deer and elk area description, and 232-28-342 2012-13, 2013-14, 2014-15 Small game and other wildlife seasons and regulations.

The following are proposed new rules: WAC 232-12-063 Live wildlife—Facility, fencing, and marking requirements, 232-12-288 Official hunting hours for game animals and forest grouse, 232-28-622 2012-2014 Big horn sheep seasons and permit quotas, 232-28-623 2012-2014 Mountain goat seasons and permit quotas, 232-28-624 Deer area description, and 232-28-625 Hound hunting prohibited during deer and elk hunting.

The following rules are repealed: WAC 220-16-255 Geographical definitions—Razor clam areas, 220-74-015 Surplus salmon eggs, 220-85-115 Rules of practice and procedure, 220-100-068 Formal administrative appeal of department environmental determinations, 232-16-010 Establishment of game reserves, and 232-28-285 2010-2011 Pilot cougar hunting seasons with the aid of dogs.

Hearing Location(s): Natural Resources Building, First Floor, Room 172, 1111 Washington Street S.E., Olympia, WA 98504, on November 2, 2012, at 8:30 a.m.

Date of Intended Adoption: On or after December 14, 2012.

Submit Written Comments to: Joanna Eide, Enforcement Program, 600 Capitol Way North, Olympia, WA

98501, e-mail Joanna.Eide@dfw.wa.gov, fax (360) 902-2155, by October 19, 2012.

Assistance for Persons with Disabilities: Contact Tami Lininger by October 24, 2012, TTY (800) 833-6388 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposed rule making is to streamline, reorganize, and update rules in accordance with the WAC overhaul project currently underway. The Washington department of fish and wildlife's (WDFW) administrative code is in need of updating and consolidation. The agency's RCWs were combined and updated after the department of fisheries and the department of wildlife consolidated, but a consolidation, clean-up, and streamlining of the administrative codes was never done. These changes are part of a larger effort to reorganize and update the agency's administrative code. Anticipated effects are minimal; this project involves merely rewording, clarifying, and reorganizing rules already in existence. See above for a list of rules amended, new rules proposed, and rules repealed as part of this proposal.

Reasons Supporting Proposal: WDFW needs these changes to increase efficiency, functionality, and clarity of the rules within WDFW's administrative code. The changes promote increases in conservation and availability of resources. The proposal is part of WDFW's WAC overhaul project to streamline, update, and reorganize WDFW's administrative code.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047.

Statute Being Implemented: RCW 77.12.045 and 77.12.047.

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

Name of Proponent: WDFW, governmental.

Name of Agency Personnel Responsible for Drafting: Joanna Eide, 1111 Washington Street S.E., Olympia, WA 98504, (360) 902-2403; Implementation: Deputy Chief Mike Cenci, 1111 Washington Street S.E., Olympia, WA 98504, (360) 902-2938; and Enforcement: Chief Bruce Bjork, 1111 Washington [Washington] Street S.E., Olympia, WA 98504, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule making will not affect small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. These proposals do not involve hydraulics.

September 19, 2012

Joanna M. Eide

Administrative Regulations Analyst

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-16-255

Geographical definitions—
Razor clam areas.

AMENDATORY SECTION (Amending Order 82-105, filed 8/13/82)

WAC 220-20-039 Live fish—Import and transfer. (1) It is unlawful for any person, group, corporation, association, or government entity to import into, transport, or possess within the state of Washington live fish and/or the viable sexual products ~~((thereof, except))~~ of fish without first obtaining a permit to do so from the director. The only exception is for aquarium fish, game fish, indigenous marine baitfish, and mosquito fish (genus *Gambusia* ((spp.))) when used by agencies authorized by chapter 17.28 RCW ~~((without having first obtained a permit to do so from the director of the department of fisheries))~~. The permit ~~((shall))~~ must accompany the fish and/or sexual products at all times within the state of Washington and ~~((shall))~~ must be presented to department ~~((of fisheries))~~ employees on demand.

(2) For any permit issued under subsection (1) of this section, the director may impose conditions ((in any permit)) as necessary to ~~((insure))~~ ensure the protection of food fish ~~((within this state))~~ populations from infectious, contagious, or communicable diseases and pests.

(3) It ~~((shall be))~~ is unlawful to violate the terms and conditions ~~((of))~~ imposed on any permit issued under subsection (1) of this section. In addition to ~~((any other))~~ penalties provided by law, violation of ~~((these rules on))~~ the permit terms and conditions ~~((of any permit))~~ may result in the suspension and/or revocation of the permit.

(4) Violation of this section is punishable under RCW 77.15.253, 77.15.290, or 77.15.750, depending on the species, value of the species, and the circumstances underlying the violation.

AMENDATORY SECTION (Amending Order 76-96, filed 9/23/76)

WAC 220-20-040 General provisions—Rearing and planting food fish. ~~((+))~~ It ~~((shall be))~~ is unlawful for any person, group, corporation, association, or governmental entity to plant or release any food fish into the waters of the state of Washington without first obtaining a permit from the department ~~((of fisheries))~~. ~~((No permit shall be issued))~~ The department may not issue a permit unless the following time periods are observed((-)) and ((the following)) information is provided to the department prior to planting((-)):

~~((+))~~ (1) Thirty days prior to obtaining or importing food fish or food fish eggs, fry, or fingerlings ~~((or importing the same))~~ with the ~~((eventual intent to plant))~~ intention of planting them in ((the waters of the state of)) Washington state waters, the person, group, corporation, association, or governmental entity ~~((so intending to plant shall))~~ must provide the department with information ~~((as to))~~ regarding the:

(a) Source of the food fish or food fish eggs, fry, or fingerlings((-);

(b) Species, race, and size of the food fish or food fish eggs, fry, or fingerlings; and

(c) Time and place for the proposed release or other disposition ~~((and the size))~~ of the food fish to be planted.

~~((+))~~ (2) Thereafter, the department ~~((shall))~~ will examine the provided information and determine ~~((if))~~ whether it should issue a permit ((for the planting of the food fish should

~~be issued. If a proposed plant)). The department will not issue a permit if the planting:~~

~~(a) Presents an important conflict or competition to the established stocks in the waters to be planted((-););~~

~~(b) Conflicts with the department's overall management plan for the waters ((to be planted,)) in which the planting is proposed;~~

~~(c) Would cause a significant decrease in the abundance of stocks already present((-);); or~~

~~(d) Would significantly inhibit the ability to harvest existing stocks((-; a permit for planting shall not be issued)).~~

~~((e)) (3) Thirty days prior to planting, and within ((ten)) 10 days of the actual plant, the permittee must make the food fish to be released ((must be made)) available to the department for inspection for disease. If the ((department's)) department representative ((so)) inspecting the fish is not satisfied the food fish are disease-free((-);) or otherwise in a condition specified in ((paragraph (b)) subsection (2) of this ((regulation)) section, then the department representative may not allow the food fish ((shall not)) to be released in ((the waters of the)) state waters, and may automatically withdraw any prior ((departmental)) department approval for ((such)) the planting ((is automatically withdrawn)). In lieu of actual department inspection, the department will consider a certification by department-approved pathologists that the food fish to be released are disease-free ((in lieu of actual department inspection)).~~

~~((d)) (4) Any person, group, corporation, association or governmental entity intending to release food fish in the waters of the state, ((shall)) must report ((immediately)) to the department immediately the outbreak of any disease among the food fish, food fish eggs, fry or fingerlings intended to be released. If ((such)) an outbreak presents a threat to ((such)) a state fishery resource ((of the state)), the department may immediately order ((such)) actions necessary to protect the state's fisheries((-; including quarantine or destruction of stocks, sterilization of closures and facilities, cessation of activities, and disposal of the infected fish)) in a manner satisfactory to the department, including quarantine or destruction of stocks, sterilization of closures and facilities, cessation of activities, and disposal of the infected fish.~~

~~((e) No food fish covered by a permit issued under this regulation shall be branded, tattooed, tagged, fin-clipped)) (5) It is unlawful to brand, tattoo, tag, fin-clip, or otherwise ((marked)) mark food fish covered under a permit under this section for identification without prior approval by the department.~~

~~((f) No)) (6) It is unlawful to construct or operate facilities ((shall be constructed or operated)) for ((the purpose of)) food fish ((propagations)) propagating or rearing without first obtaining a permit from the department. ((No)) The department may not issue a permit ((shall be issued)) unless the entity wanting to propagate or rear the fish provides the following information ((is provided the department)) prior to beginning construction of ((such)) a facility:~~

~~((i)) (a) The ((person, group, corporation, association, or governmental entity so intended to construct such facility shall provide the department information as to the)) species to be produced in the facility or otherwise affected by the facility((-; and));~~

~~(b) A general plan of times and places for the proposed releases or other disposition ((and));~~

~~(c) The size, age, and maturity of the food fish to be released((-); and~~

~~(d) Functional plans for ((construction of such)) constructing the facility ((shall also be provided to the department)).~~

~~((ii) Thereafter,)) (7) Once the department ((shall)) receives the information required under subsection (6) of this section, it will examine the ((provided)) information and determine ((if)) whether the facility construction permit ((for construction of the facility shall)) should be issued. The department will not issue a permit if the proposed planting, release, or operational scheme;~~

~~(a) Presents an important conflict or competition to established stocks of food fish((-););~~

~~(b) Conflicts with the department's overall management plan for the waters or areas to be planted((-););~~

~~(c) Would cause a significant decrease in the abundance of stocks already present((-);); or~~

~~(d) Will significantly inhibit the ability to harvest existing stocks((-; a permit for construction will not be issued)).~~

~~((iii)) (8) The department may revoke a permit for construction or operation of a propagation facility ((will be revoked)) if any food fish are planted, released, or otherwise disposed of by ((any person, group, corporation, association or governmental entity which is the holder of)) entity that holds a construction or operation permit under this ((paragraph if the holder)) section and does not, prior to planting or releasing the fish, provide the department with the ((additional)) required information and secure ((the)) any additional permits ((required by)) this ((regulation)) section requires.~~

~~((g)) (9) The department will establish an advisory committee of potentially affected groups ((will be established)) to provide technical input on the requirements of this section.~~

AMENDATORY SECTION (Amending Order 11-184, filed 8/3/11, effective 9/3/11)

WAC 220-55-230 Columbia River endorsement. Anglers ((fifteen)) 15 years of age ((or)) and older must ((be)) purchase and have a valid Columbia River endorsement in their possession ((of a valid Columbia River endorsement)) to fish for salmon or steelhead in the following waters:

(1) Mainstem Columbia River from the Rocky Point/Tongue Point line to Chief Joseph Dam

(2) Deep River (Wahkiakum County)

(3) Grays River (Wahkiakum County) mouth to mouth of South Fork

(a) Grays River, West Fork mouth to hatchery intake footbridge

(b) Grays River, East Fork

(4) Skamokawa River (Wahkiakum County) mouth (Hwy 4 Bridge) to forks below Oatfield and Middle Valley Road

(5) Elochoman River (Wahkiakum County) mouth to mouth of West Fork

(6) Mill Creek (Lewis County)

- (7) Abernathy Creek (Cowlitz County) mouth to Abernathy Falls
- (8) Germany Creek (Cowlitz County) mouth to end of Germany Creek Road
- (9) Coal Creek (Cowlitz County) mouth to 400 feet below falls
- (10) Cowlitz River (Cowlitz County) mouth to mouth of Ohanapecosh and Muddy forks
- (a) Blue Creek mouth to Spencer Road
- (b) Lacamas Creek (Lewis County)
- (c) Mill Creek mouth to hatchery road crossing culvert
- (d) Olequa Creek
- (e) Tilton River mouth to West Fork
- (f) Tilton River, East Fork
- (g) Tilton River, North Fork
- (h) Tilton River, South Fork
- (i) Tilton River, West Fork
- (j) Mayfield Lake
- (k) Lake Scanewa
- (l) Cispus River (Lewis County) mouth to North Fork
- (11) Coweeman River (Cowlitz County)
- (12) Toutle River (Cowlitz County) mouth to forks
- (a) Toutle River, North Fork
- (b) Toutle River, South Fork
- (c) Green River (Cowlitz County) mouth to Miner's Creek
- (13) Kalama River (Cowlitz County) mouth to Kalama Falls
- Gobar Creek (Cowlitz County)
- (14) Lewis River (Clark/Cowlitz counties) mouth to mouth of East Fork
- (a) Lewis River, North Fork mouth to Merwin Dam
- (b) Lewis River, East Fork
- (c) Cedar Creek (Clark County)
- (15) Salmon Creek (Clark County) mouth to 72nd Ave. N.E.
- (16) Washougal River (Clark County)
- (17) Washougal River West, North Fork
Little Washougal
- (18) Camas Slough (Clark County) (waters outside the mouth of the Washougal River, north of Lady Island, and downstream of the Highway 14 Bridge at the upstream end of Lady Island)
- (19) Drano Lake (Skamania County) (little White Salmon River downstream of the markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of Highway 14 Bridge)
- (20) Hamilton Creek (Skamania County)
- (21) Rock Creek (Skamania County)
- (22) Wind River (Skamania County)
- (23) White Salmon River (Klickitat/Skamania counties) mouth to ~~((Northwestern (Condit) Dam))~~ county road bridge below powerhouse, and Lake Road Bridge to Big Brother Falls at river mile 16
- (24) Klickitat River (Klickitat County)
- (25) Walla Walla River (Walla Walla County) and tributaries
- (26) Mill Creek (Walla Walla County)
- (27) Touchet River (Columbia/Walla Walla counties) mouth to confluence of North Fork and South Fork

- (a) Touchet River, North Fork
- (b) Touchet River, South Fork
- (c) Touchet River, Wolf Fork
- (28) Grande Ronde River (Asotin County)
- (29) Snake River mainstem
Palouse River (Whitman County) (below the falls)
- (30) Tucannon River (Columbia/Garfield counties)
- (31) Yakima River (Benton/Yakima/Kittitas counties) mouth to 400 feet below Prosser Dam and Sunnyside (Parker) Dam to Roza Dam
- (32) Wenatchee River mouth to Lake Wenatchee ~~((including Lake Jolanda))~~
- (33) Chelan River (Chelan County) mouth (railroad bridge) to Chelan PUD safety barrier below the powerhouse
- (34) Icicle River (Chelan County) mouth to Leland Creek
- (35) Lake Wenatchee (Chelan County)
- (36) Entiat River (Chelan County) mouth to Entiat Falls
- (37) Methow River (Okanogan County) mouth to Foghorn Dam
- (38) Okanogan River (Okanogan County)
- (39) Lake Osoyoos (Okanogan County)
- (40) Similkameen River (Okanogan County) mouth to Enloe Dam

AMENDATORY SECTION (Amending Order 92-19, filed 5/12/92, effective 6/12/92)

WAC 220-56-360 Razor clams—Areas and seasons.

(1) The following areas are defined as razor clam areas:

(a) "Razor Clam Area 1" includes the tidelands and waters of the Pacific Ocean and Willapa Harbor between Cape Disappointment and the northern shore of Willapa Bay west of the Tokeland Marina (not including the beaches within the Shoalwater Bay Indian Reservation);

(b) "Razor Clam Area 2" includes the tidelands and waters of the Pacific Ocean and Grays Harbor between the northern shore of Willapa Bay west of the Tokeland Marina (not including the beaches within the Shoalwater Bay Indian Reservation) and Point Brown;

(c) "Razor Clam Area 3" includes the tidelands and waters of the Pacific Ocean between Point Brown and Cape Flattery.

(2) It is unlawful to take, dig for or possess razor clams taken for personal use from any beaches in Razor Clam Areas 1, 2, ~~((and))~~ or 3, except as provided ~~((for))~~ by emergency ~~((regulation adopted by the director))~~ rule.

~~((2))~~ (3) It is unlawful to dig for razor clams at any time in the Long Beach, Twin Harbors, or Copalis Beach Razor Clam Sanctuaries as defined in WAC 220-56-372.

(4) Violation of this section is an infraction under RCW 77.15.160, a misdemeanor punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, or a gross misdemeanor under RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty, depending on whether any razor clams were harvested and the amount harvested.

AMENDATORY SECTION (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

WAC 220-56-372 Razor clam sanctuaries. The ~~((following))~~ areas described below are ((hereby)) set aside for experimental purposes ((by)) for the ((department of fisheries)) department's razor clam ((enhancement)) research project. As need arises ((in the future)), the department will close specific sections of these areas ((will be closed)) to public use for project or experimental purposes.

(1) Long Beach~~((--))~~: From a point beginning 2.7 miles north of the Oysterville beach approach((--)), then north for ((one quarter)) 1/4 mile (1,320 feet).

(2) Twin Harbors Beach~~((--))~~: From a line extending 1/4 mile (1,320 feet) westward ((from the middle)), south of the county line beach approach ((south for one quarter mile (1,320 feet)).

(3) Copalis Beach~~((--))~~: From a point beginning ~~((four-tenths))~~ 4/10 of a mile south of the Ocean City beach approach (2nd Ave.) and extending 1/4 mile (1,320 feet) south ((for one quarter mile (1,320 feet)).

(4) "Beach approach" means a signed and established public access roadway providing access to the beach that is typically maintained by state parks and recreation and may be associated with a city or county road.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-74-015 Surplus salmon eggs.

AMENDATORY SECTION (Amending Order 89-27, filed 4/27/89)

WAC 220-76-020 Aquatic farm registration form—Required information. ~~((There is hereby created))~~ If asked by an aquatic farmer, the department will prepare, print, and distribute an aquatic farm registration form ((to be prepared, printed, and distributed on request by the department of fisheries)). The following information ((shall)) must be provided by the aquatic farmer((-):

(1) ~~((Company name/owner:))~~ The name ((of individual or company owning or leasing the aquatic farm)), mailing address, and telephone number((-)) of the individual or company that owns or leases the aquatic farm;

(2) ~~((Contact person:))~~ The name and telephone number of ((the individual)) a contact person immediately responsible for operation of the aquatic farm((-):

(3) ~~((DSHS shellfish certification no:))~~ The department of social and health services (DSHS) shellfish certification number ((where required by the department of social and health services:)) if DSHS requires a certification number;

(4) ~~((Species cultured:))~~ The common name of aquatic species being cultured((-):

(5) ~~((Culture method:))~~ The method(s) of ((cultured used on)) culture the aquatic farmer is using on the farm((-):

(6) If it is a freshwater or onshore aquatic farm, the legal description, street address, county ((and)), aquaculture district ((for freshwater or onshore aquatic farm)), and the num-

ber of separate tracts or facilities within ~~((that))~~ the district ((which)) that comprise the aquatic farm(s)((-):

(7) If it is a marine aquatic farm, the name of bay or inlet, county, and aquaculture district for ((marine aquatic)) the farm(s)((-):

(8) ~~((Signature:))~~ The signature of the company official or owner((-):

(9) A site drawing of the aquatic farm and a brief narrative ~~((describing))~~ description of the facility and its operation. Freshwater farms ((should)) must also identify the source of culture water, where the water is discharged, and the watershed where the facility is located((-):

(10) Documentation of ownership or present right of possession of the land comprising the aquatic farm ((is required to be submitted together with the aquatic farm registration form)).

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-85-115 Rules of practice and procedure.

AMENDATORY SECTION (Amending Order 76-148, filed 12/2/76)

WAC 220-90-010 Herring hardship validations, qualifications and conditions—Individual or operator. (1) The director ~~((of fisheries))~~ may validate an individual or operator to fish for herring ~~((under the following provisions))~~ if the individual or operator:

~~((+))~~ (a) Submits proof ((of investment made)) that he or she invested in a boat and herring fishing equipment prior to April 26, 1973 ((to the department of fisheries.

(a) Fish caught shall be utilized); and

(b) Agrees to use any herring he or she harvests for bait only.

~~((b) No such fishing))~~ (2) It is unlawful to fish for herring in Puget Sound Marine Fish-Shellfish Areas 20A, 20B, 21A, and 21B from April 16 to May 31.

~~((e) Validation will be revoked if the conditions are violated))~~ (3) The department will revoke permits granted under subsection (1) of this section if the individual or operator violates the above conditions.

(4) Violation of this section is a misdemeanor, punishable under RCW 77.15.750. Unlawful use of a department permit—Penalty.

AMENDATORY SECTION (Amending Order 76-148, filed 12/2/76)

WAC 220-90-015 Herring hardship validations—Resort or marina—Owner or operator. (1) The director ~~((of fisheries))~~ may validate an individual owner or operator of a resort or marina to fish for herring ~~((under the following provisions:~~

~~((+))~~ if the owner or operator submits proof to the department in the form of a notarized affidavit ((to the department of fisheries)) that he or she is unable to purchase live, fresh,

or frozen herring (dependent on need) ~~((cannot be purchased))~~ from ~~((a minimum of))~~ at least three commercial sources at a fair market price.

(2) The following conditions apply to validations granted to resort or marina owners or operators:

(a) Validations ~~((will be))~~ are for ~~((the))~~ one calendar year only ~~((Renewal is dependent upon submission))~~;

(b) The director may only renew a validation after receipt of a new affidavit; and

(c) Validations are nontransferable.

~~((b) No such fishing))~~ (3) It is unlawful to fish for herring in Puget Sound Marine Fish-Shellfish Areas 20A, 20B, 21A, and 21B from April 16 to May 31.

~~((e))~~ (4) Herring caught under ~~((this provision))~~ this section must be sold at retail only for bait by, and at, ~~((said))~~ the resort or marina the department validates to fish for herring.

~~((d) Validations under this provision will be nontransferable.~~

~~((e) Validations will be revoked))~~ (5) The department will revoke validations it grants under subsection (1) of this section if the ~~((above))~~ owner or operator violates the conditions ~~((are violated))~~ of the validation.

(6) Violation of this section is a misdemeanor, punishable under RCW 77.15.750, Unlawful use of a department permit—Penalty.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-100-068	Formal administrative appeal of department environmental determinations.
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AMENDATORY SECTION (Amending Order 07-38, filed 4/13/07, effective 5/14/07)

WAC 232-12-025 Depredation hunts ~~((authorized pursuant to RCW 77.12.240))~~. Anyone participating in a director-authorized hunt pursuant to RCW 77.12.240 must ~~((conduct themselves in accordance))~~ comply with the following ~~((rules))~~:

(1) **Black bear.**

(a) No dogs ~~((are permitted))~~ may be out of the vehicle, including on a strikeboard, outside of the designated hunting area. If the bear is started inside a permit area, it may be pursued and killed outside the permit boundaries.

(b) When a bear is taken, the permittee ~~((shall))~~ must skin the entire bear, including head, leaving the claws attached, and deliver the hide, ~~((together))~~ along with the first tooth behind the canine tooth on the lower jaw, to ~~((the))~~ a WDFW regional office. All bear hides taken pursuant to a black bear damage permit ~~((shall))~~ must be disposed of as prescribed in ~~((RCW 77.12.240))~~ the depredation permit.

(c) Within ~~((five))~~ 5 days after ~~((expiration of))~~ a black bear permit expires, the permittee ~~((shall))~~ must return ~~((to the respective region a bear hunting report and))~~ the windshield identification cards and a bear hunting report to the respective WDFW regional office. Failure to comply with

this provision ~~((shall constitute ineligibility))~~ renders the permittee ineligible for the next year's black bear damage permit drawings.

(d) The permittee ~~((shall abide by))~~ must follow all conditions ~~((as set forth on))~~ included in the black bear damage permit. Failure to comply with these hunting conditions ~~((shall constitute))~~ is a violation of RCW ~~((77.16.020(1) (Hunting bear during closed season)))~~ 77.15.245, 77.15.410, or 77.15.750, depending on the circumstances of the violation.

(2) **Deer and elk.**

(a) Only persons with a damage permit (hot-spot hunt, kill permit, or landowner preference permit) ~~((are allowed to))~~ may hunt and take one deer or one elk as designated on ~~((their))~~ the damage control permit.

(b) Hunters must have valid, unused general deer/elk tags to hunt and kill a legal animal during the prescribed damage permit hunt. If a hunter takes an animal of the same species during an earlier hunt, that person ~~((will be))~~ is ineligible for a damage hunt permit.

(c) Deer and elk damage control hunts ~~((will be))~~ are for antlerless only, unless ~~((;))~~ the damage permit specifies either sex.

(d) ~~((The April 1 to June 30 time period will be excluded from))~~ Damage control hunts are unlawful from April 1 to June 30.

(e) Permittees may only hunt ~~((only))~~ within the prescribed area and season dates as specified on ~~((their))~~ the permit. If a deer or elk is wounded inside the damage hunt area, it may be pursued and taken outside permit boundaries.

(f) Within ~~((five))~~ 5 days after ~~((expiration of))~~ a deer or elk permit expires, the permittee ~~((shall))~~ must return ~~((to the respective region))~~ a deer/elk hunting report to the respective WDFW regional office. Failure to comply with this ~~((provision shall constitute ineligibility))~~ subsection makes the permittee ineligible for the next year's damage permit drawings.

(3) Permittees and hunters must comply with the requirements of this section. A violation of this section is punishable under RCW 77.15.410 or 77.15.750, depending on the circumstances of the violation.

AMENDATORY SECTION (Amending Order 270, filed 4/10/86)

WAC 232-12-091 Commercial buying and processing of anadromous game fish or roe. (1) It is unlawful to buy, sell, or possess with the intent to sell, anadromous game fish or roe ~~((, without having in possession))~~ unless the person has a valid anadromous game fish buyer's license or a copy of the valid license in possession and ~~((empty))~~ complies with the following provisions:

(a) An anadromous game fish buyer's license is valid for ~~((a))~~ one year (January 1 to December 31).

(b) Fish buyer's licenses ~~((must))~~ may be obtained by applying to the department ~~((of Game, 600 North Capitol Way))~~ at 1111 Washington St. S.E., Olympia, Washington 98504 or through the department's web site at www.wdfw.wa.gov.

(c) ~~((The anadromous game fish buyer's license, or a copy, must be in possession of a person buying anadromous game fish or roe.~~

~~((d))~~ Fish buyer's licenses are not transferable.

~~((e))~~ (d) Fish buyer's licenses only authorize a person to buy ~~((only))~~ anadromous game fish or roe taken during lawful open seasons by treaty Indians ~~((possessing))~~ who possess valid federal or tribal fishing identification cards ~~((during lawful open seasons))~~.

(2) Violation of subsection (1) of this section is a gross misdemeanor or class C felony punishable under 77.15.620. Engaging in fish dealing activity—Unlicensed—Penalty, depending on the circumstances of the violation.

(3) It is unlawful for a person ~~((possessing or buying))~~ to possess or buy anadromous game fish or roe from a treaty Indian ~~((to not comply with the following))~~, in violation of the following requirements:

(a) The buyer must possess a valid fish buyer's license;

(b) The buyer must completely, accurately, and legibly fill out a state of Washington treaty Indian fish receiving ticket including: The name of the seller or the seller's tribal identification number, the seller's tribal affiliation, the numbers of fish or skeins of roe, the marine area or river where the fish or roe was caught, and the signature of the person directly receiving the fish(-);

~~((b))~~ (c) The buyer must obtain the signature of the seller on the tribal copy of the treaty Indian fish receiving ticket(-);

~~((e))~~ (d) The buyer must transmit the treaty Indian fish receiving tickets daily to the Northwest Indian ((Fish)) Fisheries Commission(-); and

~~((d))~~ (e) The buyer must retain a copy of the receiving ticket with the anadromous game fish or roe as long as he or she has the fish or roe ((are)) in possession.

~~((3))~~ (4) Violation of subsection (3) of this section is punishable under RCW 77.15.630 or 77.15.640, depending on the circumstances of the violation.

(5) The recipients of fish must possess a sales invoice for transactions involving the possession or sale of treaty caught anadromous game fish between two or more licensed buyers ~~((the recipients of said fish must possess a sales invoice)).~~

~~((4))~~ (6) This section does not apply to a person who buys lawfully caught treaty Indian anadromous game fish for personal consumption.

AMENDATORY SECTION (Amending Order 165, filed 6/1/81)

WAC 232-12-097 Transportation of anadromous game fish and roe. (1) It is unlawful to ship or transport game fish and roe by a private or common carrier unless accompanied by an invoice ~~((which))~~ that includes:

(a) The name and address of the consignor and consignee(-);

(b) ~~((Pounds))~~ The weight (in pounds) and number of anadromous game fish and skeins of roe in the shipment(-); and

(c) The date of the shipment.

(2) Transported containers of anadromous game fish ~~((and))~~ or roe ~~((transported))~~ must be clearly and conspicu-

ously marked indicating the containers' contents. A copy of the invoice ~~((shall))~~ must be forwarded by the carrier to the ~~(of Game))~~, 600 North Capitol Way, Olympia, Washington ~~((98504))~~ 98501, within ~~((seven))~~ 7 days of ~~((said shipment))~~ shipping anadromous game fish or roe.

AMENDATORY SECTION (Amending Order 593, filed 1/29/93, effective 3/1/93)

WAC 232-12-242 Hunting restrictions. (1) It ~~((shall be))~~ is unlawful to hunt wildlife ~~((except bear, cougar, mountain goat, mountain sheep, moose, or turkey;))~~ during any modern firearm deer or elk season ~~((;))~~ with any firearm 240 caliber or larger, or containing slugs or buckshot, unless the hunter has a valid license, permits and tags for modern firearm deer or elk seasons are in ~~((the hunter's))~~ his or her possession.

(2) This section does not apply to people hunting bear, cougar, mountain goat, mountain sheep, or turkey.

(3) Violation of this section is punishable under RCW 77.15.410 or 77.15.430, depending on the circumstances of the violation.

AMENDATORY SECTION (Amending Order 07-62, filed 5/3/07, effective 6/3/07)

WAC 232-12-289 Official hunting hours for game birds ~~((and game animals))—Migratory game birds, upland birds, and wild turkeys.~~ (1) A person may hunt for migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons. The table below in subsections (4) through (9) of this section contains the legal hunting hours for migratory game birds.

(2) Exceptions to legal hunting hours for migratory game birds.

(a) Western Washington - Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.

(b) Clark (except areas south of the Washougal River), Cowlitz, Pacific, and Wahkiakum counties - Goose hunting hours are 8:00 a.m. to 4:00 p.m., except that during the September goose season the hunting hours are 1/2 hour before sunrise to sunset; and during the late goose season, the hunting hours are 7:00 a.m. to 4:00 p.m.

(c) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from the hunting hours in subsection (3) of this section, except on designated pheasant release sites.

(((+))) (3) OFFICIAL HUNTING HOURS
 ((FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS*))
 WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON SUNDAY

Dates (Inclusive)				Western Washington			Eastern Washington			
				from		P.M.	from		P.M.	
				A.M.	to			A.M.		to
Daylight Savings Time										
Sun.	Sept. 1	-	Sun.	Sept. 8	6:00		7:45	5:45		7:30
Mon.	Sept. 9	-	Sun.	Sept. 15	6:10		7:30	6:00		7:15
Mon.	Sept. 16	-	Sun.	Sept. 22	6:20		7:15	6:10		7:00
Mon.	Sept. 23	-	Sun.	Sept. 29	6:30		7:00	6:20		6:45
Mon.	Sept. 30	-	Sun.	Oct. 6	6:40		6:45	6:30		6:35
Mon.	Oct. 7	-	Sun.	Oct. 13	6:50		6:30	6:40		6:20
Mon.	Oct. 14	-	Sun.	Oct. 20	7:00		6:20	6:50		6:05
Mon.	Oct. 21	-	Sun.	Oct. 27	7:10		6:05	7:00		5:55
Mon.	Oct. 28	-	Sat.	Nov. 2	7:20		5:55	7:10		5:50
Pacific Standard Time										
			Sun.	Nov. 3	6:20		4:55	6:10		4:50
Mon.	Nov. 4	-	Sun.	Nov. 10	6:30		4:45	6:20		4:30
Mon.	Nov. 11	-	Sun.	Nov. 17	6:40		4:35	6:30		4:20
Mon.	Nov. 18	-	Sun.	Nov. 24	6:50		4:25	6:40		4:15
Mon.	Nov. 25	-	Sun.	Dec. 1	7:00		4:20	6:50		4:10
Mon.	Dec. 2	-	Sun.	Dec. 8	7:10		4:20	7:00		4:10
Mon.	Dec. 9	-	Sun.	Dec. 15	7:15		4:20	7:05		4:10
Mon.	Dec. 16	-	Sun.	Dec. 22	7:20		4:20	7:10		4:10
Mon.	Dec. 23	-	Sun.	Dec. 29	7:25		4:25	7:10		4:15
Mon.	Dec. 30	-	Sun.	Jan. 5	7:25		4:30	7:15		4:15
Mon.	Jan. 6	-	Sun.	Jan. 12	7:25		4:35	7:15		4:25
Mon.	Jan. 13	-	Sun.	Jan. 19	7:20		4:45	7:10		4:35
Mon.	Jan. 20	-	Sun.	Jan. 26	7:15		4:55	7:05		4:45
Mon.	Jan. 27	-	Fri.	Jan. 31	7:10		5:05	7:00		4:55

((*) These are lawful hunting hours (one-half hour before sunrise to sunset) for migratory game birds (duck, goose, eot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.

Exceptions:

- (a) Western Washington – Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- (b) Clark (except areas south of the Washougal River), Cowlitz, Pacific, and Wahkiakum counties – Goose hunting hours are 8:00 a.m. to 4:00 p.m., except one-half hour before sunrise to sunset during the September goose season and 7:00 a.m. to 4:00 p.m. during the late goose season.
- (c) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.)

((2)) (4) OFFICIAL HUNTING HOURS
 ((FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS*))
 WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON MONDAY

Dates (Inclusive)				Western Washington		Eastern Washington		
				from	to	from	to	
				A.M.	P.M.	A.M.	P.M.	
Daylight Savings Time								
Mon.	Sept. 1	-	Sun.	Sept. 7	6:00	7:45	5:45	7:30
Mon.	Sept. 8	-	Sun.	Sept. 14	6:10	7:30	5:50	7:20
Mon.	Sept. 15	-	Sun.	Sept. 21	6:20	7:15	6:10	7:05
Mon.	Sept. 22	-	Sun.	Sept. 28	6:30	7:00	6:15	6:50
Mon.	Sept. 29	-	Sun.	Oct. 5	6:40	6:45	6:30	6:35
Mon.	Oct. 6	-	Sun.	Oct. 12	6:50	6:30	6:40	6:25
Mon.	Oct. 13	-	Sun.	Oct. 19	7:00	6:20	6:50	6:10
Mon.	Oct. 20	-	Sun.	Oct. 26	7:10	6:10	7:00	5:55
Mon.	Oct. 27	-	Sat.	Nov. 1	7:20	5:55	7:15	5:45
Pacific Standard Time								
			Sun.	Nov. 2	6:20	4:55	6:15	4:45
Mon.	Nov. 3	-	Sun.	Nov. 9	6:30	4:45	6:20	4:30
Mon.	Nov. 10	-	Sun.	Nov. 16	6:40	4:35	6:30	4:25
Mon.	Nov. 17	-	Sun.	Nov. 23	6:50	4:30	6:40	4:15
Mon.	Nov. 24	-	Sun.	Nov. 30	7:00	4:20	6:50	4:10
Mon.	Dec. 1	-	Sun.	Dec. 7	7:10	4:20	7:00	4:10
Mon.	Dec. 8	-	Sun.	Dec. 14	7:15	4:20	7:05	4:05
Mon.	Dec. 15	-	Sun.	Dec. 21	7:20	4:20	7:10	4:10
Mon.	Dec. 22	-	Sun.	Dec. 28	7:25	4:25	7:10	4:10
Mon.	Dec. 29	-	Sun.	Jan. 4	7:25	4:30	7:15	4:15
Mon.	Jan. 5	-	Sun.	Jan. 11	7:25	4:35	7:15	4:25
Mon.	Jan. 12	-	Sun.	Jan. 18	7:25	4:45	7:10	4:35
Mon.	Jan. 19	-	Sun.	Jan. 25	7:20	4:55	7:05	4:45
Mon.	Jan. 26	-	Fri.	Jan. 31	7:10	5:00	7:00	4:55

((*) ~~These are lawful hunting hours (one half hour before sunrise to sunset) for migratory game birds (duck, goose, eot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.~~

~~Exceptions:~~

- ~~(a) Western Washington – Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.~~
- ~~(b) Clark (except areas south of the Washougal River), Cowlitz, Pacific, and Wahkiakum counties – Goose hunting hours are 8:00 a.m. to 4:00 p.m., except one half hour before sunrise to sunset during the September goose season and 7:00 a.m. to 4:00 p.m. during the late goose season.~~
- ~~(c) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.)~~

((3)) (5) OFFICIAL HUNTING HOURS
 ((FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS*))
 WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON TUESDAY

Dates (Inclusive)				Western Washington		Eastern Washington		
				from	to	from	to	
				A.M.	P.M.	A.M.	P.M.	
Daylight Savings Time								
Tues.	Sept. 1	-	Sun.	Sept. 6	6:00	7:45	5:50	7:35
Mon.	Sept. 7	-	Sun.	Sept. 13	6:10	7:35	6:00	7:20
Mon.	Sept. 14	-	Sun.	Sept. 20	6:20	7:20	6:05	7:05
Mon.	Sept. 21	-	Sun.	Sept. 27	6:30	7:05	6:15	6:50
Mon.	Sept. 28	-	Sun.	Oct. 4	6:40	6:50	6:25	6:35
Mon.	Oct. 5	-	Sun.	Oct. 11	6:45	6:35	6:35	6:25
Mon.	Oct. 12	-	Sun.	Oct. 18	6:55	6:20	6:45	6:10
Mon.	Oct. 19	-	Sun.	Oct. 25	7:05	6:10	6:55	6:00
Mon.	Oct. 26	-	Sat.	Oct. 31	7:20	5:55	7:05	5:45
Pacific Standard Time								
			Sun.	Nov. 1	6:20	4:55	6:05	4:45
Mon.	Nov. 2	-	Sun.	Nov. 8	6:30	4:45	6:15	4:35
Mon.	Nov. 9	-	Sun.	Nov. 15	6:40	4:35	6:30	4:25
Mon.	Nov. 16	-	Sun.	Nov. 22	6:50	4:30	6:40	4:15
Mon.	Nov. 23	-	Sun.	Nov. 29	7:00	4:25	6:45	4:10
Mon.	Nov. 30	-	Sun.	Dec. 6	7:10	4:20	6:55	4:10
Mon.	Dec. 7	-	Sun.	Dec. 13	7:15	4:20	7:05	4:05
Mon.	Dec. 14	-	Sun.	Dec. 20	7:20	4:20	7:10	4:10
Mon.	Dec. 21	-	Sun.	Dec. 27	7:25	4:20	7:15	4:10
Mon.	Dec. 28	-	Sun.	Jan. 3	7:30	4:30	7:15	4:15
Mon.	Jan. 4	-	Sun.	Jan. 10	7:25	4:35	7:15	4:25
Mon.	Jan. 11	-	Sun.	Jan. 17	7:25	4:45	7:10	4:30
Mon.	Jan. 18	-	Sun.	Jan. 24	7:20	4:55	7:05	4:40
Mon.	Jan. 25	-	Sat.	Jan. 31	7:10	5:00	7:00	4:50

((*) ~~These are lawful hunting hours (one-half hour before sunrise to sunset) for migratory game birds (duck, goose, eot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.~~

~~Exceptions:~~

- ~~(a) Western Washington – Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.~~
- ~~(b) Clark (except areas south of the Washougal River), Cowlitz, Pacific, and Wahkiakum counties – Goose hunting hours are 8:00 a.m. to 4:00 p.m., except one-half hour before sunrise to sunset during the September goose season and 7:00 a.m. to 4:00 p.m. during the late goose season.~~
- ~~(c) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.)~~

((4)) (6) OFFICIAL HUNTING HOURS
 ((FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS*))
 WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON WEDNESDAY

Dates (Inclusive)				Western Washington		Eastern Washington		
				from	to	from	to	
				A.M.	P.M.	A.M.	P.M.	
				Daylight Savings Time				
Wed.	Sept. 1	-	Sun.	Sept. 5	6:00	7:45	5:50	7:35
Mon.	Sept. 6	-	Sun.	Sept. 12	6:10	7:35	5:55	7:20
Mon.	Sept. 13	-	Sun.	Sept. 19	6:15	7:20	6:05	7:10
Mon.	Sept. 20	-	Sun.	Sept. 26	6:25	7:05	6:15	6:55
Mon.	Sept. 27	-	Sun.	Oct. 3	6:35	6:50	6:25	6:40
Mon.	Oct. 4	-	Sun.	Oct. 10	6:45	6:40	6:35	6:25
Mon.	Oct. 11	-	Sun.	Oct. 17	6:55	6:25	6:45	6:10
Mon.	Oct. 18	-	Sun.	Oct. 24	7:05	6:10	6:55	6:00
Mon.	Oct. 25	-	Sun.	Oct. 31	7:15	6:00	7:05	5:45
Mon.	Nov. 1	-	Sat.	Nov. 6	7:25	5:50	7:15	5:35
				Pacific Standard Time				
			Sun.	Nov. 7	6:25	4:50	6:15	4:35
Mon.	Nov. 8	-	Sun.	Nov. 14	6:40	4:40	6:25	4:25
Mon.	Nov. 15	-	Sun.	Nov. 21	6:50	4:30	6:35	4:20
Mon.	Nov. 22	-	Sun.	Nov. 28	7:00	4:25	6:45	4:10
Mon.	Nov. 29	-	Sun.	Dec. 5	7:05	4:20	6:55	4:10
Mon.	Dec. 6	-	Sun.	Dec. 12	7:15	4:20	7:05	4:05
Mon.	Dec. 13	-	Sun.	Dec. 19	7:20	4:20	7:10	4:05
Mon.	Dec. 20	-	Sun.	Dec. 26	7:25	4:20	7:15	4:10
Mon.	Dec. 27	-	Sun.	Jan. 2	7:25	4:25	7:15	4:15
Mon.	Jan. 3	-	Sun.	Jan. 9	7:25	4:35	7:15	4:20
Mon.	Jan. 10	-	Sun.	Jan. 16	7:25	4:40	7:10	4:30
Mon.	Jan. 17	-	Sun.	Jan. 23	7:20	4:50	7:10	4:40
Mon.	Jan. 24	-	Mon.	Jan. 31	7:10	5:00	7:00	4:50

((*) These are lawful hunting hours (one-half hour before sunrise to sunset) for migratory game birds (duck, goose, eot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.

Exceptions:

- (a) ~~Western Washington – Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.~~
- (b) ~~Clark (except areas south of the Washougal River), Cowlitz, Pacific, and Wahkiakum counties – Goose hunting hours are 8:00 a.m. to 4:00 p.m., except one-half hour before sunrise to sunset during the September goose season and 7:00 a.m. to 4:00 p.m. during the late goose season.~~
- (c) ~~Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.)~~

((5)) (7) OFFICIAL HUNTING HOURS
 ((FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS*))
 WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON THURSDAY

Dates (Inclusive)	Western Washington		Eastern Washington	
	from	to	from	to
	A.M.	P.M.	A.M.	P.M.
	Daylight Savings Time			
Thur. Sept. 1 - Sun. Sept. 4	6:00	7:45	5:45	7:35
Mon. Sept. 5 - Sun. Sept. 11	6:05	7:35	5:55	7:25
Mon. Sept. 12 - Sun. Sept. 18	6:15	7:20	6:05	7:10
Mon. Sept. 19 - Sun. Sept. 25	6:25	7:10	6:10	6:55
Mon. Sept. 26 - Sun. Oct. 2	6:35	6:55	6:25	6:40
Mon. Oct. 3 - Sun. Oct. 9	6:45	6:40	6:35	6:25
Mon. Oct. 10 - Sun. Oct. 16	6:55	6:25	6:45	6:15
Mon. Oct. 17 - Sun. Oct. 23	7:05	6:10	6:55	6:00
Mon. Oct. 24 - Sun. Oct. 30	7:15	6:00	7:05	5:50
Mon. Oct. 31 - Sat. Nov. 5	7:25	5:50	7:15	5:35
	Pacific Standard Time			
Mon. Nov. 7 - Sun. Nov. 13	6:25	4:50	6:15	4:35
Mon. Nov. 14 - Sun. Nov. 20	6:35	4:40	6:25	4:25
Mon. Nov. 21 - Sun. Nov. 27	6:45	4:30	6:35	4:20
Mon. Nov. 28 - Sun. Dec. 4	6:55	4:25	6:45	4:10
Mon. Dec. 5 - Sun. Dec. 11	7:05	4:20	6:55	4:10
Mon. Dec. 12 - Sun. Dec. 18	7:15	4:20	7:00	4:05
Mon. Dec. 19 - Sun. Dec. 25	7:20	4:20	7:10	4:05
Mon. Dec. 26 - Sun. Jan. 1	7:25	4:20	7:10	4:10
Mon. Jan. 2 - Sun. Jan. 8	7:25	4:25	7:15	4:15
Mon. Jan. 9 - Sun. Jan. 15	7:25	4:30	7:15	4:20
Mon. Jan. 16 - Sun. Jan. 22	7:25	4:40	7:10	4:30
Mon. Jan. 23 - Sun. Jan. 29	7:20	4:50	7:10	4:40
Mon. Jan. 30 - Tues. Jan. 31	7:15	5:00	7:00	4:50
	7:10	5:05	6:55	4:55

((*) These are lawful hunting hours (one half hour before sunrise to sunset) for migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.

Exceptions:

- (a) Western Washington - Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- (b) Clark (except areas south of the Washougal River), Cowlitz, Pacific, and Wahkiakum counties - Goose hunting hours are 8:00 a.m. to 4:00 p.m., except one half hour before sunrise to sunset during the September goose season and 7:00 a.m. to 4:00 p.m. during the late goose season.
- (c) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.)

((6)) (8) OFFICIAL HUNTING HOURS
 ((FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS*))
 WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON FRIDAY

Dates (Inclusive)				Western Washington		Eastern Washington		
				from	to	from	to	
				A.M.	P.M.	A.M.	P.M.	
Daylight Savings Time								
Fri.	Sept. 1	-	Sun.	Sept. 3	6:00	7:50	5:45	7:35
Mon.	Sept. 4	-	Sun.	Sept. 10	6:05	7:40	5:55	7:25
Mon.	Sept. 11	-	Sun.	Sept. 17	6:15	7:25	6:05	7:10
Mon.	Sept. 18	-	Sun.	Sept. 24	6:25	7:10	6:10	7:00
Mon.	Sept. 25	-	Sun.	Oct. 1	6:35	6:55	6:20	6:45
Mon.	Oct. 2	-	Sun.	Oct. 8	6:45	6:40	6:30	6:30
Mon.	Oct. 9	-	Sun.	Oct. 15	6:55	6:25	6:40	6:15
Mon.	Oct. 16	-	Sun.	Oct. 22	7:05	6:15	6:50	6:00
Mon.	Oct. 23	-	Sun.	Oct. 29	7:10	6:05	7:00	5:50
Mon.	Oct. 30	-	Sat.	Nov. 4	7:25	5:50	7:10	5:40
Pacific Standard Time								
			Sun.	Nov. 5	6:25	4:50	6:10	4:40
Mon.	Nov. 6	-	Sun.	Nov. 12	6:35	4:40	6:25	4:30
Mon.	Nov. 13	-	Sun.	Nov. 19	6:45	4:30	6:35	4:20
Mon.	Nov. 20	-	Sun.	Nov. 26	6:55	4:25	6:45	4:15
Mon.	Nov. 27	-	Sun.	Dec. 3	7:05	4:20	6:55	4:10
Mon.	Dec. 4	-	Sun.	Dec. 10	7:15	4:20	7:00	4:05
Mon.	Dec. 11	-	Sun.	Dec. 17	7:20	4:20	7:10	4:05
Mon.	Dec. 18	-	Sun.	Dec. 24	7:25	4:20	7:10	4:10
Mon.	Dec. 25	-	Sun.	Dec. 31	7:25	4:25	7:15	4:10
Mon.	Jan. 1	-	Sun.	Jan. 7	7:30	4:30	7:15	4:20
Mon.	Jan. 8	-	Sun.	Jan. 14	7:25	4:40	7:15	4:30
Mon.	Jan. 15	-	Sun.	Jan. 21	7:20	4:50	7:10	4:40
Mon.	Jan. 22	-	Sun.	Jan. 28	7:15	5:00	7:00	4:50
Mon.	Jan. 29	-	Wed.	Jan. 31	7:10	5:05	6:55	4:50

((*) These are lawful hunting hours (one half hour before sunrise to sunset) for migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.

Exceptions:

- (a) Western Washington – Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- (b) Clark (except areas south of the Washougal River), Cowlitz, Pacific, and Wahkiakum counties – Goose hunting hours are 8:00 a.m. to 4:00 p.m., except one half hour before sunrise to sunset during the September goose season and 7:00 a.m. to 4:00 p.m. during the late goose season.
- (c) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.)

((7)) (9) OFFICIAL HUNTING HOURS
 ((FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS*))
 WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON SATURDAY

Dates (Inclusive)	Western Washington		Eastern Washington	
	from	to	from	to
	A.M.	P.M.	A.M.	P.M.
	Daylight Savings Time			
Sat. Sept. 1 - Sun. Sept. 2	6:00	7:50	5:45	7:40
Mon. Sept. 3 - Sun. Sept. 9	6:05	7:40	5:50	7:30
Mon. Sept. 10 - Sun. Sept. 16	6:15	7:25	6:00	7:15
Mon. Sept. 17 - Sun. Sept. 23	6:20	7:10	6:10	7:00
Mon. Sept. 24 - Sun. Sept. 30	6:30	6:55	6:20	6:45
Mon. Oct. 1 - Sun. Oct. 7	6:40	6:45	6:30	6:30
Mon. Oct. 8 - Sun. Oct. 14	6:50	6:30	6:40	6:15
Mon. Oct. 15 - Sun. Oct. 21	7:00	6:15	6:50	6:05
Mon. Oct. 22 - Sun. Oct. 28	7:10	6:05	7:00	5:50
Mon. Oct. 29 - Sat. Nov. 3	7:20	5:50	7:10	5:40
	Pacific Standard Time			
Mon. Nov. 4 - Sun. Nov. 11	6:20	4:50	6:10	4:40
Mon. Nov. 12 - Sun. Nov. 18	6:35	4:40	6:20	4:30
Mon. Nov. 19 - Sun. Nov. 25	6:45	4:35	6:30	4:20
Mon. Nov. 26 - Sun. Dec. 2	6:55	4:25	6:40	4:15
Mon. Dec. 3 - Sun. Dec. 9	7:05	4:20	6:50	4:10
Mon. Dec. 10 - Sun. Dec. 16	7:10	4:20	7:00	4:05
Mon. Dec. 17 - Sun. Dec. 23	7:20	4:20	7:05	4:05
Mon. Dec. 24 - Sun. Dec. 30	7:25	4:20	7:10	4:05
Mon. Dec. 31 - Sun. Jan. 6	7:25	4:25	7:15	4:10
Mon. Jan. 7 - Sun. Jan. 13	7:25	4:30	7:15	4:20
Mon. Jan. 14 - Sun. Jan. 20	7:25	4:40	7:15	4:25
Mon. Jan. 21 - Sun. Jan. 27	7:20	4:45	7:10	4:35
Mon. Jan. 28 - Thur. Jan. 31	7:15	4:55	7:05	4:45
	7:10	5:05	7:00	4:55

((*) These are lawful hunting hours (one half hour before sunrise to sunset) for migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.

Exceptions:

- (a) Western Washington – Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- (b) Clark (except areas south of the Washougal River), Cowlitz, Pacific, and Wahkiakum counties – Goose hunting hours are 8:00 a.m. to 4:00 p.m., except one half hour before sunrise to sunset during the September goose season and 7:00 a.m. to 4:00 p.m. during the late goose season.
- (c) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

(8) OFFICIAL HUNTING HOURS
 FOR GAME ANIMALS AND FOREST GROUSE*
 WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON SUNDAY

Dates (Inclusive)				Western Washington		Eastern Washington			
				from	to	from	to	P.M.	
				A.M.		P.M.	A.M.		P.M.
Daylight Savings Time									
Sun.	Sept. 1	-	Sun.	Sept. 8	6:00	8:15	5:45	8:00	
Mon.	Sept. 9	-	Sun.	Sept. 15	6:10	8:00	6:00	7:45	
Mon.	Sept. 16	-	Sun.	Sept. 22	6:20	7:45	6:10	7:30	
Mon.	Sept. 23	-	Sun.	Sept. 29	6:30	7:30	6:20	7:15	
Mon.	Sept. 30	-	Sun.	Oct. 6	6:40	7:15	6:30	7:05	
Mon.	Oct. 7	-	Sun.	Oct. 13	6:50	7:00	6:40	6:50	
Mon.	Oct. 14	-	Sun.	Oct. 20	7:00	6:50	6:50	6:35	
Mon.	Oct. 21	-	Sun.	Oct. 27	7:10	6:35	7:00	6:25	
Mon.	Oct. 28	-	Sat.	Nov. 2	7:20	6:25	7:10	6:20	
Pacific Standard Time									
			Sun.	Nov. 3	6:20	5:25	6:10	5:20	
Mon.	Nov. 4	-	Sun.	Nov. 10	6:30	5:15	6:20	5:00	
Mon.	Nov. 11	-	Sun.	Nov. 17	6:40	5:05	6:30	4:50	
Mon.	Nov. 18	-	Sun.	Nov. 24	6:50	4:55	6:40	4:45	
Mon.	Nov. 25	-	Sun.	Dec. 1	7:00	4:50	6:50	4:40	
Mon.	Dec. 2	-	Sun.	Dec. 8	7:10	4:50	7:00	4:40	
Mon.	Dec. 9	-	Sun.	Dec. 15	7:15	4:50	7:05	4:40	
Mon.	Dec. 16	-	Sun.	Dec. 22	7:20	4:50	7:10	4:40	
Mon.	Dec. 23	-	Sun.	Dec. 29	7:25	4:55	7:10	4:45	
Mon.	Dec. 30	-	Sun.	Jan. 5	7:25	5:00	7:15	4:45	
Mon.	Jan. 6	-	Sun.	Jan. 12	7:25	5:05	7:15	4:55	
Mon.	Jan. 13	-	Sun.	Jan. 19	7:20	5:15	7:10	5:05	
Mon.	Jan. 20	-	Sun.	Jan. 26	7:15	5:25	7:05	5:15	
Mon.	Jan. 27	-	Fri.	Jan. 31	7:10	5:35	7:00	5:25	

* These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for game animals and forest grouse (ruffed, blue, spruce) during established seasons.

Exceptions:

- (a) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- (b) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

(9) OFFICIAL HUNTING HOURS
 FOR GAME ANIMALS AND FOREST GROUSE*
 WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON MONDAY

Dates (Inclusive)				Western Washington		Eastern Washington			
				from	to	from	to	P.M.	
				A.M.		P.M.	A.M.		P.M.
Daylight Savings Time									
Mon.	Sept. 1	-	Sun.	Sept. 7	6:00	8:15	5:50	8:00	

(9) OFFICIAL HUNTING HOURS
FOR GAME ANIMALS AND FOREST GROUSE*
WHEN THE SEPTEMBER 1—JANUARY 31 PERIOD BEGINS ON MONDAY

Dates (Inclusive)					Western Washington		Eastern Washington	
					from	to	from	to
					A.M.	P.M.	A.M.	P.M.
Mon.	Sept. 8	-	Sun.	Sept. 14	6:10	8:00	6:00	7:50
Mon.	Sept. 15	-	Sun.	Sept. 21	6:20	7:45	6:10	7:35
Mon.	Sept. 22	-	Sun.	Sept. 28	6:30	7:30	6:15	7:20
Mon.	Sept. 29	-	Sun.	Oct. 5	6:40	7:15	6:30	7:05
Mon.	Oct. 6	-	Sun.	Oct. 12	6:50	7:00	6:40	6:55
Mon.	Oct. 13	-	Sun.	Oct. 19	7:00	6:50	6:50	6:40
Mon.	Oct. 20	-	Sun.	Oct. 26	7:10	6:40	7:00	6:25
Mon.	Oct. 27	-	Sat.	Nov. 1	7:20	6:25	7:15	6:15
Pacific Standard Time								
			Sun.	Nov. 2	6:20	5:25	6:10	5:15
Mon.	Nov. 3	-	Sun.	Nov. 9	6:30	5:15	6:20	5:00
Mon.	Nov. 10	-	Sun.	Nov. 16	6:40	5:05	6:30	4:55
Mon.	Nov. 17	-	Sun.	Nov. 23	6:50	5:00	6:40	4:45
Mon.	Nov. 24	-	Sun.	Nov. 30	7:00	4:50	6:50	4:40
Mon.	Dec. 1	-	Sun.	Dec. 7	7:10	4:50	7:00	4:40
Mon.	Dec. 8	-	Sun.	Dec. 14	7:15	4:50	7:05	4:40
Mon.	Dec. 15	-	Sun.	Dec. 21	7:20	4:50	7:10	4:40
Mon.	Dec. 22	-	Sun.	Dec. 28	7:25	4:55	7:10	4:40
Mon.	Dec. 29	-	Sun.	Jan. 4	7:25	5:00	7:15	4:45
Mon.	Jan. 5	-	Sun.	Jan. 11	7:25	5:05	7:15	4:55
Mon.	Jan. 12	-	Sun.	Jan. 18	7:25	5:15	7:10	5:05
Mon.	Jan. 19	-	Sun.	Jan. 25	7:20	5:25	7:05	5:15
Mon.	Jan. 26	-	Fri.	Jan. 31	7:10	5:30	7:00	5:25

* These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for game animals and forest grouse (ruffed, blue, spruce) during established seasons.

Exceptions:

- (a) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- (b) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

(10) OFFICIAL HUNTING HOURS
FOR GAME ANIMALS AND FOREST GROUSE*
WHEN THE SEPTEMBER 1—JANUARY 31 PERIOD BEGINS ON TUESDAY

Dates (Inclusive)					Western Washington		Eastern Washington	
					from	to	from	to
					A.M.	P.M.	A.M.	P.M.
Daylight Savings Time								
Tues.	Sept. 1	-	Sun.	Sept. 6	6:00	8:15	5:50	8:05
Mon.	Sept. 7	-	Sun.	Sept. 13	6:10	8:05	6:00	7:50
Mon.	Sept. 14	-	Sun.	Sept. 20	6:20	7:50	6:05	7:35

(10) OFFICIAL HUNTING HOURS
 FOR GAME ANIMALS AND FOREST GROUSE*
 WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON TUESDAY

Dates (Inclusive)	Western Washington		Eastern Washington	
	from	to	from	to
Mon. Sept. 21 - Sun. Sept. 27	6:30 A.M.	7:35 P.M.	6:15 A.M.	7:20 P.M.
Mon. Sept. 28 - Sun. Oct. 4	6:40 A.M.	7:20 P.M.	6:25 A.M.	7:05 P.M.
Mon. Oct. 5 - Sun. Oct. 11	6:45 A.M.	7:05 P.M.	6:35 A.M.	6:55 P.M.
Mon. Oct. 12 - Sun. Oct. 18	6:55 A.M.	6:50 P.M.	6:45 A.M.	6:40 P.M.
Mon. Oct. 19 - Sun. Oct. 25	7:05 A.M.	6:40 P.M.	6:55 A.M.	6:30 P.M.
Mon. Oct. 26 - Sat. Oct. 31	7:20 A.M.	6:25 P.M.	7:05 A.M.	6:15 P.M.
Pacific Standard Time				
Mon. Nov. 2 - Sun. Nov. 8	6:30 A.M.	5:15 P.M.	6:15 A.M.	5:05 P.M.
Mon. Nov. 9 - Sun. Nov. 15	6:40 A.M.	5:05 P.M.	6:30 A.M.	4:55 P.M.
Mon. Nov. 16 - Sun. Nov. 22	6:50 A.M.	5:00 P.M.	6:40 A.M.	4:45 P.M.
Mon. Nov. 23 - Sun. Nov. 29	7:00 A.M.	4:55 P.M.	6:50 A.M.	4:40 P.M.
Mon. Nov. 30 - Sun. Dec. 6	7:10 A.M.	4:50 P.M.	6:55 A.M.	4:40 P.M.
Mon. Dec. 7 - Sun. Dec. 13	7:15 A.M.	4:50 P.M.	7:05 A.M.	4:35 P.M.
Mon. Dec. 14 - Sun. Dec. 20	7:20 A.M.	4:50 P.M.	7:10 A.M.	4:40 P.M.
Mon. Dec. 21 - Sun. Dec. 27	7:25 A.M.	4:50 P.M.	7:15 A.M.	4:40 P.M.
Mon. Dec. 28 - Sun. Jan. 3	7:30 A.M.	5:00 P.M.	7:15 A.M.	4:45 P.M.
Mon. Jan. 4 - Sun. Jan. 10	7:25 A.M.	5:05 P.M.	7:15 A.M.	4:55 P.M.
Mon. Jan. 11 - Sun. Jan. 17	7:25 A.M.	5:15 P.M.	7:10 A.M.	5:00 P.M.
Mon. Jan. 18 - Sun. Jan. 24	7:20 A.M.	5:25 P.M.	7:05 A.M.	5:10 P.M.
Mon. Jan. 25 - Sat. Jan. 31	7:10 A.M.	5:30 P.M.	7:00 A.M.	5:20 P.M.

* These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for game animals and forest grouse (ruffed, blue, spruce) during established seasons.

Exceptions:

- (a) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- (b) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

(11) OFFICIAL HUNTING HOURS
 FOR GAME ANIMALS AND FOREST GROUSE*
 WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON WEDNESDAY

Dates (Inclusive)	Western Washington		Eastern Washington	
	from	to	from	to
Daylight Savings Time				
Wed. Sept. 1 - Sun. Sept. 5	6:00 A.M.	8:15 P.M.	5:50 A.M.	8:05 P.M.
Mon. Sept. 6 - Sun. Sept. 12	6:10 A.M.	8:05 P.M.	5:55 A.M.	7:50 P.M.
Mon. Sept. 13 - Sun. Sept. 19	6:15 A.M.	7:50 P.M.	6:05 A.M.	7:40 P.M.
Mon. Sept. 20 - Sun. Sept. 26	6:25 A.M.	7:35 P.M.	6:15 A.M.	7:25 P.M.
Mon. Sept. 27 - Sun. Oct. 3	6:35 A.M.	7:20 P.M.	6:25 A.M.	7:10 P.M.

(11) OFFICIAL HUNTING HOURS
FOR GAME ANIMALS AND FOREST GROUSE*
WHEN THE SEPTEMBER 1 – JANUARY 31 PERIOD BEGINS ON WEDNESDAY

Dates (Inclusive)	Western Washington		Eastern Washington	
	from	to	from	to
Mon. Oct. 4 - Sun. Oct. 10	6:45	7:10	6:35	6:55
Mon. Oct. 11 - Sun. Oct. 17	6:55	6:55	6:45	6:40
Mon. Oct. 18 - Sun. Oct. 24	7:05	6:40	6:55	6:30
Mon. Oct. 25 - Sun. Oct. 31	7:15	6:30	7:05	6:15
Mon. Nov. 1 - Sat. Nov. 6	7:25	6:20	7:15	6:05
Pacific Standard Time				
Mon. Nov. 8 - Sun. Nov. 14	6:25	5:20	6:15	5:05
Mon. Nov. 15 - Sun. Nov. 21	6:40	5:10	6:25	4:55
Mon. Nov. 22 - Sun. Nov. 28	6:50	5:00	6:35	4:50
Mon. Nov. 29 - Sun. Dec. 5	7:00	4:55	6:45	4:40
Mon. Dec. 6 - Sun. Dec. 12	7:05	4:50	6:55	4:40
Mon. Dec. 13 - Sun. Dec. 19	7:15	4:50	7:05	4:35
Mon. Dec. 20 - Sun. Dec. 26	7:20	4:50	7:10	4:35
Mon. Dec. 27 - Sun. Jan. 2	7:25	4:50	7:15	4:40
Mon. Jan. 3 - Sun. Jan. 9	7:25	4:55	7:15	4:45
Mon. Jan. 10 - Sun. Jan. 16	7:25	5:05	7:15	4:50
Mon. Jan. 17 - Sun. Jan. 23	7:25	5:10	7:10	5:00
Mon. Jan. 24 - Mon. Jan. 31	7:20	5:20	7:10	5:10
Mon. Jan. 31	7:10	5:30	7:00	5:20

* These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for game animals and forest grouse (ruffed, blue, spruce) during established seasons.

Exceptions:

- (a) ~~Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.~~
- (b) ~~Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.~~

(12) OFFICIAL HUNTING HOURS
FOR GAME ANIMALS AND FOREST GROUSE*
WHEN THE SEPTEMBER 1 – JANUARY 31 PERIOD BEGINS ON THURSDAY

Dates (Inclusive)	Western Washington		Eastern Washington	
	from	to	from	to
Daylight Savings Time				
Thurs. Sept. 1 - Sun. Sept. 4	6:00	8:15	5:45	8:05
Mon. Sept. 5 - Sun. Sept. 11	6:05	8:05	5:55	7:55
Mon. Sept. 12 - Sun. Sept. 18	6:15	7:50	6:05	7:40
Mon. Sept. 19 - Sun. Sept. 25	6:25	7:40	6:10	7:25
Mon. Sept. 26 - Sun. Oct. 2	6:35	7:25	6:25	7:10
Mon. Oct. 3 - Sun. Oct. 9	6:45	7:10	6:35	6:55
Mon. Oct. 10 - Sun. Oct. 16	6:55	7:05	6:40	6:45

(12) OFFICIAL HUNTING HOURS
 FOR GAME ANIMALS AND FOREST GROUSE*
 WHEN THE SEPTEMBER 1 – JANUARY 31 PERIOD BEGINS ON THURSDAY

Dates (Inclusive)	Western Washington		Eastern Washington	
	from	to	from	to
Mon. Oct. 17 - Sun. Oct. 23	7:05 A.M.	6:40 P.M.	6:55 A.M.	6:30 P.M.
Mon. Oct. 24 - Sun. Oct. 30	7:15 A.M.	6:30 P.M.	7:00 A.M.	6:20 P.M.
Mon. Oct. 31 - Sat. Nov. 5	7:25 A.M.	6:20 P.M.	7:15 A.M.	6:05 P.M.
Pacific Standard Time				
Mon. Nov. 7 - Sun. Nov. 13	6:35 A.M.	5:10 P.M.	6:25 A.M.	4:55 P.M.
Mon. Nov. 14 - Sun. Nov. 20	6:45 A.M.	5:00 P.M.	6:35 A.M.	4:50 P.M.
Mon. Nov. 21 - Sun. Nov. 27	6:55 A.M.	4:55 P.M.	6:45 A.M.	4:40 P.M.
Mon. Nov. 28 - Sun. Dec. 4	7:05 A.M.	4:50 P.M.	6:55 A.M.	4:40 P.M.
Mon. Dec. 5 - Sun. Dec. 11	7:15 A.M.	4:50 P.M.	7:00 A.M.	4:35 P.M.
Mon. Dec. 12 - Sun. Dec. 18	7:20 A.M.	4:50 P.M.	7:10 A.M.	4:35 P.M.
Mon. Dec. 19 - Sun. Dec. 25	7:25 A.M.	4:50 P.M.	7:10 A.M.	4:40 P.M.
Mon. Dec. 26 - Sun. Jan. 1	7:25 A.M.	4:55 P.M.	7:15 A.M.	4:45 P.M.
Mon. Jan. 2 - Sun. Jan. 8	7:25 A.M.	5:00 P.M.	7:15 A.M.	4:50 P.M.
Mon. Jan. 9 - Sun. Jan. 15	7:25 A.M.	5:10 P.M.	7:10 A.M.	5:00 P.M.
Mon. Jan. 16 - Sun. Jan. 22	7:20 A.M.	5:20 P.M.	7:10 A.M.	5:10 P.M.
Mon. Jan. 23 - Sun. Jan. 29	7:15 A.M.	5:30 P.M.	7:00 A.M.	5:20 P.M.
Mon. Jan. 30 - Tues. Jan. 31	7:10 A.M.	5:35 P.M.	6:55 A.M.	5:25 P.M.

* These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for game animals and forest grouse (ruffed, blue, spruce) during established seasons.

Exceptions:

- (a) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- (b) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

(13) OFFICIAL HUNTING HOURS
 FOR GAME ANIMALS AND FOREST GROUSE*
 WHEN THE SEPTEMBER 1 – JANUARY 31 PERIOD BEGINS ON FRIDAY

Dates (Inclusive)	Western Washington		Eastern Washington	
	from	to	from	to
Daylight Savings Time				
Fri. Sept. 1 - Sun. Sept. 3	6:00 A.M.	8:20 P.M.	5:45 A.M.	8:05 P.M.
Mon. Sept. 4 - Sun. Sept. 10	6:05 A.M.	8:10 P.M.	5:55 A.M.	7:55 P.M.
Mon. Sept. 11 - Sun. Sept. 17	6:15 A.M.	7:55 P.M.	6:05 A.M.	7:40 P.M.
Mon. Sept. 18 - Sun. Sept. 24	6:25 A.M.	7:40 P.M.	6:10 A.M.	7:30 P.M.
Mon. Sept. 25 - Sun. Oct. 1	6:35 A.M.	7:25 P.M.	6:20 A.M.	7:15 P.M.
Mon. Oct. 2 - Sun. Oct. 8	6:45 A.M.	7:10 P.M.	6:30 A.M.	7:00 P.M.
Mon. Oct. 9 - Sun. Oct. 15	6:55 A.M.	6:55 P.M.	6:40 A.M.	6:45 P.M.
Mon. Oct. 16 - Sun. Oct. 22	7:05 A.M.	6:45 P.M.	6:50 A.M.	6:30 P.M.

(13) OFFICIAL HUNTING HOURS
 FOR GAME ANIMALS AND FOREST GROUSE*
 WHEN THE SEPTEMBER 1 – JANUARY 31 PERIOD BEGINS ON FRIDAY

Dates (Inclusive)					Western Washington		Eastern Washington	
					from	to	from	to
					A.M.	P.M.	A.M.	P.M.
Mon.	Oct. 23	-	Sun.	Oct. 29	7:10	6:35	7:00	6:20
Mon.	Oct. 30	-	Sat.	Nov. 4	7:25	6:20	7:10	6:10
Pacific Standard Time								
			Sun.	Nov. 5	6:25	5:20	6:10	5:10
Mon.	Nov. 6	-	Sun.	Nov. 12	6:35	5:10	6:25	5:00
Mon.	Nov. 13	-	Sun.	Nov. 19	6:45	5:00	6:35	4:50
Mon.	Nov. 20	-	Sun.	Nov. 26	6:55	4:55	6:45	4:45
Mon.	Nov. 27	-	Sun.	Dec. 3	7:05	4:50	6:55	4:40
Mon.	Dec. 4	-	Sun.	Dec. 10	7:15	4:50	7:00	4:35
Mon.	Dec. 11	-	Sun.	Dec. 17	7:20	4:50	7:10	4:35
Mon.	Dec. 18	-	Sun.	Dec. 24	7:25	4:50	7:10	4:40
Mon.	Dec. 25	-	Sun.	Dec. 31	7:25	4:55	7:15	4:40
Mon.	Jan. 1	-	Sun.	Jan. 7	7:30	5:00	7:15	4:50
Mon.	Jan. 8	-	Sun.	Jan. 14	7:25	5:10	7:15	5:00
Mon.	Jan. 15	-	Sun.	Jan. 21	7:20	5:20	7:10	5:10
Mon.	Jan. 22	-	Sun.	Jan. 28	7:15	5:30	7:00	5:20
Mon.	Jan. 29	-	Wed.	Jan. 31	7:10	5:35	6:55	5:20

* These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for game animals and forest grouse (ruffed, blue, spruce) during established seasons.

Exceptions:

- (a) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- (b) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

(14) OFFICIAL HUNTING HOURS
 FOR GAME ANIMALS AND FOREST GROUSE*
 WHEN THE SEPTEMBER 1 – JANUARY 31 PERIOD BEGINS ON SATURDAY

Dates (Inclusive)					Western Washington		Eastern Washington	
					from	to	from	to
					A.M.	P.M.	A.M.	P.M.
Daylight Savings Time								
Sat.	Sept. 1	-	Sun.	Sept. 2	6:00	8:20	5:45	8:10
Mon.	Sept. 3	-	Sun.	Sept. 9	6:05	8:10	5:50	8:00
Mon.	Sept. 10	-	Sun.	Sept. 16	6:15	7:55	6:00	7:45
Mon.	Sept. 17	-	Sun.	Sept. 23	6:20	7:40	6:10	7:30
Mon.	Sept. 24	-	Sun.	Sept. 30	6:30	7:25	6:20	7:15
Mon.	Oct. 1	-	Sun.	Oct. 7	6:40	7:15	6:30	7:00
Mon.	Oct. 8	-	Sun.	Oct. 14	6:50	7:00	6:40	6:45
Mon.	Oct. 15	-	Sun.	Oct. 21	7:00	6:45	6:50	6:35
Mon.	Oct. 22	-	Sun.	Oct. 28	7:10	6:35	7:00	6:20

(14) OFFICIAL HUNTING HOURS
 FOR GAME ANIMALS AND FOREST GROUSE*
 WHEN THE SEPTEMBER 1 – JANUARY 31 PERIOD BEGINS ON SATURDAY

Dates (Inclusive)					Western Washington		Eastern Washington		
					from	to	from	to	
					A.M.	P.M.	A.M.	P.M.	
Mon.	Oct. 29	-	Sat.	Nov. 3	7:20	6:20	7:10	6:10	
				Pacific Standard Time					
			Sun.	Nov. 4	6:20	5:20	6:10	5:10	
Mon.	Nov. 5	-	Sun.	Nov. 11	6:35	5:10	6:20	5:00	
Mon.	Nov. 12	-	Sun.	Nov. 18	6:45	5:05	6:30	4:50	
Mon.	Nov. 19	-	Sun.	Nov. 25	6:55	4:55	6:40	4:45	
Mon.	Nov. 26	-	Sun.	Dec. 2	7:05	4:50	6:50	4:40	
Mon.	Dec. 3	-	Sun.	Dec. 9	7:10	4:50	7:00	4:35	
Mon.	Dec. 10	-	Sun.	Dec. 16	7:20	4:50	7:05	4:35	
Mon.	Dec. 17	-	Sun.	Dec. 23	7:25	4:50	7:10	4:35	
Mon.	Dec. 24	-	Sun.	Dec. 30	7:25	4:55	7:15	4:40	
Mon.	Dec. 31	-	Sun.	Jan. 6	7:25	5:00	7:15	4:50	
Mon.	Jan. 7	-	Sun.	Jan. 13	7:25	5:10	7:15	4:55	
Mon.	Jan. 14	-	Sun.	Jan. 20	7:20	5:15	7:10	5:05	
Mon.	Jan. 21	-	Sun.	Jan. 27	7:15	5:25	7:05	5:15	
Mon.	Jan. 28	-	Thur.	Jan. 31	7:10	5:35	7:00	5:25	

* These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for game animals and forest grouse (ruffed, blue, spruce) during established seasons.

Exceptions:

- (a) ~~Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.~~
- (b) ~~Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.)~~

NEW SECTION

WAC 232-12-063 Live wildlife—Facility, fencing, and marking requirements. (1) Secure facility:

(a) All captive wildlife held under a department issued permit must be held in a secure facility. For the purposes of this rule, a secure facility is an enclosure constructed to prevent danger to the environment or wildlife of the state, including escape of live wildlife specimens in captivity or ingress of resident wildlife ungulates (hoofed animals).

(b) For wildlife listed in WAC 232-12-064(2), the secure facility must comply with the fencing requirements in subsection (2) of this section.

(2) Fencing requirements:

(a) Perimeter fences must be, at a minimum, 8 feet above ground level for their entire length. The bottom 6 feet must be mesh of sufficient size to prevent resident wildlife ungulates (hoofed animals) from entering and captive wildlife from escaping. If the wire used is not a full 8 feet in height, it must be overlapped one row and securely fastened at every other vertical row or woven together with cable. Supplement-

tal wire required to attain a height of 8 feet may be smooth, barbed, or woven wire (at least 12 1/2 gauge) with strands spaced not more than 6 inches apart.

(b) Perimeter fences constructed of high tensile wire must be supported by a post or stay at minimum intervals of 8 feet.

(c) Perimeter fences must be at least 12 1/2 gauge woven wire, 14 1/2 gauge high-tensile woven wire, chain link, non-climbable woven fence, or other fence approved by the director.

(d) Electric fencing materials may be used on perimeter fences only as a supplement to conventional fencing materials.

(e) All gates in the perimeter fences must be self-closing, equipped with 2 locking devices, and installed only in locations that have been approved by the director. Double gates may be required at points in the perimeter fences subject to frequent vehicle traffic that is not related to activities involving the holding of captive wildlife.

(f) Posts used in the perimeter fences must be:

(i) Wood (pressure treated), 5-inch minimum diameter or an equivalent as approved by the director;

(ii) Spaced no more than 24 feet apart with stays or supports at eight foot intervals between the posts;

(iii) Extended at least 8 feet above ground level; and

(iv) Constructed with corners braced with wood or with an equivalent material as approved by the director.

(g) Fences must be maintained at all times to prevent captive wildlife from escaping or resident wildlife ungulates (hoofed animals) from entering the enclosure. If animals pass through, under, or over the fence because of any topographic feature or other conditions, the person possessing wildlife must immediately supplement the fence to prevent continued passage.

~~((h) A person may petition the director in writing for a variance from the above fencing requirements for a fence existing prior to February 13, 1993. Any variance petition must be filed no later than May 31, 1993, and must identify all aspects in which the existing fence does not meet the fencing requirements contained herein. With director approval, a person may maintain the existing fence with normal repair. However, any extension or relocation of existing fence must meet the fencing requirements contained herein.))~~

(3) Marking requirements:

(a) All live specimens of wildlife identified in WAC 232-12-064(2) must be individually identified by:

(i) USDA official ear tags or ear tags supplied or approved by the department. Tags must be applied in sequential order; and

(ii) A tattoo with an identifying number that has been recorded with the director. The tattoo must be placed on the left ear of the animal.

(b) Identification assigned to an individual animal may not be transferred to any other animal.

(c) Where allowed, all lawful progeny of wildlife identified in WAC 232-12-064(2) must be tagged and tattooed by December 31st of the year of birth or upon leaving the holding facility, whichever is earlier.

(d) Where allowed, if wildlife identified in WAC 232-12-064(2) is sold or transferred within the state, the tag and tattoo must accompany the animal. The new owner or possessor may not renumber the animal.

(e) Where allowed, live specimens of wildlife identified in WAC 232-12-064(2) must be marked prior to importation.

(f) Wildlife identified in WAC 232-12-064(2) may not be sold or otherwise transferred from the holding facility.

(4) Violation of this section is a misdemeanor punishable under RCW 77.15.750, Unlawful use of a department permit—Penalty.

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

AMENDATORY SECTION (Amending Order 10-64, filed 3/19/10, effective 5/1/10)

WAC 232-12-064 Live wildlife—Taking from the wild, importation, possession, transfer, and holding in captivity. ~~((Taking from the wild, importation, possession, transfer, holding in captivity.))~~

(1) It is unlawful to take live wildlife, wild birds ~~((except starlings, house sparrows and rock doves by falconers, and rock doves by bird dog trainers))), or game fish from the wild without a permit ((provided for by rule of the commission and)) issued by the director. This subsection does not apply to starlings, house sparrows, and rock doves taken by falconers, or rock doves taken by bird dog trainers.~~

(2) Notwithstanding the provisions of WAC 232-12-027(1), 232-12-067, and subsections (3) and (4) of this section, and except as provided under subsection (7), (8), (9), or (10) of this section, it is unlawful to import into the state, hold, possess, propagate, offer for sale, sell, transfer, or release live specimens of ~~((wildlife listed in this subsection.))~~ or ~~((their))~~ the gametes and/or embryos ~~((, except as provided under subsection (7), (8), (9) or (10) of this section.))~~

In the family Cervidae, all)) of the following species in the family Cervidae:

Roosevelt and Rocky Mountain elk	Cervus elaphus
Mule deer and Black-tailed deer	Odocoileus hemionus
White-tailed deer	Odocoileus virginianus
Moose	Alces alces
Caribou	Rangifer tarandus caribou

(3) It is unlawful to import into the state or to hold live wildlife ~~((which were))~~ taken, held, possessed, or transported contrary to federal or state law, local ordinance, or department rule. It is unlawful to import live wild animals, wild birds, or game fish ((shall not be imported)) without first presenting to the department the health certificate required by the Washington department of agriculture under WAC 16-54-180. ~~((Notwithstanding the provisions of this subsection))~~ However, raptors used for falconry or propagation may be imported if the importer has health certificates ((is in the possession of the importer)) for the raptors. Importers must produce proof of lawful importation ((must be produced)) for inspection ((on request of)) if asked to do so by a department employee.

(4) It is unlawful to possess or hold in captivity live wild animals, wild birds, or game fish unless lawfully acquired ~~((and possessed)).~~ Any person possessing or holding wild animals, wild birds, or game fish in captivity must provide proof of lawful acquisition and possession ((must be produced)) for inspection ((on request of)) if asked to do so by a department employee. ((Such)) The proof ((shall contain)) must identify the wild animals', wild birds', or game fish's:

- Species;
- Age and sex ~~((of animal));~~
- Origin ~~((of animal));~~
- ~~((Name of))~~ Receiving party's name;
- ~~((Source-))~~ Source's name and address;
- Invoice/statement date; and
- Documentation of prior transfers.

(5) Live wild animals, wild birds, or game fish held in captivity, or their progeny or parts thereof, may not be sold or otherwise used commercially except as provided by department rule ((of the commission)).

(6) ~~((No))~~ It is unlawful to release wildlife ((shall be released)) from captivity except as provided in WAC 232-12-271 ((, except that it is lawful to return to the waters from which caught, game fish caught and subsequently kept alive

on stringers, in live wells, or in other containers while fishing. ~~The~~). It is unlawful to release fish into any state waters, including private, natural, or man-made ponds, without first obtaining a fish planting permit. However, if a person catches game fish and keeps the fish alive on stringers, in live wells, or in other containers while fishing, he or she may release the fish back into the same waters that he or she caught the game fish in.

(7) **Scientific research or display:** The director may ~~(authorize, by)~~ issue written authorization for a person to import into the state, hold, possess and propagate live specimens of wildlife listed in subsection (2) of this section, for scientific research or for display by zoos or aquariums who are accredited institutional members of the Association of Zoos and Aquariums (AZA), provided that the person:

(a) Confines the specimens to a secure facility;

(b) ~~(The)~~ Does not transfer specimens to any other location within the state, without the director's written authorization, and the specimens are transferred to other AZA-accredited facilities and transported by AZA-accredited institutional members or their authorized agents (with written approval of the director or as otherwise authorized in writing by the director);

(c) ~~(The)~~ Does not sell or otherwise dispose of specimens within the state, unless the director gives written approval to sell or dispose of the specimens;

(d) ~~(The person will)~~ Keeps records on the specimens and make reports as the director requires; and

(e) ~~(The person)~~ Complies with the requirements in this section.

(8) **Retention or disposal of existing specimens lawfully in captivity prior to June 20, 1992:** A person ~~(holding)~~ who holds live Roosevelt and Rocky Mountain elk, mule deer and black-tailed deer, white-tailed deer, and moose may retain the specimens of the wildlife the person lawfully possessed prior to June 20, 1992, and the lawful progeny thereof of that wildlife, provided the person complies with (a) through (f) of this subsection and the requirements of this section, and:

(a) ~~(The person reported)~~ Reports to the director, in writing, the species, number, and location of the specimens as required;

(b) Confines the specimens to a secure facility at the location reported, and the facility meets the requirements listed in WAC 232-12-063;

(c) Does not propagate live specimens except at AZA-accredited facilities with the director's written permission or as otherwise authorized in writing by the director;

(d) Does not release live specimens, except with the director's written permission;

(e) Does not sell or transfer live specimens, except:

(i) Live specimens in lawful possession prior to June 20, 1992, and their lawful progeny may be permanently removed

from ~~(the state of)~~ Washington state or transported directly to slaughter ~~(where)~~ in accordance with ~~(other)~~ applicable law;

(ii) Federally listed endangered or threatened species may be transferred to AZA-accredited facilities ~~(where)~~ in compliance with federal law;

(iii) Live specimens may be moved to the new primary residence of the possessor with the director's written approval ~~(of the director)~~, provided all other requirements of this section are satisfied and the total number of locations where animals are held is not increased; and

(iv) AZA-accredited facilities may sell and/or transfer live specimens within the state with the written permission of the director~~(s)~~.

(f) Live specimens ~~(shall)~~ must be neutered, physically separated by sex, and/or rendered infertile by means of contraception, except at AZA-accredited facilities with the director's written permission ~~(of the director)~~.

(9) **Retention or disposal of existing specimens lawfully in captivity prior to February 13, 1993:** A person holding live specimens of wildlife newly listed in subsection (2) of this section by operation of this rule (Caribou (*Rangifer tarandus caribou*)), may retain the specimens of such wildlife the person lawfully possessed prior to February 13, 1993, provided:

(a) The person reports to the director in writing by March 31, 1993, and reports annually thereafter, or as otherwise required by the director, the species, number, and location of such specimens; and

(b) The person complies with subsection (8)(b) through (f) of this section and the other requirements of this section.

(10) The provisions of this section ~~(shall)~~ do not prohibit the importation, possession, propagation, sale, transfer, or release of live specimens of federally listed threatened or endangered species, their gametes or embryos, where in compliance with federal law.

(11) **Escaped wildlife:**

(a) Escaped wildlife ~~(will be)~~ is considered a public nuisance. The department or any peace officer may seize, capture, or destroy wildlife that have escaped the possessor's control. The former possessor ~~(shall be)~~ is responsible for costs incurred by the department in recovering, maintaining, or disposing of such animals, as well as any damage to the state's wildlife or habitat.

(b) ~~(Escapes of)~~ Possessors must report escaped wildlife (must be reported immediately) to the department immediately.

(c) Possessors must report the recapture or death of escaped wildlife ~~(must be reported immediately)~~ to the department immediately.

~~(12) Secure facility:~~

~~(a) All captive wildlife will be held in a secure facility. For the purposes of this rule, a secure facility is an enclosure so constructed as to prevent danger to the environment or wildlife of the state, including escape of live wildlife specimens in captivity or ingress of resident wildlife ungulates (hoofed animals).~~

~~(b) For wildlife listed in subsection (2) of this section, the secure facility must comply with the fencing requirements in subsection (13) of this section.~~

(13) Fencing requirements:

(a) Perimeter fences must be, at a minimum, eight feet above ground level for their entire length. The bottom six feet must be mesh of sufficient size to prevent resident wildlife ungulates (hoofed animals) from entering and captive wildlife from escaping. Supplemental wire required to attain a height of eight feet may be smooth, barbed, or woven wire (at least 12-1/2 gauge) with strands spaced not more than six inches apart.

(b) Perimeter fences constructed of high tensile wire must be supported by a post or stay at minimum intervals of eight feet.

(c) Perimeter fences must be at least 12-1/2 gauge woven wire, 14 1/2 gauge high tensile woven wire, chain link, non-climbable woven fence, or other fence approved by the director.

If the wire used is not a full eight feet in height, it must be overlapped one row and securely fastened at every other vertical row or woven together with cable.

(d) Electric fencing materials may be used on perimeter fences only as a supplement to conventional fencing materials.

(e) All gates in the perimeter fences must be self-closing, equipped with two locking devices, and installed only in locations that have been approved by the director. Double gates may be required at points in the perimeter fences subject to frequent vehicle traffic that is not related to activities involving the holding of captive wildlife.

(f) Posts used in the perimeter fences must be:

(i) Wood (pressure treated), five-inch minimum diameter or an equivalent as approved by the director;

(ii) Spaced no more than twenty-four feet apart with stays or supports at eight-foot intervals between the posts;

(iii) Extended at least eight feet above ground level; and

(iv) Have corners braced with wood or with an equivalent material as approved by the director.

(g) Fences must be maintained at all times to prevent captive wildlife from escaping or resident wildlife ungulates (hoofed animals) from entering the enclosure. If such animals do pass through, under, or over the fence because of any topographic feature or other conditions, the person possessing wildlife must immediately supplement the fence to prevent continued passage.

(h) For any fence existing prior to February 13, 1993, a person may petition the director in writing for a variance from the above fencing requirements. Any such petition must be filed no later than May 31, 1993, and must identify all aspects in which the existing fence does not meet the fencing requirements contained herein. On approval of the director, such person may maintain such existing fence with normal repair. However, any extension or relocation of existing fence must meet the fencing requirements contained herein.

(14) Marking requirements:

(a) All live specimens of wildlife identified in subsection (2) of this section must be individually identified by the methods specified below:

(i) All live specimens of such wildlife shall be marked with USDA official ear tags or with ear tags supplied or approved by the department. Tags shall be applied in sequential order; and

(ii) All live specimens of such wildlife shall be marked with a tattoo with an identifying number that has been recorded with the director. The tattoo must be placed on the left ear of the animal.

(b) Identification assigned to an individual animal may not be transferred to any other animal.

(c) Where allowed, all lawful progeny of wildlife identified in subsection (2) of this section must be tagged and tattooed by December 31 of the year of birth or upon leaving the holding facility, whichever is earlier.

(d) Where allowed, if wildlife identified in subsection (2) of this section is sold or transferred within the state, the tag and tattoo must accompany the animal. The new owner or possessor shall not renumber the animal.

(e) Where allowed, live specimens of wildlife identified in subsection (2) of this section shall be marked prior to importation.

(f) No unmarked wildlife identified in subsection (2) of this section may be sold or otherwise transferred from the holding facility.

(15)) (12) Testing ((of)) specimens:

(a) ((Where allowed, prior to entry into the state of Washington, persons importing)) If the director issues a permit to allow any member of the Genus *Cervus*, ((which is)) identified in subsection (2) of this section, then prior to the animal's entry into Washington state, the person must submit records of genetic tests conducted by a professionally recognized laboratory to identify red deer genetic influence ((the)), Red deer genetic influence is genetic material from any member of any subspecies, race, or species of the elk-red deer-wapiti complex *Cervus elaphus* not indigenous to the state of Washington((s)). ((Such testing shall be at the possessor's expense.)) Upon examination by department biologists, animals ((which are)) deemed ((by department of fish and wildlife biologists upon examination)) to exhibit ((either)) behavioral (vocalization), morphological (size, rump patch, color), or biochemical indications of such influence (hemoglobin, superoxide dismutase, transferrin and post-transferrin, or others to be developed) may not be imported.

(b) A person currently holding any member of the genus *Cervus elaphus* identified in subsection (2) of this section must immediately submit to the director records of genetic tests conducted by a professionally recognized laboratory to identify red deer genetic influence (((genetic material from any member of any subspecies, race, or species of the elk-red deer-wapiti complex *Cervus elaphus* not indigenous to the state of Washington))), as defined in (a) of this subsection, for each individual cervid ((to the director within ninety days of passage of this rule)). ((Such)) Genetic testing ((shall)) will be at the possessor's expense. Any animals identified as red deer or having nonindigenous genetic influence must be destroyed, removed from the state, or neutered ((within one hundred eighty days of passage of this rule)) immediately.

(c) The director may require ((that specimens)) wildlife listed in subsection (2) of this section that are lawfully held in captivity to be tested for brucellosis (*Brucella abortus*), tuberculosis (*Mycobacterium bovis* and *Mycobacterium tuberculosis*), meningeal worm (*Paralophostrongylus tenuis*), and muscle worm (*Elaphostrongylus cervis*) in accordance with the procedures specified in department of

agriculture WAC 16-54-180 (~~as now or hereafter amended, and/or~~). The director may also require testing for other diseases or parasites determined to pose a risk to wildlife. ((The)) Results of ((such)) those tests ((shall)) must be filed with the director as required.

~~((16))~~ **(13) Reporting:**

(a) A person holding wildlife listed in subsection (2) of this section in captivity (~~shall~~) must submit a completed report no later than March 30, 1993, and then no later than January 31 of each year, or as otherwise required by the director, on a form provided by the department.

(b) Persons possessing wildlife listed in subsection (2) of this section must notify the director within ~~((ten))~~ 10 days of any change of such persons' address and/or location of the holding facility.

~~((17))~~ **(14) Inspection:**

~~((a))~~ All holding facilities for captive wildlife located in the state are subject to inspection, conducted at a reasonable time, for compliance with the provisions of this section.

~~((b))~~ Such inspections shall be conducted at reasonable times.

~~((18))~~ **(15) Notification and disposition of diseased animals:**

(a) Any person who has reason to believe that wildlife being held pursuant to this rule have contracted or ~~((have))~~ been exposed to a dangerous or communicable disease or parasite (~~shall~~) must notify the department immediately.

(b) Upon ~~((having))~~ reason to believe that wildlife held pursuant to this rule have contracted or been exposed to ~~((or contracted))~~ a dangerous or contagious disease or parasite, the director may order inspection of such animals by a licensed, accredited veterinarian, certified fish pathologist, or inspection agent. Inspection ~~((shall))~~ will be at ~~((the expense of))~~ the ~~((possessor))~~ possessor's expense.

(c) The director ~~((shall))~~ will determine when destruction of wildlife ~~((;))~~ or quarantine, disinfection, or sterilization of facilities is required at any facility holding wildlife pursuant to this rule. If the director determines that destruction of wildlife ~~((;))~~ or quarantine, disinfection, or sterilization of facilities is required, he or she will issue a written order ~~((shall be issued))~~ to the possessor describing the procedure to be followed and the time period for carrying out such actions. ~~((Such activities shall))~~ The destruction of wildlife or quarantine, disinfection, or sterilization of facilities will be at ~~((the expense of))~~ the ~~((possessor))~~ possessor's expense.

~~((19))~~ **(16) Quarantine area:**

(a) ~~((Any facility))~~ Facilities holding wildlife listed in subsection (2) of this section must have an approved quarantine facility within its exterior boundary or submit an action plan to the director that guarantees access to an approved quarantine facility within the state of Washington.

(i) An approved quarantine facility is one that meets criteria set by the Washington department of agriculture in chapter 16-54 WAC.

(ii) The quarantine area must meet the tests of isolation, separate feed and water, escape security, and allowances for the humane holding and care of its occupants for extended periods of time.

(b) ~~((Should the imposition of a))~~ If quarantine becomes necessary, the possessor of any wildlife requiring quarantine

must provide an on-site quarantine facility or make arrangements at ~~((such))~~ the possessor's expense to transport ~~((such))~~ his or her wildlife to an approved quarantine facility.

~~((20))~~ **(17) Seizure:**

(a) The department ~~((of fish and wildlife))~~ may seize any unlawfully possessed wildlife.

(b) The cost of any seizure ~~((and))~~ or holding of wildlife may be charged to the possessor of ~~((such animals))~~ the wildlife.

(18) Violation of this section is a misdemeanor punishable under RCW 77.15.750, Unlawful use of a department permit—Penalty.

AMENDATORY SECTION (Amending Order 99-118, filed 8/11/99, effective 9/11/99)

WAC 232-12-261 Live decoys unlawful—Waterfowl and wild turkey. (1) It is unlawful to hunt waterfowl and wild turkeys with the use or aid of live birds as decoys.

(2) Violation of this section is a misdemeanor, punishable under RCW 77.15.400, Unlawful hunting of wild birds—Violation of a rule requiring nontoxic shot—Penalty, unless waterfowl or wild turkey are taken in quantities constituting a first degree offense, which is a gross misdemeanor.

NEW SECTION

WAC 232-12-288 Official hunting hours for game animals and forest grouse. (1) The following tables show the lawful hunting hours (1/2 hour before sunrise to 1/2 hour after sunset) for game animals and forest grouse (ruffed, blue, spruce) during established seasons.

(2) Exceptions:

(a) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons. However, when the area is open to modern firearm hunting of deer or elk, hunting hours are one-half hour before sunrise to one-half hour after sunset.

(b) Hunting hours for falconry seasons (except for migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

(3) OFFICIAL HUNTING HOURS
WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON SUNDAY

Dates (Inclusive)				Western Washington		Eastern Washington	
				from A.M. to P.M.		from A.M. to P.M.	
Daylight Savings Time							
Sun.	Sept. 1	-	Sun.	Sept. 8	6:00	8:15	5:45 8:00
Mon.	Sept. 9	-	Sun.	Sept. 15	6:10	8:00	6:00 7:45
Mon.	Sept. 16	-	Sun.	Sept. 22	6:20	7:45	6:10 7:30
Mon.	Sept. 23	-	Sun.	Sept. 29	6:30	7:30	6:20 7:15
Mon.	Sept. 30	-	Sun.	Oct. 6	6:40	7:15	6:30 7:05
Mon.	Oct. 7	-	Sun.	Oct. 13	6:50	7:00	6:40 6:50
Mon.	Oct. 14	-	Sun.	Oct. 20	7:00	6:50	6:50 6:35
Mon.	Oct. 21	-	Sun.	Oct. 27	7:10	6:35	7:00 6:25
Mon.	Oct. 28	-	Sat.	Nov. 2	7:20	6:25	7:10 6:20
Pacific Standard Time							
			Sun.	Nov. 3	6:20	5:25	6:10 5:20
Mon.	Nov. 4	-	Sun.	Nov. 10	6:30	5:15	6:20 5:00
Mon.	Nov. 11	-	Sun.	Nov. 17	6:40	5:05	6:30 4:50
Mon.	Nov. 18	-	Sun.	Nov. 24	6:50	4:55	6:40 4:45
Mon.	Nov. 25	-	Sun.	Dec. 1	7:00	4:50	6:50 4:40
Mon.	Dec. 2	-	Sun.	Dec. 8	7:10	4:50	7:00 4:40
Mon.	Dec. 9	-	Sun.	Dec. 15	7:15	4:50	7:05 4:40
Mon.	Dec. 16	-	Sun.	Dec. 22	7:20	4:50	7:10 4:40
Mon.	Dec. 23	-	Sun.	Dec. 29	7:25	4:55	7:10 4:45
Mon.	Dec. 30	-	Sun.	Jan. 5	7:25	5:00	7:15 4:45
Mon.	Jan. 6	-	Sun.	Jan. 12	7:25	5:05	7:15 4:55
Mon.	Jan. 13	-	Sun.	Jan. 19	7:20	5:15	7:10 5:05
Mon.	Jan. 20	-	Sun.	Jan. 26	7:15	5:25	7:05 5:15
Mon.	Jan. 27	-	Fri.	Jan. 31	7:10	5:35	7:00 5:25

(4) OFFICIAL HUNTING HOURS
WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON MONDAY

Dates (Inclusive)				Western Washington		Eastern Washington	
				from A.M. to P.M.		from A.M. to P.M.	
Daylight Savings Time							
Mon.	Sept. 1	-	Sun.	Sept. 7	6:00	8:15	5:50 8:00
Mon.	Sept. 8	-	Sun.	Sept. 14	6:10	8:00	6:00 7:50
Mon.	Sept. 15	-	Sun.	Sept. 21	6:20	7:45	6:10 7:35
Mon.	Sept. 22	-	Sun.	Sept. 28	6:30	7:30	6:15 7:20
Mon.	Sept. 29	-	Sun.	Oct. 5	6:40	7:15	6:30 7:05
Mon.	Oct. 6	-	Sun.	Oct. 12	6:50	7:00	6:40 6:55
Mon.	Oct. 13	-	Sun.	Oct. 19	7:00	6:50	6:50 6:40
Mon.	Oct. 20	-	Sun.	Oct. 26	7:10	6:40	7:00 6:25
Mon.	Oct. 27	-	Sat.	Nov. 1	7:20	6:25	7:15 6:15

(4) OFFICIAL HUNTING HOURS
WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON MONDAY

				Western Washington from A.M. to P.M.	Eastern Washington from A.M. to P.M.
Dates (Inclusive)					
Pacific Standard Time					
		Sun.	Nov. 2	6:20 5:25	6:10 5:15
Mon.	Nov. 3	- Sun.	Nov. 9	6:30 5:15	6:20 5:00
Mon.	Nov. 10	- Sun.	Nov. 16	6:40 5:05	6:30 4:55
Mon.	Nov. 17	- Sun.	Nov. 23	6:50 5:00	6:40 4:45
Mon.	Nov. 24	- Sun.	Nov. 30	7:00 4:50	6:50 4:40
Mon.	Dec. 1	- Sun.	Dec. 7	7:10 4:50	7:00 4:40
Mon.	Dec. 8	- Sun.	Dec. 14	7:15 4:50	7:05 4:40
Mon.	Dec. 15	- Sun.	Dec. 21	7:20 4:50	7:10 4:40
Mon.	Dec. 22	- Sun.	Dec. 28	7:25 4:55	7:10 4:40
Mon.	Dec. 29	- Sun.	Jan. 4	7:25 5:00	7:15 4:45
Mon.	Jan. 5	- Sun.	Jan. 11	7:25 5:05	7:15 4:55
Mon.	Jan. 12	- Sun.	Jan. 18	7:25 5:15	7:10 5:05
Mon.	Jan. 19	- Sun.	Jan. 25	7:20 5:25	7:05 5:15
Mon.	Jan. 26	- Fri.	Jan. 31	7:10 5:30	7:00 5:25

(5) OFFICIAL HUNTING HOURS
WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON TUESDAY

				Western Washington from A.M. to P.M.	Eastern Washington from A.M. to P.M.
Dates (Inclusive)					
Daylight Savings Time					
Tues.	Sept. 1	- Sun.	Sept. 6	6:00 8:15	5:50 8:05
Mon.	Sept. 7	- Sun.	Sept. 13	6:10 8:05	6:00 7:50
Mon.	Sept. 14	- Sun.	Sept. 20	6:20 7:50	6:05 7:35
Mon.	Sept. 21	- Sun.	Sept. 27	6:30 7:35	6:15 7:20
Mon.	Sept. 28	- Sun.	Oct. 4	6:40 7:20	6:25 7:05
Mon.	Oct. 5	- Sun.	Oct. 11	6:45 7:05	6:35 6:55
Mon.	Oct. 12	- Sun.	Oct. 18	6:55 6:50	6:45 6:40
Mon.	Oct. 19	- Sun.	Oct. 25	7:05 6:40	6:55 6:30
Mon.	Oct. 26	- Sat.	Oct. 31	7:20 6:25	7:05 6:15
Pacific Standard Time					
		Sun.	Nov. 1	6:20 5:25	6:05 5:15
Mon.	Nov. 2	- Sun.	Nov. 8	6:30 5:15	6:15 5:05
Mon.	Nov. 9	- Sun.	Nov. 15	6:40 5:05	6:30 4:55
Mon.	Nov. 16	- Sun.	Nov. 22	6:50 5:00	6:40 4:45
Mon.	Nov. 23	- Sun.	Nov. 29	7:00 4:55	6:50 4:40
Mon.	Nov. 30	- Sun.	Dec. 6	7:10 4:50	6:55 4:40
Mon.	Dec. 7	- Sun.	Dec. 13	7:15 4:50	7:05 4:35
Mon.	Dec. 14	- Sun.	Dec. 20	7:20 4:50	7:10 4:40
Mon.	Dec. 21	- Sun.	Dec. 27	7:25 4:50	7:15 4:40

(5) OFFICIAL HUNTING HOURS
WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON TUESDAY

				Western Washington	Eastern Washington
				from	from
				A.M. to P.M.	A.M. to P.M.
Dates (Inclusive)					
Mon.	Dec. 28	-	Sun. Jan. 3	7:30 5:00	7:15 4:45
Mon.	Jan. 4	-	Sun. Jan. 10	7:25 5:05	7:15 4:55
Mon.	Jan. 11	-	Sun. Jan. 17	7:25 5:15	7:10 5:00
Mon.	Jan. 18	-	Sun. Jan. 24	7:20 5:25	7:05 5:10
Mon.	Jan. 25	-	Sat. Jan. 31	7:10 5:30	7:00 5:20

(6) OFFICIAL HUNTING HOURS
WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON WEDNESDAY

				Western Washington	Eastern Washington
				from	from
				A.M. to P.M.	A.M. to P.M.
Dates (Inclusive)					
Daylight Savings Time					
Wed.	Sept. 1	-	Sun. Sept. 5	6:00 8:15	5:50 8:05
Mon.	Sept. 6	-	Sun. Sept. 12	6:10 8:05	5:55 7:50
Mon.	Sept. 13	-	Sun. Sept. 19	6:15 7:50	6:05 7:40
Mon.	Sept. 20	-	Sun. Sept. 26	6:25 7:35	6:15 7:25
Mon.	Sept. 27	-	Sun. Oct. 3	6:35 7:20	6:25 7:10
Mon.	Oct. 4	-	Sun. Oct. 10	6:45 7:10	6:35 6:55
Mon.	Oct. 11	-	Sun. Oct. 17	6:55 6:55	6:45 6:40
Mon.	Oct. 18	-	Sun. Oct. 24	7:05 6:40	6:55 6:30
Mon.	Oct. 25	-	Sun. Oct. 31	7:15 6:30	7:05 6:15
Mon.	Nov. 1	-	Sat. Nov. 6	7:25 6:20	7:15 6:05
Pacific Standard Time					
			Sun. Nov. 7	6:25 5:20	6:15 5:05
Mon.	Nov. 8	-	Sun. Nov. 14	6:40 5:10	6:25 4:55
Mon.	Nov. 15	-	Sun. Nov. 21	6:50 5:00	6:35 4:50
Mon.	Nov. 22	-	Sun. Nov. 28	7:00 4:55	6:45 4:40
Mon.	Nov. 29	-	Sun. Dec. 5	7:05 4:50	6:55 4:40
Mon.	Dec. 6	-	Sun. Dec. 12	7:15 4:50	7:05 4:35
Mon.	Dec. 13	-	Sun. Dec. 19	7:20 4:50	7:10 4:35
Mon.	Dec. 20	-	Sun. Dec. 26	7:25 4:50	7:15 4:40
Mon.	Dec. 27	-	Sun. Jan. 2	7:25 4:55	7:15 4:45
Mon.	Jan. 3	-	Sun. Jan. 9	7:25 5:05	7:15 4:50
Mon.	Jan. 10	-	Sun. Jan. 16	7:25 5:10	7:10 5:00
Mon.	Jan. 17	-	Sun. Jan. 23	7:20 5:20	7:10 5:10
Mon.	Jan. 24	-	Mon. Jan. 31	7:10 5:30	7:00 5:20

(7) OFFICIAL HUNTING HOURS
WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON THURSDAY

				Western Washington	Eastern Washington	
				from	from	
				A.M. to P.M.	A.M. to P.M.	
Dates (Inclusive)						
Daylight Savings Time						
Thurs.	Sept. 1	-	Sun.	Sept. 4	6:00 8:15	5:45 8:05
Mon.	Sept. 5	-	Sun.	Sept. 11	6:05 8:05	5:55 7:55
Mon.	Sept. 12	-	Sun.	Sept. 18	6:15 7:50	6:05 7:40
Mon.	Sept. 19	-	Sun.	Sept. 25	6:25 7:40	6:10 7:25
Mon.	Sept. 26	-	Sun.	Oct. 2	6:35 7:25	6:25 7:10
Mon.	Oct. 3	-	Sun.	Oct. 9	6:45 7:10	6:35 6:55
Mon.	Oct. 10	-	Sun.	Oct. 16	6:55 7:05	6:40 6:45
Mon.	Oct. 17	-	Sun.	Oct. 23	7:05 6:40	6:55 6:30
Mon.	Oct. 24	-	Sun.	Oct. 30	7:15 6:30	7:00 6:20
Mon.	Oct. 31	-	Sat.	Nov. 5	7:25 6:20	7:15 6:05
Pacific Standard Time						
			Sun.	Nov. 6	6:25 5:20	6:15 5:05
Mon.	Nov. 7	-	Sun.	Nov. 13	6:35 5:10	6:25 4:55
Mon.	Nov. 14	-	Sun.	Nov. 20	6:45 5:00	6:35 4:50
Mon.	Nov. 21	-	Sun.	Nov. 27	6:55 4:55	6:45 4:40
Mon.	Nov. 28	-	Sun.	Dec. 4	7:05 4:50	6:55 4:40
Mon.	Dec. 5	-	Sun.	Dec. 11	7:15 4:50	7:00 4:35
Mon.	Dec. 12	-	Sun.	Dec. 18	7:20 4:50	7:10 4:35
Mon.	Dec. 19	-	Sun.	Dec. 25	7:25 4:50	7:10 4:40
Mon.	Dec. 26	-	Sun.	Jan. 1	7:25 4:55	7:15 4:45
Mon.	Jan. 2	-	Sun.	Jan. 8	7:25 5:00	7:15 4:50
Mon.	Jan. 9	-	Sun.	Jan. 15	7:25 5:10	7:10 5:00
Mon.	Jan. 16	-	Sun.	Jan. 22	7:20 5:20	7:10 5:10
Mon.	Jan. 23	-	Sun.	Jan. 29	7:15 5:30	7:00 5:20
Mon.	Jan. 30	-	Tues.	Jan. 31	7:10 5:35	6:55 5:25

(8) OFFICIAL HUNTING HOURS
WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON FRIDAY

				Western Washington	Eastern Washington	
				from	from	
				A.M. to P.M.	A.M. to P.M.	
Dates (Inclusive)						
Daylight Savings Time						
Fri.	Sept. 1	-	Sun.	Sept. 3	6:00 8:20	5:45 8:05
Mon.	Sept. 4	-	Sun.	Sept. 10	6:05 8:10	5:55 7:55
Mon.	Sept. 11	-	Sun.	Sept. 17	6:15 7:55	6:05 7:40
Mon.	Sept. 18	-	Sun.	Sept. 24	6:25 7:40	6:10 7:30
Mon.	Sept. 25	-	Sun.	Oct. 1	6:35 7:25	6:20 7:15
Mon.	Oct. 2	-	Sun.	Oct. 8	6:45 7:10	6:30 7:00
Mon.	Oct. 9	-	Sun.	Oct. 15	6:55 6:55	6:40 6:45
Mon.	Oct. 16	-	Sun.	Oct. 22	7:05 6:45	6:50 6:30

(8) OFFICIAL HUNTING HOURS
WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON FRIDAY

				Western Washington	Eastern Washington	
				from	from	
				A.M. to P.M.	A.M. to P.M.	
Dates (Inclusive)						
Mon.	Oct. 23	-	Sun.	Oct. 29	7:10 6:35	7:00 6:20
Mon.	Oct. 30	-	Sat.	Nov. 4	7:25 6:20	7:10 6:10
Pacific Standard Time						
			Sun.	Nov. 5	6:25 5:20	6:10 5:10
Mon.	Nov. 6	-	Sun.	Nov. 12	6:35 5:10	6:25 5:00
Mon.	Nov. 13	-	Sun.	Nov. 19	6:45 5:00	6:35 4:50
Mon.	Nov. 20	-	Sun.	Nov. 26	6:55 4:55	6:45 4:45
Mon.	Nov. 27	-	Sun.	Dec. 3	7:05 4:50	6:55 4:40
Mon.	Dec. 4	-	Sun.	Dec. 10	7:15 4:50	7:00 4:35
Mon.	Dec. 11	-	Sun.	Dec. 17	7:20 4:50	7:10 4:35
Mon.	Dec. 18	-	Sun.	Dec. 24	7:25 4:50	7:10 4:40
Mon.	Dec. 25	-	Sun.	Dec. 31	7:25 4:55	7:15 4:40
Mon.	Jan. 1	-	Sun.	Jan. 7	7:30 5:00	7:15 4:50
Mon.	Jan. 8	-	Sun.	Jan. 14	7:25 5:10	7:15 5:00
Mon.	Jan. 15	-	Sun.	Jan. 21	7:20 5:20	7:10 5:10
Mon.	Jan. 22	-	Sun.	Jan. 28	7:15 5:30	7:00 5:20
Mon.	Jan. 29	-	Wed.	Jan. 31	7:10 5:35	6:55 5:20

(9) OFFICIAL HUNTING HOURS
WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON SATURDAY

				Western Washington	Eastern Washington	
				from	from	
				A.M. to P.M.	A.M. to P.M.	
Dates (Inclusive)						
Daylight Savings Time						
Sat.	Sept. 1	-	Sun.	Sept. 2	6:00 8:20	5:45 8:10
Mon.	Sept. 3	-	Sun.	Sept. 9	6:05 8:10	5:50 8:00
Mon.	Sept. 10	-	Sun.	Sept. 16	6:15 7:55	6:00 7:45
Mon.	Sept. 17	-	Sun.	Sept. 23	6:20 7:40	6:10 7:30
Mon.	Sept. 24	-	Sun.	Sept. 30	6:30 7:25	6:20 7:15
Mon.	Oct. 1	-	Sun.	Oct. 7	6:40 7:15	6:30 7:00
Mon.	Oct. 8	-	Sun.	Oct. 14	6:50 7:00	6:40 6:45
Mon.	Oct. 15	-	Sun.	Oct. 21	7:00 6:45	6:50 6:35
Mon.	Oct. 22	-	Sun.	Oct. 28	7:10 6:35	7:00 6:20
Mon.	Oct. 29	-	Sat.	Nov. 3	7:20 6:20	7:10 6:10
Pacific Standard Time						
			Sun.	Nov. 4	6:20 5:20	6:10 5:10
Mon.	Nov. 5	-	Sun.	Nov. 11	6:35 5:10	6:20 5:00
Mon.	Nov. 12	-	Sun.	Nov. 18	6:45 5:05	6:30 4:50
Mon.	Nov. 19	-	Sun.	Nov. 25	6:55 4:55	6:40 4:45
Mon.	Nov. 26	-	Sun.	Dec. 2	7:05 4:50	6:50 4:40
Mon.	Dec. 3	-	Sun.	Dec. 9	7:10 4:50	7:00 4:35

(9) OFFICIAL HUNTING HOURS
WHEN THE SEPTEMBER 1 - JANUARY 31 PERIOD BEGINS ON SATURDAY

Dates (Inclusive)				Western Washington from A.M. to P.M.	Eastern Washington from A.M. to P.M.
Mon.	Dec. 10	- Sun.	Dec. 16	7:20 4:50	7:05 4:35
Mon.	Dec. 17	- Sun.	Dec. 23	7:25 4:50	7:10 4:35
Mon.	Dec. 24	- Sun.	Dec. 30	7:25 4:55	7:15 4:40
Mon.	Dec. 31	- Sun.	Jan. 6	7:25 5:00	7:15 4:50
Mon.	Jan. 7	- Sun.	Jan. 13	7:25 5:10	7:15 4:55
Mon.	Jan. 14	- Sun.	Jan. 20	7:20 5:15	7:10 5:05
Mon.	Jan. 21	- Sun.	Jan. 27	7:15 5:25	7:05 5:15
Mon.	Jan. 28	- Thur.	Jan. 31	7:10 5:35	7:00 5:25

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-16-010 Establishment of game reserves.

AMENDATORY SECTION (Amending Order 10-94, filed 4/30/10, effective 5/31/10)

WAC 232-28-248 Special closures and firearm restriction areas.

~~((RESTRICTED AND PROHIBITED HUNTING AREAS.~~

~~These areas are closed by Fish and Wildlife Commission action. Other areas may be closed to hunting by local, state or federal regulations.~~

~~IT IS ILLEGAL TO HUNT EXCEPT WHERE PROVIDED IN THE FOLLOWING) (1) RESTRICTED HUNTING AREAS((+)).~~

~~((+-)) It is unlawful to hunt in the following restricted hunting areas except where provided:~~

~~(a) Parker Lake (GMU 117, Pend Oreille County): All lands south of Ruby Creek Road (USFS Road 2489), north of Tacoma Creek Road (USFS Road 2389), and west of Bonneville Power Administration power lines are designated as "CLOSED AREA" to ((the)) hunting ((of)) wild animals and wild birds year round. The Parker Lake closure ((was established to)) provides a protected area for the Air Force Military Survival Training Program.~~

~~((2-)) (b) Columbia River: The Columbia River ((and)), all ((the)) islands in the river, ((and)) the Benton County shoreline below the high water mark, and any peninsula originating on the Benton County shoreline((-)) between Vernita Bridge ((f)) on Highway 24((+)) downstream to the old Hanford townsite powerline crossing (wooden towers) in Section 24, T 13 N, R 27 E, is designated as a "CLOSED AREA" to ((the)) hunting ((of)) wild animals and wild birds.~~

~~((3-)) (c) Green River (GMU 485): Except for special permit hunters, who may also take a black bear and/or cougar with the appropriate license/tag options, all lands within~~

GMU 485 are designated as a "CLOSED AREA" to the hunting of big game ((by Department of Fish and Wildlife regulated hunters)) throughout the year. During the general westside elk season and general and late deer seasons, all lands within GMU 485 are also designated as a "CLOSED AREA" to ((the)) hunting ((of)) all wild animals ((f)), including wild birds((+)). The City of Tacoma enforces trespass within GMU 485 on lands owned or controlled by the City during all times of the year.

~~((4-)) (d) McNeil Island (part of GMU 652): ((McNeil Island (part of GMU 652) is)) Closed to ((the)) hunting ((of all)) wild animals ((f)), including wild birds((- year around)), year round.~~

~~((5-)) (e) Loo-wit (GMU 522): Closed to hunting and trapping ((within GMU 522 (Loo-wit))), except for ((the)) elk hunting ((of elk)) by special permit holders during established seasons and designated areas.~~

~~((6-)) (f) The Voice of America Dungeness Recreation Area County Park ((in)) (Clallam County ((is)): Closed to all hunting except Wednesdays, weekends, and holidays, from the first weekend in October to the end of January.~~

~~((7-)) (2) A violation of ((any provision in 1. through 6. under "Restricted and Prohibited Hunting Areas")) subsection (1) of this section is punishable under RCW 77.15.400, 77.15.410, or 77.15.430, depending upon the species hunted.~~

(3) CLOSED BIG GAME ((CLOSURES)) HUNTING AREAS.

It is unlawful to hunt big game in the following closed areas, unless otherwise specified:

~~((1-)) (a) Clark, Cowlitz, Pacific, and Wahkiakum counties ((are)): Closed to Columbian Whitetail Deer hunting.~~

~~((2-)) (b) Cathlamet: Beginning in the town of Skamokawa; then east along SR 4 to ((the)) Risk Road; then south and east along ((the)) Risk Road to Foster Road; then south along the Foster Road to the Elochoman River; then upstream along the Elochoman River to ((the)) Elochoman Valley Road (old SR 407); then west along ((the)) Elochoman Valley Road to SR 4; then east along SR 4 to SR 409; then south along SR 409 to the Cathlamet Channel of the Columbia River; then east along the north shore of the Cathlamet Channel to Cape Horn; then south in the Columbia River to the state line; then west along the state line to a point directly~~

south of the mouth of Skamokawa Creek; then north on Skamokawa Creek to SR 4 and the point of beginning. This area is closed to all deer and elk hunting, to protect the Columbian Whitetail Deer.

~~((3-)) (c)~~ Willapa National Wildlife Refuge: ~~((Except for Long Island, Willapa National Wildlife Refuge is))~~ Closed to all big game hunting, except for Long Island.

~~((4-)) (d)~~ Walla Walla Mill Creek Watershed (GMU 157): All lands in the Mill Creek Watershed are designated as a "CLOSED AREA" to ~~((the))~~ hunting of ~~((all))~~ wild animals ~~((t))~~, including wild birds ~~((t))~~, ~~((the hunting of))~~ elk hunting by the holders of GMU-157 special elk permits during the established open season. This area is closed to motorized vehicles. Entry ~~((is))~~ allowed only by Forest Service permit for the duration of the hunt. Any entry into the Mill Creek Watershed at other times is prohibited.

~~((5-)) (e)~~ Westport: Closed to hunting ~~((of))~~ all big game animals on ~~((that))~~ the part of Westport Peninsula lying north of State Highway 105 from the west end of the Elk River Bridge, and the Schafer Island Road to the ocean beach.

~~((6-)) (f)~~ Cottonwood and Howard islands ~~((is))~~ (GMU 564 ~~((are))~~): Closed to all deer hunting.

~~((7-)) (4)~~ ~~((any provision in 1. through 6. under "Big Game Closures"))~~ subsection (3) of this section is a gross misdemeanor or class C felony punishable under RCW 77.15.410, depending on the circumstances of the violation.

~~((5)) FIREARM RESTRICTION AREAS(~~((UNLAWFUL ACTS))~~).~~

~~((1-)) (a)~~ It is unlawful to hunt wildlife in the following firearm restriction areas with centerfire or rimfire rifles, or to fail to comply with additional firearm restrictions, except as established below~~((-))~~:

COUNTY	AREA
Chelan	That portion of GMU 251 (Mission) beginning at the intersection of the Duncan Road and Highway 2; south on Duncan Road to Mountain Home Road; south along Mountain Home Road to the Icicle Irrigation Ditch; south and west along the Icicle Irrigation Ditch to the Snow Lake Trail; west and north along the Snow Lake Trail and across the Icicle River to Icicle River Road; east and north along Icicle River Road to the Wenatchee River; northwest along the Wenatchee River to Highway 2; north and east on Highway 2 to Duncan Road and the point of beginning.
Clallam	That portion of GMU 624 (Coyle) located within Clallam County.
Clark	GMU 564 (Battleground) That portion of GMU 554 in Clark County.

COUNTY	AREA
Cowlitz	GMU 554 (Yale) GMU 504 (Stella) That portion of GMU 564 (Battleground) in Cowlitz County.
Grays Harbor	That portion of GMU 658 (North River) beginning at Bay City; then west along Highway 105 to Twin Harbors State Park; then south along Highway 105 to Grayland Grocery; then east on Cranberry Road to Turkey Road; then east and north on Turkey Road to Bayview Logging Road; then north and east along Bayview Logging Road to Mallard Slough; then east and south along the Bayview Road to Andrews Creek; then north along main channel of Andrews Creek to Grays Harbor; then north and west along the main navigation channel to Bay City and point of beginning.
Grays Harbor	The following Chehalis Valley restriction applies only during elk seasons: That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to Oakville; south on the Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of the South Bank Road to Delzene Road; north along Delzene Road to South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to the Chehalis River; west along the Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 to the point of beginning.
Island	That portion of GMU 410 (Island) located on Camano and Whidbey islands.
Jefferson	Indian and Marrowstone islands.
King	The area west of Highway 203 (Monroe-Fall City, then Fall City-Preston Road) to Interstate 90 (I-90), I-90 to Highway 18, Highway 18 to Interstate 5 (I-5), I-5 to the Pierce-King County line; Vashon and Maury islands. This area is restricted to archery only:

COUNTY	AREA
	The following portion of GMU 652 (Puyallup): Beginning at the intersection of State Highway 410 and the southeast Mud Mountain Dam Road near the King/Pierce County line north of Buckley; then east along the southeast Mud Mountain Road to 284th Avenue Southeast; then north along 284th Avenue Southeast to State Highway 410; then west along Highway 410 to the point of the beginning.
Kitsap	East of State Highway 16 originating at the Tacoma Narrows Bridge to Gorst, and east of Highway 3 to Newbury Hill Road, north of Newbury Hill Road and the Bremerton-Seabeck Highway to Big Beef Creek Bridge; all of Bainbridge Island, and Bangor Military Reservation.
Kittitas	GMU 334 (Ellensburg) Closed to center-fire rifles during deer and elk seasons.
Klickitat	Elk Area 5062 (Trout Lake) closed to centerfire rifles, handguns, and muzzleloaders October 1 to December 15.
Mason	GMU 633 (Mason Lake) south of Hammersley Inlet; and all of Harstene Island.
Pacific	GMU 684 (Long Beach) west of Sand Ridge Road. The portion of GMU 658 (North River) south and west of State Highway 105 and Airport Road between Raymond and North River Bridge. GMU 681 between U.S. Highway 101, Chinook Valley Road and the Columbia River from Astoria-Megler bridge to the Wallacut River.
Pierce	GMU 652 (Anderson and Ketron islands) limited to archery, shotgun, and muzzle-loader. McNeil Island closed to hunting. See GMU 652 restriction area outlined for King County. GMU 627 (Kitsap) south of Highway 302 on the Longbranch Peninsula is a firearm restriction area.
San Juan	All San Juan County.
Snohomish	All areas west of Highway 9, until the intersection of Highway 9 and Highway 2, then east along Highway 2 to Highway 203, then all areas west of Highway 203 to the Snohomish/King County line.
Skagit	All mainland areas and islands in Skagit County west of I-5 and north of the Skagit/Snohomish County line, except Cypress Island. This restriction applies to big game hunting only.

COUNTY	AREA
Skamania	That portion of GMU 564 (Battle Ground) in Skamania County.
Thurston	GMU 666 (Deschutes) north of U.S. Highway 101 and Interstate 5 between Oyster Bay and the mouth of the Nisqually River.
Whatcom	All mainland areas and islands of Whatcom County that are west of I-5. This restriction applies to big game hunting only.

~~((2-))~~ (b) Archery tag holders may only hunt during established archery seasons with archery equipment as defined under WAC 232-12-054.

(c) Muzzleloader tag holders may only hunt during established muzzleloader seasons with muzzleloader equipment as defined under WAC 232-12-051.

(d) Modern firearm tag holders may hunt during established modern firearm seasons with bows and arrows; crossbows; muzzleloaders; revolver-type handguns; or shotguns, so long as the equipment ~~((used meets the department's regulations for that equipment))~~ and ammunition complies with department rules.

~~((3-))~~ (6) A violation of ~~((any provision in 1. or 2. under "Firearm Restriction Areas—Unlawful Acts"))~~ subsection (5) of this section is punishable under RCW 77.15.400, 77.15.410, or 77.15.430, depending on the species hunted.

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-273 2012-2014 Moose~~((bighorn sheep, and mountain goat))~~ seasons and permit quotas. (1) It is unlawful to fail to comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410.

~~((+))~~ (2) Moose Permit Hunts

(a) Who May Apply: Anyone ~~((may apply,))~~ EXCEPT those who harvested a moose previously in Washington state may apply for a moose permit. An individual may only harvest one moose during ~~((their))~~ his or her lifetime ~~((except)).~~ However, this restriction is waived for antlerless-only hunts, master-hunter hunts, and raffle and auction hunts((+)).

(b) Bag Limit: One moose.

(c) Weapon Restrictions: Permit holders may use any legal weapon.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Kettle Range/East Okanogan	Oct. 1 - Nov. 30	GMUs 101, 105, 204	Any Moose	10
Selkirk Mtns. A	Oct. 1 - Nov. 30	GMU 113	Any Moose	15
Selkirk Mtns. B ^d	Oct. 1 - Nov. 30	GMU 113	Antlerless Only	2
Mt. Spokane South A	Oct. 1 - Nov. 30	Moose Area 1	Any Moose	8
Mt. Spokane South B	Oct. 1 - Nov. 30	Moose Area 1	Antlerless Only	8
Mt. Spokane North A	Oct. 1 - Nov. 30	Moose Area 2	Any Moose	8
Mt. Spokane North B	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	7
Mt. Spokane North C ^b	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	1
Mt. Spokane ^{hC}	Dec. 1 - Mar. 31	GMUs 124, 127, and 130 within Spokane County	Antlerless Only	20 ^{hC}
Mt. Spokane South - Youth Only ^a	Oct. 1 - Nov. 30	Moose Area 1	Antlerless Only	8
Mt. Spokane North - Youth Only ^a	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	8
49 Degrees North A	Oct. 1 - Nov. 30	GMU 117	Any Moose	21
49 Degrees North B ^b	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	3
49 Degrees North C ^c	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
49 Degrees North Youth Only ^a	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
Three Forks	Oct. 1 - Nov. 30	GMUs 108, 111	Any Moose	6
Hangman A	Oct. 1 - Nov. 30	GMUs 127, 130	Any Moose	7
Hangman B	Oct. 1 - Nov. 30	GMUs 127, 130	Antlerless Only	7
Huckleberry Range A	Oct. 1 - Nov. 30	GMUs 121, 124 west of Hwy 395	Any Moose	7
Huckleberry Range B ^c	Oct. 1 - Nov. 30	GMUs 121, 124 west of Hwy 395	Antlerless Only	2

^aApplicants must be eligible to purchase a youth moose permit application. An adult must accompany the youth hunter(~~s must be accompanied by an adult~~) during the hunt.

^bApplicants must possess a Disabled Hunter Permit.

^cApplicants must be eligible to purchase a 65 years of age or older permit application.

^dApplicants must be a certified hunter education instructor who meets program-defined eligibility criteria.

^{hC}This is a damage hunt administered by a WDFW designated hunt coordinator. Only master hunters may apply, and any weapon may be used. Successful applicants will be contacted on an as-needed basis to help with specific sites of nuisance moose activity in designated areas. Not all successful applicants will be contacted in any given year.

(3) Moose Areas:

(a) Moose Area 1: South Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, S on Hwy 395 to Spokane River, E on Spokane River to Idaho-Washington state line, N on Idaho-Washington state line to Blanchard Rd and the point of beginning.

(b) Moose Area 2: North Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, N on Hwy 395 to Deer Park-Milan Rd, E on Deer Park-Milan Rd to Hwy 2, N on Hwy 2 to Idaho-Washington state line, S on Idaho-Washington state line to Blanchard Rd and the point of beginning.

~~((2)) Bighorn Sheep Permit Hunts~~

~~**Who May Apply:** Anyone may apply, EXCEPT those who harvested a bighorn sheep previously in Washington state. An individual may only harvest one bighorn sheep during their lifetime (except waived for raffle and auction hunts, and ewe only hunts).~~

~~**Bag Limit:** One bighorn ram (except in designated adult ewe hunts, one bighorn adult ewe).~~

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Vulcan Mountain	Sept. 15 - Oct. 10	Sheep Unit 2	Any Legal Weapon	1
Selah Butte	Nov. 5-30	Sheep Unit 4	Any Legal Weapon	3
Umtanum	Sept. 15 - Oct. 10	Sheep Unit 5	Any Legal Weapon	2
Cleman Mountain A	Sept. 15 - Oct. 10	Sheep Unit 7	Any Legal Weapon	6
Cleman Mountain B	Nov. 5-30	Sheep Unit 7	Any Legal Weapon	6
Mt. Hull A	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	1
Mt. Hull B	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Mt. Hull C ^b	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Lincoln Cliffs	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	1
Quilomene	Sept. 15 - Oct. 10	Sheep Unit 13	Any Legal Weapon	3
Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	1
Tieton A	Sept. 15 - 30	Sheep Unit 15	Any Legal Weapon	3
Tieton B	Nov. 5-30	Sheep Unit 15	Any Legal Weapon	3
Manson	Nov. 5-30	Sheep Unit 16	Any Legal Weapon	2
Asotin	Sept. 15 - Oct. 10	Sheep Unit 17	Any Legal Weapon	2
Chelan Butte	Sept. 15 - Oct. 10	Sheep Unit 18	Any Legal Weapon	1
Sinlahekin	Sept. 15 - Oct. 10	Sheep Unit 19	Any Legal Weapon	1

^aApplicants must be eligible to purchase a 65 years of age or older permit application.

^bApplicants must be eligible to purchase a youth bighorn sheep permit application. Youth hunters must be accompanied by an adult during the hunt.

Bighorn Sheep Units:

~~**Sheep Unit 2 Vulcan Mountain:** Permit Area: Ferry County north of the Kettle River near Curlew.~~

~~**Sheep Unit 4 Selah Butte:** Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek; west of Interstate 82 and south of Interstate 90.~~

~~**Sheep Unit 5 Umtanum:** Permit Area: Those portions of Yakima and Kittitas counties west of the Yakima River, north of Wenas Creek, and east of USFS Road 1701 to Manastash Lake and its drainage; south and east along the South Fork Manastash Creek to Manastash Creek and the Yakima River.~~

~~**Sheep Unit 7 Cleman Mountain:** Permit Area: That part of Yakima County south of Wenas Creek and east of USFS Road 1701, north of Highway 410 and Highway 12 and west of the Yakima River.~~

~~**Sheep Unit 10 Mt. Hull:** Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.~~

~~**Sheep Unit 11 Wenaha Wilderness:** Permit Area: That part of GMU 169 within Crooked Creek drainage.~~

~~**Sheep Unit 12 Lincoln Cliffs:** Permit Area: That part of Lincoln County north of Highway 2.~~

~~**Sheep Unit 13 Quilomene:** Permit Area: GMUs 329, 330, and 251 south of Colocum Creek.~~

~~**Sheep Unit 14 Swakane:** Permit Area: GMU 250.~~

~~**Sheep Unit 15 Tieton:** Permit Area: GMU 360.~~

~~**Sheep Unit 16 Manson:** Permit Area: Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US Forest Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan-Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to shore line of Lake Chelan; W across Lake Chelan to the mouth of Riddle Creek on the South Shore; SE along South Shore of Lake Chelan to the point of beginning.~~

~~**Sheep Unit 17 Asotin:** Permit Area: GMU 175.~~

~~**Sheep Unit 18 Chelan Butte:** Permit Area: Beginning at the intersection of State Hwy 971 and US Hwy 97A, S to the W shoreline of the Columbia River, N along the W shoreline of the Columbia River for 21 miles to the mouth of Antione Creek, W up Antione Creek to where it crosses Apple Acres Rd, W on Apple Acres Rd to the intersection with Washing-~~

ton Creek Rd (US Forest Service Rd 8135), N on Washington Creek Rd to its end and then follow Washington Creek, W on Washington Creek to where it crosses US Forest Service Rd 8010, S on US Forest Service Rd 8010 (transitions into Purtteman Creek Rd) to Purtteman Gulch, S into Purtteman Gulch to the N shoreline of Lake Chelan, S along the shoreline to the S shoreline of Lake Chelan to the mouth of First Creek, S up First Creek to the intersection of State Hwy 971 (Navarre Coulee Rd), S on State Hwy 971 to the point of beginning.

Sheep Unit 19 Sinlahekin: Beginning at the eastern boundary of the Pasayten Wilderness border and the US-Canadian border; E on the US-Canadian border to the border station on Similkameen Rd (Co. Rd 4568); SE on the Similkameen Rd (Co. Rd 4568) to the Loomis Oroville Rd (Co. Rd 9425); E on the Loomis Oroville Rd (Co. Rd 9425) to US Hwy 97 in Oroville; S on US Hwy 97 to 12th Ave; W on 12th Ave (it curves S and changes to Old Highway 97); S on Old Highway 97 to US Hwy 97; S on US Hwy 97 to the South Pine Creek Rd (Co. Rd 9410); W on the South Pine Creek Rd (Co. Rd 9410) to Fish Lake Rd (Co. Rd 4290); W on Fish Lake Rd (Co. Rd 4290) to South Fish Lake Rd (Co. Rd 4282), along the south shore of Fish Lake; SW on South Fish Lake Rd (Co. Rd 4282), to the Sinlahekin Rd (Co. Rd 4015); SW on the Sinlahekin Rd (Co. Rd 4015), along the north shore of Con-

conully Lake, to the Salmon Creek North Fork Rd (Co. Rd 2361), at the town of Conconully; N on US Forest Service Rd 38 (Salmon Creek North Fork Rd, Co. Rd 2361) to US Forest Service Rd 3820; N on US Forest Service Rd 3820 over Lone Frank Pass, to US Forest Service Rd 39; N on US Forest Service Rd 39 to the US Forest Service Rd 300 at Long Swamp trailhead; W on the US Forest Service Rd 300 to US Forest Service Trail 342; N on US Forest Service Trail 342 to US Forest Service Trail 343; E on US Forest Service Trail 343 to US Forest Service Trail 341; E on US Forest Service Trail 341 to US Forest Service Trail 375; E on US Forest Service Trail 375 to the eastern boundary of the Pasayten Wilderness Area; N on the Pasayten Wilderness Area boundary to the US-Canadian border and the point of beginning.

(3) Mountain Goat Permit Hunts

Who May Apply: Anyone may apply, except those who harvested a mountain goat in Washington state after 1998. An individual may only harvest one mountain goat during their lifetime, except for those who harvested a goat prior to 1999. (Except waived for raffle and auction hunts.)

Bag Limit: One (1) adult goat of either sex with horns four (4) inches or longer. WDFW urges hunters to refrain from shooting nannies with kids.

Hunt Name	Permit Season ^b	Subpopulations Open to Hunting ^a	Special Restrictions	Permits ^a
Mt. Baker	Sept. 15 – Oct. 31	Chowder Ridge, Coleman Pinnaele, Lava Divide, Black Buttes, Lake Ann, SE Baker	Any Legal Weapon	7
North Lake Chelan	Sept. 15 – Oct. 31	Skookum Pass Mtn., Big Goat Creek	Any Legal Weapon	2
Naches Pass	Sept. 15 – Oct. 31	Fife's East, Fife's Peak, Crystal Mountain, Basin Lake	Any Legal Weapon	1
Bumping River	Sept. 15 – Oct. 31	Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge	Any Legal Weapon	1
Blazed Ridge	Sept. 15 – Oct. 31	Blowout Mtn., Blazed Ridge, Blazed North, Milk Creek, Rock Creek	Any Legal Weapon	1
Goat Rocks-Tieton River	Sept. 15 – Oct. 31	Chimney Rocks, Goat Lake, McCall Glacier, Gilbert Peak	Any Legal Weapon	3
Methow	Sept. 15 – Oct. 31	Wolf Creek, West Fork Methow	Any Legal Weapon	1
South Lake Chelan	Sept. 15 – Oct. 31	Railroad Creek, Pyramid Mountain, Box Canyon	Any Legal Weapon	1

^aMountain goat populations are managed as a collection of subpopulations, and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or close subpopulations and reduce permit levels to protect from overharvesting specific areas.

The director is authorized by the commission to identify the hunt area as a condition of the hunt permit. Selected hunters will receive a text description or map of their hunt area.

^bPermit hunters may start hunting September 1 with archery equipment.)

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-337 (~~(Deer and)~~) Elk area descriptions.

~~(ELK AREAS)~~ The following areas are defined as Elk areas:

Elk Area No. 1008 West Wenaha (Columbia County):

That part of GMU 169 west of USFS trail 3112 from Tepee Camp (east fork of Butte Creek) to Butte Creek, and west of Butte Creek to the Washington-Oregon state line.

Elk Area No. 1009 East Wenaha (Columbia, Garfield,

Asotin counties): That portion of GMU 169 east of USFS trail 3112 from Tepee Camp (east fork Butte Creek) to Butte Creek, and east of Butte Creek to the Washington-Oregon state line.

Elk Area No. 1010 (Columbia County): GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

Elk Area No. 1011 (Columbia County): That part of GMU 162 east of the North Touchet Road, excluding National Forest land.

Elk Area No. 1012 (Columbia County): That part of GMU 162 west of the North Touchet Road, excluding National Forest land and the Rainwater Wildlife Area.

Elk Area No. 1013 (Asotin County): GMU 172, excluding National Forest lands.

Elk Area No. 1014 (Columbia-Garfield counties): That part of GMU 166 Tucannon west of the Tucannon River and USFS Trail No. 3110 (Jelly Spr.-Diamond Pk. Trail).

Elk Area No. 1015 Turnbull (Spokane County): Located in GMU 130, designated areas within the boundaries of Turnbull National Wildlife Refuge.

Elk Area No. 1016 (Columbia County): GMU-162 Dayton, excluding the Rainwater Wildlife Area.

Elk Area No. 2032 Malaga (Kittitas and Chelan counties): Beginning at the mouth of Davies Canyon on the Columbia River; west along Davies Canyon to the cliffs above (north of) the North Fork Tarpiscan Creek; west and north along the cliffs to the Bonneville Power Line; southwest along the power line to the North Fork Tarpiscan Road in Section 9, Township 20N, Range 21E; north and west along North Fork Tarpiscan Road to Colockum Pass Road (Section 9, Township 20N, Range 21E); south and west on Colockum Pass Road to section line between Sections 8 & 9; north along the section line between Sections 8 and 9 as well as Sections 4 & 5 (T20N, R21E) & Sections 32 & 33 (T21N, R21E) to Moses Carr Road; west and north on Moses Carr Road to Jump Off Road; south and west on Jump Off Road to Shaller Road; north and west on Shaller Road to Upper Basin Loop Road; north and west on Upper Basin Loop Road to Wheeler Ridge Road; north on Wheeler Ridge Road to the Basin Loop Road (pavement) in Section 10 (T21N, R20E); north on Basin Loop Road to Wenatchee Heights Road; west on Wenatchee Heights Road to Squilchuck Road; south on Squilchuck Road to Beehive Road (USFS Rd 9712); northwest on Beehive Road to USFS Rd 7100 near Beehive Reservoir; north and west on USFS Rd 7100 to Peavine Canyon Road (USFS Rd

7101); north and east on Peavine Canyon Road to Number Two Canyon Road; north on Number Two Canyon Road to Crawford Street in Wenatchee; east on Crawford Street to the Columbia River; south and east along the Columbia River to Davies Canyon and point of beginning. (Naneum Green Dot, Washington Gazetteer, Wenatchee National Forest)

Elk Area No. 2033 Peshastin (Chelan County): Starting at the Division St bridge over the Wenatchee River in the town of Cashmere; S on Aplets Way then Division St to Pioneer St; W on Pioneer St to Mission Creek Rd; S on Mission Creek Rd to Binder Rd; W on Binder Rd to Mission Creek Rd; S on Mission Creek Rd to Tripp Canyon Rd; W on Tripp Canyon Rd to where Tripp Canyon Rd stops following Tripp Creek; W on Tripp Creek to its headwaters; W up the drainage, about 1000 feet, to US Forest Service (USFS) Rd 7200-160; W on USFS Rd 7200-160 to Camas Creek Rd (USFS Rd 7200); W on Camas Creek Rd (USFS 7200 Rd) (excluding Camas Land firearm closure*) to US Hwy 97; N on US Hwy 97 to Mountain Home Rd (USFS 7300 Rd); N on Mountain Home Rd to the Wenatchee River in the town of Leavenworth; S on the Wenatchee River to the Division St bridge in Cashmere and the point of beginning.

Elk Area No. 2051 Tronsen (Chelan County): All of GMU 251 except that portion described as follows: Beginning at the junction of Naneum Ridge Road (WDFW Rd 9) and Ingersol Road (WDFW Rd 1); north and east on Ingersol Road to Colockum Road (WDFW Rd 10); east on Colockum Road and Colockum Creek to the intersection of Colockum Creek and the Columbia River; south on the Columbia River to mouth of Tarpiscan Creek; west up Tarpiscan Creek and Tarpiscan Road (WDFW Rd 14) and North Fork Road (WDFW Rd 10.10) to the intersection of North Fork Road and Colockum Road; southwest on Colockum Road to Naneum Ridge Road; west on Naneum Ridge Road to Ingersol Road and the point of beginning.

Elk Area No. 3068 Klickitat Meadows (Yakima County): Beginning at Darland Mountain, southeast along the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to the point due west of the headwaters of Reservation Creek (Section 18, T12N, R14E); then along a line due west to Spencer Point (as represented in the DNR 100k map); northeast from Spencer Point to US Forest Service (USFS) Trail 1136; north along USFS Trail 1136 to USFS Trail 615; east on USFS Trail 615 to Darland Mountain and the point of beginning.

Elk Area No. 3681 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Ser-

vice Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Highway 12; northeast on Highway 12 to the Naches River; southeast down the Naches River to Cowiche Creek; west up Cowiche Creek and South Fork Cowiche Creek to Summitview Avenue; northwest on Summitview Avenue to Cowiche Mill Road; west on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13; southeast along the power line to Ahtanum Creek and the point of beginning.

Elk Area No. 3721 Corral Canyon (Benton and Yakima counties): That part of GMU 372 beginning at the Yakima River Bridge on SR 241 just north of Mabton; north along SR 241 to the Rattlesnake Ridge Road (mile post #19); east on Rattlesnake Ridge Road to the Hanford Reach National Monument's (HRNM) southwest corner boundary; east and south along the HRNM boundary to SR 225; south on SR 225 to the Yakima River Bridge in Benton City; west (upstream) along Yakima River to point of beginning (SR 241 Bridge).

Elk Area No. 3722 Blackrock (Benton and Yakima counties): That part of GMU 372 beginning at southern corner of the Yakima Training Center border on Columbia River, northwest of Priest Rapids Dam; southeast on southern shore of Columbia River (Priest Rapids Lake) to Priest Rapids Dam; east along Columbia River to the Hanford Reach National Monument's (HRNM) western boundary; south along the HRNM boundary to the Rattlesnake Ridge Road; west on Rattlesnake Ridge Road to SR 241; south on SR 241 to the Yakima River Bridge just north of Mabton; west along Yakima River to SR 823 (Harrison Road) south of town of Pomona; east along SR 823 (Harrison Road) to SR 821; southeast on SR 821 to Firing Center Road at I-82; east on Firing Center Road to main gate of Yakima Training Center; south and east along Yakima Training Center boundary to southern corner of Yakima Training Center boundary on Columbia River and point of beginning.

Elk Area No. 3911 Fairview (Kittitas County): Beginning at the intersection of the BPA Power Lines in T20N, R14E, Section 36 and Interstate 90; east along the power lines to Highway 903 (Salmon La Sac Road); northwest along Highway 903 to Pennsylvania Avenue; northeast along Pennsylvania Avenue to No. 6 Canyon Road; northeast along No. 6 Canyon Road to Cle Elum Ridge Road; north along Cle Elum Ridge Road to Carlson Canyon Road; northeast along Carlson Canyon Road to West Fork Teanaway River; east along West Fork Teanaway River to North Fork Teanaway River; north along North Fork Teanaway River to Teanaway Road; southeast on Teanaway Road to Ballard Hill Road; east on Ballard Hill Rd and Swauk Prairie Road to Hwy 970; northeast on Hwy 970 to Hwy 97; south on Hwy 97 to the power lines in T20N, R17E, Section 34; east on the power lines to Naneum Creek; south on Naneum Creek approximately 1/2 mile to power lines in T19N, R19E, Section 20; east along BPA power lines to Colockum Pass Road in T19N, R20E, Section 16; south on Colockum Pass Road to BPA power lines in T18N, R20E, Section 6; east and south along power lines to Parke Creek; north on Parke Creek to Whiskey Jim

Creek; east on Whiskey Jim Creek to the Wild Horse Wind Farm Boundary; south and East on Wild Horse Wind Farm boundary to the Vantage Highway; east along the Vantage Highway to the first power line crossing; southwest along the power lines to where they intersect with the second set of BPA power lines in T17N, R21E, Section 18; southeast along the BPA power lines to I-90; west along I-90 to the Yakima Training Center boundary; south and west along the Yakima Training Center boundary to I-82; north on I-82 to Thrall Road; west on Thrall Road to Wilson Creek; south on Wilson Creek to Yakima River; north on Yakima River to gas pipeline crossing in T17N, R18E, Section 25; south and west on the gas pipeline to Umtanum Creek; west on Umtanum Creek to the Durr Road; north on the Durr Road to Umtanum Road; north on Umtanum Road to South Branch Canal; west on South Branch Canal to Bradshaw/Hanson Road; west on Bradshaw Road to the elk fence; north and west along the elk fence to power line crossing in T19N, R16E, Section 10; west along the power line (south branch) to Big Creek; north on Big Creek to Nelson Siding Road; west and north on Nelson Siding Road to I-90; east on I-90 to point of beginning.

Elk Area No. 3912 Old Naches (Yakima County): Starting at the elk fence and Roza Canal along the south boundary T14N, R19E, Section 8; following the elk fence to the big-horn sheep feeding site in T15N, R16E, Section 36; south on the feeding site access road to the Old Naches Highway; west and south on the Old Naches Highway to State Route 12 and the Naches River; down the Naches River to the Tieton River; up the Tieton River approximately 2 miles to the intersection of the metal footbridge and the elk fence at the south end of the bridge in T14N, R16E, Section 3; south along the elk fence to the top of the cliff/rimrock line; southwest along the top of the cliff/rimrock line to the irrigation canal in T14N, R16E, Section 9; southwest along the irrigation canal to the elk fence in T14N, R16E, Section 8; south along the elk fence to the township line between T12N, R15E and T12N, R16E; south along the township line to the South Fork Ahtanum Creek; downstream along the South Fork Ahtanum Creek and Ahtanum Creek to the Yakima River; upstream along the Yakima River to Roza Canal and point of beginning.

Elk Area No. 4041 Grandy Creek (Skagit County): Begin at the intersection of CP 190 Road and CP 132 Road (Section 28, T36N, R5E); east along the CP 132 Road to the CP 130 Road; east and south along CP 130 Road to CP 110 Road; west, south and east along CP 110 Road to Childs Creek; south down Childs Creek to State Route 20; east on State Route 20 to Grandy Creek; south down Grandy Creek to the Skagit River; south on a line to South Skagit Hwy; west on South Skagit Hwy to State Route 9; north on State Route 9 to State Route 20; east on State Route 20 to Helmick Road; north on Helmick Road to CP 190 Road to CP 132 Road and the point of beginning. (WA Atlas & Gazetteer & Mt. Baker-Snoqualmie National Forest Map)

Elk Area No. 4601 North Bend (King County): That portion of GMU 460 beginning at the interchange of State Route (SR) 18 and I-90; W on I-90 to SE 82nd St, Exit 22, at the town of Preston; N on SE 82nd Street to Preston Fall City Rd SE (Old SR 203); N on Preston Fall City Rd SE to SE Fall

City Snoqualmie Rd (SR 202) at the town of Fall City; E on SE Fall City Snoqualmie Rd to the crossing of Tokul Creek; N and E up Tokul Creek to its crossing with Tokul Rd SE; S on SE Tokul Rd to SE 53rd Way; E on SE 53rd Way where it turns into 396th Dr SE then S on 396th Dr SE to SE Reinig Rd; E on SE Reinig Rd to 428th Ave SE; N on 428th Ave SE to where it turns into North Fork Rd SE; N and E on North Fork Rd SE to Ernie's Grove Rd; E on Ernie's Grove Rd to SE 70th St; N on SE 70th St to its ends at Fantastic Falls on the North Fork Snoqualmie River; SW down the North Fork Snoqualmie River to Fantastic Falls and the Mt Si Natural Resource Conservation Area boundary then S and E along the southern boundary of the Mt Si NRCA to the "School Bus" turnaround at SE 114th St; S on 480th Ave SE to SE 130th St; S and E on SE 130th St to its end; SSE overland from the end of SE 130th St, over the Middle Fork Snoqualmie River, to the end of 486th Ave SE; S on 486th Ave SE to the intersection with SE Middle Fork Road; Due S, from said intersection, up Grouse Mountain toward its peak, to the logging road adjacent to Grouse Mountain Peak; S down the logging road to Grouse Ridge Access Rd; W on Grouse Ridge Access Road which becomes SE 146th St; W on SE 146th St to I-90 then east along I-90 to the W boundary of Olallie/Twin Falls State Park then S along the state park western boundary to its most western boundary where it intersects with the boundary of the Iron Horse State Park; W along the boundary of Iron Horse State Park to the boundary of the Rattlesnake Lake Recreation Area; W along the boundary of the Rattlesnake Lake Recreation Area to Cedar Falls Rd SE; N along the Cedar Falls Rd to SE 174th Way; W on SE 174th Way to SE 174th St; W on SE 174th St to SE 173rd St; W on SE 173rd St to SE 170th Pl; W on SE 170th Pl to SE 169th St; W on SE 169th St to 424th Ave SE; N on 424th Ave SE to SE 168th St; W on SE 168th St to 422 Ave SE; N on 422 Ave SE to 426th Way SE; S on 426th Way SE to SE 164th St; E on SE 164th St to Uplands Way SE; W on Uplands Way SE to the crossing with the Power Transmission Lines; W along the Power Transmission Lines to the Winery Rd; NW on the Winery Rd to SE 99th Rd; W and N on SE 99th Rd to the I-90 interchange, at Exit 27; SW on I-90 to the interchange with SR 18 and the point of beginning.

Elk Area No. 4941 Skagit River (Skagit County): That portion of GMU 437 beginning at the intersection of State Route 9 and State Route 20; east on State Route 20 to Cape Horn Road NE; south down Cape Horn Road NE to the power line crossing which passes over the Skagit River; east on the power line to the Skagit River; south and west down the Skagit River to Pressentin Creek; south up Pressentin Creek to the South Skagit Highway; west on South Skagit Highway to State Route 9; north on State Route 9 to point of beginning.

Elk Area No. 5029 Toledo (Lewis and Cowlitz counties): Beginning at the Cowlitz River and State Highway 505 junction; east along the Cowlitz River to the Weyerhaeuser 1800 Road; south along Weyerhaeuser 1800 Road to Cedar Creek Road; east along Cedar Creek Road to Due Road; south on Due Road to Weyerhaeuser 1823 Road; south along Weyerhaeuser 1823 Road to the Weyerhaeuser 1945 Road; south along the Weyerhaeuser 1945 Road to the Weyerhaeuser

1900 Road; south along the Weyerhaeuser 1900 Road to the North Fork Toutle River; west along the North Fork Toutle River to the Toutle River; west on the Toutle River to the Cowlitz River; North along the Cowlitz River to the junction of State Highway 505 and the point of beginning.

Elk Area No. 5049 Ethel (Lewis County): That part of GMU 505 beginning at the intersection of Jackson Highway and Highway 12; south along Jackson Highway to Buckley Road; south on Buckley Road to Spencer Road; east on Spencer Road to Fuller Road; north on Fuller Road to Highway 12; east on Highway 12 to Stowell Road; north on Stowell Road to Gore Road; west on Gore Road to Larmon Road; west on Larmon Road to Highway 12; west on Highway 12 to Jackson Highway and point of beginning.

Elk Area No. 5050 Newaukum (Lewis County): That part of GMU 505 beginning at the intersection of Interstate 5 and Highway 12; east on Highway 12 to Larmon Road; east on Larmon Road to Leonard Road; north on Leonard Road through the town of Onalaska to Degler Road; north on Degler Road to Middle Fork Road; east on Middle Fork Road to Beck Road; north on Beck Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Logan Hill Road; south then west on Logan Hill Road to Jackson Highway; south on Jackson Highway to the Newaukum River; west along the Newaukum River to Interstate 5; south on Interstate 5 to Highway 12 and point of beginning.

Elk Area No. 5051 Green Mountain (Cowlitz County): Beginning at the junction of the Cowlitz River and the Toutle River; east along the Toutle River to the North Fork Toutle River; east along the North Fork Toutle River to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the Weyerhaeuser 1910 Road; south along the Weyerhaeuser 1910 Road to the Weyerhaeuser 2410 Road; south along the Weyerhaeuser 2410 Road to the Weyerhaeuser 4553 Road; south along the Weyerhaeuser 4553 Road to the Weyerhaeuser 4500 Road; south along the Weyerhaeuser 4500 Road to the Weyerhaeuser 4400 Road; south along the Weyerhaeuser 4400 Road to the Weyerhaeuser 4100 Road; east along the Weyerhaeuser 4100 Road to the Weyerhaeuser 4700 Road; south along the Weyerhaeuser 4700 Road to the Weyerhaeuser 4720 Road; west along the Weyerhaeuser 4720 Road to the Weyerhaeuser 4730 Road; west along the Weyerhaeuser 4730 Road to the Weyerhaeuser 4732 Road; west along the Weyerhaeuser 4732 Road to the Weyerhaeuser 4790 Road; west along the Weyerhaeuser 4790 Road to the Weyerhaeuser 1390 Road; south along the Weyerhaeuser 1390 Road to the Weyerhaeuser 1600 Road; west along the Weyerhaeuser 1600 Road to the Weyerhaeuser Logging Railroad Tracks at Headquarters; west along the Weyerhaeuser Logging Railroad Track to Ostrander Creek; west along Ostrander Creek to the Cowlitz River; north along the Cowlitz River to the Toutle River and point of beginning.

Elk Area No. 5052 Mossyrock (Lewis County): Beginning at the intersection of Winston Creek Road and State Highway 12; east on State Highway 12 to the Cowlitz River; east on the Cowlitz River to Riffe Lake; southeast along the south shore of Riffe Lake to Swofford Pond outlet creek; south on Swofford Pond outlet creek to Green Mountain Road; west on

Green Mountain Road to Perkins Road; west on Perkins Road to Longbell Road; south on Longbell Road to Winston Creek Road; north on Winston Creek Road to State Highway 12 and the point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

Elk Area No. 5053 Randle (Lewis County): Beginning at the town of Randle and the intersection of U.S. Highway 12 and State Route 131 (Forest Service 23 and 25 roads); south on State Route 131 to Forest Service 25 Road; south on Forest Service 25 Road to the Cispus River; west along the Cispus River to the Champion 300 line bridge; south and west on the Champion 300 line to the Champion Haul Road; north along the Champion Haul Road to Kosmos Road; north on Kosmos Road to U.S. Highway 12; east on U.S. Highway 12 to Randle and point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

Elk Area No. 5054 Boistfort (Lewis County): Beginning at the town of Vader; west along State Highway 506 to the Wildwood Road; north along the Wildwood Road to the Abernathy 500 line gate (Section 20, T11N, R3W, Willamette Meridian); northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; northwest along the 813, 812, 5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Section 15, T12N, R4W); west along the Pe Ell/McDonald Road to the Lost Valley Road; northeast along the Lost Valley Road to the Boistfort Road; north along the Boistfort Road to the King Road; east along the King Road to the town of Winlock and State Highway 603; south along Highway 505 to Interstate 5; south along Interstate 5 to State Hwy 506; west along State Hwy 506 to the town of Vader and the point of beginning.

Elk Area No. 5056 Grays River Valley (Wahkiakum County): On or within 3/4 mile of agricultural land in the Grays River Valley within the following sections: T10N, R7W, Sections 8, 9, 17, 18 and T10N, R8W, Sections 13, 23, 24, 26.

Elk Area No. 5057 Carlton (Lewis County): That part of 513 (South Rainier) lying east of Highway 123 and north of Highway 12.

Elk Area No. 5058 West Goat Rocks (Lewis County): Goat Rocks Wilderness west of the Pacific Crest Trail.

Elk Area No. 5059 Mt. Adams Wilderness (Skamania and Yakima counties): The Mt. Adams Wilderness.

Elk Area No. 5060 Merwin (Cowlitz County): Begin at the State Route 503 and the Longview Fibre Road WS-8000 junction; north and west on the Longview Fibre Road WS-8000 to Day Place Road; west on Day Place Road to Dubois Road; south on Dubois Road to State Route 503; east on State Route 503 to the State Route 503 and the Longview Fibre Road WS-8000 junction and point of beginning.

Elk Area No. 5061 Wildwood (Lewis County): Beginning at the junction of the Pacific West Timber (PWT) 600 Road and the Wildwood Road (SE1/4 S29 T11N R3W); southwest on the 600 Road to the 800 Road (NW1/4 S36 T11N R4W);

southwest on the 800 Road to the 850 Road (SW1/4 S3 T10N R4W); northwest on the 850 Road to the Weyerhaeuser 4720 Road (S20 T11N R4W); north on the Weyerhaeuser 4720 Road to the Weyerhaeuser 4700 Road (S17 T11N R4W); east on the Weyerhaeuser 4700 Road to the Weyerhaeuser 5822 Road (NW1/4 S16 T11N R4W); east on the Weyerhaeuser 5822 Road to the Weyerhaeuser 5820 Road (NW1/4 S10 T11N R4W); southeast on the Weyerhaeuser 5820 Road to the PWT 574 Road (SE1/4 S10 T11N R4W); south on the PWT 574 Road to the 570 Road (NW1/4 S14 T11N R4W); south on the 570 Road to the 500 Road (NW1/4 S14 T11N R4W); northeast on the 500 Road to the 560 Road (SW1/4 S12 T11N R4W); east on the 560 Road to the 540 Road (SE1/4 S12 T11N R4W); east and south on the 540 Road to the 500 Road (SE1/4 S18 T11N R3W); east on the PWT 500 Road to the Wildwood Road (N1/2 S20 T11N R3W); south on the Wildwood Road to the point of beginning, the PWT 600 Road junction (SE1/4 S29 T11N R3W).

Elk Area No. 5062 Trout Lake (Klickitat County): Those portions of GMUs 560 (Lewis River) and 578 (West Klickitat) beginning at the intersection of SR 141 and Sunnyside Road; north on Sunnyside Road to Mount Adams Recreational Area Road; north on Mount Adams Recreational Area Road to USFS Road 23; north on USFS Road 23 to DNR T-4300 Road; west on DNR T-4300 Road to Trout Lake Creek Road; south on Trout Lake Creek Road to SR 141; east and south on SR 141 to the intersection of SR 141 and Sunnyside Road to the point of beginning.

Elk Area No. 5063 Pumice Plain (Cowlitz and Skamania counties): That part of GMU 522 beginning at the confluence of the N. Fork Toutle River and Castle Creek; East along the N. Fork Toutle River to USFS trail 207; south along USFS trail 207 to USFS trail 216E; southwest along USFS trail 216E to USFS trail 216; west along USGS trail 216 to USGS 216G; northwest along USFS trail 216G to USGS trail 221; north along USFS 221 to Castle Creek; northwest along Castle Creek to N. Fork Toutle River and point of beginning.

Elk Area No. 5064 Upper Smith Creek (Skamania County): That part of GMU 522 beginning at the U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 (Smith Creek Trail) junction; south on Trail 225 to Ape Canyon Creek; south and west up Ape Canyon Creek to U.S. Forest Service Trail 216 (Loowit Trail); north on Trail 216 to U.S. Forest Service Trail 216D (Abraham Trail); north on Trail 216D to U.S. Forest Service Trail 207 (Truman Trail); north and east on Trail 207 to U.S. Forest Service Rd. 99; north and east on U.S. Forest Service Rd. 99 to the junction of U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 and the point of beginning.

Elk Area No. 5065 Mount Whittier (Skamania County): That part of GMU 522 beginning at the U.S. Forest Service Trail 1 (Boundary Trail) and U.S. Forest Service Trail 214 (Whittier Ridge Trail) junction; west on the U.S. Forest Service Trail 1 to U.S. Forest Service Trail 230 (Coldwater Trail); north on U.S. Forest Service Trail 230 to U.S. Forest Service Trail 211 (Lakes Trail); east on Trail 211 to U.S. Forest Service Trail 214; south on U.S. Forest Service Trail 214

to the junction of U.S. Forest Service Trail 214 and U.S. Forest Service Trail 1 and the point of beginning.

Elk Area No. 5090 JBH (Wahkiakum County): The mainland portion of the Julia Butler Hansen National Wildlife Refuge, as administered by the U.S. Fish and Wildlife Service as described: Beginning at the junction of State Route 4 and Steamboat Island Slough Road, northwest on Steamboat Island Slough Road to Brooks Slough Road, east on Brooks Slough Road to State Route 4, south on State Route 4 to Steamboat Slough Road and point of beginning.

Elk Area No. 5099 Mudflow (Cowlitz County): That part of GMU 522 beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek; SE up the North Fork Toutle River to Deer Creek; SE up Deer Creek to Weyerhaeuser (Weyco) 3020 line; NW along Weyco 3020 line to Weyco 3000 line; E along Weyco 3000 line to Weyco 3000P line; E on the 3000P line to Weyco 5600 Line to the Mount Saint Helens National Volcanic Monument Boundary; N on the Mount Saint Helens National Volcanic Monument Boundary to SR 504; W on SR 504 to Hoffstadt Creek Bridge on Hoffstadt Creek; S and W down Hoffstadt Creek to the North Fork Toutle River and point of beginning.

Elk Area No. 6010 Mallis (Pacific County): That part of GMUs 506, 672, and 673 within one and one-half mile either side of SR 6 between the east end of Elk Prairie Rd and the Mallis Landing Rd, and all lands within a half mile of Elk Creek Rd bounded on the south by Monohon Landing Rd.

Elk Area No. 6011 Centralia Mine (Lewis County): That portion of GMU 667 within Centralia Mine property boundary.

Elk Area No. 6012 Tri Valley (Grays Harbor and Mason counties): Those portions of GMUs 648 (Wynoochee) and 651 (Satsop) within one mile of Brady-Matlock Road from State Highway 12 north to the junction with Schaefer State Park Road (east Satsop Road) and all lands within one mile of Wynoochee Valley Road from State Highway 12 north to the junction with Cougar Smith Road, and all lands within one mile of Wishkah Valley Road from north Aberdeen city limit to mile post 16 and all lands within 2 miles north of SR 12 between the Satsop River and Schouweiler and Hurd roads and then a line north from the end of Hurd Road to a point 2 miles north of SR 12.

Elk Area No. 6013 (Pierce County): That part of GMU 652 beginning at the intersection of Highway 167 and Highway 410; north on Highway 167 to Highway 18; east on Highway 18 to Highway 164; southeasterly on Highway 164 to Highway 410; westerly on Highway 410 to Highway 167 and the point of beginning.

Elk Area No. 6054 Puyallup River (Pierce County): That portion of GMU 654 beginning at the intersection of Mount Rainier National Park's western boundary and State Route (SR) 706; W on SR 706 to 278th Ave E; N on 278th Ave E to WA Dept of Natural Resources' (DNR) 1300 Rd; NW on DNR 1300 Rd to Scott Turner Rd; NW on Scott Turner Rd to Alder Cutoff Rd; W and NE on Alder Cutoff Rd to Center St SE in the town of Eatonville; NW on Center St SE to SR 161;

N and W on SR 161 to Orville Rd E; N on Orville Rd E, past Lake Ohop and Lake Kapowsin, to the bridge crossing the Puyallup River; SE up the Puyallup River to Mount Rainier National Park's western boundary; S on Mount Rainier National Park's western boundary to SR 706 and the point of beginning.

Elk Area No. 6061 Twin Satsop Farms (Mason County): That portion of GMU 651 starting at the junction of the Deckerville Road and the Brady-Matlock Road; southwest to the junction with the West Boundary Road; north on West Boundary Road to the Deckerville Road; east on the Deckerville Road to the junction of Brady-Matlock Road and point of beginning. In addition, the area within a circle with a radius of two miles centered on the junction of State Route 108 and the Eich Road.

Elk Area No. 6062 South Bank (Grays Harbor County): That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Wakefield Road Junction (South Elma); south on Wakefield Road, across the Chehalis River to the South Bank Road; southeast on the South Bank Road to Delezene Road; south on the Delezene Road to a point one mile from the South Bank Road; southeast along a line one mile southwest of the South Bank Road to the Oakville-Brooklyn Road; east on the Oakville-Brooklyn Road to Oakville and Highway 12; northwest on Highway 12 to Wakefield Road to Elma and the point of beginning.

Elk Area No. 6063 (Grays Harbor and Jefferson counties): Private lands within Elk Area 6064 east of Highway 101.

Elk Area No. 6064 Quinault Valley (Grays Harbor and Jefferson counties): That portion of GMU 638 (Quinault) within the Quinault River watershed east of Gattion Creek and Lake Quinault excluding US Forest Service (USFS) Colonel Bob Wilderness Area.

Elk Area No. 6066 Chehalis Valley (Grays Harbor County): That portion of GMU 660 (Minot Peak) beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to Oakville; south on Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of South Bank Road to Delezene Road; north along Delezene Road to South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to Chehalis River; west on Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 and the point of beginning.

Elk Area No. 6067 North Minot (Grays Harbor County): The portion of GMU 660 (Minot Peak) beginning at the junction on State Route 107 and the Melbourne A-line, on the Melbourne A-line to the Vesta F-line; south on Vesta F-line to Vesta H-line (Vesta Creek Road); south on Vesta Creek Road to the North River Road; south and east on North River Road to the Brooklyn Road; east on Brooklyn Road to the Garrard Creek Road; east and north on Garrard Creek Road to the South Bank Road; east on South Bank to South State Street (Oakville); north on South State Street to U.S. 12; northwest and west on U.S. 12 to State Route 107; south and

southwest on SR 107 to the Melbourne A-line and the point of beginning.

Elk Area No. 6068 Willapa (Grays Harbor County): That part of GMU 658 south of SR 105 between the intersection of SR 105 and Hammond Road and the SR 105 bridge over Smith Creek; and within one mile north of SR 105 west from Hammond Road and east of the SR 105 bridge over Smith Creek.

Elk Area No. 6069 Hanaford (Lewis and Thurston counties): That part of GMU 667 (Skookumchuck) beginning at the intersection of Salzer Valley Rd and S Pearl St (Centralia); N on S Pearl St to N Pearl St; N on N Pearl St to State Hwy 507; W and N on State Hwy 507 to Skookumchuck Rd; E on Skookumchuck Rd to the first bridge over the Skookumchuck River; E along the Skookumchuck River to the Skookumchuck Rd bridge; E on Skookumchuck Rd to the steel tower power line; SW along the power line to Big Hanaford Rd; E and S along Big Hanaford Rd to Weyerhaeuser Rd E150; E on Weyerhaeuser Rd E150 to Weyerhaeuser Rd E247; S and W on Weyerhaeuser Rd E247 to Weyerhaeuser Rd E240; S on Weyerhaeuser Rd E240 to North Fork Rd; S on North Fork Rd to Centralia-Alpha Rd; W on Centralia-Alpha Rd to Salzer Valley Rd and the point of beginning.

Elk Area No. 6071 Dungeness (Clallam County): Portions of GMUs 621 (Olympic) and 624 (Coyle) beginning at the mouth of the Dungeness River; east and south along the coast of the Strait of Juan de Fuca to the mouth of Jimmycomelately Creek on Sequim Bay; south and west up Jimmycomelately Creek to US Hwy 101; east on US Hwy 101 to Chicken Coop Road; east and north on Chicken Coop Road to the Clallam-Jefferson county line; south and west along the Clallam-Jefferson county line to the Olympic National Park boundary; north and west along the Olympic Park boundary to McDonald Creek; north along McDonald Creek to US Hwy 101; east along US Hwy 101 to the Dungeness River; north down the Dungeness River to its mouth and the point of beginning.

Elk Area No. 6072 Sol Duc Valley (Clallam County): That portion of GMU 607 (Sol Duc) between the Sol Duc River and Hwy 101 from a point at the Sol Duc River bridge over Hwy 101 approximately 2 miles north of Forks to the westernmost Sol Duc River bridge over Hwy 101 at a point approximately 1 mile east of Lake Pleasant.

Elk Area No. 6073 Clearwater Valley (Jefferson County): That portion of GMU 615 (Clearwater) within one mile of the Clearwater Road from the Quinault Indian Reservation boundary to a point 4 miles to the north.

(DEER AREAS)

Deer Area No. 1008 West Wenaha (Columbia County): That part of GMU 169 west of USFS trail 3112 from Tepee Camp (east fork of Butte Creek) to Butte Creek, and west of Butte Creek to the Washington-Oregon state line.

Deer Area No. 1009 East Wenaha (Columbia, Garfield, Asotin counties): That portion of GMU 169 east of USFS trail 3112 from Tepee Camp (east fork Butte Creek) to Butte

Creek, and east of Butte Creek to the Washington-Oregon state line.

Deer Area No. 1010 (Columbia County): GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

Deer Area No. 1020 Prescott (Columbia and Garfield counties): That portion of GMU 149 between Hwy 261 and Hwy 127.

Deer Area No. 1021 Clarkston (Asotin County): That portion of GMU 178 beginning at the junction of the Highway 12 bridge and Alpowa Creek; east on Highway 12 to Sileott Road; south and east on Sileott Road to Highway 128; southwest on Highway 128 to McGuire Gulch Road; southeast along the bottom of McGuire Gulch to Asotin Creek; east on Asotin Creek to the Snake River; north and west on the Snake River to Alpowa Creek; southwest of Alpowa Creek to the Highway 12 bridge and the point of beginning.

Deer Area No. 1030 Republic (Ferry County): That area within one-half mile surrounding the incorporated town of Republic.

Deer Area No. 1035 Highway 395 Corridor (Stevens County): That portion of GMU 121 beginning at the intersection of US Highway (Hwy) 395 (State Route 20) and State Route (SR) 25; S on SR 25 to Old Kettle Rd; E on Old Kettle Rd to Mingo Mountain Rd; S on Mingo Mountain Rd to Greenwood Loop Rd; E on Greenwood Loop Rd to the bridge over the Colville River; S on the Colville River to the bridge over Gold Creek Loop/Valley Westside Rd; W and S on Valley Westside Rd to the Orin-Rice Rd; E on Orin-Rice Rd to Haller Creek Rd; S on Haller Creek Rd to Skidmore Rd; E and S on Skidmore Rd to Arden Hill Rd; E on Arden Hill Rd to Townsend-Sackman Rd; S on Townsend-Sackman Rd to Twelve Mile Rd; S on Twelve Mile Rd to Marble Valley Basin Rd; S on Marble Valley Basin Rd to Zimmer Rd; S on Zimmer Rd to Blue Creek West Rd; E on Blue Creek West Rd to Dry Creek Rd; S on Dry Creek Rd to Duncan Rd; E on Duncan Rd to Tetro Rd; S on Tetro Rd to Heine Rd; E and S on Heine Rd to Farm to Market Rd; S on Farm to Market Rd to Newton Rd (also known as Riekers Lane); E on Newton Rd to US Hwy 395; N on US Hwy 395 to McLean Rd and Twelve Mile Rd (also known as Old Arden Hwy); N on McLean Rd and Twelve Mile Rd to US Hwy 395; N on US Hwy 395 to Old Arden Hwy (again); N on Old Arden Hwy to US Hwy 395; N on US Hwy 395, through the town of Colville, then W on US Hwy 395 (SR 20) to SR 25 and the point of beginning.

Deer Area No. 1050 Spokane North (Spokane County): From the intersection of the Spokane River and the Idaho-Washington state line, N to Hauser Lake Rd, W to Starr Rd, S to Newman Lake Dr, W and N to Foothills Rd, W to Forker Rd, N and W to Hwy 206 (Mt Spokane Park Rd), N to Feehan Rd, N to Randall Rd, W to Day Mt Spokane Rd, N to Big Meadows Rd, W to Madison Rd, N to Tallman Rd, W to Elk-Chattaroy Rd, N to Laurel Rd, E to Conklin Rd, N to Nelson Rd, E to Jackson Rd, N to Oregon Rd, E to Jefferson Rd, N to Frideger Rd, W to Elk-Camden Rd, S to Boundary Rd, N and W to Dunn Rd, S to Oregon Rd, W to Hwy 2, S on US Hwy

2 to the Deer Park Milan Rd, W on the Deer Park Milan Rd to US Hwy 395 at the town of Deer Park, NW on US Hwy 395 and W onto Williams Valley Rd, W and S to Hattery Rd (Owens Rd), S and E to Swenson Rd, S to Hwy 291, west to Stone Lodge Rd, west to the Spokane River, E on the Spokane River to the Idaho state border and the point of beginning.

Deer Area No. 1060 Spokane South (Spokane County): That part of GMU 127 beginning at the intersection of Spokane River and Barker Rd Bridge, Barker Rd S to 24 Ave, 24 Ave W to Barker Rd, Barker Rd S to 32 Ave, 32 Ave W to Linke Rd, Linke Rd S and E to Chapman Rd, Chapman Rd S to Linke Rd, Linke Rd S to Belmont Rd, Belmont Rd W to Hwy 27, Hwy 27 S to Palouse Hwy, Palouse Hwy W to Valley Chapel Rd, Valley Chapel Rd S to Spangle Creek Rd, Spangle Creek Rd SW to Hwy 195, Hwy 195 N to I-90, I-90 E to Latah Creek at I-90 Latah Creek Bridge, Latah Creek NE to Spokane River, Spokane River E to the Barker Rd Bridge and the point of beginning.

Deer Area No. 1070 Spokane West (Spokane County): That part of GMU 130 beginning at the intersection of I-90 and Latah Creek at I-90 Latah Creek Bridge, NE to Hwy 195 S on Hwy 195 S to Paradise Rd, Paradise Rd W to Smythe Road, Smythe Road NW to Anderson Rd, Anderson Rd W to Cheney Spokane Rd, Cheney Spokane Rd SW to Hwy 904/1st St in the town of Cheney, 1st SW to Salmave Rd/Hwy 902, Salmave Rd NW to Malloy Prairie Rd, Malloy Prairie Rd W to Medical Lake Tyler Rd, Medical Lake Tyler Rd N to Gray Rd, Gray Rd W then N to Fancher Rd, Fancher Rd NW to Ladd Rd, Ladd Rd N to Chase Rd, Chase Rd E to Espanola Rd, Espanola Rd N turns into Wood Rd, Wood Rd N to Coulee Hite Rd, Coulee Hite Rd E to Seven Mile Rd, Seven Mile Rd E to Spokane River, Spokane River S to Latah Creek, Latah Creek S to I-90 at the Latah Creek Bridge and the point of beginning.

Deer Area No. 1080 Colfax (Whitman County): That part of GMUs 139 and 142 beginning at the intersection of Hwy 195 and Crumbaker Rd, NE on Crumbaker Rd to Brose Rd, E on Brose Rd to Glenwood Rd, S on Glenwood Rd to Hwy 272, SE on Hwy 272 to Clear Creek Rd, SE on Clear Creek Rd to Stueckle Rd, S on Stueckle Rd to Palouse River Rd, E to Kenoyier Rd SE to Abbott Rd, S on Abbott Rd to Parvin Rd, S on Parvin Rd to McIntosh Rd, S on McIntosh Rd to 4 mile Rd/Shawnee Rd, W on Shawnee Rd to Hwy 195, N on Hwy 195 to Prune Orchard Rd, W on Prune Orchard Rd to Almota Rd, S on Almota Rd to Duncan Springs Rd, W and NW on Duncan Springs Rd to Airport Rd, NW on Airport Rd to Fairgrounds Rd, N on Fairgrounds Rd to Endicott Rd, NNW on Endicott Rd to Morley Rd, E and S and E on Morley Rd to Hwy 295 (26), NE on Hwy 295 to West River Dr then follow Railroad Tracks NW to Manning Rd, E on Manning Rd to Green Hollow Rd, E and S on Green Hollow Rd to Bill Wilson Rd, E on Bill Wilson Rd to Hwy 195, S on Hwy 195 to Crumbaker Rd and the point of beginning.

Deer Area No. 2010 Benge (Adams and Whitman counties): That part of GMU 284 beginning at the town of Wash-tuena; north on SR 261 to Weber Road; east on Weber Road to Benzel Road; north on Benzel Road to Wellsandt Road;

east on Wellsandt Road to Hills Road; south on Hills Road to Urquhart Road; east on Urquhart Road to Harder Road, East on Harder Road to McCall Road; east on McCall Road to Gering Road; east on Gering Road to Lakin Road; east on Lakin Road to Revere Road; south on Revere Road to George Knott Road; south on George Knott Road to Rock Creek; south along Rock Creek to the Palouse River; south and west along the Palouse River to SR 26; west on SR 26 to Wash-tuena and the point of beginning.

Deer Area No. 2011 Lakeview (Grant County): That part of GMU 272 beginning at the junction of SR 28 and First Avenue in Ephrata; west on First Avenue to Sagebrush Flats Road; west on Sagebrush Flats Road to Norton Canyon Road; north on Norton Canyon Road to E Road NW; north on E Road NW to the Grant Douglas county line; east along the county line to the point where the county line turns north; from this point continue due east to SR 17; south on SR 17 to SR 28 at Soap Lake; south on SR 28 to the junction with First Avenue in Ephrata and the point of beginning.

Deer Area No. 2012 Methow Valley (Okanogan County): All private land in the Methow Watershed located outside the external boundary of the Okanogan National Forest and north of the following boundary: starting where the Libby Creek Road (County road 1049) intersects the Okanogan National Forest boundary; east on road 1049 to State Hwy 153; north on Hwy 153 to the Old Carlton Road; east on the Old Carlton Road to the Texas Creek Road (County road 1543); east on the Texas Creek Road to the Vintin Road (County road 1552); northeast on the Vintin Road to the Okanogan National Forest boundary.

Deer Area No. 2013 North Okanogan (Okanogan County): Restricted to private land only located within the following boundary: Beginning in Tonasket at the junction of Havillah Rd and Hwy 97; NE on Havillah Rd to Dry Gulch Extension Rd; N to Dry Gulch Rd; N on Dry Gulch Rd to Oroville-Chesaw Rd; W on Oroville-Chesaw Rd to Molson Rd; N on Molson Rd to Nine Mile Rd; N and W on Nine Mile Rd to the Canadian border at the old Sidley Town Site; W along the border to the east shore of Lake Osoyoos; S around Lake Osoyoos to the Okanogan River; S along the east bank of the Okanogan River to the Tonasket Fourth Street Bridge; E on Fourth Street to Hwy 97; N on Hwy 97 to point of beginning.

Deer Area No. 2014 Central Okanogan (Okanogan County): Restricted to private land only located within the following boundary: Beginning in Tonasket on the Okanogan River at the Fourth Street Bridge; S along Hwy 7 to Pine Creek Rd; W along Pine Creek Rd to Horse Spring Coulee Rd; W and N on Horse Spring Coulee Rd to Beeman Rd; W on Beeman Rd to North Lemansky Rd; S along North Lemansky Rd to Pine Creek Rd; S on Pine Creek Rd to Hagood Cut-off Rd; S on Hagood Cut-off Rd to South Pine Creek Rd; E on South Pine Creek Rd to Hwy 97; S on Hwy 97 to Town of Riverside North Main Street junction; SE on North Main Street to Tunk Valley Rd and the Okanogan River Bridge; E on Tunk Creek Rd to Chewiliken Valley Rd; NE along Chewiliken Valley Rd to Talkire Lake Rd; N on Talkire Lake Rd to Hwy 20; W on Hwy 20 to the junction of Hwy 20 and

Hwy 97; N on Hwy 97 to Fourth Street; W on Fourth Street to point of beginning.

Deer Area No. 2015 Omak (Okanogan County): Restricted to private land only located within the following boundary: Beginning at Hwy 97 and Riverside Cut-off road; west on Riverside Cut-off Rd to Coneonully Road; south on Coneonully Rd to Danker Cut-off road; west on Danker Cut-off road to Salmon Creek Rd; north on Salmon Creek Rd to Spring Coulee Rd; south on Spring Coulee Rd to B&O Road North Rd; southwest on B&O North Rd to Hwy 20; east on Hwy 20 to B&O Rd; south on B&O Rd to the Town of Malott and the bridge over the Okanogan River; north along the west bank of the Okanogan River to the Town of Riverside and the Tunk Valley road bridge; west on Tunk Valley road to State Street in Riverside; south on State Street to 2nd Street; west on 2nd Street to Hwy 97 and the point of beginning.

Deer Area No. 2016 Coneonully (Okanogan County): Restricted to private land only located within the following boundary: Beginning at the Coneonully town limit at the south edge of Town and the east shore of Coneonully Reservoir; south along the east shore of the reservoir to Salmon Creek; south along the east bank of Salmon Creek to Salmon Creek road at the old Ruby Town site; south on Salmon Creek road to Green Lake road; northeast on Green Lake road to Coneonully road; north on Coneonully road to the south limit of the Town of Coneonully and the point of beginning.

Deer Area No. 3071 Whitecomb (Benton County): That part of GMU 373 made up by the Whitecomb Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3072 Paterson (Benton County): That part of GMU 373 made up by the Paterson Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3088 High Prairie (Klickitat County): That portion of GMU 388 (Grayback) that is south of SR 142.

Deer Area No. 3682 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Hwy 12. Northeast on Hwy 12 to the Naches River. Southeast down the Naches River to Cowiche Creek. West up Cowiche Creek and the South Fork Cowiche Creek to Summitview Ave. Northwest on Summitview Ave to Cowiche Mill Road. West on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13.

Southeast along the power line to Ahtanum Creek and the point of beginning.

Deer Area No. 4004 (San Juan County): That part of GMU 410 made up of Shaw Island.

Deer Area No. 4005 (San Juan County): That part of GMU 410 made up of Lopez Island.

Deer Area No. 4006 (San Juan County): That part of GMU 410 made up of Oreas Island.

Deer Area No. 4007 (San Juan County): That part of GMU 410 made up of Decatur Island.

Deer Area No. 4008 (San Juan County): That part of GMU 410 made up of Blakely Island.

Deer Area No. 4009 (Skagit County): That part of GMU 410 made up of Cypress Island.

Deer Area No. 4010 (San Juan County): That part of GMU 410 made up of San Juan Island.

Deer Area No. 4011 (Island County): That part of GMU 410 made up of Camano Island.

Deer Area No. 4012 (Island County): That part of GMU 410 made up of Whidbey Island.

Deer Area No. 4013 (King County): That part of GMU 454 made up of Vashon and Maury islands.

Deer Area No. 4926 Guemes (Skagit County): That part of GMU 407 (North Sound) on Guemes Island.

Deer Area No. 5064: That part of GMU 564 in the Columbia River near the mouth of the Cowlitz River made up of Cottonwood Island and Howard Island.

Deer Area No. 6014 (Pierce County): That part of GMU 652 made up of Anderson Island.

Deer Area No. 6020: Dungeness Miller Peninsula (Clallam and Jefferson counties): That part of GMU 624 west of Discovery Bay and Salmon Creek.)

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-342 2012-13, 2013-14, 2014-15 Small game and other wildlife seasons and regulations. ((It is unlawful to fail to)) Hunters must comply with the bag, possession, and season limits ((except as)) described ((below)) in this section. Failure to do so constitutes violations of ((this section are punishable under)) RCW 77.15.245, 77.15.400, ((and)) or 77.15.430, depending on the species hunted and the violation.

STATEWIDE SEASONS:

(1) FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)

(a) BAG AND POSSESSION LIMITS: ((Four (4))) 4 grouse per day, straight or mixed bag, with a total of ((twelve (12))) 12 grouse in possession at any time.

(b) SEASON DATES: Sept. 1 - Dec. 31, 2012, 2013, 2014.

(2) BOBCAT

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES: Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.

(c) RESTRICTION: It is unlawful to hunt bobcat (~~(may not be hunted)~~) with dogs.

(3) RACCOON

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide, EXCEPT closed on Long Island within Willapa National Wildlife Refuge.

(c) SEASON DATES: Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.

(4) FOX

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide EXCEPT closed within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 407 and 410.

(c) SEASON DATES: Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.

(5) COYOTE

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Year round.

(d) RESTRICTION: Coyote may not be hunted with dogs.

(6) COTTONTAIL RABBIT AND SNOWSHOE HARE (OR WASHINGTON HARE)

(a) BAG AND POSSESSION LIMITS: (~~(Five (5))~~) 5 cottontails or snowshoe hares per day, with a total of (~~(fifteen (15))~~) 15 in possession at any time, straight or mixed bag.

(b) SEASON DATES: Sept. 1, 2012 - Mar. 15, 2013; Sept. 1, 2013 - Mar. 15, 2014; Sept. 1, 2014 - Mar. 15, 2015.

(7) CROWS

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES: Sept. 1, 2012 - Dec. 31, 2012; Sept. 1, 2013 - Dec. 31, 2013; Sept. 1, 2014 - Dec. 31, 2014.

(8) JACKRABBIT

SEASON DATES: Season closed statewide.

(9) PTARMIGAN, SAGE, AND SHARP-TAILED GROUSE

SEASON DATES: Season closed statewide.

(10) WILD TURKEY:

(a) YOUTH SEASON

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES: April 7-8, 2012; April 6-7, 2013; April 5-6, 2014; April 4-5, 2015.

(b) SPRING SEASON

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES: April 15 - May 31, 2012, 2013, 2014, 2015.

(iii) BAG LIMIT: The combined spring/youth season limit is (~~(three (3))~~) 3 birds. Only (~~(two (2))~~) 2 turkeys may be killed in Eastern Washington, except only one (1) may be killed in Chelan, Kittitas, or Yakima counties. One (1) turkey may be killed per year in Western Washington outside of Klickitat County. (~~(Two (2))~~) 2 turkeys may be killed in Klickitat County.

(c) FALL NORTHEAST BEARDLESS TURKEY SEASON

(i) LEGAL BIRD: Beardless only.

(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(iii) OPEN AREA: GMUs 105-142.

(iv) SEASON DATES: Sept. 22 - Oct. 12, 2012; Sept. 21 - Oct. 11, 2013; Sept. 20 - Oct. 10, 2014.

(v) BAG LIMIT: (~~(Two (2))~~) 2 beardless turkeys (in addition to other fall turkey harvest).

(d) EARLY FALL GENERAL SEASON

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(iii) OPEN AREA: GMUs 101, 124-142, 145-154, and 162-186.

(iv) SEASON DATES: Sept. 22 - Oct. 12, 2012; Sept. 21 - Oct. 11, 2013; Sept. 20 - Oct. 10, 2014.

(v) BAG LIMIT: One (1) turkey either sex (in addition to other fall turkey harvest).

(e) FALL PERMIT SEASONS

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: All hunters who are selected in the fall turkey special permit drawing and who possess a valid turkey tag.

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits	Bag Limit*
Klickitat	Sept. 22 - Oct. 12, 2012, Sept. 21 - Oct. 11, 2013, Sept. 20 - Oct. 10, 2014	Either sex	GMUs 382, 388, 568-578	150	1
Methow	Nov. 15 - Dec. 15, 2012, 2013, 2014	Either sex	GMUs 218-231 and 242	50	1
Teanaway	Nov. 15 - Dec. 15, 2012, 2013, 2014	Either sex	GMU 335	50	1

*BAG LIMIT: During the early fall general and permit hunting seasons combined.

(f) LATE FALL SEASON

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(iii) OPEN AREA: GMUs 105-142, 149-154, 162-186.

(iv) SEASON DATES: Nov. 20 - Dec. 15, 2012, 2013, 2014.

(v) BAG LIMIT: One (1) turkey.

(g) HUNTER EDUCATION INSTRUCTOR INCENTIVE PERMITS

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) LEGAL HUNTER: Qualified hunter education instructors who are selected through a random drawing. Qualifying hunter education instructors must be certified and have been in active status for a minimum of (~~three~~) 3 consecutive years, inclusive of the year prior to the permit drawing. Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of (~~ten~~) 10 years thereafter.

(iii) OPEN AREA: Statewide.

(iv) SEASON DATES: April 1 - May 31, 2012, 2013, 2014, 2015.

(v) PERMITS: 2.

(h) OFFICIAL HUNTING HOURS FOR WILD TURKEY:

HUNTING HOURS: (~~One-half~~) 1/2 hour before sunrise to sunset during spring and fall seasons.

(i) SPECIAL REGULATIONS FOR WILD TURKEY:

(1-) (i) Turkey season is open for shotgun shooting #4 shot or smaller, archery, and muzzleloader shotgun shooting #4 shot or smaller.

(2-) (ii) A turkey tag is required for hunting turkey.

(3-) (iii) It is unlawful to use dogs to hunt turkeys.

(4-) (iv) It is unlawful to bait game birds.

EASTERN WASHINGTON SEASONS:

(11) RING-NECKED PHEASANT

(a) BAG AND POSSESSION LIMITS: (~~Three (3))~~ 3 cock pheasants per day, with a total of (~~fifteen (15))~~ 15 cock pheasants in possession at any time.

(b) YOUTH SEASON DATES: Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014. Open only to youth hunters accompanied by an adult at least 18 years (~~old~~) of age or older.

(c) HUNTERS (~~SIXTY-FIVE~~) 65 YEARS OF AGE OR OLDER SEASON DATES: Sept. 24-28, 2012; Sept. 23-27, 2013; Sept. 22-26, 2014.

(d) REGULAR SEASON DATES: Oct. 20, 2012 - Jan. 13, 2013; Oct. 19, 2013 - Jan. 12, 2014; Oct. 18, 2014 - Jan. 11, 2015.

(12) CHUKAR

(a) BAG AND POSSESSION LIMITS: (~~Six (6))~~ 6 chukar per day, with a total of (~~eighteen (18))~~ 18 chukar in possession at any time.

(b) YOUTH SEASON DATES: Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014. Open only to youth hunters accompanied by an adult at least 18 years (~~old~~) of age or older.

(c) REGULAR SEASON DATES: Oct. 6, 2012 - Jan. 21, 2013; Oct. 5, 2013 - Jan. 20, 2014; Oct. 4, 2014 - Jan. 19, 2015.

(13) GRAY (HUNGARIAN) PARTRIDGE

(a) BAG AND POSSESSION LIMITS: (~~Six (6))~~ 6 gray partridges per day, with a total of (~~eighteen (18))~~ 18 gray partridges in possession at any time.

(b) YOUTH SEASON DATES: Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014. Open only to youth hunters accompanied by an adult at least 18 years (~~old~~) of age or older.

(c) REGULAR SEASON DATES: Oct. 6, 2012 - Jan. 21, 2013; Oct. 5, 2013 - Jan. 20, 2014; Oct. 4, 2014 - Jan. 19, 2015.

(14) MOUNTAIN QUAIL

SEASON DATES: Season closed throughout Eastern Washington.

(15) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

(a) BAG AND POSSESSION LIMITS: (~~Ten (10))~~ 10 quail per day, with a total of (~~thirty (30))~~ 30 quail in possession at any time, straight or mixed bag.

(b) YOUTH SEASON DATES: Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014. Open only to youth hunters accompanied by an adult at least 18 years (~~old~~) of age or older.

(c) REGULAR SEASON DATES: Oct. 6, 2012 - Jan. 21, 2013; Oct. 5, 2013 - Jan. 20, 2014; Oct. 4, 2014 - Jan. 19, 2015.

WESTERN WASHINGTON SEASONS:

(16) RING-NECKED PHEASANT

(a) BAG AND POSSESSION LIMITS: (~~Two (2))~~ 2 pheasants of either sex per day, with a total of (~~fifteen (15))~~ 15 pheasants in possession at any time.

(b) YOUTH SEASON DATES: Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014. Open only to youth hunters accompanied by an adult (~~at least~~) 18 years (~~old~~) of age or older.

(c) HUNTERS (~~SIXTY-FIVE~~) 65 YEARS OF AGE OR OLDER SEASON DATES: Sept. 24-28, 2012; Sept. 23-27, 2013; Sept. 22-26, 2014.

(d) REGULAR SEASON DATES: Sept. 29 - Nov. 30, 2012; Sept. 28 - Nov. 30, 2013; Sept. 27 - Nov. 30, 2014. 8 a.m. to 4 p.m.; EXCEPT Dungeness Recreation Area Site (Clallam County) (~~starting~~) starts Oct. 6, 2012; Oct. 5, 2013; Oct. 4, 2014.

(e) EXTENDED SEASON DATES: Dec. 1-15, 2012, 2013, 2014. 8 a.m. to 4 p.m. only on the following release sites: Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek, Skookumchuck, and all Whidbey Island release sites EXCEPT Bayview. Pheasants (~~with~~) may not be released during the extended season.

(f) SPECIAL RESTRICTION: Western Washington pheasant hunters must choose to hunt on either odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, all hunting sites on Whidbey Island, and at the Dungeness Recreation Area, and must indicate their choice on the Western Washington Pheasant Permit by choosing "odd" or "even."

(i) Hunters who select the three-day option, hunters 65 years of age or older, and youth hunters may hunt during either weekend day morning.

(ii) Youth hunters must be accompanied by an adult at least 18 years (~~old who~~) of age or older. The adult must have an appropriately marked pheasant permit if hunting.

(17) MOUNTAIN QUAIL

(a) BAG AND POSSESSION LIMITS: (~~Two (2))~~ 2 mountain quail per day, with a total of (~~four (4))~~ 4 mountain quail in possession at any time.

(b) SEASON DATES: Sept. 29 - Nov. 30, 2012; Sept. 28 - Nov. 30, 2013; Sept. 27 - Nov. 30, 2014.

(18) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

(a) BAG AND POSSESSION LIMITS: ~~((Ten (10)))~~ 10 California (valley) quail or northern bobwhite per day, with a total of ~~((thirty (30)))~~ 30 California (valley) quail or northern bobwhite in possession at any time, straight or mixed bag.

(b) SEASON DATES: Sept. 29 - Nov. 30, 2012; Sept. 28 - Nov. 30, 2013; Sept. 27 - Nov. 30, 2014.

FALCONRY SEASONS:

(19) UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY

(a) BAG AND POSSESSION LIMITS: ~~((Two (2)))~~ 2 pheasants (either sex), ~~((six (6)))~~ 6 partridge, ~~((five (5)))~~ 5 California (valley) quail or northern bobwhite, ~~((two (2)))~~ 2 mountain quail (in Western Washington only), and ~~((three (3)))~~ 3 forest grouse (blue, ruffed, spruce) per day. Possession limit is twice the daily bag limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Aug. 1, 2012 - Mar. 15, 2013; Aug. 1, 2013 - Mar. 15, 2014; Aug. 1, 2014 - Mar. 15, 2015.

(20) TURKEY - FALCONRY

(a) A turkey tag is required to hunt turkey during the turkey falconry season.

(b) BAG AND POSSESSION LIMITS: One (1) turkey (either sex) per turkey tag with a maximum of ~~((two (2)))~~ 2 turkeys. Possession limit: ~~((Two (2)))~~ 2.

(c) OPEN AREA: Eastern Washington.

(d) SEASON DATES: Sept. 1, 2012 - Feb. 15, 2013; Sept. 1, 2013 - Feb. 15, 2014; Sept. 1, 2014 - Feb. 15, 2015.

(21) MOURNING DOVE - FALCONRY

(a) BAG AND POSSESSION LIMITS: ~~((Three (3)))~~ 3 mourning doves per day straight bag or mixed bag with snipe, coots, ducks, and geese during established seasons. Possession limit is twice the daily limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 1 - Dec. 16, 2012, 2013, 2014.

(22) COTTONTAIL RABBIT AND SNOWSHOE HARE - FALCONRY

(a) BAG AND POSSESSION LIMITS: ~~((Five (5)))~~ 5 cottontails or snowshoe hares per day, straight or mixed bag. Possession limit: ~~((Fifteen (15)))~~ 15 at any time.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Aug. 1, 2012 - Mar. 15, 2013; Aug. 1, 2013 - Mar. 15, 2014; Aug. 1, 2014 - Mar. 15, 2015.

OTHER SEASONS:

(23) CANADA GOOSE SEPTEMBER SEASON

(a) WESTERN WASHINGTON BAG AND POSSESSION LIMITS: ~~((Western Washington, except Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: Five (5)))~~

(i) 5 Canada geese per day with a total of ~~((ten (10)))~~ 10 in possession at any time ~~((:))~~. EXCEPT:

(ii) Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: ~~((Three (3)))~~ 3 Canada geese per day with a total of ~~((six (6)))~~ 6 in possession at any time.

(b) EASTERN WASHINGTON BAG AND POSSESSION LIMITS: ~~((Three (3)))~~ 3 Canada geese per day with a total of ~~((six (6)))~~ 6 in possession at any time.

(c) EASTERN WASHINGTON SEASON DATES: Sept. 14-15, 2012, 2013, 2014.

(d) WESTERN WASHINGTON SEASON DATES: Sept. 10-15, 2012, 2013, and 2014. EXCEPT, Pacific County: Sept. 1-15, 2012, 2013, 2014.

(24) MOURNING DOVE

(a) BAG AND POSSESSION LIMITS: ~~((Ten (10)))~~ 10 mourning doves per day with a total of ~~((twenty (20)))~~ 20 mourning doves in possession at any time.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 1-30, 2012, 2013, 2014.

(HHP REQUIREMENTS:

~~All hunters age 16 and over of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) are required to complete a Harvest Information Program (HHP) survey at a license dealer, and possess a Washington Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds. Youth hunters are required to complete a HHP survey, and possess a free Washington Youth Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.)~~

(25) BAND-TAILED PIGEON

(a) BAG AND POSSESSION LIMITS: ~~((Two (2)))~~ 2 band-tailed pigeons per day with a total of ~~((four (4)))~~ 4 band-tailed pigeons in possession at one time.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 15-23, 2012, 2013, 2014.

(d) WRITTEN AUTHORIZATION IS REQUIRED TO HUNT BAND-TAILED PIGEONS.

(i) Hunters must possess a special migratory bird hunting authorization and harvest record card for band-tailed pigeons when hunting band-tailed pigeons. Immediately after taking a band-tailed pigeon into possession, hunters must record ~~((in ink))~~ the required information ~~((required))~~ on the harvest record card in ink. Hunters must report harvest information from band-tailed pigeon harvest record cards to Washington department of fish and wildlife (WDFW) for receipt by September 30 following the current season. Every person issued a migratory bird hunting authorization and harvest record card must return the entire card to ~~((the Washington department of fish and wildlife))~~ WDFW or report the card information at the designated internet site listed on the harvest record card. Any hunter failing to report by the deadline will ~~((be in noncompliance of))~~ violate reporting requirements.

(ii) Beginning with the 2013 license year, hunters who ~~((have))~~ do not ~~((reported))~~ report band-tailed pigeon hunting activity by the reporting deadline for any harvest record card will be required to pay a ten dollar administrative fee before any new migratory bird authorization and harvest record card ~~((will be))~~ is issued. A hunter may only be penalized a maximum of ten dollars during a license year.

(26) BIRD DOG TRAINING SEASON

(a) Wild upland game birds may be pursued during the dog-training season, but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if proof of lawful

acquisition (invoices) are in possession and the birds are appropriately marked (WAC 232-12-271 and 232-12-044).

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Aug. 1, 2012 - Mar. 31, 2013; Aug. 1, 2013 - Mar. 31, 2014; Aug. 1, 2014 - Mar. 31, 2015.

(d) Only youth and seniors may train dogs during their respective seasons on designated Western Washington pheasant release sites.

(e) Bird dog training may be conducted year round on areas posted for bird dog training on portions of:

(i) Region One - Espanola (T24N, R40E, E 1/2 of section 16);

(ii) Region Three - South L. T. Murray Wildlife Area;

(iii) Region Four - Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area;

(iv) Region Five - Shillapoo/Vancouver Lake Wildlife Area;

(v) Region Six - Scatter Creek Wildlife Area, Fort Lewis Military Base.

~~(HOUND HUNTING DURING DEER AND ELK HUNTING SEASONS~~

~~It is unlawful to hunt any wildlife at night or wild animals with dogs (hounds) during the months of September, October, or November in any area open to a modern firearm deer or elk season. The use of hounds to hunt black bear, cougar (EXCEPT by public safety cougar removal permit (WAC 232-12-243) or a commission authorized hound permit (WAC 232-28-285)), coyote, and bobcat is prohibited year round.)~~

(27) YAKAMA INDIAN RESERVATION:

The 2012-13, 2013-14, 2014-15 upland bird seasons within the Yakama Indian Reservation ((~~shall be~~)) are the same as the season established by the Yakama Indian Nation.

(28) COLVILLE INDIAN RESERVATION:

The 2012-13, 2013-14, 2014-15 upland bird seasons within the Colville Indian Reservation ((~~shall be~~)) are the same as the season established by the Colville Indian Tribe.

HIP REQUIREMENTS:

(29) All hunters of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) age 16 and over are required to complete a Harvest Information Program (HIP) survey at a license dealer and possess a Washington Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.

(30) Youth hunters are required to complete a HIP survey and possess a free Washington Youth Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.

NEW SECTION

WAC 232-28-622 2012-2014 Big horn sheep seasons and permit quotas.

(1) It is unlawful to fail to comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) **Bighorn Sheep Permit Hunts**

(a) **Who May Apply:** Anyone may apply, EXCEPT those who previously harvested a bighorn sheep in Washington state. An individual may only harvest one bighorn sheep during his or her lifetime. However, this restriction is waived for raffle and auction hunts and ewe only hunts.

(b) **Bag Limit:** One bighorn ram, except in designated adult ewe hunts the limit is one bighorn adult ewe.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Vulcan Mountain	Sept. 15 - Oct. 10	Sheep Unit 2	Any Legal Weapon	1
Selah Butte	Nov. 5-30	Sheep Unit 4	Any Legal Weapon	3
Umtanum	Sept. 15 - Oct. 10	Sheep Unit 5	Any Legal Weapon	2
Cleman Mountain A	Sept. 15 - Oct. 10	Sheep Unit 7	Any Legal Weapon	6
Cleman Mountain B	Nov. 5-30	Sheep Unit 7	Any Legal Weapon	6
Mt. Hull A	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	1
Mt. Hull B	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Mt. Hull C ^b	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Lincoln Cliffs	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	1
Quilomene	Sept. 15 - Oct. 10	Sheep Unit 13	Any Legal Weapon	3
Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	1
Tieton A	Sept. 15-30	Sheep Unit 15	Any Legal Weapon	3
Tieton B	Nov. 5-30	Sheep Unit 15	Any Legal Weapon	3
Manson	Nov. 5-30	Sheep Unit 16	Any Legal Weapon	2
Asotin	Sept. 15 - Oct. 10	Sheep Unit 17	Any Legal Weapon	2
Chelan Butte	Sept. 15 - Oct. 10	Sheep Unit 18	Any Legal Weapon	1
Sinlahekin	Sept. 15 - Oct. 10	Sheep Unit 19	Any Legal Weapon	1

^aApplicants must be eligible to purchase a 65 years of age or older permit application.

^bApplicants must be eligible to purchase a youth bighorn sheep permit application. An adult 18 years of age or older must accompany the youth hunter during the hunt.

(3) Bighorn Sheep Units:

(a) **Sheep Unit 2 Vulcan Mountain:** Permit Area: Ferry County north of the Kettle River near Curlew.

(b) **Sheep Unit 4 Selah Butte:** Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek, west of Interstate 82 and south of Interstate 90.

(c) **Sheep Unit 5 Umtanum:** Permit Area: Those portions of Yakima and Kittitas counties west of the Yakima River, north of Wenas Creek, and east of USFS Road 1701 to Manastash Lake and its drainage; south and east along the South Fork Manastash Creek to Manastash Creek and the Yakima River.

(d) **Sheep Unit 7 Cleman Mountain:** Permit Area: That part of Yakima County south of Wenas Creek and east of USFS Road 1701, north of Highway 410 and Highway 12 and west of the Yakima River.

(e) **Sheep Unit 10 Mt. Hull:** Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

(f) **Sheep Unit 11 Wenaha Wilderness:** Permit Area: That part of GMU 169 within Crooked Creek drainage.

(g) **Sheep Unit 12 Lincoln Cliffs:** Permit Area: That part of Lincoln County north of Highway 2.

(h) **Sheep Unit 13 Quilomene:** Permit Area: GMUs 329, 330, and 251 south of Colockum Creek.

(i) **Sheep Unit 14 Swakane:** Permit Area: GMU 250.

(j) **Sheep Unit 15 Tieton:** Permit Area: GMU 360.

(k) **Sheep Unit 16 Manson:** Permit Area: Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US Forest Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan-Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to shore line of Lake Chelan; W across Lake Chelan to the mouth of Riddle Creek on the South Shore; SE along South Shore of Lake Chelan to the point of beginning.

(l) **Sheep Unit 17 Asotin:** Permit Area: GMU 175.

(m) **Sheep Unit 18 Chelan Butte:** Permit Area: Beginning at the intersection of State Hwy 971 and US Hwy 97A, S to the W shoreline of the Columbia River, N along the W shoreline of the Columbia River for 21 miles to the mouth of Antione Creek, W up Antione Creek to where it crosses

Apple Acres Rd, W on Apple Acres Rd to the intersection with Washington Creek Rd (US Forest Service Rd 8135), N on Washington Creek Rd to its end and then follow Washington Creek, W on Washington Creek to where it crosses US Forest Service Rd 8010, S on US Forest Service Rd 8010 (transitions into Purtteman Creek Rd) to Purtteman Gulch, S into Purtteman Gulch to the N shoreline of Lake Chelan, S along the shoreline to the S shoreline of Lake Chelan to the mouth of First Creek, S up First Creek to the intersection of State Hwy 971 (Navarre Coulee Rd), S on State Hwy 971 to the point of beginning.

(n) **Sheep Unit 19 Sinlahekin:** Beginning at the eastern boundary of the Pasayten Wilderness border and the US-Canadian border; E on the US-Canadian border to the border station on Similkameen Rd (Co. Rd 4568); SE on the Similkameen Rd (Co. Rd 4568) to the Loomis-Oroville Rd (Co. Rd 9425); E on the Loomis-Oroville Rd (Co. Rd 9425) to US Hwy 97 in Oroville; S on US Hwy 97 to 12th Ave; W on 12th Ave (it curves S and changes to Old Highway 97); S on Old Highway 97 to US Hwy 97; S on US Hwy 97 to the South Pine Creek Rd (Co. Rd 9410); W on the South Pine Creek Rd (Co. Rd 9410) to Fish Lake Rd (Co. Rd 4290); W on Fish Lake Rd (Co. Rd 4290) to South Fish Lake Rd (Co. Rd 4282), along the south shore of Fish Lake; SW on South Fish Lake Rd (Co. Rd 4282), to the Sinlahekin Rd (Co. Rd 4015); SW on the Sinlahekin Rd (Co. Rd 4015), along the north shore of Conconully Lake, to the Salmon Creek North Fork Rd (Co. Rd 2361), at the town of Conconully; N on US Forest Service Rd 38 (Salmon Creek North Fork Rd, Co. Rd 2361) to US Forest Service Rd 3820; N on US Forest Service Rd 3820 over Lone Frank Pass, to US Forest Service Rd 39; N on US Forest Service Rd 39 to the US Forest Service Rd 300 at Long Swamp trailhead; W on the US Forest Service Rd 300 to US Forest Service Trail 342; N on US Forest Service Trail 342 to US Forest Service Trail 343; E on US Forest Service Trail 343 to US Forest Service Trail 341; E on US Forest Service Trail 341 to US Forest Service Trail 375; E on US Forest Service Trail 375 to the eastern boundary of the Pasayten Wilderness Area; N on the Pasayten Wilderness Area boundary to the US-Canadian border and the point of beginning.

NEW SECTION

WAC 232-28-623 2012-2014 Mountain goat seasons and permit quotas. (1) Hunters must comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) Mountain Goat Permit Hunts

(a) **Who May Apply:** Anyone may apply, except those who harvested a mountain goat in Washington state after 1998. An individual may only harvest one mountain goat during his or her lifetime, except for those who harvested a goat prior to 1999. This restriction is waived for raffle and auction hunts.

(b) **Bag Limit:** One (1) adult goat of either sex with horns 4 inches or longer. WDFW urges hunters to refrain from shooting nannies with kids.

Hunt Name	Permit Season ^b	Subpopulations Open to Hunting ^a	Special Restrictions	Permits ^a
Mt. Baker	Sept. 15 - Oct. 31	Chowder Ridge, Coleman Pinnacle, Lava Divide, Black Buttes, Lake Ann, SE Baker	Any Legal Weapon	7
North Lake Chelan	Sept. 15 - Oct. 31	Skookum Pass Mtn., Big Goat Creek	Any Legal Weapon	2
Naches Pass	Sept. 15 - Oct. 31	Fife's East, Fife's Peak, Crystal Mountain, Basin Lake	Any Legal Weapon	1
Bumping River	Sept. 15 - Oct. 31	Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge	Any Legal Weapon	1
Blazed Ridge	Sept. 15 - Oct. 31	Blowout Mtn., Blazed Ridge, Blazed North, Milk Creek, Rock Creek	Any Legal Weapon	1
Goat Rocks-Tieton River	Sept. 15 - Oct. 31	Chimney Rocks, Goat Lake, McCall Glacier, Gilbert Peak	Any Legal Weapon	3
Methow	Sept. 15 - Oct. 31	Wolf Creek, West Fork Methow	Any Legal Weapon	1
South Lake Chelan	Sept. 15 - Oct. 31	Railroad Creek, Pyramid Mountain, Box Canyon	Any Legal Weapon	1

^aMountain goat populations are managed as a collection of subpopulations, and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or close subpopulations and reduce permit levels to protect from overharvesting specific areas.

The director is authorized by the commission to identify the hunt area as a condition of the hunt permit. Selected hunters will receive a text description or map of the hunt area.

^bPermit hunters may start hunting September 1 with archery equipment.

NEW SECTION

WAC 232-28-624 Deer area descriptions. The following areas are defined as deer areas:

Deer Area No. 1008 West Wenaha (Columbia County): That part of GMU 169 west of USFS trail 3112 from Tepee Camp (east fork of Butte Creek) to Butte Creek, and west of Butte Creek to the Washington-Oregon state line.

Deer Area No. 1009 East Wenaha (Columbia, Garfield, Asotin counties): That portion of GMU 169 east of USFS trail 3112 from Tepee Camp (east fork Butte Creek) to Butte Creek, and east of Butte Creek to the Washington-Oregon state line.

Deer Area No. 1010 (Columbia County): GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

Deer Area No. 1020 Prescott (Columbia and Garfield counties): That portion of GMU 149 between Hwy 261 and Hwy 127.

Deer Area No. 1021 Clarkston (Asotin County): That portion of GMU 178 beginning at the junction of the Highway 12 bridge and Alpowa Creek; east on Highway 12 to Silcott

Road; south and east on Silcott Road to Highway 128; southwest on Highway 128 to McGuire Gulch Road; southeast along the bottom of McGuire Gulch to Asotin Creek; east on Asotin Creek to the Snake River; north and west on the Snake River to Alpowa Creek; southwest of Alpowa Creek to the Highway 12 bridge and the point of beginning.

Deer Area No. 1030 Republic (Ferry County): That area within 1/2 mile surrounding the incorporated town of Republic.

Deer Area No. 1035 Highway 395 Corridor (Stevens County): That portion of GMU 121 beginning at the intersection of US Highway (Hwy) 395 (State Route 20) and State Route (SR) 25: S on SR 25 to Old Kettle Rd; E on Old Kettle Rd to Mingo Mountain Rd; S on Mingo Mountain Rd to Greenwood Loop Rd; E on Greenwood Loop Rd to the bridge over the Colville River; S on the Colville River to the bridge over Gold Creek Loop/Valley Westside Rd; W and S on Valley Westside Rd to the Orin-Rice Rd; E on Orin-Rice Rd to Haller Creek Rd; S on Haller Creek Rd to Skidmore Rd; E and S on Skidmore Rd to Arden Hill Rd; E on Arden Hill Rd to Townsend-Sackman Rd; S on Townsend-Sackman Rd to Twelve Mile Rd; S on Twelve Mile Rd to Marble Valley Basin Rd; S on Marble Valley Basin Rd to Zimmer Rd; S on

Zimmer Rd to Blue Creek West Rd; E on Blue Creek West Rd to Dry Creek Rd; S on Dry Creek Rd to Duncan Rd; E on Duncan Rd to Tetro Rd; S on Tetro Rd to Heine Rd; E and S on Heine Rd to Farm-to-Market Rd; S on Farm-to-Market Rd to Newton Rd (also known as Rickers Lane); E on Newton Rd to US Hwy 395; N on US Hwy 395 to McLean Rd and Twelve Mile Rd (also known as Old Arden Hwy); N on McLean Rd and Twelve Mile Rd to US Hwy 395; N on US Hwy 395 to Old Arden Hwy (again); N on Old Arden Hwy to US Hwy 395; N on US Hwy 395, through the town of Colville, then W on US Hwy 395 (SR 20) to SR 25 and the point of beginning.

Deer Area No. 1050 Spokane North (Spokane County): From the intersection of the Spokane River and the Idaho-Washington state line, N to Hauser Lake Rd, W to Starr Rd, S to Newman Lake Dr, W and N to Foothills Rd, W to Forker Rd, N and W to Hwy 206 (Mt Spokane Park Rd), N to Feehan Rd, N to Randall Rd, W to Day Mt Spokane Rd, N to Big Meadows Rd, W to Madison Rd, N to Tallman Rd, W to Elk-Chattaroy Rd, N to Laurel Rd, E to Conklin Rd, N to Nelson Rd, E to Jackson Rd, N to Oregon Rd, E to Jefferson Rd, N to Frideger Rd, W to Elk-Camden Rd, S to Boundary Rd, N and W to Dunn Rd, S to Oregon Rd, W to Hwy 2, S on US Hwy 2 to the Deer Park-Milan Rd, W on the Deer Park-Milan Rd to US Hwy 395 at the town of Deer Park, NW on US Hwy 395 and W onto Williams Valley Rd, W and S to Hattery Rd (Owens Rd), S and E to Swenson Rd, S to Hwy 291, west to Stone Lodge Rd, west to the Spokane River, E on the Spokane River to the Idaho state border and the point of beginning.

Deer Area No. 1060 Spokane South (Spokane County): That part of GMU 127 beginning at the intersection of Spokane River and Barker Rd Bridge, Barker Rd S to 24 Ave, 24 Ave W to Barker Rd, Barker Rd S to 32 Ave, 32 Ave W to Linke Rd, Linke Rd S and E to Chapman Rd, Chapman Rd S to Linke Rd, Linke Rd S to Belmont Rd, Belmont Rd W to Hwy 27, Hwy 27 S to Palouse Hwy, Palouse Hwy W to Valley Chapel Rd, Valley Chapel Rd S to Spangle Creek Rd, Spangle Creek Rd SW to Hwy 195, Hwy 195 N to I-90, I-90 E to Latah Creek at I-90-Latah Creek Bridge, Latah Creek NE to Spokane River, Spokane River E to the Barker Rd Bridge and the point of beginning.

Deer Area No. 1070 Spokane West (Spokane County): That part of GMU 130 beginning at the intersection of I-90 and Latah Creek at I-90-Latah Creek Bridge, NE to Hwy 195 S on Hwy 195 S to Paradise Rd, Paradise Rd W to Smythe Road, Smythe Road NW to Anderson Rd, Anderson Rd W to Cheney Spokane Rd, Cheney Spokane Rd SW to Hwy 904/1st St in the town of Cheney, 1st SW to Salnave Rd/Hwy 902, Salnave Rd NW to Malloy Prairie Rd, Malloy Prairie Rd W to Medical Lake Tyler Rd, Medical Lake Tyler Rd N to Gray Rd, Gray Rd W then N to Fancher Rd, Fancher Rd NW to Ladd Rd, Ladd Rd N to Chase Rd, Chase Rd E to Espanola Rd, Espanola Rd N turns into Wood Rd, Wood Rd N to Coulee Hite Rd, Coulee Hite Rd E to Seven Mile Rd, Seven Mile Rd E to Spokane River, Spokane River S to Latah Creek, Latah Creek S to I-90 at the Latah Creek Bridge and the point of beginning.

Deer Area No. 1080 Colfax (Whitman County): That part of GMUs 139 and 142 beginning at the intersection of Hwy 195 and Crumbaker Rd, NE on Crumbaker Rd to Brose Rd, E on Brose Rd to Glenwood Rd, S on Glenwood Rd to Hwy 272, SE on Hwy 272 to Clear Creek Rd, SE on Clear Creek Rd to Stueckle Rd, S on Stueckle Rd to Palouse River Rd, E to Kenoyier Rd SE to Abbott Rd, S on Abbott Rd to Parvin Rd, S on Parvin Rd to McIntosh Rd, S on McIntosh Rd to 4 mile Rd/Shawnee Rd, W on Shawnee Rd to Hwy 195, N on Hwy 195 to Prune Orchard Rd, W on Prune Orchard Rd to Almota Rd, S on Almota Rd to Duncan Springs Rd, W and NW on Duncan Springs Rd to Airport Rd, NW on Airport Rd to Fairgrounds Rd, N on Fairgrounds Rd to Endicott Rd, NNW on Endicott Rd to Morley Rd, E and S and E on Morley Rd to Hwy 295 (26), NE on Hwy 295 to West River Dr then follow Railroad Tracks NW to Manning Rd, E on Manning Rd to Green Hollow Rd, E and S on Green Hollow Rd to Bill Wilson Rd, E on Bill Wilson Rd to Hwy 195, S on Hwy 195 to Crumbaker Rd and the point of beginning.

Deer Area No. 2010 Benge (Adams and Whitman counties): That part of GMU 284 beginning at the town of Wash-tucna; north on SR 261 to Weber Road; east on Weber Road to Benzel Road; north on Benzel Road to Wellsandt Road; east on Wellsandt Road to Hills Road; south on Hills Road to Urquhart Road; east on Urquhart Road to Harder Road, East on Harder Road to McCall Road; east on McCall Road to Gering Road; east on Gering Road to Lakin Road; east on Lakin Road to Revere Road; south on Revere Road to George Knott Road; south on George Knott Road to Rock Creek; south along Rock Creek to the Palouse River; south and west along the Palouse River to SR 26; west on SR 26 to Wash-tucna and the point of beginning.

Deer Area No. 2011 Lakeview (Grant County): That part of GMU 272 beginning at the junction of SR 28 and First Avenue in Ephrata; west on First Avenue to Sagebrush Flats Road; west on Sagebrush Flats Road to Norton Canyon Road; north on Norton Canyon Road to E Road NW; north on E Road NW to the Grant-Douglas county line; east along the county line to the point where the county line turns north; from this point continue due east to SR 17; south on SR 17 to SR 28 at Soap Lake; south on SR 28 to the junction with First Avenue in Ephrata and the point of beginning.

Deer Area No. 2012 Methow Valley (Okanogan County): All private land in the Methow Watershed located outside the external boundary of the Okanogan National Forest and north of the following boundary: Starting where the Libby Creek Road (County road 1049) intersects the Okanogan National Forest boundary; east on road 1049 to State Hwy 153; north on Hwy 153 to the Old Carlton Road; east on the Old Carlton Road to the Texas Creek Road (County road 1543); east on the Texas Creek Road to the Vintin Road (County road 1552); northeast on the Vintin Road to the Okanogan National Forest boundary.

Deer Area No. 2013 North Okanogan (Okanogan County): Restricted to private land only located within the following boundary: Beginning in Tonasket at the junction of Havillah Rd and Hwy 97; NE on Havillah Rd to Dry Gulch Extension Rd; N to Dry Gulch Rd; N on Dry Gulch Rd to

Oroville-Chesaw Rd; W on Oroville-Chesaw Rd to Molson Rd; N on Molson Rd to Nine Mile Rd; N and W on Nine Mile Rd to the Canadian border at the old Sidley Town Site; W along the border to the east shore of Lake Osoyoos; S around Lake Osoyoos to the Okanogan River; S along the east bank of the Okanogan River to the Tonasket Fourth Street Bridge; E on Fourth Street to Hwy 97; N on Hwy 97 to point of beginning.

Deer Area No. 2014 Central Okanogan (Okanogan County): Restricted to private land only located within the following boundary: Beginning in Tonasket on the Okanogan River at the Fourth Street Bridge; S along Hwy 7 to Pine Creek Rd; W along Pine Creek Rd to Horse Spring Coulee Rd; W and N on Horse Spring Coulee Rd to Beeman Rd; W on Beeman Rd to North Lemnasky Rd; S along North Lemnasky Rd to Pine Creek Rd; S on Pine Creek Rd to Hagood Cut-off Rd; S on Hagood Cut-off Rd to South Pine Creek Rd; E on South Pine Creek Rd to Hwy 97; S on Hwy 97 to Town of Riverside North Main Street junction; SE on North Main Street to Tunk Valley Rd and the Okanogan River Bridge; E on Tunk Creek Rd to Chewiliken Valley Rd; NE along Chewiliken Valley Rd to Talkire Lake Rd; N on Talkire Lake Rd to Hwy 20; W on Hwy 20 to the junction of Hwy 20 and Hwy 97; N on Hwy 97 to Fourth Street; W on Fourth Street to point of beginning.

Deer Area No. 2015 Omak (Okanogan County): Restricted to private land only located within the following boundary: Beginning at Hwy 97 and Riverside Cut-off road; west on Riverside Cut-off Rd to Conconully Road; south on Conconully Rd to Danker Cut-off road; west on Danker Cut-off road to Salmon Creek Rd; north on Salmon Creek Rd to Spring Coulee Rd; south on Spring Coulee Rd to B&O Road North Rd; southwest on B&O North Rd to Hwy 20; east on Hwy 20 to B&O Rd; south on B&O Rd to the Town of Malott and the bridge over the Okanogan River; north along the west bank of the Okanogan River to the Town of Riverside and the Tunk Valley road bridge; west on Tunk Valley road to State Street in Riverside; south on State Street to 2nd Street; west on 2nd Street to Hwy 97 and the point of beginning.

Deer Area No. 2016 Conconully (Okanogan County): Restricted to private land only located within the following boundary: Beginning at the Conconully town limit at the south edge of Town and the east shore of Conconully Reservoir; south along the east shore of the reservoir to Salmon Creek; south along the east bank of Salmon Creek to Salmon Creek road at the old Ruby Town site; south on Salmon Creek road to Green Lake road; northeast on Green Lake road to Conconully road; north on Conconully road to the south limit of the Town of Conconully and the point of beginning.

Deer Area No. 3071 Whitcomb (Benton County): That part of GMU 373 made up by the Whitcomb Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3072 Paterson (Benton County): That part of GMU 373 made up by the Paterson Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3088 High Prairie (Klickitat County): That portion of GMU 388 (Grayback) that is south of SR 142.

Deer Area No. 3682 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Hwy 12. Northeast on Hwy 12 to the Naches River. Southeast down the Naches River to Cowiche Creek. West up Cowiche Creek and the South Fork Cowiche Creek to Summitview Ave. Northwest on Summitview Ave to Cowiche Mill Road. West on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13. Southeast along the power line to Ahtanum Creek and the point of beginning.

Deer Area No. 4004 (San Juan County): That part of GMU 410 made up of Shaw Island.

Deer Area No. 4005 (San Juan County): That part of GMU 410 made up of Lopez Island.

Deer Area No. 4006 (San Juan County): That part of GMU 410 made up of Orcas Island.

Deer Area No. 4007 (San Juan County): That part of GMU 410 made up of Decatur Island.

Deer Area No. 4008 (San Juan County): That part of GMU 410 made up of Blakely Island.

Deer Area No. 4009 (Skagit County): That part of GMU 410 made up of Cypress Island.

Deer Area No. 4010 (San Juan County): That part of GMU 410 made up of San Juan Island.

Deer Area No. 4011 (Island County): That part of GMU 410 made up of Camano Island.

Deer Area No. 4012 (Island County): That part of GMU 410 made up of Whidbey Island.

Deer Area No. 4013 (King County): That part of GMU 454 made up of Vashon and Maury islands.

Deer Area No. 4926 Guemes (Skagit County): That part of GMU 407 (North Sound) on Guemes Island.

Deer Area No. 5064: That part of GMU 564 in the Columbia River near the mouth of the Cowlitz River made up of Cottonwood Island and Howard Island.

Deer Area No. 6014 (Pierce County): That part of GMU 652 made up of Anderson Island.

Deer Area No. 6020 (Clallam and Jefferson counties): Dungeness-Miller Peninsula: That part of GMU 624 west of Discovery Bay and Salmon Creek.

NEW SECTION

WAC 232-28-625 Hound hunting prohibited during deer and elk hunting seasons. (1) It is unlawful to hunt any wildlife at night or wild animals with dogs (hounds) during the months of September, October, or November in any area open to a modern firearm deer or elk season.

(2) It is unlawful to use hounds at any time of year to hunt black bear, cougar, coyote, or bobcat. The only exception is for cougar hunted with a public safety cougar removal permit under WAC 232-12-243, or a commission authorized hound permit under WAC 232-28-285.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-285	2010-2011 Pilot cougar hunting seasons with the aid of dogs.
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WSR 12-19-094
PROPOSED RULES
CRIMINAL JUSTICE
TRAINING COMMISSION
[Filed September 19, 2012, 10:15 a.m.]

Supplemental Notice to WSR 12-04-080.

Preproposal statement of inquiry was filed as WSR 11-17-063.

Title of Rule and Other Identifying Information: Chapter 139-07 WAC, Conditions of employment.

Hearing Location(s): Washington State Criminal Justice Training Commission (WSCJTC), 19010 1st Avenue South, Burien, WA 98148, on Wednesday, December 12, 2012, at 10 a.m.

Date of Intended Adoption: December 12, 2012.

Submit Written Comments to: Sonja Hirsch, Rules Coordinator, 19010 1st Avenue South, Burien, WA 98148, e-mail shirsch@cjtc.state.wa.us, fax (206) 835-7928, by December 5, 2012.

Assistance for Persons with Disabilities: Contact Sonja Hirsch, rules coordinator, by December 10, 2012, TTY (206) 835-7300 or (206) 835-7372.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: SHB 1567 authorizes the WSCJTC to establish standards for conditions of employment by requiring county, city, or state law enforcement agencies, that make a conditional offer of employment to an applicant as a fully commissioned peace officer or a reserve officer, to administer a background investigation including a check of criminal history, a psychological examination, and a polygraph test or similar assessment to each

applicant in compliance with the standards established by the WSCJTC.

Reasons Supporting Proposal: These changes are a result of SHB 1567, which was passed into law in the 2011 session.

Statutory Authority for Adoption: RCW 43.101.080.

Statute Being Implemented: Not applicable.

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

Name of Proponent: WSCJTC staff, governmental.

Name of Agency Personnel Responsible for Drafting: Sonja Hirsch, Burien, Washington, (206) 835-7372; Implementation: Debbie Mealy, Burien, Washington, (206) 835-7352; and Enforcement: John Suessman, Burien, Washington, (206) 835-7299.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposal is exempt under RCW 19.85.025.

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

September 19, 2012

Sonja Hirsch

Rules Coordinator

AMENDATORY SECTION (Amending WSR 10-07-037, filed 3/10/10, effective 4/10/10)

WAC 139-07-010 ((Psychological examination-))
Conditions of employment. ~~((+))~~ As a condition of continuing employment for any applicant who has been offered a conditional offer of employment as a fully commissioned peace officer or a reserve officer, including any person whose certification has lapsed as a result of a break in service of ~~((more than))~~ twenty-four consecutive months in the officer's service as a fully commissioned peace officer or reserve officer, the applicant shall ~~((successfully pass))~~ submit to a background investigation including a check of criminal history, a psychological examination, and a polygraph or other truth verification assessment as ~~((administered))~~ authorized by the county, city, or state law enforcement agency ~~((that complies))~~ in compliance with the requirements of this chapter.

~~((2))~~ The psychological examination shall be administered by a "qualified professional," which means a psychiatrist licensed in the state of Washington pursuant to chapter 18.71 RCW or a psychologist licensed in the state of Washington pursuant to chapter 18.83 RCW.

~~(a) The qualified professionals who administer the examinations should be trained and experienced in psychological testing, test interpretation, psychological assessment techniques and the administration of psychological examinations specific to peace officer applicants of law enforcement agencies.~~

~~(b) The examination should be based upon attributes considered most important for effective performance as a peace officer as obtained from a job analysis and data provided by the law enforcement agency making the conditional offer of employment. The data may include interviews, surveys or other appropriate sources where job performance information was obtained.~~

~~(c) Psychological examination reports older than six months shall not be considered valid for the purpose of RCW 43.101.080(19) and 43.101.095(2).~~

~~(d) The examination report, including all testing materials and documentation used to complete the examination report, should be maintained in a manner consistent with applicable confidentiality, records retention and public disclosure laws and rules.)~~

AMENDATORY SECTION (Amending WSR 10-07-037, filed 3/10/10, effective 4/10/10)

WAC 139-07-020 ((~~Psychological examination requirements~~)) Background information. (((1) Through the examination, the qualified professional shall determine the psychological suitability of the peace officer applicant by an assessment of whether he or she is free from job-relevant mental and emotional impairments including, but not limited to, psychopathology, personality disorders and inappropriate behavior patterns.

~~(2) The sole purpose of the psychological examination under this chapter is compliance with RCW 43.101.080(19) and 43.101.095 (2)(a) and shall not be used for any other purpose by the law enforcement agency or any party.~~

~~(3) Prior to the administration of the examination, the applicant must sign an informed consent to the conditions of the evaluation. The informed consent should clearly state the law enforcement agency is the client so that the applicant is informed that the entire examination would be shared with the agency.~~

~~(4) The examination shall include the following:~~

~~(a) A minimum of two written psychological tests:~~

~~(i) The tests should be objective, job-related psychological instruments validated for use in evaluating law enforcement officers. For the purpose of this section, a validated test is defined as a test that has a substantial research base for interpretation with normal range populations in general and public safety applications in particular;~~

~~(ii) If mail-order, internet-based, or computerized tests are employed, the examiner should verify and interpret individual results;~~

~~(b) A comprehensive, face-to-face, clinical interview with the applicant conducted after a complete review of the psychological test results;~~

~~(c) An interpretation of the psychological test results by the qualified professional;~~

~~(d) An opinion on psychological suitability by the qualified professional; and~~

~~(e) A list and summary of the information relied upon for the assessment.) (1) Requirements for the applicant.~~

(a) Personal history statement. The applicant shall complete and submit to the employing agency a personal history statement on a form prescribed by the employer before the start of a background investigation. The personal history statement form shall contain questions and answers which aid in determining whether the person is suitable for employment as a certified peace officer or a reserve officer. The questions shall address whether the applicant meets the minimum requirements for employment, has engaged in conduct or a pattern of conduct which would jeopardize the public trust in

the law enforcement profession, and is of good moral character.

(b) Information requirements. To assist with the background investigation, the applicant shall provide the following:

(i) Proof of United States citizenship. A copy of a birth certificate, United States passport, or United States naturalization papers is acceptable proof.

(ii) Proof of education. A certified copy of a diploma, certificate, or transcript is acceptable proof.

(iii) Record of any military discharge. A certified copy of the Military Service Record (DD Form 214, Member 4) is acceptable proof.

(iv) Personal references. The names and addresses of at least three people who can provide information as personal references.

(v) Previous employers or school attendees. The names and addresses of all employers and schools attended within the last ten years, at a minimum.

(vi) Residence history. A listing of the complete residential addresses for the last ten years.

(2) Requirements of the agency. At a minimum, the agency shall include the following in its collection and assessment of an applicant's background information, which also includes determining if the information provided by the applicant is accurate and truthful. The agency shall:

(a) Query all the law enforcement agency records in jurisdictions listed in subsection (1)(b)(v) and (vi) of this section;

(b) Query the motor vehicle division driving records from any state listed in subsection (1)(b)(v) and (vi) of this section;

(c) Complete and submit a fingerprint card inventory sheet to the Federal Bureau of Investigation and Washington state patrol records division for query;

(d) Query the National Crime Information Center/Interstate Identification Index (NCIC/III), and the Washington Criminal Information Center (WACIC), or the equivalent for each state listed in subsection (1)(b)(v) and (iv) of this section;

(e) Contact a minimum of three references and a reasonable number of previous employers listed in subsection (1)(b)(iv) and (v) of this section and document the answers to inquiries concerning whether the person meets the standards of this section; and

(f) At the conclusion of all of the requirements of the collection and assessment of an applicant's background information, the agency shall complete a report that attests to all the requirements, including the requirements of WAC 139-05-220.

AMENDATORY SECTION (Amending WSR 10-07-037, filed 3/10/10, effective 4/10/10)

WAC 139-07-030 ((~~Report of~~) Psychological examination((~~—Requirements~~)). (((1) Findings of the psychological examination shall be reported in writing to the law enforcement agency requesting the examination.

(2) The written report shall include the following:

(a) The date of completion and a signature of the qualified professional who conducted the examination;

(b) Name and date of birth of applicant, position applied for, and agency which made the conditional offer of employment;

(c) A list and summary of the information relied upon for the assessment;

(d) All the components of the examination, as defined in this chapter;

(e) Factors which could affect the reliability and validity of the assessment; and

(f) An assessment of the psychological suitability of the applicant to be a peace officer or reserve officer for the particular law enforcement agency.) (1) The psychological examination shall be administered by a "qualified professional," which means a psychiatrist licensed in the state of Washington pursuant to chapter 18.71 RCW or a psychologist licensed in the state of Washington pursuant to chapter 18.83 RCW.

(a) The qualified professional who administers the examinations should be trained and experienced in psychological testing, test interpretation, psychological assessment techniques, and the administration of psychological examinations specific to peace officer applicants of law enforcement agencies.

(b) The examination should be based upon attributes considered most important for effective performance as a peace officer as obtained from a job analysis and data provided by the law enforcement agency making the conditional offer of employment. The data may include interviews, surveys, or other appropriate sources where job performance information was obtained.

(c) Psychological examination reports older than six months shall not be considered valid for the purpose of RCW 43.101.080(19) and 43.101.095(2).

(d) The examination report, including all testing materials and documentation used to complete the examination report, should be maintained in a manner consistent with applicable confidentiality, records retention, and public disclosure laws and rules.

(2) Through the examination, the qualified professional shall determine the psychological suitability of the peace officer applicant by an assessment of whether he or she is free from job-relevant mental and emotional impairments including, but not limited to, psychopathology, personality disorders, and inappropriate behavior patterns.

(3) The sole purpose of the psychological examination under this chapter is compliance with RCW 43.101.080(19) and 43.101.095 (2)(a) and shall not be used for any other purpose by the law enforcement agency or any party.

(4) Prior to the administration of the examination, the applicant must sign an informed consent to the conditions of the evaluation. The informed consent should clearly state the law enforcement agency is the client so that the applicant is informed that the entire examination would be shared with the agency.

(5) The examination shall include the following:

(a) A minimum of two written psychological tests:

(i) The tests should be objective, job-related, psychological instruments validated for use in evaluating law enforce-

ment officers. For the purpose of this section, a validated test is defined as a test that has a substantial research base for interpretation with normal range populations in general and public safety applications in particular;

(ii) If mail-order, internet based, or computerized tests are employed, the examiner should verify and interpret individual results;

(b) A comprehensive, face-to-face, clinical interview with the applicant conducted after a complete review of the psychological test results;

(c) An interpretation of the psychological test results by the qualified professional;

(d) An opinion on psychological suitability by the qualified professional; and

(e) A list and summary of the information relied upon for the assessment.

(6) Findings of the psychological examination shall be reported in writing to the law enforcement agency requesting the examination.

(7) The written report shall include the following:

(a) The date of completion and a signature of the qualified professional who conducted the examination;

(b) Name and date of birth of applicant, position applied for, and agency which made the conditional offer of employment;

(c) A list and summary of the information relied upon for the assessment;

(d) All the components of the examination, as defined in this chapter;

(e) Factors which could affect the reliability and validity of the assessment; and

(f) An assessment of the psychological suitability of the applicant to be a peace officer or reserve officer for the particular law enforcement agency.

(8) A peace officer applicant may be offered employment by more than one law enforcement agency that is conditional on the results of a psychological examination.

(9) The peace officer applicant may be required to pay all or a portion of the cost of the examination under RCW 43.101.080(19) and 43.101.095(2).

(10) One psychological examination may be shared with more than one law enforcement agency under the following circumstances:

(a) The agency which initiated the psychological examination and the qualified professional conducting the examination agreed to share the psychological examination report and recommendations with the other law enforcement agency;

(b) The applicant signed a release permitting the other agency to have the psychological examination report;

(c) The psychological examination was completed within six months of the request by the other law enforcement agency; and

(d) The job analyses of the initiating and other law enforcement agencies must be substantially similar.

AMENDATORY SECTION (Amending WSR 10-07-037, filed 3/10/10, effective 4/10/10)

WAC 139-07-040 ((Report of psychological examination—Use by more than one agency.)) **Polygraph examination or other truth verification assessment.** ((1) A peace officer applicant may be offered employment by more than one law enforcement agency that is conditional on the results of a psychological examination.

(2) The peace officer applicant may be required to pay all or a portion of the cost of the examination under RCW 43.101.080(19) and 43.101.095(2).

(3) One psychological examination may be shared with more than one law enforcement agency under the following circumstances:

(a) The agency which initiated the psychological examination and the qualified professional conducting the examination agreed to share the psychological examination report and recommendations with the other law enforcement agency;

(b) The applicant signed a release permitting the other agency to have the psychological examination report;

(c) The psychological examination was completed within six months of the request by the other law enforcement agency; and

(d) The job analyses of the initiating and other law enforcement agencies must be substantially similar.)) (1) Polygraph and other truth verification assessment standards.

(a) Equipment used to conduct truth verification assessments as a part of the preemployment testing for certification of a peace officer or reserve law enforcement officer must meet a standard that has been proved to be valid and reliable by independent research studies other than those done by the manufacturer.

(b) The examiners, analysts, and their techniques for conducting a truth verification assessment must comply with all applicable federal and state laws including, but not limited to, the Employee Polygraph Protection Act, Equal Employment Opportunity Commission, Americans with Disabilities Act, and Washington state law against discrimination.

(c) Truth verification assessments under this chapter are intended as one of the tools for incremental validity to risk assessment and risk management efforts surrounding the evaluation and selection of peace officer and reserve officer applicants.

(d) Preemployment tests and assessments are considered screening devices and are conducted in the absence of a known incident, allegation, or particular reason to suspect someone's involvement. The truth verification assessment questions should be simple, direct, and easily understood by the applicant. Test information and results should be considered confidential within the screening process to be used exclusively by the county, city, or state law enforcement agency to assist with the selection of their applicant.

(2) Polygraph examination.

(a) An experienced polygraph examiner who is a graduate of a polygraph school accredited by the American Polygraph Association (APA) shall conduct the polygraph test. The examiner must also show that he or she is in compliance with completion of a minimum of thirty hours of APA-approved continuing education every two calendar years.

(b) Polygraph tests administered under this chapter shall be based on data from existing research pertaining to screening and diagnostic polygraph testing, risk assessment, risk management, and field investigation principles.

(c) The polygraph examiner shall assure that the polygraph equipment is properly functioning, maintained, and calibrated in compliance with the manufacturer's recommendation.

(i) The polygraph examiner shall record a chart semiannually to demonstrate correct functioning and shall be maintained by the examiner for a period of one year.

(ii) At a minimum, a polygraph instrument shall continuously record the following components during the testing process:

(A) Two pneumograph components to document thoracic and abdominal movement patterns associated with respiration;

(B) A component to record electro dermal activity reflecting relative changes in the conductance or resistance of current by epidermal tissues;

(C) A cardiograph component to report pulse rate, pulse amplitude, and relative blood pressure changes; and

(D) A motion sensor.

(d) The county, city, or state law enforcement agency which authorized the polygraph test shall maintain all documentation of the test for a minimum of three years from the date of the test unless otherwise required by law.

(3) Other truth verification assessment.

"Computer voice stress analysis" is another type of truth verification assessment under this chapter.

(a) Examination of an applicant by computer voice stress analysis must be conducted by an expert computer voice stress analyst certified by the National Association of Computer Voice Stress Analysts.

(b) Computer voice stress analysts must attend a recertification course approved by the National Association of Computer Voice Stress Analysts at least every two years.

(c) The analyst conducting the computer voice stress analysis of the applicant must assure that the equipment is properly functioning, maintained, and calibrated in compliance with the manufacturer's recommendations.

WSR 12-19-096

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed September 19, 2012, 10:17 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-16-102.

Title of Rule and Other Identifying Information: Chapter 16-470 WAC, Quarantine—Agricultural pests, the department is proposing to increase the fees for requested services performed under the authority of chapter 17.24 RCW.

Hearing Location(s): Washington State Department of Agriculture (WSDA), 1111 Washington Street S.E., 2nd Floor, Room 259, Olympia, WA 98504-2560, on October 24, 2012, at 10:00 a.m.

Date of Intended Adoption: October 31, 2012.

Submit Written Comments to: Henri Gonzales, P.O. Box 42560, Olympia, WA 98504-2560, e-mail hgonzales@agr.wa.gov, fax (360) 902-2094, by October 24, 2012.

Assistance for Persons with Disabilities: Contact Henri Gonzales by October 17, 2012, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposal will increase fees for requested services authorized under chapter 17.24 RCW. Similar services performed for nursery facilities licensed under chapter 15.13 RCW will continue under the existing fee schedule outlined in chapter 16-401 WAC. Requested services affected by this increase include: Phytosanitary certification of exports, witnessing fumigations, postentry quarantine inspections, other field inspections, plant disease diagnostic testing, and associated document fees. The fee increases will offset increasing expenses and allow the program to balance the costs of providing requested services relative to its other activities. During the 2012 legislative session, the Washington state legislature authorized (as required by Initiative 960) WSDA to increase these licensing fees as necessary to meet the actual costs of conducting business (see 3ESHB 2127, chapter 7, Laws of 2012).

Reasons Supporting Proposal: The increase in revenue is necessary for the financial stability of the program, which is supported entirely by fees.

Statutory Authority for Adoption: RCW 17.24.131; chapter 34.05 RCW; and chapter 7, Laws of 2012 (3ESHB 2127).

Statute Being Implemented: RCW 17.24.131.

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

Name of Proponent: WSDA, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Tom Wessels, 1111 Washington Street S.E., Olympia, WA 98504-2560, (360) 902-1984.

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

Small Business Economic Impact Statement

SUMMARY OF PROPOSED RULES: WSDA plant services program is proposing to amend the schedule of fees and charges in chapter 16-470 WAC, for requested services.

Chapter 17.24 RCW authorizes WSDA to provide special certification services upon request to facilitate the movement and sales of plant products and to charge a fee for those services adequate to cover the cost of the services rendered. The schedule of fees for these services is established in rule in chapter 16-470 WAC. In the 2012 legislative session, the legislature authorized the department to increase fees for requested inspections as necessary to meet the actual costs of conducting business (ESHB [3ESHB] 2127, chapter 7, Laws of 2012).

The proposed amendments to this chapter include:

- Increasing the hourly rate for requested services conducted during business hours from \$40 to \$50.
- Increasing the hourly rate for requested services conducted during nonbusiness hours from \$51 to \$65.

- Increasing the fees for compliance agreements from \$40 to \$50.
- Increasing fees for certificates issued more than twenty-four hours after the inspection from \$19.50 to \$24.
- Increasing the fees for additional certificates from \$6.50 to \$8.00.
- Increasing the fumigation lot fee from \$16 to \$20.
- Increasing the site inspection fee for the United States Department of Agriculture (USDA) postentry quarantine from \$81 to \$101.

SMALL BUSINESS ECONOMIC IMPACT STATEMENT (SBEIS): Chapter 19.85 RCW, the Regulatory Fairness Act, requires an analysis of the economic impact proposed rules will have on regulated small businesses. Preparation of an SBEIS is required when proposed rules will impose more than minor costs for compliance or have the potential of placing an economic impact on small businesses that is disproportionate to the impact on large businesses. "Minor cost" means a cost that is less than three-tenths of one percent of annual revenue or income, or one hundred dollars, whichever is greater, or one percent of annual payroll. "Small business" means any business entity that is owned and operated independently from all other businesses and has fifty or fewer employees.

INDUSTRY ANALYSIS: The plant services program provides special certifications upon request to facilitate the domestic and international export of plant products. Businesses requesting these services are not regulated by the plant services program, but they voluntarily request certification services in order to fulfill the phytosanitary standards of the importing countries and states. Businesses may request inspections from USDA animal and plant health inspection services (APHIS) or from the WSDA plant services program to verify compliance with those standards. WSDA plant services program provided requested services to three hundred eighty-six customers in FY 2012, with annual fees for all businesses of any size ranging from \$7.00 to \$70,000. The fee charged is based on the time it takes to verify compliance with the standards of the importing states and countries. There are several types of businesses requesting these services, with *NAICS codes* including 1112, 1113, 1131, 1132, 3211, 3212, 3219, 3399, 4233, 4238, 4244, and 4245. Many customers are located in other states or Canada but ship through Washington ports. The department has analyzed the proposed rule amendments and has determined that some costs are considered more than minor and could have an economic impact on small businesses that use these services.

INVOLVEMENT OF SMALL BUSINESSES: Because of the diversity of the businesses using these services, there is no formal organization representing affected industries. The proposal was developed solely to enable the plant services program to recover the costs of providing these services. RCW 17.24.131 states that to facilitate the movement of plant products, WSDA may provide these services upon request and prescribe a fee to recover its costs. As a program without access to state general funds, the plant services program must maintain an adequate fund balance if it is to continue providing these services.

To assess the impact of this proposal on small businesses, the plant services program mailed a fact sheet on the proposed fee increase and a survey with a self-addressed stamped envelope to approximately two hundred fifty businesses. Of the sixty-four respondents, fifty-four identified themselves as small businesses.

COST OF COMPLIANCE: RCW 19.85.040 directs agencies to analyze the costs of compliance for businesses required to comply with the proposed rule, including costs of equipment, supplies, labor, professional services, and increased administrative costs. Agencies must also consider whether compliance with the rule will result in loss of sales or revenue. RCW 19.85.040 directs agencies to determine whether the proposed rule will have a disproportionate cost impact on small businesses by comparing the cost of compliance for small business with the cost of compliance for the ten percent of the largest businesses required to comply with the proposed rules. Agencies are to use one or more of the following as a basis for comparing costs:

- Cost per employee;
- Cost per hour of labor; or
- Cost per one hundred dollars of sales.

This proposal does not impose regulations on Washington businesses but increases user fees for requested services. The most significant factor in determining these costs is the import requirements of receiving countries and states.

The cost of this proposal on affected businesses is determined by many factors including the following:

- The number of certification services requested - the program charges for services on an hourly basis.
- The certification requirements - some countries may require multiple inspections or laboratory testing.
- The receiving country or states - some countries or states have overall more stringent import requirements than others.
- The product exported - some products have an inherently higher phytosanitary risk.
- The location of the business - businesses in remote areas will pay more for WSDA inspectors' travel time.

Analysis of Cost of Compliance: The program analyzed the cost of this proposal to small businesses and found that it will have a significant cost on some of the small businesses using these services. Based on the results of the customer survey, eighty-four percent of businesses using these services are small businesses and the cost of the proposal would be more than minor for seven percent of those. An analysis of businesses requesting services in FY 2012 showed three hundred eighty-six customer paid user fees ranging from \$7.00 to over \$70,000. If 2012 requests are consistent with future requests, the proposal would cost one hundred fifty-eight businesses, one hundred thirty-three of which would be small businesses, more than \$100.

Analysis of Disproportionate Economic Impact: When costs associated with proposed rules are more than minor, the Regulatory Fairness Act requires a comparison of the costs to small businesses with those of ten percent of the largest businesses in the regulated industry. An analysis has shown that

the costs small businesses will incur to comply with the proposed rules are more than minor, but they are not disproportionate between small and large business entities, as they are directly proportional to the services requested. Because costs are not disproportionate, mitigation of the fees for services is not required.

JOBS CREATED OR LOST: Under RCW 19.85.040, agencies must provide an estimate of the number of jobs that will be created or lost as the result of compliance with the proposed rules. In collecting information from representative small businesses through survey, the program estimates that thirteen jobs could be lost as a result of small businesses paying increased user fees.

CONCLUSION: In the 2012 legislative session, 3ESHB 2127, chapter 7, Laws of 2012, directed the department to increase fees for requested inspections to cover the costs of doing business in order to maintain the sustainability of the program. The alternative to this proposal is to reduce the number of the program's inspectors and eliminate requested services when the cost of providing those services cannot be fully recovered. Unfortunately, this would have a much larger economic impact on businesses using these inspections services. Exporters would have to rely on USDA APHIS for certification at a significantly higher cost, and with a much smaller USDA APHIS staff, exporters would face significant delays. Some businesses also have the option of exporting out of Oregon ports, but the Oregon department of agriculture fees for these services are also higher. Even with a twenty-five percent increase in fees for requested services, WSDA will still provide phytosanitary certification services at a lower cost than is available to exporters in neighboring states.

Please contact Tom Wessels if you have any questions at (360) 902-1984 or twessels@agr.wa.gov.

A copy of the statement may be obtained by contacting Henri Gonzales, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-2061, fax (360) 902-2094, e-mail hgonzales@agr.wa.gov.

A cost-benefit analysis is not required under RCW 34.05.328. WSDA is not a listed agency under RCW 34.05.-328 (5)(a)(i).

September 19, 2012
Mary A. Martin Toohey
Assistant Director

AMENDATORY SECTION (Amending WSR 09-23-006, filed 11/5/09, effective 1/1/10)

WAC 16-470-912 Schedule of fees and charges—Applicable fees and charges. (1) Hourly rate.

Hourly rate - Business hours	\$(40.00) <u>50.00</u>
Hourly rate - Nonbusiness hours	\$(51.00) <u>65.00</u>

(2) Laboratory diagnostic services, except as provided in subsection (3) or (4) of this section, are charged at the applicable hourly rate plus materials.

- (3) Plant pathology laboratory diagnostic fees:
- (a) Nematode assay (plant material) \$38.00
 - (b) Nematode assay (soil) \$60.00

(c) Assay for dwarf bunt (TCK), Karnal bunt, flag smut. \$60.00

Note: Fee is for one sample for one specific organism, unless more than one organism can be detected in a single test without additional inputs.

(4) The department reserves the right to provide service by written agreement at a single, negotiated cost or at a negotiated rate for projects with at least one of the following characteristics:

- (a) Projects greater than one hundred samples;
- (b) Projects requiring materials not readily available; or
- (c) Projects requiring special handling, multiple phase test procedures, or prolonged incubation periods.

The rate charged shall not be less than the cost to the department of performing the tests.

AMENDATORY SECTION (Amending WSR 09-23-006, filed 11/5/09, effective 1/1/10)

WAC 16-470-917 Schedule of fees and charges— Fees for post entry inspection services. (1) Post entry site inspection and/or permit review and approval ~~\$(81.00)~~ 101.00

(2) Subsequent inspections of post entry plant materials are provided at the applicable hourly rate.

(3) Post entry inspection fees may be waived for state universities, United States Department of Agriculture researchers, and other public entities.

AMENDATORY SECTION (Amending WSR 09-23-006, filed 11/5/09, effective 1/1/10)

WAC 16-470-921 Schedule of fees and charges— Miscellaneous fees. (1) Mileage at the established office of financial management rate (schedule A), per diem and other authorized travel expenses at actual cost, and travel time at the applicable hourly rate may be assessed for requested inspections or post entry inspections that are not a part of a regular work schedule. Such charges may be prorated among applicants if more than one applicant is provided service during a workday or trip when per diem is applicable.

(2) Postage, special handling services and other miscellaneous costs exceeding five dollars will be charged back to the applicant at the actual cost.

(3) Certificates of inspection, phytosanitary certificates, and other official documents will be provided to the applicant subject to the charges and conditions established ~~((in chapter 16-401 WAC.))~~ below:

<u>Fee or Charge:</u>	
<u>Certificate issued at time of inspection</u>	<u>No charge</u>
<u>Certificate issued more than twenty-four hours after the inspection</u>	<u>\$24.00</u>
<u>Additional certificates</u>	<u>\$8.00</u>
<u>Fumigation lot or container fee</u>	<u>\$20.00</u>
<u>Compliance agreement</u>	<u>\$50.00</u>

**WSR 12-19-101
PROPOSED RULES
OFFICE OF
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2012-17—Filed September 19, 2012, 11:54 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 12-12-064.

Title of Rule and Other Identifying Information: Essential health benefits designation, supplementation and establishment of scope and limitation requirements.

Hearing Location(s): Training Room, T-120, 5000 Capitol Way South, Tumwater, WA, on October 23, 2012, at 10:00 a.m.

Date of Intended Adoption: November 1, 2012.

Submit Written Comments to: Meg L. Jones, P.O. Box 40258, Olympia, WA 98504, e-mail rulescoordinator@oic.wa.gov, fax (360) 586-3109, by October 24, 2012.

Assistance for Persons with Disabilities: Contact Lorrie [Lorie] Villaflores by October 22, 2012, TTY (360) 586-0241 or (360) 725-7087.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rules do not alter existing rules. The proposed rules establish the essential health benefits package for Washington state's nongrandfathered individual and small group plans, and explain the proposed standards the commissioner will apply for evaluating whether a carrier's proposed plan complies with the requirements of both federal and state law to include the essential health benefits package in the health benefit plan.

Reasons Supporting Proposal: Legislation enacted during the 2012 session directs the commissioner to designate by rule the small group plan with the largest enrollment, as the benchmark plan for purposes of defining the essential health benefits package for health benefit plans issued between January 1, 2014, and December 31, 2015. The same legislation requires supplementation, and adjustment or establishment of scope and limitation requirements by the commissioner in order to ensure meaningful benefits and prevent bias based on health selection.

Statutory Authority for Adoption: Chapter 87, Laws of 2012; RCW 48.02.060.

Statute Being Implemented: Chapter 87, Laws of 2012.

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

Name of Proponent: Office of the insurance commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: Meg Jones, P.O. Box 40258, Olympia, WA 98504, (360) 725-7170; Implementation: Beth Berendt, P.O. Box 40258, Olympia, WA 98504, (360) 725-7117; and Enforcement: Carol Sureau, P.O. Box 40258, Olympia, WA 98504, (360) 725-7050.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The entities that must comply with the proposed rule are not small businesses, pursuant to chapter 19.85 RCW.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Meg Jones, P.O. Box 40258, Olympia, WA 98504, phone (360) 725-7170, fax (360) 586-3109, e-mail rulescoordinator@oic.wa.gov.

September 19, 2012
Mike Kreidler
Insurance Commissioner

NEW SECTION

WAC 284-43-851 Purpose and scope For plan years beginning on or after January 1, 2014, each non-grandfathered health benefit plan offered, issued, amended or renewed to small employers or individuals, both inside and outside the Washington Health Benefit Exchange, must provide coverage for a package of essential health benefits. Sections WAC 284-43-851 through WAC 284-43-885 implement the requirements of section 13, chapter 87, laws of 2012, establishing a benchmark reference plan and the essential health benefit package required in Washington State for non-grandfathered individual and small group health benefit plans.

(1) The commissioner will implement this sub-chapter to the extent that federal law or policy does not require the state to defray the costs of benefits included within the definition of essential health benefits.

(2) This sub-chapter does not apply to a health benefit plan that provides excepted benefits as described in Section 2722 of the federal Public Health Service Act (42 U.S.C. Sec. 300gg-21), or a health benefit plan that qualifies as a grandfathered health plan as defined in RCW 48.43.005, unless a plan is providing an essential health benefit for pediatric oral services or vision services within the exchange, or as a sub-contractor to a health benefit plan.

(3) This sub-chapter does not require provider reimbursement at the same levels negotiated by the benchmark reference plan's carrier for their plan.

(4) This sub-chapter does not require a plan to exclude the services or treatments from coverage that are excluded in the benchmark reference plan.

NEW SECTION

WAC 284-43-852 Definitions The following definitions apply to this sub-chapter unless the context indicates otherwise.

(1) "Benchmark reference plan" means the small group plan offered in the state with the largest enrollment, as designated in WAC 284-43-865(1).

(2) "Individual plan" includes any non-grandfathered health benefit plan offered, issued, amended or renewed by an admitted carrier in the state of Washington for the individual health benefit plan market, unless the certificate of coverage is issued to an individual pursuant to a master contract held by an organization determined to be a bona fide association by the united states department of labor.

(3) "Mandated benefit" means a health plan benefit for a specific type of service, device or medical equipment, or

treatment for a specified condition or conditions that is required by either state or federal law.

(4) "Meaningful health benefit" means the range of services or benefits within each of the ten essential health benefit categories identified in section 1302 of PPACA that are necessary to ensure enrollees covered access to clinically effective services, including services critical to the needs of those with chronic disease or those with special needs based on age or gender.

(5) "Medical necessity determination process" means the process used by a health carrier to make a specific type of coverage determination about whether a medical item or service, which is a covered benefit, is medically necessary for an individual patient's circumstances.

(6) "PPACA" means the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), and any rules, regulations, or guidance issued thereunder.

(7) "Scope and limitation requirements" means a requirement applicable to a benefit that limits the duration of a benefit, the number of times coverage is available for the benefit, or imposes a legally permitted eligibility limitation on a specific benefit.

(8) "Small group plan" includes any non-grandfathered health benefit plan offered, issued, amended or renewed by an admitted carrier in the state of Washington for the small group health benefit plan market to a "small group," as defined in RCW 48.43.005, unless the certificate of coverage is issued to a small group pursuant to a master contract held by or issued through an entity meeting the definition established in sections 3(5) and 3(40) of the Employee Retirement Income Security Act of 1974 (29 USC 1001 et seq.)

(9) "Stand-alone dental" means a contract or coverage plan covering a set of benefits limited to oral care, including but not necessarily limited to, pediatric oral care.

(10) "Supplemental Benefit" means a health care service, benefit or supply designated by the commissioner to supplement the benchmark reference plan in one of the essential health benefit categories.

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

NEW SECTION

WAC 284-43-860 Supplementation of essential health benefits The commissioner may supplement the benchmark reference plan coverage and may adjust or establish scope and limitation requirements for services, supplies or benefits within each essential health benefit category, based on the criteria identified in this section. The scope requirements include establishing the definition for the essential health benefit category.

(1) Supplementation of the benchmark reference plan is based on one or more of the following criteria:

(a) Whether a specific essential health benefits category required by PPACA is missing in its entirety;

(b) Whether the benchmark reference plan's specifically identified coverage provides the benefits or services neces-

sary to address the medical concerns of greatest importance to enrollees;

(c) Whether the benchmark reference plan's coverage in an essential health benefits category is unduly limited so as to constitute an unreasonable restriction on patient treatment, or an illusory or deceptive benefit;

(d) Whether the benchmark reference plan includes a service or benefit that addresses the medical concerns of greatest importance to effective chronic disease management or the particular needs of the most vulnerable patients and populations;

(e) Whether the services or benefits designated to supplement the benchmark reference plan are medically effective and supported by a sufficient evidence base or a credible standard that demonstrates the probability of meaningful improvement in outcomes over current effective services/treatments and for which the expected benefits are greater than the expected harms;

(f) Whether the benchmark reference plan's specifically identified services and benefits include a full continuum of effective, integrated treatment practices within an essential health benefit category; and

(g) The potential effect of supplementing the essential health benefit category on the cost of coverage, particularly for those with incomes at or above 400% of the federal poverty level.

(2) Adjustment to the scope and limitation requirements in the benchmark reference plan is based on one or more of the following criteria:

(a) Whether the scope of a benefit covered by the benchmark reference plan in an essential health benefits category is unduly limited so as to constitute an unreasonable restriction on patient treatment, or an illusory or deceptive benefit;

(b) Whether the scope or limitation requirement for a benefit covered by the benchmark reference plan in an essential health benefits category impermissibly discriminates based on health status or other basis prohibited by federal or state law;

(c) Whether the scope or limitation requirement, or the coverage in the benchmark reference plan under an essential health benefit category, is more restrictive or limited than the benefits under the state Medicaid coverages; or

(d) Whether the cost of the service or benefit in an essential health benefit category would, more probably than not, substantially affect the affordability of the coverage in the absence of the imposition of a scope or limitation requirement, and whether such scope or limitation requirement permits the benefit to continue to meet the supplementation criteria.

(3) A carrier must not apply annual or lifetime financial limits to any service or benefit included in the essential health benefits package.

NEW SECTION

WAC 284-43-870 List of supplemented benefits and scope and limitation requirements A non-grandfathered individual or small group health plan offered, issued, amended or renewed on or after January 1, 2014 must include the supplemental benefits, and cover them based on the scope

requirements established by the commissioner for the category in which they are classified, in addition to the benefits in the designated benchmark reference plan.

(1) The list of benchmark reference plan benefits, with services classified under an essential health benefits category, is posted on the insurance commissioner's website, www.insurance.wa.gov.

(2) The required list of supplemental benefits, classified under an essential health benefit category, is posted on the insurance commissioner's website, www.insurance.wa.gov.

(3) Any adjustment by the commissioner to the posted list of supplemented benefits or the scope and limitation requirements will be made pursuant to a rule proposal and development in compliance with chapter 34.05 RCW.

NEW SECTION

WAC 284-43-875 Scope and limitation requirements

(1) A carrier may not apply its medical necessity determinations in a manner that results in a uniformly applied limitation on the scope, visit number or duration of a benefit that applies regardless of the specific treatment requirements of the patient, unless that uniform limitation is specifically explained in the certificate of coverage, plan document or contract, and the Summary of Coverage and Explanation of Benefits for the health plan.

(2) Scope and duration limits for purposes of this section do not include cost-sharing provisions.

(3) The scope and limitation requirements for specific services and benefits, and the definition of each essential health benefit category are posted on the insurance commissioner's website, www.insurance.wa.gov.

(4) A carrier's medical necessity determination process must:

(a) Be clearly explained in its certificate of coverage, plan document or contract for health benefit coverage;

(b) Conducted fairly, and with transparency, at a minimum when an enrollee or their representative appeals or seeks review of an adverse benefit determination;

(c) Include consideration of services that are less costly, less risky and a logical next step in reasonable care if they are appropriate for the patient, even if the service has not been the subject of clinical studies;

(d) Ensure that its process for interpretation of the medical purpose of interventions is broad enough to address the services encompassed in the ten essential health benefits categories of care;

(e) Comply with state and federal requirements for the inclusion of the ten essential health benefit categories of care, and prohibitions against discrimination based on age, disability, and expected length of life; and

(f) Consider the provider's clinical judgment and recommendations regarding the medical purpose of the requested service, and the extent to which the service is likely to produce incremental health benefits for the enrollee.

(5) A carrier's medical necessity determination process may include, but not be limited or required to include, evaluation of the effectiveness and benefit of a service for the individual patient based on scientific evidence considerations, up-to-date and consistent professional standards of care, con-

vincing expert opinion and a comparison to alternative interventions, including no interventions. Cost effectiveness may be criteria for determining medical necessity if it is not limited to "lowest price."

NEW SECTION

WAC 284-43-880 Plan design parameters (1) A non-grandfathered health benefit plan issued, renewed, amended or offered on or after January 1, 2014 must cover the ten essential health benefits categories as set forth in the benchmark reference plan, as supplemented by the commissioner, at least to the extent that the benefits and services included are medically necessary, and so that the benefits are substantially equal to the designated benchmark plan, as supplemented.

For the purposes of this section "substantially equal" means that the scope and level of benefits offered within each essential health benefit category is meaningful, and the aggregate value of the benefits across all essential health benefit categories, and within each essential health benefit category, is not less than the aggregate value and each category's value of the benchmark reference plan as supplemented by the commissioner.

(2) A carrier may not alter its health benefit plan design by transferring a service from the category assigned to it by the commissioner in WAC 284-43-875 if that transfer results in the elimination of a parity requirement.

(3) Nothing precludes a health carrier from including benefits in a health benefit plan that are in addition to the benchmark reference plan's essential health benefit package, as supplemented by the commissioner. A carrier must identify in its rate filing services substituted within a category as part of the essential health benefits package if the carrier includes the service in calculating actuarial value of the essential health benefits package.

(4) To the extent that the benchmark reference plan contains benefit limitations that conflict with requirements of PPACA, the benefit limitations must be amended to comply with PPACA's requirements.

(5) A health benefit plan may not be offered if the commissioner determines that:

(a) It creates a risk of biased selection based on health status; or

(b) The benefits within an essential health benefit category are not a meaningful benefit.

(6) A carrier may not apply deductible requirements to evidence based preventive health services covered by a health benefit plan, including those that have an A or B rating in the most recent recommendations of the United States Preventive Services Task Force, women's preventive healthcare services recommended by the U.S. Health Resources and Services Administration (HRSA), and HRSA Bright Futures designated pediatric services.

(7) Pediatric oral benefits must be included in a health benefit plan either as an embedded set of services, offered through a rider or as a contracted service.

NEW SECTION

WAC 284-43-882 Consistency of coverage (1) A carrier may adjust limitation requirements for identified services or benefits within an essential health benefits category only if the actuarial value of the services and benefits within that essential health benefits category remains unchanged.

(a) In addition to confirming that a limitation requirement has not changed the actuarial value of an essential health benefit category, a carrier may not make the adjustment if the commissioner finds that, after the adjustment, the essential health benefit category no longer constitutes a meaningful benefit.

(b) Services may be offered under more than one category, but for purposes of determining the actuarial value for one on the ten essential health benefit categories, a carrier must include an enumerated service in its designated category for purposes of the calculation.

(2) Carrier adjustment of a limitation requirement must not violate other requirements of title 48 RCW, title 284 WAC, or P.L. 111-148 (2010), as amended, and associated regulations, bulletins and guidance issued by the u.s. department of health and human services.

(3) A carrier must not impose annual or lifetime dollar limits on an essential health benefit.

(4) At the time a health benefit plan form is filed with the commissioner for approval, if a carrier elects to adjust specific services within any of the essential health benefit categories, or the quantitative limits for a service, a carrier must submit with its filing an actuarial opinion certifying the equivalence of the value of the plan's essential health benefits in the category, and overall, to the benchmark reference plan as supplemented.

(5) A health benefit plan that includes the essential health benefits package may not impose annual cost-sharing that exceeds the limits that apply to high deductible plans linked to health savings accounts.

(a) For the 2014 benefit year, those limits are \$5,950 per year for individuals and \$11,900 per year for families for individual health plans including the essential health benefits.

(b) For the 2014 benefit year, a small group health benefit plan including the essential health benefits must limit deductibles to \$2,000 for individual coverage and \$4,000 for family coverage.

(c) The commissioner will publish on the agency website adjusted cost sharing limits for subsequent benefit years if those limits are altered at the federal level.

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

NEW SECTION

WAC 284-43-885 Representations regarding minimum essential coverage A health carrier must not indicate or imply that a health benefit plan covers essential health benefits unless the plan covers essential health benefits in compliance with this sub-chapter. This requirement applies to any health benefit plan offered inside or outside the Washington Health Benefit Exchange.