

**WSR 13-20-001**  
**PERMANENT RULES**  
**OLYMPIC COLLEGE**

[Filed September 18, 2013, 2:26 p.m., effective October 19, 2013]

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

Purpose: The purpose of this policy is to establish clear understanding of Olympic College's responses to outstanding student debt.

Citation of Existing Rules Affected by this Order: Amending chapter 132C-122 WAC.

Statutory Authority for Adoption: Chapter 28B.50 RCW.

Adopted under notice filed as WSR 13-17-100 on August 21, 2013.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 17, 2013.

Thomas Oliver  
Rules Coordinator

**Chapter 132C-122 WAC**

**WITHHOLDING SERVICES FOR OUTSTANDING  
STUDENT DEBTS**

NEW SECTION

**WAC 132C-122-005 Purpose.** The purpose of this policy is to establish clear understanding of the college's responses to outstanding student debt.

AMENDATORY SECTION (Amending WSR 78-09-009, filed 8/7/78)

**WAC 132C-122-010 Policy.** ~~((If any person, including faculty, staff, student or former student, be indebted to the institution for an outstanding overdue debt, the institution need not provide any further services of any kind to such individual, including but not limited to transmitting files, records, transcripts or other services which have been requested by any such person. The institution reserves the right to set off any funds received from an individual against an outstanding overdue debt.))~~ Current and former students are expected to meet their financial obligations to the college. To the extent otherwise permitted by law, in response to a

student's failure to pay a debt owed to the college the college may:

- (1) Initiate collection actions; or
- (2) Make collections from funds received from or on behalf of a student; and/or
- (3) Deny or withhold:
  - (a) Admission to the college; and
  - (b) Registration at the college; and
  - (c) The conferral of degrees or certificates; and
  - (d) The issuance of academic transcripts; and
  - (e) The provision of other services, including refunds.

AMENDATORY SECTION (Amending WSR 78-09-009, filed 8/7/78)

**WAC 132C-122-020 Notification.** ~~((Upon receipt of such a request for services where there is))~~ (1) Where an outstanding debt ((due the institution from that person)) is owed to the college, the ((institution shall)) college will notify the ((person by first class mail that the services will not be provided since there is an)) individual in writing of the amount of the outstanding debt ((due the institution, and)). Contained within the notification will be further explanation that ((until that debt is satisfied, no such)) services ((as are requested will be provided the individual. When the institution exercises its right of set off, the institution shall notify the person by first class mail of the amount applied and balance due, if any.)) may be withheld until that debt is satisfied, unless it is stayed or discharged in bankruptcy.

(2) When the college exercises its right to make collections from funds received from or on behalf of a student, the college shall notify the student of the amount applied and balance due, if any.

(3) These notices shall state that the individual has a right to appeal the decision to withhold services before a person designated by the president of the college if the individual believes that the debt is not owed or has been stayed or discharged in bankruptcy. The notice shall state that the appeal must be made in writing to the vice-president for administrative services within twenty days from the date of the notice.

AMENDATORY SECTION (Amending WSR 78-09-009, filed 8/7/78)

**WAC 132C-122-040 Appeal procedure** ~~((for informal hearing)).~~ ((Upon receipt of a timely request for a hearing, the person designated by the president shall have the records and files of the institution available for review and, at that time, shall hold an informal hearing concerning whether the individual in fact owes or owed any outstanding debts to the institution. After the informal hearing, a decision shall be rendered by the president's designee indicating whether in fact the institution is correct in withholding services or applying set off for the outstanding debt, and if the outstanding debt is in fact owed by the individual involved, the set off shall remain applied and no further services shall be provided. Notification of this shall be sent to the individual within five days after the hearing. Said decision shall constitute an informal proceeding established by the institution pursuant to the Higher Education Administrative Procedure Act

as defined in RCW 28B.19.110.) The appeal shall be conducted as a brief adjudicatory proceeding in accordance with RCW 34.05.482 through 34.05.494.

#### NEW SECTION

**WAC 132C-122-050 Construction.** Nothing in this policy shall be construed as a limitation upon the college in pursuing any lawful means to collect a debt owed by a non-student.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 132C-122-030 Informal hearing notification.

### **WSR 13-20-002 PERMANENT RULES**

#### **DEPARTMENT OF TRANSPORTATION**

[Filed September 19, 2013, 7:36 a.m., effective October 20, 2013]

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

Purpose: The proposed change will increase the weight exception for auxiliary power units in commercial vehicles. This will enable the department to comply with federal MAP-21 – Moving Ahead for Progress in the 21st Century, which authorizes states to increase the exception weight to five hundred fifty pounds from the current limit of four hundred pounds.

Citation of Existing Rules Affected by this Order: Amending WAC 468-38-073.

Statutory Authority for Adoption: RCW 46.44.090, 46.44.093.

Other Authority: Public Law 112-141 MAP 21 Section 1510.

Adopted under notice filed as WSR 13-15-068 on July 16, 2013.

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

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

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

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 5, 2013.

Kathryn W. Taylor  
Assistant Secretary

AMENDATORY SECTION (Amending WSR 07-16-083, filed 7/30/07, effective 8/30/07)

**WAC 468-38-073 Measurement exclusive devices. (1) What are the criteria for being a measurement exclusive device?** Generally, measurement exclusive devices are vehicle appurtenances designed and used for reasons of safety, aerodynamics, or efficient vehicle operation. A measurement exclusive device must not carry property, create a space that property could occupy outside of legal or permitted dimensions, or exceed the specific dimensional limitations stated in this section.

**(2) What devices at the front of a single unit vehicle, or power unit in a vehicle combination, are excluded from length determinations?** The following devices have been identified as measurement exclusive when determining length from the front of a single unit vehicle or power unit in a vehicle combination:

(a) Resilient bumpers that do not extend more than six inches from the vehicle;

(b) A fixed step up to three inches deep at the front of an existing automobile transporter until April 29, 2005. It will be the responsibility of the operator of the unit to prove that the step existed prior to April 29, 2002. Such proof can be in the form of a work order for equipment modification, a receipt for purchase and installation of the piece, or any similar type of documentation. After April 29, 2005, the step shall no longer be excluded from a vehicle's length.

**(3) What devices at the front of a semi-trailer or trailer are excluded from length determinations?** The following devices have been identified as measurement exclusive when determining length from the front of a semi-trailer or trailer:

(a) A device at the front of a trailer chassis to secure containers and prevent movement in transit;

(b) A front coupler device on a semi-trailer or trailer used in road and rail intermodal operations;

(c) Aerodynamic devices, air deflector;

(d) Air compressor;

(e) Certificate holder (manifest box);

(f) Door vent hardware;

(g) Electrical connector;

(h) Gladhand (air hose connectors joining tractor to trailer);

(i) Handhold;

(j) Hazardous materials placards and holders;

(k) Heater;

(l) Ladder;

(m) Nonload carrying tie-down devices on automobile transporters;

(n) Pickup plate lip (plate at front of trailer to guide fifth wheel under trailer);

(o) Pump offline on tank trailer;

(p) Refrigeration unit;

(q) Removable bulkhead;

(r) Removable stake;

(s) Stabilizing jack (antinosedive device);

(t) Stake pocket;

(u) Step;

(v) Tarp basket;

(w) Tire carrier; and

(x) Uppercoupler.

(4) **What devices at the rear of a single unit vehicle, semi-trailer or trailer are excluded from length determinations?** The following devices have been identified as measurement exclusive when determining length from the rear of a semi-trailer or trailer:

(a) Aerodynamic devices that extend up to a maximum of five feet beyond the rear of the vehicle, provided such devices have neither the strength, rigidity nor mass to damage a vehicle, or injure a passenger in a vehicle, that strikes a vehicle so equipped from the rear, and provided also that they do not obscure tail lamps, turn signals, marker lamps, identification lamps, or any other required safety devices, such as hazardous materials placards or conspicuity markings (i.e., reflective tape);

(b) Handhold;

(c) Hazardous materials placards and holder;

(d) Ladder;

(e) Loading and unloading device not to exceed two feet;

(f) Pintle hook;

(g) Removable stake;

(h) Splash and spray suppression device;

(i) Stake pocket; and

(j) Step.

(5) **What devices at the side of a vehicle are excluded from width determinations?** The following devices have been identified as measurement exclusive, not to exceed three inches from the side of the vehicle, when determining width of a vehicle:

(a) Corner cap;

(b) Handhold for cab entry/egress;

(c) Hazardous materials placards and holder;

(d) Lift pad for trailer on flatcar (piggyback) operation;

(e) Load induced tire bulge;

(f) Rain gutter;

(g) Rear and side door hinge and protective hardware;

(h) Rearview mirror;

(i) Side marker lamp;

(j) Splash and spray suppressant device, or component thereof;

(k) Structural reinforcement for side doors or intermodal operation (limited to one inch from the side within the three-inch maximum extension);

(l) Tarping system for open-top cargo area;

(m) Turn signal lamp;

(n) Movable device to enclose the cargo area of a flatbed semi-trailer or trailer, usually called "tarping system," where no component part of the system extends more than three inches from the sides or back of the vehicle when the vehicle is in operation. This exclusion applies to all component parts of a tarping system, including the transverse structure at the front of the vehicle to which the sliding walls and roof of the tarp mechanism are attached, provided the structure is not also intended or designed to comply with 49 C.F.R. 393.106, which requires a headerboard strong enough to prevent cargo from penetrating or crushing the cab; the transverse structure may be up to one hundred eight inches wide if properly centered so that neither side extends more than three inches beyond the structural edge of the vehicle. Also excluded from measurement are side rails running the length of the vehicle

and rear doors, provided the only function of the latter, like that of the transverse structure at the front of the vehicle, is to seal the cargo area and anchor the sliding walls and roof. On the other hand, a headerboard designed to comply with 49 C.F.R. 393.106 is load bearing and thus limited to one hundred two inches in width. The "wings" designed to close the gap between such a headerboard and the movable walls and roof of a tarping system are width exclusive, provided they are add-on pieces designed to bear only the load of the tarping system itself and are not integral parts of the load-bearing headerboard structure;

(o) Tie-down assembly on platform trailer;

(p) Wall variation from true flat; and

(q) Weevil pins and sockets on a platform or low-bed trailer (pins and sockets located on both sides of a trailer used to guide winch cables when loading skid mounted equipment).

(6) **Are there weight measurement exclusive devices?**

Yes. Any vehicle equipped with idle reduction technology, designed to promote reduced fuel usage and emissions from engine idling, may have up to four hundred pounds in total gross, axle, tandem or bridge formula weight exempt (excluded) from the weight measurement. To be eligible for the weight exemption, the vehicle operator must be able to prove:

(a) By written certification the weight of the idle reduction technology; and

(b) By demonstration or certification, that the idle reduction technology is fully functional at all times.

The weight exemption cannot exceed ~~((four))~~ five hundred fifty pounds or the certified weight of the unit, whichever is less.

(7) **Can exclusion allowances be combined to create a larger allowance (i.e., adding a five-foot aerodynamic device to a two-foot loading/unloading device for a total exclusion of seven feet)?** No. Each exclusion allowance is specific to a device and may not be combined with the exclusion allowance for another device.

(8) **Can a device receive exclusion if it is not referenced in law or administrative rule?** If the device meets the criteria in subsection (1) of this section, a request for measurement exclusion may be made to the administrator for commercial vehicle services. If approved for an exclusion allowance, the administrator will provide the requestor a written authorization.

## WSR 13-20-006

### PERMANENT RULES

### FOREST PRACTICES BOARD

[Filed September 19, 2013, 10:03 a.m., effective October 20, 2013]

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

Purpose: The adaptive management program (program) was created to provide science-based recommendations and technical information to assist the forest practices board (board) in amending rules and guidance for aquatic resources to achieve the resources goals of the forests and fish report. The board may also use this program to adjust other rules and guidance.

The rule amendments are designed to reform the program as outlined in the 2012 settlement agreement for the forest practices habitat conservation plan. Specifically, the amendments modify the program in the following ways:

- The timber/fish/wildlife policy committee (policy committee) is reestablished as a consensus-based body comprised of caucus principles or their representatives.
- Nine caucuses are established for the policy committee with one vote per caucus.
- The dispute resolution process is revised by allowing the cooperative evaluation monitoring and research committee (CMER) to utilize stage 2 and by shortening the decision-making timelines for the policy committee and CMER while allowing for timeline extension by consensus vote.
- The CMER work plan process is expanded to a master project schedule prioritized with timelines for review and updates, and additional roles for the program administrator and the policy committee.

Citation of Existing Rules Affected by this Order:  
Amending WAC 222-12-045.

Statutory Authority for Adoption: RCW 76.090.040 [76.09.040] and 76.09.370.

Other Authority: WAC 222-08-032.

Adopted under notice filed as WSR 13-11-131 on May 22, 2013.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 4 [0], Amended 9 [1], Repealed 5 [0].

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: August 13, 2013.

Aaron Everett  
Chair

AMENDATORY SECTION (Amending WSR 05-12-119, filed 5/31/05, effective 7/1/05)

**WAC 222-12-045 \*Adaptive management program.** (~~(\*Adaptive management program.)\*~~) In order to further the purposes of chapter 76.09 RCW, the board has adopted and will manage a formal science-based adaptive management program (program), as set forth in WAC 222-08-160(2). Refer to board manual section 22 for program guidance and further information.

(1) **Purpose:** The purpose of the program is to provide science-based recommendations and technical information to

assist the board in determining if and when it is necessary or advisable to adjust rules and guidance for aquatic resources to achieve resource goals and objectives. The board may also use this program to adjust other rules and guidance. The goal of the program is to ~~((affect))~~ effect change when it is necessary or advisable to adjust rules and guidance to achieve the goals of the forests and fish report or other goals identified by the board. There are three desired outcomes: Certainty of change as needed to protect targeted resources; predictability and stability of the process of change so that landowners, regulators and interested members of the public can anticipate and prepare for change; and application of quality controls to study design and execution and to the interpreted results.

(2) **Program elements:** By this rule, the board establishes an active, ongoing program composed of the following initial elements, but not to exclude other program elements as needed:

(a) **Key questions and resource objectives:** Upon receiving recommendations from the Timber/Fish/Wildlife (TFW) policy committee, or similar collaborative forum, the board will establish key questions and resource objectives and prioritize them.

(i) Projects designed to address the key questions shall be established in the order and subject to the priorities identified by the board.

(ii) Resource objectives are intended to ensure that forest practices, either singularly or cumulatively, will not significantly impair the capacity of aquatic habitat to:

(A) Support harvestable levels of salmonids;

(B) Support the long-term viability of other covered species; or

(C) Meet or exceed water quality standards (protection of beneficial uses, narrative and numeric criteria, and antidegradation).

(iii) Resource objectives consist of functional objectives and performance targets. Functional objectives are broad statements regarding the major watershed functions potentially affected by forest practices. Performance targets are the measurable criteria defining specific, attainable target forest conditions and processes.

(iv) Resource objectives are intended for use in adaptive management, rather than in the regulatory process. Best management practices, as defined in the rules and manual, apply to all forest practices regardless of whether or not resource objectives are met at a given site.

(b) **Participants:** The board ~~((with))~~ manages the program and ~~((has empowered))~~ empowers the following entities to participate in the program:

• The cooperative monitoring evaluation and research committee (CMER)((:));

• The TFW policy committee (and/or similar collaborative forum)((:));

• The adaptive management program administrator((:)); and

• Other participants as directed to conduct the independent scientific peer review process. The program will strive to use a consensus-based approach to make decisions at all stages of the process. Specific consensus-decision stages will be established by CMER and approved by the board. Ground

rules will follow those established by the TFW process as defined in the board manual.

(i) **CMER.** By this rule, the board establishes a cooperative monitoring evaluation and research (CMER) committee to impose accountability and formality of process, and to conduct research and validation and effectiveness monitoring to facilitate achieving the resource objectives. The purpose of CMER is to advance the science needed to support adaptive management. CMER also has ongoing responsibility to continue research and education in terrestrial resource issues. CMER will be made up of members that have expertise in a scientific discipline that will enable them to be most effective in addressing forestry, fish, wildlife, and landscape process issues. Members will represent timber landowners, environmental interests, state agencies, county governments, federal agencies and tribal governments from a scientific standpoint, not a policy view. CMER members will be approved by the board. This will not preclude others from participating in and contributing to the CMER process or its subcommittees. CMER shall also develop and manage as appropriate:

(A) Scientific advisory groups and subgroups;

(B) Research and monitoring programs;

(C) A set of protocols and standards to define and guide execution of the process including, but not limited to, research and monitoring data, watershed analysis reports, interdisciplinary team evaluations and reports, literature reviews, and quality control/quality assurance processes;

(D) A baseline data set used to monitor change; ~~((and))~~

(E) A process for policy approval of research, monitoring, and assessment projects and use of external information, including the questions to be answered and the timelines; ~~and~~

(F) A biennial research, monitoring, and assessment work plan to be presented to the TFW policy committee at their regular April meeting beginning in 2015 and at least every two years thereafter.

(ii) **TFW policy committee (policy committee).** ~~((TFW, or a similar collaborative forum, is managed by a policy committee (hereafter referred to in this section as "policy").))~~ The policy committee is established to consider the findings of CMER research and monitoring and to make recommendations to the board related to forest practices rules, board manual sections, and/or other guidance. Policy committee membership ((is self-selecting, and at a minimum should include representatives of the following)) consists of caucus principals or their representatives from the following nine caucuses:

~~((Timber landowners-))~~ • Industrial ((and)) private timber landowners:

• Nonindustrial private timber landowners(( ));

• Environmental community;

• Western Washington tribal governments;

• Eastern Washington tribal governments;

• County governments;

• Department of natural resources;

• State departments ~~((including))~~ of fish and wildlife~~(;))~~ ~~(, and natural resources))~~; and

• Federal agencies (including National Marine Fisheries Service, U.S. Fish and Wildlife Service, ~~and~~ U.S. Environmental Protection Agency ~~((and U.S. Forest Service)).~~ Policy

~~members will participate without compensation or per diem)).~~

Policy committee members or their representatives are the primary participants for discussion and decisions at policy committee meetings. Technical or scientific staff may attend policy committee meetings for consultation and staff member or visitors may attend policy committee meetings, but refrain from decision making. The policy committee will base consensus on one vote from each of the nine caucuses. The policy committee will act as a consensus-based body.

Beginning in April 2014, the policy committee shall, among other responsibilities, and in cooperation with CMER, prepare for presentation to the board at their regular May meeting:

(A) A CMER master project schedule prioritizing all CMER research and monitoring projects through 2031;

(B) Assurances that the CMER work plan projects are scheduled according to the CMER master project schedule;

(C) A review and update of the CMER master project schedule at least every four years; and

(D) Assurances that all of the projects on the master project schedule, as amended by the board, will be completed by 2040.

(iii) **Adaptive management program administrator (program administrator).** The department will employ a full-time independent program administrator to oversee the program and support CMER. The program administrator will have credentials as a program manager, scientist, and researcher. The program administrator will:

(A) Make reports to the board and have other responsibilities as defined in the board manual.

(B) Work with the policy committee and CMER to develop the CMER master project schedule and present it to the board at their regular May 2014 meeting;

(C) Report to the board every two years, beginning at their regular May 2015 meeting on:

(I) Progress made to implement the CMER master project schedule and recommended revisions;

(II) The status of ongoing projects including adherence to scheduled timelines; and

(III) Policy committee's responses to all final CMER reports.

(iv) **Forest practices board (board).** The board, among other responsibilities, shall:

(A) Require the program to complete work according to the CMER master project schedule as amended by the board;

(B) Determine whether the program is in substantial compliance with the CMER master project schedule every two years, beginning at the regular August 2014 meeting; and

(C) Notify the National Marine Fisheries Service and the U.S. Fish and Wildlife Service by letter within thirty days after the regular August meeting if the board determines the program is not in substantial compliance with the CMER master project schedule.

(c) **Independent scientific peer review process.** By this rule, the board establishes an independent scientific peer review process to determine if the scientific studies that address program issues are scientifically sound and technically reliable; and provide advice on the scientific basis or reliability of CMER's reports. Products that must be reviewed

include final reports of CMER funded studies, certain CMER recommendations, and pertinent studies not published in a CMER-approved, peer-reviewed journal. Other products that may require review include, but are not limited to, external information, work plans, requests for proposal, subsequent study proposals, the final study plan, and progress reports.

(d) **Process:** The following stages will be used to ~~((affect))~~ effect change for managing adaptive management proposals and approved projects. If consensus cannot be reached by participants at any stage, the issue will be addressed within the dispute resolution process as defined in (h) of this subsection.

(i) **Proposal initiation:** Adaptive management proposals can be initiated at this stage by any of the participants listed in ~~((2))~~(b) of this subsection to the program administrator, or initiation may be proposed by the general public at board meetings. Proposals must provide the minimum information as outlined in the board manual and demonstrate how results of the proposal will address key questions and resource objectives or other program rule and/or guidance issues. The board may initiate proposals or research questions in the course of fulfilling their duties according to statute.

(ii) **Proposal approval and prioritization:** The program administrator will manage the proposal approval and prioritization process at this stage and consult with CMER on the program workplan. CMER proposals will be forwarded by the program administrator to policy and then to the board. The board will make the final determination regarding proposal approvals and prioritization. The board will act on proposal approval and prioritization in a timely manner.

(iii) **CMER implementation of proposal:** Board approved proposals are systematically implemented through CMER at this stage by the program administrator.

(iv) **Independent scientific peer review:** An independent scientific peer review process will be used at identified points within this stage of implementation depending upon the study and will be used on specified final studies or at the direction of the board.

(v) **CMER committee technical recommendations:** Upon completion, final CMER reports and information will be forwarded at this stage by the program administrator to policy in the form of a report that includes technical recommendations and a discussion of rule and/or guidance implications.

(vi) **Policy committee petitions ~~((for amendment))~~ and recommendations to the board:** Upon receipt of ~~((the))~~ a CMER report or a board requested action, the policy committee will prepare ~~((program))~~ a report for the board outlining recommended actions including additional research, rule ~~((amendments))~~ petitions, and/or guidance recommendations ~~((in the form of petitions for amendment)).~~ When completed, the recommendations including rule petitions and the original CMER report and/or other information as applicable will be forwarded by the program administrator to the board for review and action. Policy committee recommendations for rule amendments to the board will be accompanied by formal petitions for rule making (as described in WAC 222-08-100 and RCW 34.05.330). The policy committee will use the CMER results to make specific ~~((petitions))~~ recommendations to the board ~~((for amending))~~ on:

(A) The regulatory scheme of forest practices management (Title 222 WAC rules and board manual);

(B) Voluntary, incentive-based, and training programs affecting forestry;

(C) The resource objectives; and

(D) CMER itself, adaptive management procedures, or other mechanisms implementing the recommendations contained in the most current forests and fish report.

(vii) **Board action to ~~((adopt))~~ accept petitions for ~~((amendment))~~ rule making and/or recommendations from the policy committee:** Upon receiving ~~((a formal petition))~~ recommendations from the policy committee for ~~((amendment to))~~ rule(s) petitions and/or recommendations for guidance, the board will take appropriate and timely action. There will be a public review of all petitions as applicable. The board will make the final determination.

(e) **Biennial fiscal and performance audits.** The board shall require biennial fiscal and performance audits of the program by the department or other appropriate and accepting independent state agency.

(f) **CMER five-year peer review process.** Every five years the board will establish a peer review process to review all work of CMER and other available, relevant data, including recommendations from the CMER staff. There will be a specified, but limited, period for public review and comment.

(g) **Funding.** Funding is essential to implement the adaptive management program, which is dependent on quality and relevant data. The department shall request biennial budgets to support the program priority projects and basic infrastructure needs including funding to staff the adaptive management program administrator position. A stable, long-term funding source is needed for these activities.

(h) **Formal dispute resolution process for CMER and policy committee.** If consensus cannot be reached through the adaptive management program process, participants will have their issues addressed by this dispute resolution process. Potential failures include, but are not limited to:

- The inability of policy to agree on research priorities, program direction, or recommendations to the board for uses of monitoring and/or research after receiving a report from CMER;

- The inability of CMER to produce a report and recommendation on schedule; and

- The failure of participants to act on policy recommendations on a specified schedule.

Key attributes of the dispute resolution process are:

(i) Specific substantive and benchmark (schedule) triggers will be established by the board for each monitoring and research project for invoking dispute resolution;

(ii) The dispute resolution process ~~((will be staged in three parts))~~ is available to and can be initiated by both CMER and the policy committee to resolve disputes that result in the course of their respective processes. Formal dispute resolution involves two stages and may be applied at any level of the adaptive management process. Any ~~((participant))~~ participating policy committee caucus, board approved CMER member, or the board, may invoke ~~((each succeeding))~~ stage two, if agreement is not reached ~~((by the previous))~~ in stage one, within the specified time (or if agreements are not substantially implemented) as follows:

(A) Stage one dispute resolution will be an attempt by CMER ~~((and))~~ or the policy committee, as applicable, to reach consensus. ~~((On technical issues,))~~ CMER ~~((shall))~~ and the policy committee have up to ~~((six))~~ two months to reach ~~((a))~~ consensus under stage one, unless otherwise agreed upon by CMER or the policy committee if substantive progress is being made. ~~((Parties))~~ Any party may move the process to stage two after an issue has been in dispute resolution before CMER or the policy committee for ~~((six))~~ two months ~~((unless otherwise agreed))~~. The time periods commence from ~~((referral of technical issues to CMER, report by CMER to policy, or the raising of a nontechnical issue (or matter not otherwise referable to CMER) directly at policy))~~ the date the dispute resolution process is invoked.

(B) Stage two dispute resolution in CMER or the policy committee will be either ~~((informal))~~ mediation or ~~((formal))~~ arbitration. Within one month, one or the other will be picked, with the default being ~~((formal))~~ mediation unless otherwise agreed. Stage two will be completed within three months (including the one month to select the process) unless otherwise agreed based on substantive progress.

(C) If stage two dispute resolution within CMER does not result in consensus, the program administrator will forward the dispute to the policy committee for a decision, which could include initiation of the dispute resolution process within the policy committee.

(D) If stage two dispute resolution within the policy committee does not result in consensus, ~~((stage three will be action by the board. The board will consider policy and CMER reports, and))~~ the program administrator will report the majority and minority ~~((thinking regarding the results and uses of the results can be brought forward to the board))~~ recommendations to the board. The board will make the final determination regarding dispute resolution.

### WSR 13-20-013

#### PERMANENT RULES

#### HEALTH CARE AUTHORITY

##### (Medicaid Program)

[Filed September 20, 2013, 12:00 p.m., effective October 21, 2013]

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

Purpose: The agency is revising these rules to:

1. Remove batteries from noncovered and add them to covered;
2. Clarify that FM systems, including the computer-aided hearing devices for FM systems are not covered unless the agency grants a request for an exception to rule allowing payment of the noncovered service; and
3. Make housekeeping fixes such as correcting WAC citations, cross references, and changing department to agency.

Citation of Existing Rules Affected by this Order: Amending WAC 182-547-0100, 182-547-0200, 182-547-0700, 182-547-0800, 182-547-0900, 182-547-1000, and 182-547-1100.

Statutory Authority for Adoption: RCW 41.05.021.

Adopted under notice filed as WSR 13-15-071 on July 16, 2013.

Changes Other than Editing from Proposed to Adopted Version: WAC 182-547-0100 Hearing aids—General—For clients twenty years of age and younger. Housekeeping fix. The agency unstruck the term "billing instructions" throughout and removed the proposed language "medicaid provider guides." The general term ["]billing instructions["] is still accurate (even though the actual name of the documents have changed to "medicaid provider guide"). To avoid confusion, the agency is keeping the general term "billing instructions" throughout.

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

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

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

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 7, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 7, Repealed 0.

Date Adopted: September 20, 2013.

Kevin M. Sullivan  
Rules Coordinator

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

**WAC 182-547-0100 Hearing aids—General—For clients twenty years of age and younger.** Unless otherwise defined in WAC ~~((388-547-0200))~~ 182-547-0200, the terms within this chapter are intended to correspond with the terms in chapter 18.35 RCW.

(1) The ~~((department))~~ agency covers the hearing aids listed in this chapter, according to ~~((department))~~ agency rules and subject to the limitations and requirements in this chapter. See also WAC ~~((388-531-0375))~~ 182-531-0375 audiology services.

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

- (a) Covered;
- (b) Within the scope of an eligible client's medical care program;
- (c) Medically necessary as defined under WAC ~~((388-500-0005))~~ 182-500-0070;
- (d) Authorized, as required within this chapter, chapters ~~((388-501))~~ 182-501 and ~~((388-502))~~ 182-502 WAC, and the ~~((department's))~~ agency's published billing instructions and ~~((numbered memoranda))~~ provider notices; ~~((and))~~

(e) Billed according to this chapter, chapters ~~((388-501))~~ 182-501 and ~~((388-502))~~ 182-502, and the ~~((department's))~~ agency's published billing instructions and ~~((numbered memoranda))~~ provider notices; and

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

(3) The ~~((department))~~ agency requires prior authorization for covered hearing aids when the clinical criteria set forth in this chapter are not met. The ~~((department))~~ agency evaluates these requests on a case-by-case basis to determine whether they are medically necessary, according to the process found in WAC ~~((388-501-0165))~~ 182-501-0165.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

**WAC 182-547-0200 Hearing aids—Definitions.** The following definitions and those found in chapter 182-500 WAC apply to this chapter.

**"Digital hearing aids"** - Hearing aids that use a digital circuit to analyze and process sound.

~~("FM systems" — Devices used to improve and augment access to auditory information in poor acoustic conditions (helps mitigate a negative impact of noise and reverberation on the ability to understand) that are found in classrooms, auditoriums, theaters, restaurants, etc. These devices use frequency modulated (FM) radio signals to transmit the primary auditory signal from a microphone/transmitter to a receiver worn by the person.)~~

**"Hearing aids"** - Wearable sound-amplifying devices that are intended to compensate for hearing loss. Hearing aids are described by where they are worn in the ear as in-the-ear (ITE), behind-the-ear (BTE), etc. Hearing aids can also be described by how they process the amplified signal. This would include analog conventional, analog programmable, digital conventional, and digital programmable.

**"Hearing health care professional"** - An audiologist or hearing aid fitter/dispenser licensed under chapter 18.35 RCW, or an otorhinolaryngologist or otologist licensed under chapter 18.71 RCW.

**"Maximum allowable fee"** - The maximum dollar amount that the ~~((department))~~ agency will pay a provider for specific services, supplies and equipment.

**"Prior authorization"** - A form of authorization used by the provider to obtain approval for a specific hearing aid and service(s). The approval is based on medical necessity and must be received before the service(s) are provided to clients as a precondition for payment.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

**WAC 182-547-0700 Hearing aids—Eligibility—Clients twenty years of age and younger.** (1) Clients twenty years of age and younger who are receiving services under a medical assistance program:

(a) Are eligible for covered hearing aids under this chapter and for the audiology services under WAC ~~((388-531-0375))~~ 182-531-0375;

(b) Must have a complete hearing evaluation, including an audiogram and/or developmentally appropriate diagnostic

physiologic test results performed by a hearing health care professional; and

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

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

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

**WAC 182-547-0800 Hearing aids—Coverage—Clients twenty years of age and younger.** (1) The ~~((department))~~ agency covers new, nonrefurbished, monaural or binaural hearing aid(s), which includes the ear mold, for eligible clients twenty years of age and younger. In order for the provider to receive payment, the hearing aid must meet the client's specific hearing needs and be under warranty for a minimum of one year.

(2) The ~~((department))~~ agency pays for the following replacements as long as the need for replacement is not due to the client's carelessness, negligence, recklessness, or misuse in accordance with WAC ~~((388-501-0050(8)))~~ 182-501-0050(8):

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

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

(A) Lost;

(B) Beyond repair; or

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

(ii) All warranties are expired.

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

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

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

(i) All warranties are expired; and

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

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

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

(a) The manufacturer's warranty has expired;

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

(c) The part needs to be replaced due to normal wear and tear and is not related to misuse or abuse of the item (see WAC ~~((388-502-0160))~~ 182-502-0160); and

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



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

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

(7) The agency covers batteries for hearing aids, cochlear implant external speech processors, and BAHA speech processors.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

**WAC 182-547-0900 Hearing aids—Noncovered services—Clients twenty years of age and younger.** (1) The ~~((department))~~ agency does not cover the following hearing and hearing aid-related items and services for clients twenty years of age and younger:

(a) ~~((Batteries or))~~ Tinnitus maskers;

(b) Group screenings for hearing loss, except as provided under the early and periodic screening, diagnosis and treatment (EPSDT) program under WAC ~~((388-534-0100))~~ 182-534-0100; or

(c) FM systems, including the computer-aided hearing devices for FM systems ~~((used in school))~~.

(2) When EPSDT applies, the ~~((department))~~ agency evaluates a noncovered service, equipment, or supply according to the process in WAC ~~((388-501-0165))~~ 182-501-0165 to determine if it is medically necessary, safe, effective, and not experimental (see WAC ~~((388-534-0100))~~ 182-534-0100 for EPSDT rules).

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

**WAC 182-547-1000 Hearing aids—Prior authorization—Clients twenty years of age and younger.** (1) Prior authorization is not required for clients twenty years of age and under for hearing aid(s) and services. Providers should send claims for clients twenty years of age and younger directly to the ~~((department))~~ agency. Providers do not have to obtain authorization from the local children with special health care needs (CSHCN) coordinator.

(2) The ~~((department))~~ agency evaluates requests for covered services that are subject to limitations or other restrictions and approves such services beyond those limitations or restrictions as described in WAC ~~((388-501-0169))~~ 182-501-0169.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

**WAC 182-547-1100 Hearing aids—Reimbursement—General.** (1) The ~~((department's))~~ agency's payment for purchased hearing aids includes:

(a) A prefitting evaluation;

(b) An ear mold; and

(c) A minimum of three post-fitting consultations.

(2) The ~~((department))~~ agency denies payment for hearing aids and/or services when claims are submitted without the prior authorization number, when required, or the appropriate diagnosis or procedure code(s).

(3) The ~~((department))~~ agency does not pay for hearing aid charges paid by insurance or other payer source.

(4) To receive payment, the provider must keep documentation in the client's medical file to support the medical necessity for the specific make and model of the hearing aid ordered for the client. This documentation must include the record of the audiology testing providing evidence that the client's hearing loss meets the eligibility criteria for a hearing aid.

## WSR 13-20-021

### PERMANENT RULES

### DEPARTMENT OF

### FISH AND WILDLIFE

[Order 13-210—Filed September 23, 2013, 9:03 a.m., effective October 24, 2013]

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

Purpose: Amend statewide rules for recreational salmon fishing based on the 2013 North of Falcon recommendations. Rules for recreational salmon fishing change year to year to reflect resource availability and achieve conservation goals.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-131, 220-56-132, 220-56-133 and 220-56-134; new section WAC 220-56-136; and amending WAC 220-55-220, 220-56-124, 220-56-128, 220-56-195, 220-56-500, 232-28-619, 232-28-620, and 232-28-621.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.045, and 77.12.047.

Adopted under notice filed as WSR 13-15-101 on July 22, 2013.

Changes Other than Editing from Proposed to Adopted Version: Bear River (Pacific County): Barbless hook requirement in the upper section of the Bear River, from Lime Quarry Road upstream to Longview Fiber Bridge, was removed. In addition to being consistent with other Willapa Bay tributaries and the intent of North of Falcon, the barbless hook requirement was not deemed necessary for additional protection of salmon.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 9, Repealed 4.

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

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

Date Adopted: September 20, 2013.

Philip Anderson  
Director

AMENDATORY SECTION (Amending WSR 13-11-125, filed 5/21/13, effective 6/21/13)

**WAC 220-55-220 Two-pole endorsement.** Anglers who possess a valid two-pole endorsement may fish with two lines in all lakes and ponds open to fishing, with the following exceptions:

Water Body	County		Water Body	County	
Para-juvenile Lake	Adams		Mill Pond	King	Auburn <sub>2</sub>
Headgate Pond	Asotin		Old Fishing Hole Pond	King	Kent <sub>2</sub>
Columbia Park Pond	Benton		Portage Bay	King	
Blackbird Island Pond	Chelan		Salmon Bay	King	
Lake Wenatchee	Chelan		Swans Mill Pond	King	
Aldwell Lake	Clallam		Koeneman Lake	Kitsap	Formerly Fern Lake <sub>2</sub>
Beaver Lake	Clallam		Kachess Lake	Kittitas	
Carrie Blake Pond	Clallam		Keechelus Lake	Kittitas	
Dickey Lake	Clallam		Kiwanis Pond	Kittitas	
Lake Pleasant	Clallam		Naneum Pond	Kittitas	
Lincoln Pond	Clallam		Cowlitz Falls Reservoir	Lewis	
Sutherland Lake	Clallam		Mayfield Lake	Lewis	Mayfield Dam to Mossyrock Dam <sub>2</sub>
Vancouver Lake	Clark	Includes all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River <sub>2</sub>	Packwood Lake	Lewis	
Big Four Lake	Columbia		Scanewa Lake	Lewis	Cowlitz Falls Reservoir <sub>2</sub>
Dayton Pond	Columbia		Walupt Lake	Lewis	
Blue Lake	Cowlitz		Willame Lake	Lewis	
Castle Lake	Cowlitz		Cady Lake	Mason	
Coldwater Lake	Cowlitz		Cushman Reservoir	Mason	
Lewis River Power Canal	Cowlitz	Includes old Lewis River streambed between Swift No. 1 powerhouse and Swift No. 2 powerhouse <sub>2</sub>	Prices Lake	Mason	
Merrill Lake	Cowlitz		Stump Lake	Mason	
Silver Lake	Cowlitz		Silvermail Lake	Okanogan	
Pit Lake	Douglas		Cases Pond	Pacific	
Ping Pond	Grant		South Bend Mill Pond	Pacific	
Mill Creek Pond	Grays Harbor		Bradley Lake	Pierce	
Quigg Lake	Grays Harbor	Located at Friends Landing near Montesano <sub>2</sub>	De Coursey Pond	Pierce	
Vance Creek Pond #1	Grays Harbor		Ohop Lake	Pierce	
Gibbs Lake	Jefferson		Tanwax Lake	Pierce	
Horseshoe Lake	Jefferson		Wapato Lake	Pierce	
Teal Lake	Jefferson		Granite Lakes	Skagit	Near Marblemount <sub>2</sub>
Lake Sammamish	King		Northern State Hospital Pond	Skagit	
Lake Union	King		Pass Lake	Skagit	
Lake Washington	King	Including that portion of Sammamish River from 68th Ave. NE bridge downstream <sub>2</sub>	Vogler Lake	Skagit	
Lake Washington Ship Canal	King	(Including Lake Union, Portage Bay, and Salmon Bay) Waters east of a north-south line 400' west of the Chittenden Locks to the Montlake Bridge <sub>2</sub>	<u>Drano Lake</u>	<u>Skamania</u>	<u>January 1 through May 11 and July 1 through September 14</u>
			Swift Reservoir	Skamania	From dam to Eagle Cliff Bridge <sub>2</sub>
			Ebey Lake	Snohomish	Little Lake <sub>2</sub>
			Fortson Mill Pond #2	Snohomish	
			Jennings Park Pond	Snohomish	
			Monte Cristo Lake	Snohomish	
			North Gissburg Pond	Snohomish	
			Spada Lake	Snohomish	
			Bear Lake	Spokane	
			North Silver Lake	Spokane	
			Lucky Duck Pond	Stevens	
			Long's Pond	Thurston	
			Munn Lake	Thurston	
			Jefferson Park Pond	Walla Walla	
			Lions Park Pond	Walla Walla	College Place <sub>2</sub>

Water Body	County
Diablo Lake	Whatcom
Gorge Lake	Whatcom
Lake Whatcom	Whatcom
Ross Lake	Whatcom
Squalicum Lake	Whatcom
Garfield Juvenile Pond	Whitman
Bumping Lake	Yakima
Clear Lake	Yakima
Leech Lake	Yakima
Mud Lake	Yakima
Myron Lake	Yakima
Rimrock Lake	Yakima
Sarge Hubbard Park Pond	Yakima
Yakima Sportsmen's Park Ponds	Yakima

White Pass area

Note: The two-pole endorsement is not valid in the Columbia and Snake rivers except as noted in Lake Roosevelt and Rufus Woods Lake.

Anglers who possess a valid two-pole endorsement may fish with two lines in the following river sections:

River	County	Section
Spokane	Spokane and Stevens	Lower Spokane River from mouth (SR 25 bridge) to 400' below Little Falls Dam
Pend Oreille	Pend Oreille	
Columbia		<p><u>Camas Slough: August 1 through December 31.</u></p> <p><u>From Highway 395 to Priest Rapids Dam: June 16 through July 31.</u></p> <p>From Priest Rapids Dam to Wanapum Dam: <u>July 1 through August 31.</u></p> <p>From Wanapum Dam to Wells Dam: <u>July 1 through August 31.</u></p> <p>From Wells Dam to Highway 173 Bridge at Brewster: <u>July 16 through August 31.</u></p> <p>From Highway 173 Bridge at Brewster to Chief Joseph Dam: <u>July 1 through August 31.</u></p>
Cowlitz River	Lewis	Lexington Bridge Drive in Kelso upstream to the Highway 505 Bridge in Toledo
Lewis	Clark/Skamania	From mouth to <del>((Colvin-Creek))</del> <u>mouth of East Fork Lewis.</u>
<del>((Wind</del>	<del>Skamania</del>	<del>Mouth to Burlington-Northern Railroad-Bridge))</del>

River	County	Section
<u>North Fork Lewis</u>	<u>Clark/Cowlitz</u>	<u>Mouth to Johnson Creek.</u>
<u>Naselle</u>	<u>Pacific/Wahkiakum</u>	<u>From Highway 101 Bridge to Highway 401: August 1 through January 31.</u>
<u>Okanogan</u>	<u>Okanogan</u>	<u>July 1 through October 15.</u>

Anglers who possess a valid two-pole endorsement may fish with two lines in the following marine areas:

Description	Marine Area
Willapa	2-1. East of a line from Cape Shoalwater to Ledbetter Point.
Port Susan and Port Gardner	Tulalip Terminal Area: <u>May 31 through September 22.</u>
<u>Seattle/Bremerton Area</u>	<u>Sinclair Inlet: July 1 through September 30.</u>

**Reviser's note:** The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending WSR 12-18-006, filed 8/23/12, effective 9/23/12)

**WAC 220-56-124 Seasons and areas—Hoodspport Hatchery.** (1) During the period of July 1 through December 31, those waters of Catch Record Card Area 12 within a 2,000-foot arc seaward of yellow buoys at the mouth of Finch Creek at the Hoodspport Salmon Hatchery are regulated as follows:

(2) These waters are open to salmon angling regardless of the status of the surrounding waters of Area 12.

(3) Limits:

(a) Special daily limit of 4 salmon, of which no more than 2 salmon may be Chinook salmon greater than 24 inches in length.

(b) Release wild Chinook.

(c) Release chum salmon July 1 through October 15.

(4) It is unlawful to fish for or possess salmon taken from these waters from one hour after sunset to one hour before sunrise.

(5) Hoodspport Salmon Hatchery ~~((ADA-accessible))~~ ADA-access site~~((-~~

~~((a)))~~ Persons with disabilities who permanently use a wheelchair and~~((/or))~~ who have a designated harvester card under WAC 220-55-065 may fish from the~~((ADA-accessible))~~ ADA-access site at the Hoodspport Salmon Hatchery, ~~((provided))~~ as long as such persons follow all applicable department rules.

~~((b))~~ Designated harvesters may fish from the ADA-accessible site with persons with disabilities who permanently use a wheelchair and/or who have a designated harvester card, if room allows. However, persons with disabilities who permanently use a wheelchair have priority over other anglers if the ADA-accessible site becomes overcrowded.

(6) Violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested salmon. If the person has harvested salmon, the violation is

punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the salmon are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

AMENDATORY SECTION (Amending WSR 12-18-006, filed 8/23/12, effective 9/23/12)

**WAC 220-56-195 Closed areas—Saltwater salmon angling.** The following areas are closed to salmon angling during the times indicated:

(1) Bellingham Bay: Those waters of Bellingham, Samish, and Padilla Bays southerly of a line projected from the most westerly point of Gooseberry Point to Sandy Point, easterly of a line from Sandy Point to Point Migley, thence along the eastern shoreline of Lummi Island to Carter Point, thence to the most northerly tip of Vendovi Island, thence to Clark Point on Guemes Island, thence following the shoreline to Yellow Bluff on the southwest corner of Guemes Island, thence to Yellow Bluff Reef range marker, thence to the ferry terminal dock east of Shannon Point and north of the Burlington Railroad Bridges at the north end of Swinomish Slough: Closed to salmon angling April 1 through April 30 and July 1 through August 15.

(2) Carr Inlet: Those waters of Carr Inlet within 1,000 feet of the outer oyster stakes at the mouth of Minter Creek: Closed to salmon angling April 16 through September 30.

(3) Dungeness Bay: Those waters westerly of a line from Dungeness Spit Light to the number 2 red Buoy, and then to the Port Williams boat ramp: Closed to salmon angling May 1 through September 30 and November 1 through April 30.

(4) Samish Bay: Those waters southerly of a line projected true east from Fish Point: Closed to salmon angling April 1 through April 30 and (~~August~~) July 1 through October 15.

(5) Columbia River Mouth Control Zone 1: Washington waters within Control Zone 1, which Control Zone is described as an area at the Columbia River mouth bounded on the west by a line running northeast/southwest between the red lighted Buoy #4 (46°13'35" N/124°06'50" W) and the green lighted Buoy #7 (46°15'09" N/124°06'16" W); on the east by the Buoy #10 line, which bears north/south at 357° true from the south jetty at 46°14'00" N/124°03'07" W to its intersection with the north jetty; on the north by a line running northeast/southwest between the green lighted Buoy #7 to the tip of the north jetty (46°14'48" N/124°05'20" W), and then along the north jetty to the point of intersection with the Buoy #10 line; and on the south by a line running northeast/southwest between the red lighted Buoy #4 and the tip of the south jetty (46°14'03" N/124°04'05" W), and then along the south jetty to the point of intersection with the Buoy #10 line: Closed to salmon angling at all times, except open to fishing from the north jetty when adjacent waters north of the Control Zone are open to salmon angling, or when the Buoy 10 fishery is open.

(6) Commencement Bay: Those waters east of a line projected from the Sperry Ocean Dock to landfall below the Cliff House Restaurant on the north shore of Commencement Bay:

Closed to fishing for salmon April 1 through April 30 and June 1 through July 31.

(7) Southern Rosario Strait and the eastern Strait of Juan de Fuca: Waters of Area 7 in Rosario Strait and the eastern portion of the Strait of Juan de Fuca southerly of a line running true south from the westernmost point on Fidalgo Head to Burrows Island, then westerly and southerly along the shore of Burrows Island to the Burrows Island Lighthouse, then to Bird Rocks, then westerly from Bird Rocks to the southernmost point on Decatur Island, then across Lopez Pass to Lopez Island and following the shore of Lopez Island southerly and westerly to Iceberg Point, then from Iceberg Point to Cattle Point, then south-southwest to the Salmon Bank Buoy, and then true south from the Salmon Bank Buoy to the Area 7 boundary: Closed to fishing for salmon July 1 (~~(--)~~) through September 30.

(8) Kydaka Point - Waters south of a line from Kydaka Point to Shipwreck Point - Closed to fishing for salmon July 1 through (~~September 30~~) October 31.

(9) Port Angeles Harbor - Waters westerly of a line from the tip of Ediz Hook to the I.T.T. Rayonier Dock: Closed to fishing for salmon from July 1 through (~~August~~) October 31.

(10) Violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested salmon. If the person has harvested salmon, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the salmon are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

AMENDATORY SECTION (Amending WSR 10-07-105, filed 3/19/10, effective 5/1/10)

**WAC 220-56-128 Food fish fishing—Closed areas.** It is unlawful to fish for or possess food fish taken from the following areas during the times indicated.

(1) It is unlawful at all times to fish for or possess food fish taken for personal use in waters lying within 400 feet below any fish rack, fishway, dam or other artificial or natural obstruction, either temporary or permanent, unless otherwise provided.

(2) Waters of Budd Inlet at Olympia south of the Fourth Avenue Bridge are closed at all times, and all contiguous waters lying between the Fourth Avenue Bridge and a line from the northwesterly corner of the Thriftway Market Building to a point 100 yards north of the railroad bridge located on the western side of the inlet opposite the Thriftway Market Building are closed during the period July 16 through October 31.

(3) The waters of Percival Cove are closed at all times.

(4) Those waters of Hood Canal inshore from yellow marker buoys to the mouth of Finch Creek and waters within the channel created when tidelands are exposed are closed the entire year.

(5) Waters within a radius of 100 yards from the Enetai Hatchery Outfall Creek where it enters saltwater are closed at all times.

(6) Those waters of Sinclair Inlet inside a line fifty yards from the pierhead line of the Puget Sound Naval Shipyard at Bremerton are closed at all times.

(7) Those waters of Hood Canal within 100 feet of the Seabeck Highway Bridge over Big Beef Creek are closed August 1 through November 30.

(8) In Shilshole Bay waters east of a line 175 feet west of the Burlington Northern Railroad Bridge are closed to fishing.

(9) Those waters of the Chinook River upstream from tide gate at the Highway 101 Bridge are closed at all times.

(10) Those waters of the Columbia River between the Vernita Bridge and the Hanford power line crossing (wooden towers at S24, T13N, R27E) are closed October 23 through June 15.

(11) Those waters of the Columbia River between the upstream line of Bonneville Dam to a point 600 feet below the fish ladder at the new Bonneville Dam Powerhouse are closed at all times.

(12) Waters of the Lake Washington Ship Canal west of a north-south line 400 feet east of the eastern end of the north wing wall of Chittenden Locks to the mouth of the Lake Washington Ship Canal are closed to food fish angling at all times.

(13) Waters of Catch Record Card Area 10 west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point are closed to food fish angling from January 1 through March 31 except it is lawful to fish with gear meeting the fly fishing only requirements of WAC 220-56-210 except it is unlawful to use lead core fly line. Use of gear other than fly fishing gear or use of a lead core line in violation of this subsection is an infraction, punishable under RCW 77.15.160. It is unlawful to retain any fish taken during the period January 1 through March 31.

(14) Chief Joseph Dam - Closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing from a floating device downstream of Chief Joseph Dam to the Corps of Engineers Safety Zone Marker.

(15) Wells Dam - Waters between the upstream line of Wells Dam to boundary markers 400 feet below the spawning channel discharge on the Chelan County side and the fish ladder on the Douglas County side.

(16) Rocky Reach, Rock Island and Wanapum Dams - Waters between the upstream lines of these dams and boundary markers 400 feet downstream of the fish ladders at Rocky Reach and Rock Island Dams and boundary markers at Wanapum Dam 750 feet below the east fish ladder and 500 feet below the west fish ladder.

(17) Priest Rapids Dam - Waters between the upstream line of Priest Rapids Dam and boundary markers 650 feet below the fish ladders.

(18) Jackson (Moran) Creek - All waters of the Priest Rapids hatchery system including Columbia River waters out to midstream between markers located 100 feet upstream and 400 feet downstream of the mouth of the hatchery outlet.

(19) McNary Dam - Waters between the upstream line of McNary Dam and a line across the river from the red and white marker on the Oregon shore to the downstream end of the wingwall of the boat lock near the Washington shore.

(20) John Day Dam - Waters between the upstream line of John Day Dam and markers approximately 3,000 feet downstream, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(21) The Dalles Dam - Waters between the upstream line of the Dalles Dam and the upstream side of the Interstate 197 Bridge, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(22) Spring Creek - Waters within 1/4 mile of the U.S. Fish and Wildlife Service Hatchery grounds between posted boundary markers located 1/4 mile on either side of the fish ladder entrance.

(23) The waters of Catch Area 12 are closed at all times to the taking of food fish other than salmon (~~except:~~

~~(a))~~ However, persons with disabilities who permanently use a wheelchair and~~(/or)~~ who have a designated harvester card under WAC 220-55-065 may fish from the ~~((ADA-accessible))~~ ADA-access site at the Hoodspout Salmon Hatchery, ~~((provided))~~ as long as such persons follow all ~~((applicable))~~ department rules ~~((and regulations of))~~ that apply to the adjoining waters of Marine Area 12.

~~((b) Designated harvesters may fish from the ADA-accessible site with persons with disabilities who permanently use a wheelchair and/or who have a designated harvester card, if room allows. However, persons with disabilities who permanently use a wheelchair have priority over others if the ADA-accessible site becomes overcrowded.))~~

(24) Freshwater Bay - Waters south of a line from Angeles Point to Observatory Point (Bachelor Rock) are closed July 1 through ~~((August))~~ October 31.

(25) Tulalip Bay - Waters east of line from Mission Point to Hermosa Point are closed at all times.

(26) Waters of Catch Record Card Area 13 within 500 yards of the Toliva Shoal buoy are closed to fishing for food fish June 16 through April 30 and closed to rockfish year-round.

#### NEW SECTION

**WAC 220-56-136 Puget Sound public fishing piers—Restricted fishing areas.** (1) Dash Point Dock public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Dash Point Dock public fishing pier, except while fishing from the Dash Point Dock public fishing pier.

(2) Des Moines public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Des Moines public fishing pier, except while fishing from the Des Moines public fishing pier.

(3) Edmonds public fishing pier:

(a) It is unlawful to take, fish for or possess food fish or shellfish taken from the following waters, except while fishing from the Edmonds public fishing pier: Waters inside a line from a boundary marker on the north breakwater to the southernmost marker buoy, then to the north end of the city of Edmonds public beach.

(b) It is unlawful to take, fish for or possess food fish or shellfish taken by any means from within the boundaries of the underwater artificial reef surrounding the Edmonds public fishing pier as defined in this subsection, except while

fishing from the Edmonds public fishing pier. The underwater artificial reef area is defined as waters lying northerly and easterly of the north breakwater of the port of Edmonds marina inside of a line from a boundary marker on the north breakwater, northwesterly 275 feet to a marker buoy, thence northeasterly 1350 feet to a marker buoy, thence southeasterly to the northeastern end of the city of Edmonds public beach.

(4) Elliot Bay public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Elliot Bay public fishing pier, except while fishing from the Elliot Bay public fishing pier.

(5) Les Davis public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Les Davis public fishing pier, except while fishing from the Les Davis public fishing pier.

(6) A violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested fish. If the person has harvested fish, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.-370, Unlawful recreational fishing in the first degree—Penalty.

AMENDATORY SECTION (Amending WSR 12-18-006, filed 8/23/12, effective 9/23/12)

**WAC 220-56-500 Game fish seasons—General rules.**

It is unlawful to fish for game fish except during the seasons and times below.

(1) Freshwater lakes, ponds and reservoirs: Open year round except as provided for in WAC 232-28-619.

(2) Freshwater rivers, streams, and beaver ponds:

(a) Rivers, streams, and beaver ponds that drain into Puget Sound, the Strait of Juan de Fuca, Pacific Ocean (excluding the Columbia River), Grays Harbor, and Willapa Bay are closed to fishing for game fish unless otherwise provided for.

(b) All other rivers, streams, and beaver ponds: Open the first Saturday in June through October 31 except as provided for in WAC 232-28-619.

(3) Saltwater (all waters downstream and seaward of the mouths of rivers and streams generally defined in WAC 220-16-245 and specifically defined in WAC 220-56-105): Open year-round, except:

(a) Lake Washington Ship Canal - Those waters of Area 10 west of the Lake Washington Ship Canal to a north-south line 175 feet west of the Burlington-Northern Railroad Bridge are closed waters.

(b) Toliva Shoal - Waters within 500 yards of the Toliva Shoal buoy are closed waters from June 16 through April 30.

(c) Freshwater Bay - Waters south of a line from Angeles Point westerly to Observatory Point are closed July 1 through ~~(August)~~ October 31.

(d) Tulalip Bay - Waters of Tulalip Bay east of a line from Hermosa Point to Mission Point are closed waters.

(e) Agate Pass - Waters of Catch Record Card Area 10 west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point are closed to game fish

angling from January 1 through March 31; however, a person can fish with gear meeting the fly-fishing-only requirements of WAC 220-56-210 as long as he or she does not use lead-core fly line. It is unlawful to retain any fish taken during the period January 1 through March 31.

(f) Those waters of Hood Canal inshore from yellow marker buoys to the mouth of Finch Creek, and waters within the channel created when tidelands are exposed, are closed the entire year ~~(, except:~~

~~(i))~~.

However, persons with disabilities who permanently use a wheelchair and ~~(/or)~~ who have a designated harvester card under WAC 220-55-065 may fish from the ~~((ADA-accessible))~~ ADA-access site at the Hoodport Salmon Hatchery, ~~((provided))~~ as long as such persons follow all ~~((applicable))~~ department rules ~~((and regulations of))~~ that apply to the adjoining waters of Marine Area 12.

~~((ii) Designated harvesters may fish from the ADA-accessible site with persons with disabilities who permanently use a wheelchair and/or who have a designated harvester card, if room allows. However, persons with disabilities who permanently use a wheelchair have priority over others if the ADA-accessible site becomes overerowedd.))~~

(4) Violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested game fish. If the person has harvested game fish, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the game fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-56-131	Elliott Bay public fishing pier underwater artificial reef area.
WAC 220-56-132	Les Davis public fishing pier underwater artificial reef area.
WAC 220-56-133	Des Moines public fishing pier.
WAC 220-56-134	Edmonds public fishing pier.

AMENDATORY SECTION (Amending WSR 13-11-125, filed 5/21/13, effective 6/21/13)

**WAC 232-28-619 Washington food fish and game fish—Freshwater exceptions to statewide rules.** (1) All freshwater streams and lakes not listed as open for salmon fishing are closed to fishing for salmon.

(2) Waters listed as open during a specific date range that do not reference any particular species are open during the date range for game fish only.

(3) Rivers, streams, and beaver ponds that drain into Puget Sound, the Strait of Juan de Fuca, or the Pacific Ocean (excluding the Columbia River) are closed to fishing unless listed as open.

(4) The limits listed in this section are daily limits, unless otherwise provided.

(5) Within Puget Sound, beaver ponds located within or adjoining streams that are listed as open to trout and other game fish follow the same rules and regulations as the stream, except as otherwise provided.

(6) As used in this section, "lead jig" means a lure consisting of a hook permanently or temporarily attached directly to a lead weight by any method. "Lead weight" means material constructed of lead and applied to a fishing line or lure and designed to help keep the hook, bait, or lure underwater.

(7)(a) Violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested fish. If the person has harvested fish, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.-370, Unlawful recreational fishing in the first degree—Penalty.

(b) Freshwater terminal gear restrictions: Terminal gear restrictions apply to all species, including salmon, unless otherwise provided. In all waters with freshwater terminal gear restrictions, including, but not limited to, night closures, selective gear rules, whitefish gear rules, single-point barbless hooks required, fly-fishing only, and anti-snagging rules, violation of the gear rules is an infraction if the angler has not yet harvested fish, and is punishable under RCW 77.15.160. It is unlawful to possess fish taken with gear in violation of the freshwater terminal gear restrictions. Possession of fish while using gear in violation of the freshwater terminal gear restrictions is a rebuttable presumption that the fish were taken with such gear. Possession of ~~((such))~~ fish while using gear in violation of the freshwater terminal gear restrictions is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.-370, Unlawful recreational fishing in the first degree.

(8) County freshwater exceptions to statewide rules:

(a) Adams and Grant counties: All seasons in specific freshwater exceptions to statewide rules apply to inlet and outlet streams of named lakes in Grant and Adams counties.

(b) Adams, Douglas, Franklin, Grant, and Okanogan counties, except Zosel Dam (Okanogan River) and Enloe Dam (Similkameen River): Permissible to fish to base of all dams.

(c) Ferry and Lincoln counties: Except those tributaries listed under specific water exceptions to statewide rules, all tributaries to Lake Roosevelt between Grand Coulee Dam and the State Highway 25 Bridge at Northport except Barnaby and Nancy creeks: Saturday before Memorial Day through October 31 season. Trout: Limit 5, no minimum size.

(d) Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3): Beaver ponds: Fourth Saturday in April through October 31 season. Trout: No minimum length.

(e) Kitsap County and Mason County east of Belfair-Bremerton Highway (S.R. 3): Beaver ponds: First Saturday in June through October 31 season. Trout: No minimum length.

(9) Specific freshwater exceptions to statewide rules:

Aberdeen Lake (Grays Harbor County): Fourth Saturday in April through October 31 season. Trout: No more than two over 15 inches in length may be retained per day.

Abernathy Creek (Cowlitz County):

From mouth to a point five hundred feet downstream from salmon hatchery: Barbless hooks required for steelhead. The first Saturday in June through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

From Abernathy falls to posted markers five hundred feet downstream from salmon hatchery: Closed waters.

Aeneas Lake (Okanogan County): Fourth Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Ahtanum Creek, including North and Middle Forks (Yakima County): Selective gear rules. North Fork from Grey Rock Trailhead Bridge crossing to Shellneck Creek and Middle Fork from the A2000 Road Bridge at Tree Phones Campground downstream to the A2000 Spur Road Bridge in NE Section 34: Closed waters.

Alder Creek (Cowlitz County): Closed waters.

Alder Creek (Pacific County) (Naselle River tributary): From mouth upstream: All game fish: The first Saturday in June through October 31. Selective gear rules.

Alder Lake (Thurston County): Kokanee not included in trout daily limit. Kokanee daily limit 10.

Aldrich Lake (Mason County): Open the fourth Saturday in April through October 31:

(1) Trout limit 5.

(2) No more than 2 trout over 14 inches in length may be retained.

Aldwell Lake (Clallam County): Closed waters.

Alexander Lake (Kitsap County): Closed waters.

Alkali Lake (Grant County): Crappie: Not more than five greater than eight inches in length. Bluegill: Not more than five greater than six inches in length.

All Creek (Skagit County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Alma Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Amon Creek (Benton County): Selective gear rules.

Alta Lake (Okanogan County): Fourth Saturday in April through September 30 season.

Amber Lake (Spokane County): Fourth Saturday in April through September 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal com-

bustion motor. Trout: Daily limit two, minimum length fourteen inches; release rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Additional season October 1 through November 30 and March 1 through Friday before fourth Saturday in April. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

American Lake (Pierce County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Chumming permitted.

American River (Yakima County):

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Closed waters from Highway 410 Bridge at river mile 5.4 to the Mesatchee Creek Trail crossing at river mile 15.8 from July 16 through September 15.

Anderson Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Anderson Creek (Whatcom County) (Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Anderson Lake (Jefferson County): Fourth Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. From September 1 through October 31, selective gear rules and trout: Release all trout.

Armstrong Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Asotin Creek, mainstem and forks (Asotin County): Closed to fishing for steelhead.

From SR 129 Bridge upstream to the forks: Permissible to fish up to base of Headgate Dam.

North Fork from mouth upstream to USFS boundary: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

North Fork from USFS boundary upstream and all other tributaries: Closed waters.

South Fork and tributaries: Closed waters.

Bacon Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Bacus Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

B.C. Mill Pond (Stevens County): Fourth Saturday in April through October 31 season.

Badger Lake (Spokane County): Fourth Saturday in April through September 30 season.

Bainbridge Island - All streams (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Baker Lake (Whatcom County): Fourth Saturday in April through October 31 season, except closed waters in an area two hundred feet in radius around the pump discharge at the south end of the lake. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches. Salmon: July ((+)) 10 through September ((4)) 2 season. Daily limit ((~~three~~)) 2 sockeye only. Minimum length 18 inches. Each angler aboard a vessel may deploy salmon angling gear until the daily limit for all licensed and juvenile anglers aboard has been achieved.

Baker River (Skagit County): Mouth to Highway 20 Bridge: September 1 through October 31 season. Anti-snagging rule and night closure. Trout: Minimum length fourteen inches, except Dolly Varden/Bull Trout. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.

Highway 20 Bridge to Baker River fish barrier dam: Closed waters.

From fish barrier dam to headwaters, including all tributaries and their tributaries except Channel Creek: First Saturday in June through October 31 season.

Banks Lake (Grant County): Chumming allowed. Perch: Daily limit twenty-five. Crappie: Daily limit 10, minimum size 9 inches in length.

Barnaby Slough (Skagit County): Closed waters.

Battle Ground Lake (Clark County):

(1) Closed the Monday before Thanksgiving Day through Thanksgiving Day.

(2) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(3) No more than 2 trout 20 inches or greater in length may be retained.

Bay Lake (Pierce County): Fourth Saturday in April through October 31 season.

Bayley Lake (Stevens County): Fourth Saturday in April through July 4 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length fourteen inches. Additional season, July 5 through October 31. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish. Inlet stream: Closed waters.

Bear Creek (Clallam County) (Bogachiel River tributary):

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Bear Creek (Clallam County) (Sol Duc River tributary):

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.



Bear Creek (Yakima County): Tributary to South Fork Tieton River: From the mouth to the falls (approximately 3/4 mile): Closed waters.

Bear Lake (Spokane County): Open to juvenile anglers, licensed adults accompanied by a juvenile, and anglers with a disability who possess a designated harvester companion card only.

Bear River (Pacific County): The first Saturday in June through March 31 season. (~~Anti-snagging rule and~~) Night closure August 16 through November 30.

From mouth (Highway 101 Bridge) to Lime Quarry Road (approximately two river miles): Anti-snagging rule and barbless hooks required August 16 through November 30. All game fish: Release all fish, except up to 2 hatchery steelhead may be retained per day. Salmon: September 1 through November 30. Daily limit six fish, of which no more than two may be adult fish and of these no more than one may be a wild adult coho. Release chum and wild Chinook.

From the Lime Quarry Road upstream to the Longview Fiber Bridge: Selective gear rules. All game fish: Release all fish, except up to 2 hatchery steelhead may be retained per day.

Beaver Creek (Clallam County) (Sol Duc River tributary):

- (1) From the mouth upstream to Beaver Falls:
  - (a) Open the first Saturday in June through October 31.
  - (b) Selective gear rules apply.
  - (c) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
- (2) From Beaver Falls upstream to Beaver Lake: Open the first Saturday in June through October 31.

Beaver Creek (Pierce County) (South Prairie Creek tributary): First Saturday in June through October 31 season.

Beaver Creek (Thurston County) from the mouth to I-5:

- (1) Open the first Saturday in June through October 31.
- (2) Selective gear rules apply.
- (3) Night closure in effect.
- (4) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Beaver Creek (tributary to Elochoman River) (Wahkiakum County): Closed waters.

Beaver Lake (Clallam County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Maximum size 12 inches in length.

Beaver Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Beaver Lake (King County): Trout: Daily limit 5, no more than 2 over 15 inches in length.

Beda Lake (Grant County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one fish.

Beehive (Lake) Reservoir (Chelan County): Fourth Saturday in April through October 31 season. July 5 through October

31, selective gear rules, and all species: Release all fish. Unlawful to fish from a floating device equipped with an internal combustion motor.

Bennington Lake (Mill Creek Reservoir) (Walla Walla County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Benson Lake (Mason County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Bertrand Creek (Whatcom County) (Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Big Bear Creek (tributary of Sammamish River) (Snohomish/King counties): The first Saturday in June through August 31 season. Juveniles only.

Big Beaver Creek (Whatcom County), from 1/4 mile upstream of the closed water markers on Ross Lake upstream, including tributary streams and beaver ponds:

- (1) Open July 1 through October 31.
- (2) Selective gear rules apply.
- (3) Catch and release only.

Big Beef Creek (Kitsap County): From Seabeck Highway Bridge to Lake Symington: The first Saturday in June through August 31 season. Closed waters August 1 through August 31: Waters within 100 feet of the Seabeck Highway NW Bridge. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

From Lake Symington upstream: First Saturday in June through October 31 season. All species: Selective gear rules. Release all trout.

Big Creek (Grays Harbor County): First Saturday in June through last day in October season. All species: Selective gear rules.

Big Creek (Skagit County) (Suiattle River tributary): From TeePee falls to source: First Saturday in June through October 31 season. Selective gear rules.

Big Four Lake (Columbia County): March 1 through October 31 season. Fly fishing only. Fishing from any floating device prohibited. Trout: Daily limit two.

Big Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches. Salmon: Landlocked salmon rules apply.

Big Meadow Lake (Pend Oreille County): Fourth Saturday in April through October 31 season. Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

Big Mission Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Big Quilcene River (Jefferson County): See Quilcene River.

Big River (Clallam County), outside of Olympic National Park:

(1) Open the first Saturday in June through October 15, and January 1 through the last day of February.

(2) Selective gear rules apply.

(3) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(4) Trout:

(a) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) Release kokanee.

Big Scandia Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Big Tiffany Lake (Okanogan County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Release all cutthroat.

Big Twin Lake (Okanogan County): Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Bingham Creek (Mason County) (Satsop River tributary): From mouth upstream: First Saturday in June through October 31 season. Trout: Minimum length eight inches, daily limit 2 fish. Selective gear rules. Other game fish: Selective gear rules.

Bird Creek (Klickitat County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Trout limit 5.

Black Creek (Grays Harbor County) (Wynoochee River tributary): From mouth upstream: First Saturday in June through October 31 season. All species: Selective gear rules.

Black Creek (Snohomish County) (South Fork Stillaguamish River tributary): Open the Saturday before Memorial Day through October 31 from the Bear Creek confluence upstream.

Blackjack Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Blackbird Island Pond (Chelan County): July 1 through September 30 season. Juveniles only.

Black Lake (Okanogan County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Black Lake (Pacific County): Fourth Saturday in April through October 31 season.

Black Lake (Stevens County): Fourth Saturday in April through October 31 season.

Black Lake (Thurston County):

(1) Crappie limit 10; minimum length 9 inches.

(2) Trout limit 5; no more than 2 trout over 14 inches in length may be retained.

Black Lake Ditch (Thurston County): From the confluence with Percival Creek upstream to Black Lake: First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Black River (Grays Harbor/Thurston counties):

(1) From the mouth to State Highway 12:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(2) From Highway 12 to bridge on 128th Ave. SW:

(a) Anti-snagging rule applies.

(b) Night closure in effect.

(c) Barbless hooks are required.

(d) Open for game fish the first Saturday in June through October 31; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(e) Salmon open October 1 through January 31:

(i) From October 1 through November 30:

(A) Limit 6; only 2 adults may be retained.

(B) Release Chinook and chum.

(ii) From December 1 through January 31:

(A) Limit 6; only 2 adults may be retained, and only one adult may be wild coho.

(B) Release Chinook and chum.

(3) From bridge on 128th Avenue SW (west of Littlerock) to Black Lake:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

Blackman's Lake (Snohomish County): Trout: Daily limit 3.

Blockhouse Creek (Klickitat County): Trout: Daily limit five.

Bloodgood Creek (Klickitat County): Trout: Daily limit five.

Blooms Ditch (Thurston County) (Black River tributary), from mouth to I-5:

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Night closure in effect.

(4) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Blue Creek (Lewis County), from the mouth to Spencer Road:

(1) From posted sign above rearing pond outlet to Spencer Road: Closed.

(2) Night closure in effect.

(3) Anti-snagging rule applies.

(4) Barbless hooks required for steelhead.

(5) Open June 1 through April 14 for trout only:

(a) Limit 5.

(b) Minimum size 12 inches; no more than 2 trout over 20 inches may be retained.

(c) Release wild cutthroat.

Blue Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Blue Lake (Cowlitz County): Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Blue Lake (Grant County): Fourth Saturday in April through September 30 season.

Blue Lake (near Sinlahekin) (Okanogan County): Fourth Saturday in April through October 31 season. Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Blue Lake (near Wannacut Lake) (Okanogan County): Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Bobcat Creek and Ponds (Adams County): April 1 through September 30 season.

Bogachiel River (Clallam County):

(1) From mouth to Highway 101 Bridge:

(a) Open the first Saturday in June through April 30.

(b) Trout:

(i) From the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) From April 1 through April 30, trout minimum length 14 inches.

(iii) November 1 through last day in February, limit may include one additional hatchery steelhead.

(iv) February 16 through April 30, wild steelhead retention allowed.

(c) Salmon open July 1 through November 30:

(i) From July 1 through August 31:

(A) Limit 6; no more than 2 adults may be retained.

(B) Release wild adult Chinook and wild adult coho.

(ii) From September 1 through November 30:

(A) Limit 6.

(B) Two salmon may be adults, plus 2 additional adult hatchery coho may be retained.

(2) From Highway 101 Bridge to Olympic National Park boundary:

(a) Open the first Saturday in June through April 30.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Selective gear rules apply.

(d) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

Boise Creek (King County) (White River tributary): Upstream of Highway 410 crossing: First Saturday in June through October 31 season.

Bonaparte Creek (Okanogan County):

(1) Closed Waters from the mouth to the falls one mile upstream.

(2) From the falls upstream, including all tributaries not listed elsewhere in this section: Open the Saturday before Memorial Day through October 31.

(3) Channel catfish, no limit.

(4) Walleye: No size restrictions and no limit.

(5) Bass: No size restrictions and no limit.

Bonaparte Lake (Okanogan County): Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis. Trout: No more than one over twenty inches in length may be retained.

Bone River (Pacific County): From mouth upstream: All game fish: First Saturday in June through October 31 season. Selective gear rules.

Bosworth Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Boulder Creek and tributaries (Okanogan County):

(1) Open the Saturday before Memorial Day through October 31, including tributaries not listed elsewhere within this section.

(2) Eastern brook trout limit 10; eastern brook trout do not count toward the trout limit.

(3) Release all cutthroat.

Boulder Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Boulder River (Snohomish County) (NF Stillaguamish River tributary):

(1) From the mouth to Boulder Falls:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

(2) From Boulder Falls upstream: Open the Saturday before Memorial Day through October 31.

Bowman Creek (Klickitat County): Trout: Limit five.

Box Canyon Creek (Kittitas County):

(1) Closed waters from the mouth to the waterfall approximately 2 miles upstream, including the portion flowing through the dry lakebed.

(2) From the waterfall approximately 2 miles upstream of the mouth to the USFS Road #4930 Bridge: Selective gear rules apply.

Boxley Creek (North Bend) (King County): Upstream from the falls located at approximately river mile 0.9: Open the Saturday before Memorial Day through October 31.

Boyle Lake (King County): Fourth Saturday in April through October 31 season. The inlet and outlet streams to Boyle Lake are closed waters.

Bradley Lake (Pierce County): Salmon: Landlocked salmon rules apply. May 15 through the last day of Free Fishing Weekend (as defined in WAC 220-55-160): Juveniles only.

Bridges Lake (King County): Fourth Saturday in April through October 31 season. The inlet and outlet streams to Bridges Lake are closed waters.

Brookies Lake (Grant County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one fish.

Browns Creek (Pend Oreille County):

(1) Open the Saturday before Memorial Day until October 31.

(2) Fly fishing only.

Browns Lake (Pend Oreille County): Fourth Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: No more than one fish greater than 11 inches in length may be retained.

Buck Creek (Skagit County) (Suiattle River tributary): From upstream boundary of Buck Creek campground to source: First Saturday in June through October 31 season. Selective gear rules.

Buck Lake (Kitsap County):

(1) Open the fourth Saturday in April through October 31.

(2) Trout limit 5; no more than 2 trout over 14 inches in length may be retained.

Buckskin Creek and tributaries (Yakima County): From mouth to the west boundary of Suntides Golf Course: Closed waters.

Bumping Lake (Reservoir) (Yakima County): Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Bumping River (Yakima County):

(1) It is permissible to fish up to the base of Bumping Dam.

(2) From the mouth to Bumping Reservoir:

(a) Open from the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Open December 1 through March 31 for whitefish only; whitefish gear rules apply.

(3) From Bumping Lake upstream: Open the Saturday before Memorial Day through October 31.

Bunker Creek (Lewis County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Daily limit 2 fish, minimum length eight inches. All species: Selective gear rules.

Burbank Slough (Walla Walla County): It is unlawful to fish from any floating device in the area east and north of Highway 12, except for the channel east of Highway 12 up to the fish screen at the Number 3 Pumping Station.

Burke Lake (Grant County): March 1 through July 31 season.

Burley Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Butte Creek (Pacific County) (Smith River tributary): From mouth upstream: The first Saturday in June through October 31 season. All game fish: Selective gear rules.

Butter Creek (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches.

Buttermilk Creek, mouth to confluence of East and West Forks (Okanogan County): Closed waters.

Buzzard Lake (Okanogan County): Fourth Saturday in April through October 31 season. All species: Selective gear rules. Trout: Daily limit 1.

Cadet Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules.

Cady Lake (Mason County): Fly fishing only. Fishing from a floating device equipped with an internal combustion motor prohibited. All species: Release all fish.

Cain Lake (Whatcom County): Fourth Saturday in April through October 31 season.

Calawah River (Clallam County):

(1) From the mouth to the Highway 101 Bridge:

(a) Open the first Saturday in June through April 30.

(b) Trout:

(i) From the first Saturday in June through March 31, trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) From April 1 through April 30, trout minimum length 14 inches.

(iii) From November 1 through the last day in February, the limit may include one additional hatchery steelhead.

(iv) From February 16 through April 30, it is permissible to retain wild steelhead.

(c) Salmon open July 1 through November 30:

(i) From July 1 through August 31:

(A) Limit 6; no more than 2 adults may be retained.

(B) Release wild adult Chinook and wild adult coho.

(ii) From September 1 through November 30:

(A) Limit 6.

(B) Up to two salmon may be adults, plus up to 2 additional adult hatchery coho may be retained.

(2) From the Highway 101 Bridge to forks:

(a) Open the first Saturday in June through April 30.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Selective gear rules apply.

(d) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

Calawah River, North Fork (Clallam County):

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Calawah River, South Fork (Clallam County), from the mouth to the Olympic National Park boundary:

(1) Open the first Saturday in June through the last day in February.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Caldwell Lake (Pend Oreille County): Fourth Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: Daily limit two, minimum length twelve inches.

Caliche Lakes, Lower, Upper and West (Grant County): March 1 through July 31 season.

California Creek (Whatcom County): First Saturday in June through October 31 season. Selective gear rules.

Calispell Creek (Calispell River) (Pend Oreille County):

(1) Eastern brook trout limit 10.

(2) Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken.

(3) From mouth to Calispell Lake: Open year-round.

(4) From Calispell Lake upstream to source:

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

Calispell Creek tributaries (Pend Oreille County):

(1) Selective gear rules apply.

(2) Open the Saturday before Memorial Day through October 31.

(3) Eastern brook trout limit 10.

(4) Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken.

Calligan Lake (King County): June 1 through October 31 season. All tributary streams, and the upper third of the outlet are closed waters. Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

Camas Slough: Waters of the Columbia River downstream from the mouth of the Washougal River, north of Lady Island, and downstream of the Highway 14 Bridge at the upstream end of Lady Island. Barbless hooks required for salmon and steelhead. Season: Open when the adjacent mainstem Columbia or Washougal rivers are open to fishing for salmon. All species: Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing from August 1 through December 31. Daily limit same as most liberal regulation of either area, except for salmon, only hatchery Chinook and hatchery coho may be retained.

Camp Creek (Snohomish County) (Whitechuck River tributary): First Saturday in June through October 31 season. Selective gear rules.

Campbell Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Campbell Lake (Okanogan County): April 1 through August 31: Selective gear rules and all species: Release all fish. Unlawful to fish from a floating device equipped with an internal combustion motor.

Campbell Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches.

Canyon Creek (Clark County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Trout limit 5.

Canyon Creek (Snohomish County) (Suiattle River tributary):

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

Canyon Creek (Snohomish County) (S.F. Stillaguamish River), from the mouth to the forks:

(1) Open the first Saturday in June through January 31.

(2) Selective gear rules apply.

(3) Release all fish, except up to 2 hatchery steelhead may be retained.

Canyon Creek (Whatcom County) (North Fork Nooksack River), from Canyon Creek Road Bridge upstream including tributaries:

(1) Open the Saturday before Memorial Day through October 31.

(2) Selective gear rules apply.

Capitol Lake (Thurston County): Closed to all fishing.

Carbon River (Pierce County): From its mouth to Voight Creek: September 1 through January 15 season. Anti-snagging rule and night closure. Trout: Minimum length fourteen inches September 1 through November 30. December 1 through January 15 selective gear rules and release all fish except up to two hatchery steelhead may be retained. Salmon: Open September 1 through November 30. Daily limit 6 fish of which no more than 4 may be adult salmon and of these 4 fish, no more than 2 may be adult hatchery Chinook. Release chum and wild adult Chinook salmon. Voight Creek to Highway 162 Bridge: November 1 through January 15: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Carlisle Lake (Lewis County): Fourth Saturday in April through last day in February season. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carl's Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Carney Lake (Pierce County):

(1) Open the fourth Saturday in April through June 30 and September 1 through November 30.

(2) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(3) No more than 2 trout over 14 inches in length may be retained.

(4) Salmon: Landlocked salmon rules apply.

Carson Lake (Mason County): Fourth Saturday in April through October 31 season.

Cascade Creek (San Juan County):

(1) Open from the mouth to Cascade Lake from the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Limit 10 eastern brook trout only; release all other fish.

Cascade Lake (Grant County): March 1 through July 31 season.

Cascade Lake (San Juan County): Fourth Saturday in April through October 31 season.

Cascade River (Skagit County):

(1) From the mouth to the Rockport-Cascade Road Bridge:

(a) Open June 1 through July 15 and September 16 through February 15:

(i) Anti-snagging rule and night closure June 1 through July 15 and September 16 through November 30.

(ii) Trout, except Dolly Varden/Bull Trout minimum length 14 inches.

(iii) It is permissible to retain Dolly Varden/Bull Trout with a minimum length of 20 inches as part of the trout limit.

(b) Salmon:

(i) Open June 1 through July 15:

(A) Up to 4 hatchery Chinook may be retained; only 2 hatchery Chinook may be adults.

(B) Release all other salmon.

(ii) Open September 16 through November 30:

(A) Up to 4 coho salmon may be retained.

(B) Release all other salmon.

(2) From the Rockport-Cascade Road Bridge upstream:

(a) Open the first Saturday in June through January 31.

(b) Selective gear rules apply.

(c) Release all fish except up to 2 hatchery steelhead may be retained per day.

Cases Pond (Pacific County): Fourth Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Cassidy Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Castle Lake (Cowlitz County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one, minimum length sixteen inches.

Cattail Lake (Grant County): April 1 through September 30 season.

Cavanaugh Creek (Whatcom County) and all tributaries: Upstream from where Cavanaugh Creek first flows into Whatcom County, 0.4 lineal miles from its confluence with the South Fork Nooksack River: Open the Saturday before Memorial Day through October 31.

Cavanaugh Lake (Skagit County): Chumming permitted.

Cayada Creek (Pierce County)(Carbon River tributary): First Saturday in June through October 31 season.

Cedar Creek (Clallam County), outside of Olympic National Park:

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Cedar Creek (tributary of N.F. Lewis) (Clark County): From mouth to Grist Mill Bridge: First Saturday in June through August 31 and November 1 through March 15 seasons. Barbless hooks required for steelhead. Trout: Release all fish except up to two hatchery steelhead may be retained per day. From the Grist Mill Bridge to 100 feet upstream of the falls: Barbless hooks required for steelhead. Closed waters. From 100 feet upstream of the falls upstream: The first Saturday in June through August 31 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cedar Creek (Grays Harbor/Thurston counties) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. All species: Selective gear rules.

Cedar Creek (Jefferson County), outside Olympic National Park:

(1) Open the first Saturday in June through the last day in February.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Cedar Creek (Mason County): First Saturday in June through October 31 season.

Cedar Creek (Okanogan County): From mouth to Cedar Falls: Closed waters.

Cedar Creek and tributaries (Pend Oreille County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Eastern brook trout limit 10.

(3) Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken.

Cedar Lake (Stevens County): Fourth Saturday in April through October 31 season.

Cedar River (King County): From mouth to Landsburg Road: The first Saturday in June through August 31 season. Selective gear rules and night closure. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Cedar River (Pacific County):

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Catch and release only.

Chain Lake (Pend Oreille County): Fourth Saturday in April through October 31 season. Release kokanee.

Chambers Creek (Pierce County): From the mouth (Burlington Northern Bridge) to markers 400 feet below the Boise-Cascade Dam (Pierce County): July 1 through November 15 season. Night closure and anti-snagging rule. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

From Boise-Cascade Dam to Steilacoom Lake: July 1 through October 31 season. Night closure and selective gear rules. Trout: Minimum size fourteen inches.

Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Channel Creek (Skagit County) (Baker River tributary): Open the first Saturday in June through August 31.

Chaplain Creek (Snohomish County) (Sultan River tributary): Waters above the falls to the dam at Chapman Lake, including tributaries and beaver ponds: Open the Saturday before Memorial Day through October 31.

Chaplain Lake (Snohomish County): Closed.

Chapman Lake (Spokane County): Fourth Saturday in April through October 31 season. Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Chehalis River (Grays Harbor County), including all channels, sloughs, and interconnected waterways:

(1) From the mouth (Highway 101 Bridge in Aberdeen) to high bridge on Weyerhaeuser 1000 line (approximately 400 yards downstream from Roger Creek, south of Pe Ell):

(a) Single-point barbless hooks are required from August 16 through November 30.

(b) Open the first Saturday in June through April 15; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

(c) Salmon open May 1 through June 30 and September ~~((16))~~ 1 through January 31:

(i) From May 1 through June 30, open from the mouth to ~~((Highway 6 Bridge at Adna))~~ the confluence with the Skookumchuck River only: Limit one salmon.

(ii) From September ~~((16))~~ 1 through September 30, open from the mouth to Porter Bridge only:

(A) Limit 6; no more than 3 may be adults, and only 2 adults may be wild coho.

(B) Release ~~((chum and))~~ adult Chinook.

(iii) From September 1 through November 30, open from Porter Bridge to the confluence with the Skookumchuck River:

(A) Limit 6; no more than 3 may be adults, and only 2 adults may be wild coho.

(B) Release chum and adult Chinook.

(iv) From October 1 through ~~((October 31))~~ November 30, open from the mouth to Porter Bridge only:

~~((A))~~ Limit 6; no more than 3 may be adult salmon, only one adult may be a Chinook, and only 2 adults may be wild coho.

~~((B) Release chum.~~

~~(iv) From November 1 through November 30:~~

~~(A) Limit 6 fish; no more than 3 may be adult salmon, and only 2 adults may be wild coho.~~

(B) Release chum and Chinook) (v) From September 16 through November 30, open from the confluence with Skookumchuck River to the high bridge on Weyerhaeuser 1000 line approximately 400 yards downstream of Roger Creek (south of Pe Ell):

(A) Limit 6; no more than 3 may be adults, and only 2 adults may be wild coho.

(B) Release chum and Chinook.

((\*) (vi) From December 1 through January 31, open from the mouth to high bridge on Weyerhaeuser 1000 line approximately 400 yards downstream of Roger Creek (south of Pe Ell):

(A) Limit 6; no more than 2 may be adult salmon, and only one adult may be a wild coho.

(B) Release chum and Chinook.

(d) Sturgeon:

(i) Open year-round through December 31, 2013; no night closure is in effect.

(ii) Effective January 1, 2014:

(A) It is unlawful to retain sturgeon (catch and release only).

(B) No night closure is in effect.

(2) From high bridge on Weyerhaeuser 1000 line (approximately 400 yards downstream from Roger Creek, south of Pe Ell, including all forks) upstream:

(a) Open the first Saturday in June through April 15.

(b) Selective gear rules apply.

(c) Release all fish, except anglers may retain up to 2 hatchery steelhead.

Chehalis River, South Fork (Lewis County):

(1) From mouth to County Highway Bridge near Boistfort School:

(a) Open the first Saturday in June through April 15.

(b) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(2) From County Highway Bridge near Boistfort School upstream:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

Chehalis River Potholes (adjacent to the Chehalis River south of Highway 12 in Grays Harbor County, this does not include sloughs or beaver ponds): Fourth Saturday in April through October 31 season.

Chelan Hatchery Creek (Chelan County): Closed waters.

Chelan Lake (Chelan County): Closed waters: Within 400 feet of all tributaries south of a line from Purple Point at Stehekin and Painted Rocks. Trout except kokanee and lake trout: Daily limit 5. Release wild cutthroat. Lake trout not counted in daily trout limit. Lake trout no minimum size, no daily limit. Kokanee not counted in daily trout limit. Kokanee

daily limit 10, no minimum length. North of a line between Purple Point at Stehekin and Painted Rocks: April 1 through July 31: All game fish: Release all fish except lake trout. Salmon and lake trout: Open year-round: Salmon daily limit 1, minimum length 15 inches.

Chelan Lake Tributaries (Chelan County): From mouths upstream one mile except Stehekin River: August 1 through September 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release wild cutthroat.

Chelan River (Chelan County): From the railroad bridge to the Chelan P.U.D. safety barrier below the power house: Barbless hooks required for salmon and steelhead. May 15 through August 31 season. Anti-snagging rule and night closure in effect September 1 through October 15. Trout: Release all trout. Salmon: Open September 1 through October 15. Limit 6; no more than 2 adult hatchery Chinook. Release all wild salmon.

Chenois Creek (Grays Harbor County): First Saturday in June through October 31 season. All species: Selective gear rules.

Cherry Creek (Whatcom County) (tributary to the Snohomish River): From above Cherry Creek Falls (located at river mile 9.3, approximately 1 mile upstream of Stossel/Kelly Rd), including all tributaries and beaver ponds (King Co.): Open the Saturday before Memorial Day through October 31.

Chester Creek (Grays Harbor County): The first Saturday in June through last day in October season. Selective gear rules.

Chewuch River (Chewack River) (Okanogan County):

(1) From the mouth to Eight Mile Creek:

(a) Open the Saturday before Memorial Day through August 15.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Catch and release only.

(2) From Eight Mile Creek to Pasayten Wilderness boundary, closed the first Saturday in June through October 31.

(3) From mouth to Pasayten Wilderness boundary, open December 1 through March 31 for whitefish only; whitefish gear rules apply.

Chikamin Creek (Chelan County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Selective gear rules apply.

(3) It is unlawful to fish from a floating device equipped with an internal combustion motor.

Chiliwack River (Whatcom County) including all tributaries and their tributaries: First Saturday in June through October 31 season.

Chimacum Creek (Jefferson County):

From mouth to Ness's Corner Road: The first Saturday in June through August 31 season. Selective gear rules and release all fish.

From Ness's Corner Road to headwaters: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Chiwaukum Creek (Chelan County): Mouth to Fool Hen Creek: Closed waters.

Chiwawa River (Chelan County): Mouth to Buck Creek: Closed waters.

Chopaka Lake (Okanogan County): Fourth Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Church Creek (Mason County) upstream of bridge on U.S. Forest Service Road #2361: First Saturday in June through October 31 season.

Cispus River (Lewis County): From mouth to North Fork: Barbless hooks required for salmon and steelhead. Trout: Release all cutthroat. Additional season November 1 through the Friday before the first Saturday in June. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Salmon: Open year around. Salmon minimum size 8 inches. January 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho and wild Chinook. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho and wild Chinook.

Cispus River, North Fork (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: No more than one over twelve inches in length. Release cutthroat.

Clallam River (Clallam County): The first Saturday in June through January 31 season. All species: Selective gear rules from first Saturday in June through October 31. Release all fish except November 1 through January 31. Trout: Minimum length 14 inches.

Clara Lake (Mason County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Clarks Creek (Pierce County): From mouth to 12th Avenue SE: First Saturday in June through August 15: Two trout over 14 inches in length. Selective gear rules apply.

Clear Creek (Chelan County): Closed waters.

Clear Creek (Snohomish County) (Sauk River tributary): From Asbestos Creek Falls to source: First Saturday in June through October 31 season.

Clear Lake (Chelan County): Fourth Saturday in April through October 31 season. From July 5 through October 31, selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Clear Lake (Pierce County): Fourth Saturday in April through October 31 season. Chumming permitted. Trout: Daily limit 5, no more than two over 14 inches in length may



be retained, except no size restriction for kokanee. Salmon: Landlocked salmon rules apply.

Clear Lake (Spokane County): Fourth Saturday in April through October 31 season.

Clear Lake (Thurston County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Clearwater River (Jefferson County):

(1) From the mouth to Snahapish River:

(a) Open the first Saturday in June through April 15:

(i) From February 16 through April 15, it is permissible to retain wild steelhead.

(ii) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) Salmon:

(i) Open September 1 through November 30.

(ii) Limit 6; no more than 2 may be adults.

(2) From Snahapish River upstream:

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) Selective gear rules apply.

(c) Open the first Saturday in June through October 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

Clearwater River (Pierce County):

(1) Open July 1 through October 31.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches.

Cle Elum Lake (Reservoir) (Kittitas County): Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen, no minimum size.

Cle Elum River (Kittitas County):

(1) From the mouth to Cle Elum Dam:

(a) It is permissible to fish up to the base of Cle Elum Dam.

(b) Open year-round.

(c) Selective gear rules apply.

(d) From December 1 through March 31, bait and one single-point barbed hook (three-sixteenths of an inch or smaller point to shank) may be used.

(e) Release all trout.

(2) From above Cle Elum Lake to outlet of Hyas Lake (not including Tucquala Lake):

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(3) All tributaries to Cle Elum River above Cle Elum Lake to outlet of Hyas Lake, which are not otherwise listed in this section; open the Saturday before Memorial Day through October 31.

Cliff Lake (Grant County): March 1 through July 31 season.

Cloquallum Creek (Grays Harbor County):

(1) From the mouth to the outlet at Stump Lake:

(a) Open the first Saturday in June through the last day in February.

(b) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

(2) From the outlet at Stump Lake upstream:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

Clover Creek (Pierce County) upstream of Steilacoom Lake, including all tributaries:

(1) Open July 1 through October 31.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches.

Coal Creek (Clallam County) Tributary to Ozette River:

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Trout:

(a) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

(b) Kokanee must be released.

Coal Creek (Cowlitz County): From mouth to four hundred feet below falls: Barbless hooks required for steelhead. The first Saturday in June through August 31 and November 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Coal Creek (tributary of Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Coal Creek (near Snoqualmie) (King County):

(1) From mouth to Highway I-90:

(a) Open the fourth Saturday in April through October 31.

(b) Juvenile anglers only.

(c) No minimum length requirement for trout.

(2) From Highway I-90 upstream; open the Saturday before Memorial Day through October 31.

Coffee Pot Lake (Lincoln County): March 1 through September 30 season. Selective gear rules. Trout: Daily limit one, minimum length eighteen inches. Crappie: Daily limit ten, minimum length nine inches.

Coldwater Lake (Cowlitz County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one, minimum length sixteen inches.

Coldwater Lake inlet and outlet streams (Cowlitz County): Closed waters.

Collins Lake (Mason County): Fourth Saturday in April through October 31 season.

Columbia Basin Hatchery Creek (Grant County):

(1) Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.

(2) From hatchery outflow to confluence with Rocky Coulee Wasteway:

- (a) Open April 1 through September 30.
- (b) Trout no minimum size, limit 3.

Columbia Park Pond (Benton County):

- (1) Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.
- (2) All species, limit of 5 fish combined.

Columbia River, including impoundments and all connecting sloughs, except Wells Ponds:

- (1) General Columbia River rules:
  - (a) In the Columbia River between Washington and Oregon, the license of either state is valid.
    - (i) Anglers must comply with the fishing regulations of the state in which they are fishing.
    - (ii) This provision does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington except Camas Slough, where the license of either state is valid when fishing from a floating device.
    - (iii) Anglers fishing the Columbia River are restricted to one limit, as defined by the laws of the state in which they are fishing, even if they are licensed by both states.
  - (b) Anglers may not possess in the field salmon or steelhead mutilated so that size, species, or fin clip cannot be determined until the angler has reached their automobile or principal means of land transportation and completed his or her daily angling.
  - (c) Salmon and trout handling rules as provided in WAC 220-56-118 apply, except from February 15 through June 15 in the mainstem Columbia from the Rocky Point/Tongue Point line upstream to the Washington-Oregon border where WAC 220-56-118 applies only to anglers fishing from vessels less than 30 feet in length (as substantiated by Coast Guard documentation or Marine Board registration).
  - (d) Open year-round unless otherwise provided.
  - (e) Barbless hooks required for salmon and steelhead.
- (2) Rules by river section:
  - (a) From a true north-south line through Buoy 10, upstream to a line projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank:
    - (i) Fishing from the north jetty is allowed when Marine Area 1 or Buoy 10 areas are open for salmon, and the limit and minimum size restrictions follow the most liberal regulations if both areas are open. (~~Barbed hooks allowed.~~)
    - (ii) Release all trout except hatchery steelhead.
    - (iii) Walleye:
      - (A) No minimum length restriction.
      - (B) Limit 10; no more than 5 longer than 18 inches may be retained, and only one may be longer than 24 inches.
    - (iv) Bass:
      - (A) Limit 5.
      - (B) No more than 3 fish longer than 15 inches may be retained.
      - (C) Retention of bass between 12 and 17 inches is permissible.
    - (v) Channel catfish: No limit.
    - (vi) Salmon and steelhead:
      - (A) Open June 16 through July 31:
        - (I) Closed to fishing for salmon and steelhead from Buoy 10 to the Megler-Astoria Bridge.
        - (II) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.
        - (III) Release all salmon other than sockeye and hatchery Chinook.
        - (IV) From July ((2)) 1 through July 31, release adult Chinook and sockeye.
      - (B) Open August 1 through September ((3)) 1:
        - (I) Limit 2 salmon, or 2 hatchery steelhead, or one of each.
        - (II) Only one Chinook may be retained.
        - (III) Release all salmon except Chinook and hatchery coho.
        - (IV) Chinook minimum length 24 inches.
        - (V) Coho minimum length 16 inches.
      - (C) Open September ((4)) 2 through September 30:
        - (I) Limit 2 hatchery coho, or 2 hatchery steelhead, or one of each.
        - (II) Release all salmon other than hatchery coho.
        - (III) Coho minimum length 16 inches.
        - (D) Open October 1 through December 31:
          - (I) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.
          - (II) Only one adult Chinook may be retained.
          - (III) Release all salmon except Chinook and hatchery coho.
        - (E) Open January 1 through March 31:
          - (I) Limit 6; no more than 2 adult hatchery Chinook, or 2 hatchery steelhead, or one of each, may be retained.
          - (II) Release all salmon except hatchery Chinook.
      - (vii) Sturgeon:
        - (A) Release sturgeon May 1 through May 11, and July 9 through December 31, 2013.
        - (B) May ((42)) 11 through ((July 8)) June 30, minimum fork length is 41 inches.
        - (C) Effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).
      - (viii) Shad open May 16 through March 31.
      - (ix) Forage fish and bottomfish: Marine Area 1 general rules apply; eulachon closed.
    - (b) From a line projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank, upstream to the I-5 Bridge:
      - (i) Trout:
        - (A) Open May 16 through March 31.
        - (B) Release all trout except hatchery cutthroat and hatchery steelhead (the limit is as provided under "salmon and steelhead" within this subsection).
      - (I) Hatchery cutthroat minimum length 12 inches.
      - (II) Up to 2 hatchery cutthroat may be retained.
      - (III) Barbless hooks required for cutthroat trout.
      - (ii) Walleye:
        - (A) No minimum length restriction.
        - (B) Limit 10; no more than 5 longer than 18 inches may be retained, and only one may be longer than 24 inches.
      - (iii) Bass:
        - (A) Limit 5.

(B) No more than 3 longer than 15 inches may be retained.

(C) Retention of bass between 12 and 17 inches is permissible.

(iv) Channel catfish: No limit.

(v) Salmon and steelhead:

(A) Open May 16 through July 31:

(I) Release all salmon except hatchery Chinook and sockeye.

(II) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.

(III) Release sockeye and adult Chinook May 16 through June 15 (-

~~(IV) Release adult Chinook and sockeye))~~ and July ((2)) 1 through July 31.

(B) Open August 1 through ~~((September 9))~~ December 31:

(I) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.

(II) Only one adult Chinook may be retained.

(III) Release all salmon except Chinook and hatchery coho.

(C) ~~((Open September 10 through December 31:~~

~~(I) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.~~

~~(II) Release all salmon except Chinook and hatchery coho.~~

~~(III) Release Chinook))~~ Downstream of a line projected from the Warrior Rock Lighthouse, through Red Buoy 4, to the orange marker atop the dolphin on the Washington shore (-):

~~(I) Release wild Chinook from September ((+0)) 6 through September ((30)) 12.~~

~~(II) Release all Chinook from September 13 through September 30.~~

(D) Open January 1 through March 31:

(I) Limit 6 fish; no more than 2 adult hatchery Chinook, or 2 hatchery steelhead, or one of each, may be retained.

(II) Release all salmon except hatchery Chinook.

(vi) Shad open May 16 through March 31.

(vii) Sturgeon:

(A) Downstream from the Wauna power lines at river mile 40, near Cathlamet:

(I) Release sturgeon May 1 through May ~~((+1))~~ 10 and July ~~((9))~~ 1 through December 31, 2013.

(II) Minimum fork length is 41 inches from May ~~((+2))~~ 11 through ~~((July 8))~~ June 30.

(III) Effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).

(B) From the Wauna power lines upstream to I-5 Bridge:

(I) It is unlawful to retain sturgeon, except on Thursdays, Fridays, and Saturdays January 1 through ~~((July 31))~~ June 15 and October ~~((20))~~ 19 through December 31, 2013.

(II) Release sturgeon ~~((August 1))~~ June 16 through October ~~((+9))~~ 18, 2013.

(III) Effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).

(c) From the I-5 Bridge to Bonneville Dam:

(i) Closed waters:

(A) From the upstream line of Bonneville Dam to boundary markers 600 feet below the fish ladder at the powerhouse.

(B) January 1 through April 30, from a line between the upstream end of Sand Island (near Rooster Rock) on the Columbia River, to a marker on the Oregon shore, downstream to a line between the lower end of Sand Island and a marker on the Oregon shore.

(C) Closed to angling from a floating device or by any method except hand-casted gear from shore, from Bonneville Dam downstream to a line from the Hamilton Island boat ramp to an Oregon boundary marker on the westernmost tip of Robins Island.

(ii) Release all trout except hatchery steelhead.

(iii) Walleye:

(A) No minimum length restriction.

(B) Limit 10; no more than 5 longer than 18 inches may be retained, and only one may be longer than 24 inches.

(iv) Bass:

(A) Limit 5.

(B) No more than 3 longer than 15 inches may be retained.

(C) Retention of bass between 12 and 17 inches is permissible.

(v) Channel catfish: No limit.

(vi) Salmon and steelhead:

(A) Open June 16 through July 31:

(I) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.

(II) Release all salmon except hatchery Chinook and sockeye.

(III) Release adult Chinook and sockeye July ~~((2))~~ 1 through July 31.

(B) Open August 1 through ~~((September 9))~~ December 31:

(I) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.

(II) Only one adult Chinook may be retained.

(III) Release all salmon except Chinook and hatchery coho.

~~((C) Open September 10 through December 31:~~

~~((+))~~ (IV) Closed November 1 through December 31 from Beacon Rock to Bonneville Dam.

~~((H) Limit 6 fish; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.~~

~~((H) Release all salmon except Chinook and hatchery coho.)~~

(vii) Steelhead open January 1 through March 31.

(viii) Sturgeon:

(A) Closed to fishing for sturgeon:

(I) From Bonneville Dam downstream to a boundary marker on the Washington shore approximately 4,000 feet below the fish ladder at the powerhouse, south to the downstream end of Cascade Island, and across to the Oregon angling boundary on Bradford Island (the Cascade Island-Bradford Island line).

(II) From Bonneville Dam downstream 9 miles to a line crossing the Columbia River from navigation marker 82 on the Oregon shore, ~~((through the upstream exposed end of Skamania Island, continuing in a straight line to a boundary marker on the Washington shore))~~ westerly to the boundary

marker on the Washington shore upstream of Fir Point (navigational marker 82 line), from May 1 through August 31.

(B) From the Hamilton Island boat launch (USACE boat restricted zone boundary) upstream to the Cascade Island-Bradford Island line, anglers must stop fishing for sturgeon once the limit has been retained.

(C) January 1 through (~~July 31~~) June 15, 2013, and from October (~~20~~) 19 through December 31, 2013, from the Cascade Island-Bradford Island line downstream to I-5 Bridge, it is permissible to retain sturgeon only on Thursdays, Fridays, and Saturdays.

(D) Catch and release only (~~August 1~~) June 16 through October (~~19~~) 18, 2013.

(E) Effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).

(ix) Shad open May 16 through March 31.

(d) From Bonneville Dam to The Dalles Dam:

(i) Closed waters:

(A) Within one quarter mile of the USFWS Spring Creek Hatchery Grounds, between posted markers located one quarter mile on either side of the fish ladder entrance.

(B) At The Dalles between the upstream line of The Dalles Dam to the upstream side of the Interstate 197 Bridge, except that bank fishing is permitted up to the downstream navigation lock wall on the Washington shore.

(ii) Release all trout except hatchery steelhead.

(iii) Walleye:

(A) No minimum length restriction.

(B) Limit 10; no more than 5 longer than 18 inches may be retained, and only one may be longer than 24 inches.

(iv) Bass:

(A) Limit 5.

(B) No more than 3 longer than 15 inches may be retained.

(C) Retention of bass between 12 and 17 inches is permissible.

(v) Channel catfish: No limit.

(vi) Salmon and steelhead:

(A) Open June 16 through July 31:

(I) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.

(II) Release all salmon except sockeye and hatchery Chinook.

(B) Open August 1 through December 31:

(I) Anti-snagging rule and night closure in effect August 1 through October 15.

(II) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.

(III) Release all salmon except Chinook and coho.

(IV) Release wild coho from Bonneville Dam to Hood River Bridge.

(vii) Steelhead open January 1 through March 31.

(viii) Release sturgeon August 1 through December 31.

(e) From The Dalles Dam to McNary Dam:

(i) Closed waters:

(A) At John Day Dam between the upstream line of John Day Dam to markers approximately 3,000 feet downstream, except that bank fishing is permitted up to 400 feet below the fishway entrance on the Washington shore.

(B) At McNary Dam between the upstream line of McNary Dam downstream to a line across the river from the red and white marker on the Oregon shore on a line that intersects the downstream end of the wing-wall of the boat lock near the Washington shore.

(ii) Release all trout except hatchery steelhead.

(iii) Walleye:

(A) No minimum length restriction.

(B) Limit 10; no more than 5 longer than 18 inches may be retained, and only one may be longer than 24 inches.

(iv) Bass:

(A) Limit 5.

(B) No more than 3 longer than 15 inches may be retained.

(C) Retention of bass between 12 and 17 inches is permissible.

(v) Channel catfish: No limit.

(vi) Salmon and steelhead:

(A) Open June 16 through July 31:

(I) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.

(II) Release all salmon except hatchery Chinook and sockeye.

(B) Open August 1 through December 31:

(I) Anti-snagging rule and night closure in effect August 1 through October 15.

(II) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.

(III) Release all salmon except Chinook and coho.

(vii) Steelhead open January 1 through March 31.

(viii) Sturgeon:

(A) Closed to fishing for sturgeon:

(I) May 1 through July 31 from John Day Dam downstream 2.4 miles to a line crossing the Columbia at a right angle to the thread of the river from the west end of the grain silo at Rufus, Oregon.

(II) May 1 through July 31 from McNary Dam downstream to the Highway 82 Bridge.

(B) Catch and release only August 1 through December 31.

(f) From McNary Dam to Highway 395 Bridge at Pasco:

(i) Barbless hooks required for salmon and steelhead.

(ii) The Snake River Confluence Protection Area includes waters of the Columbia River from the railroad bridge between Burbank and Kennewick, upstream approximately 2.1 miles to the first power line crossing the Columbia upstream of the navigation light on the point of Sacajawea State Park. For all species, limits, seasons, size restrictions and gear restrictions are the same as those in the adjacent portion of the Snake River.

(~~(iii)~~) (iii) Release all trout except hatchery steelhead.

(~~(iv)~~) (iv) From McNary Dam upstream to Highway 730 at the Oregon/Washington border:

(A) Walleye:

(I) No size restriction.

(II) Limit 10; no more than 5 longer than 18 inches may be retained, and only one may be longer than 24 inches.

(B) Channel catfish: No limit.

(~~(v)~~) (v) Upstream from Highway 730 at the Oregon/Washington border:

- (A) Walleye: No size restrictions and no limit.  
 (B) Bass: No size restrictions and no limit.  
 (C) Channel catfish: No limit.  
 ((+)) (vi) Salmon and steelhead:  
 (A) Open June 16 through July 31:  
 (I) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.  
 (II) Release all salmon except hatchery Chinook and sockeye.  
 (B) Open August 1 through December 31:  
 (I) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.  
 (II) Release all salmon except Chinook and coho.  
 ((+)) (vii) Steelhead open January 1 through March 31.  
 ((+)) (viii) Release sturgeon August 1 through January 31.  
 (g) From the Highway 395 Bridge at Pasco to the Old Hanford townsite wooden power line towers, in Sec. 30, T13N, R28E:  
 (i) Barbless hooks required for salmon and steelhead.  
 (ii) Closed waters:  
 (A) Within a 400 foot radius of the Columbia Irrigation District (CID) fish barrier at the mouth of the CID wasteway at Columbia Park.  
 (B) Ringold Springs Creek (Hatchery Creek).  
 ((+)) (iii) Ringold Area Bank Fishery waters, from WDFW markers 1/4 mile downstream from the Ringold wasteway outlet, to WDFW markers 1/2 mile upstream from Spring Creek:  
 (A) Open April 1 through April 15 only.  
 (B) Fishing is allowed only from the bank and only on the hatchery side of the river.  
 (C) Release all trout, except anglers may retain up to 2 hatchery steelhead.  
 ((+)) (iv) Release all steelhead with a radio-tag wire protruding from the mouth, or with a disk or floy tag attached near the dorsal fin.  
 ((+)) (v) Trout:  
 (A) October 1 through October 31 release all trout, except 2 hatchery steelhead with both the adipose and a ventral fin(s) clipped may be retained.  
 (B) November 1 through March 31 release all trout, except anglers may retain up to 2 hatchery steelhead.  
 ((+)) (vi) Walleye: No size restrictions and no limit.  
 ((+)) (vii) Bass: No size restrictions and no limit.  
 ((+)) (viii) Channel catfish: No limit.  
 ((+)) (ix) Salmon:  
 (A) Open June 16 through July 31:  
 (I) Limit 6; no more than 2 adult hatchery Chinook may be retained.  
 (II) Release sockeye and wild Chinook.  
 (III) All species except sturgeon: Anglers may fish with two poles as long as the angler possesses a two-pole endorsement.  
 (B) Open August 1 through October 22:  
 (I) Limit 6.  
 (II) No more than 2 adult salmon may be retained.  
 ((+)) (x) Release sturgeon from August 1 through January 31.

- (h) From the Old Hanford townsite wooden power line towers, in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24):  
 (i) Barbless hooks required for salmon and steelhead.  
 (ii) Open February 1 through October 22.  
 ((+)) (iii) Release all trout.  
 ((+)) (iv) Walleye: No size restrictions and no limit.  
 ((+)) (v) Bass: No size restrictions and no limit.  
 ((+)) (vi) Channel catfish: No limit.  
 ((+)) (vii) Salmon:  
 (A) Open June 16 through July 31:  
 (I) Limit 6; no more than 2 adult hatchery Chinook may be retained.  
 (II) Release sockeye and wild Chinook.  
 (III) All species except sturgeon: Anglers may fish with two poles as long as the angler possesses a two-pole endorsement.  
 (B) Open August 1 through October 22:  
 (I) Limit 6 fish.  
 (II) No more than 2 adult salmon may be retained.  
 ((+)) (viii) Release sturgeon August 1 through October 22.  
 (i) From Vernita Bridge (Highway 24) to Priest Rapids Dam:  
 (i) Barbless hooks required for salmon and steelhead.  
 (ii) Closed waters:  
 (A) At Priest Rapids Dam; waters between the upstream line of Priest Rapids Dam downstream to the boundary markers 650 feet below the fish ladders.  
 (B) At Jackson (Moran) Creek, or Priest Rapids Hatchery outlet Creek; waters of the Priest Rapids Hatchery system to the outlet on the Columbia River, extending to midstream Columbia River between boundary markers located 100 feet upstream and 400 feet downstream of the mouth.  
 ((+)) (iii) Release all trout.  
 ((+)) (iv) Walleye: No size restrictions and no limit.  
 ((+)) (v) Bass: No size restrictions and no limit.  
 ((+)) (vi) Channel catfish: No limit.  
 ((+)) (vii) Salmon:  
 (A) Open June 16 through July 31:  
 (I) Limit 6; no more than 2 adult hatchery Chinook may be retained.  
 (II) Release sockeye and wild Chinook.  
 (III) All species except sturgeon: Anglers may fish with two poles as long as the angler possesses a two-pole endorsement.  
 (B) Open August 1 through October 22:  
 (I) Limit 6.  
 (II) No more than 2 adult salmon may be retained.  
 ((+)) (viii) Sturgeon:  
 (A) Closed to fishing for sturgeon from May 1 through July 31 from Priest Rapids Dam downstream 2.5 miles to the boundary marker on the river bank 400 feet downstream from Priest Rapids Hatchery outlet channel (Jackson Creek).  
 (B) Release sturgeon August 1 through January 31.  
 (j) From Priest Rapids Dam to Wanapum Dam:  
 (i) Barbless hooks required for salmon and steelhead.  
 (ii) Closed waters at Wanapum Dam, between the upstream line of Wanapum Dam to the boundary markers

750 feet downstream of the east fish ladder and 500 feet downstream of the west fish ladder.

~~((iii))~~ (iii) Fishing two poles is permissible July 1 through August 31, so long as the angler possesses a two-pole endorsement.

~~((iii))~~ (iv) Release all trout.

~~((iv))~~ (v) Walleye: No size restrictions and no limit.

~~((v))~~ (vi) Bass: No size restrictions and no limit.

~~((vi))~~ (vii) Channel catfish: No limit.

~~((vii))~~ (viii) Salmon:

(A) Open July 1 through August 31:

(I) Limit 6 ~~((Chinook and 6 sockeye only));~~ no more than 2 adult hatchery Chinook.

(II) ~~((No more than 3 adult Chinook may be retained, and only one adult Chinook may be wild))~~ Release all wild salmon.

(B) Open September 1 through October 22:

(I) Limit 6 Chinook only.

(II) No more than 2 adult salmon may be retained.

~~((viii))~~ (ix) Release all sturgeon.

(k) From Wanapum Dam to Wells Dam:

(i) Barbless hooks required for salmon and steelhead.

(ii) Closed waters:

(A) At Rocky Reach Dam and Rock Island Dam, between the upstream line of the dam to boundary markers 400 feet downstream of the fish ladders.

(B) At Wells Dam, between the upstream line of Wells Dam to boundary markers 400 feet downstream of the spawning channel discharge (on Chelan County side) and fish ladder (on Douglas County side).

~~((iii))~~ (iii) Fishing two poles is permissible July 1 through August 31, so long as the angler possesses a two-pole endorsement.

~~((iii))~~ (iv) Release all trout.

~~((iv))~~ (v) Walleye: No size restrictions and no limit.

~~((v))~~ (vi) Bass: No size restrictions and no limit.

~~((vi))~~ (vii) Channel catfish: No limit.

~~((vii))~~ (viii) Salmon open July 1 through October 15:

(A) Limit 6 ~~((Chinook and 6 sockeye only));~~ no more than 2 adult hatchery Chinook.

(B) ~~((No more than 3 adult Chinook may be retained, and only one adult Chinook may be wild))~~ Release all wild salmon.

~~((viii))~~ (ix) Release all sturgeon.

(l) From Wells Dam to Highway 173 Bridge at Brewster:

(i) Barbless hooks required for salmon and steelhead.

(ii) Fishing two poles is permissible July 16 through August 31, so long as the angler possesses a two-pole endorsement.

~~((iii))~~ (iii) Release all trout.

~~((iii))~~ (iv) Walleye: No size restrictions and no limit.

~~((iv))~~ (v) Bass: No size restrictions and no limit.

~~((v))~~ (vi) Channel catfish: No limit.

~~((vi))~~ (vii) Salmon open July 16 through August 31:

(A) Limit 6 ~~((Chinook and 6 sockeye only));~~ no more than 2 adult hatchery Chinook.

(B) ~~((No more than 3 adult Chinook may be retained, and only one adult Chinook may be wild))~~ Release all wild salmon.

~~((vii))~~ (viii) Release all sturgeon.

(m) From Highway 173 Bridge at Brewster to Chief Joseph Dam:

(i) Barbless hooks required for salmon and steelhead.

(ii) Closed waters:

(A) From the Okanogan County shore between Chief Joseph Dam and the Highway 17 Bridge.

(B) From the Douglas County shore between Chief Joseph Dam and a point 400 feet downstream.

~~((iii))~~ (iii) Fishing two poles is permissible July 1 through August 31, so long as the angler possesses a two-pole endorsement.

~~((iii))~~ (iv) It is unlawful to fish from a floating device downstream of Chief Joseph Dam from the boundary marker to the Corps of Engineers safety zone marker.

~~((iv))~~ (v) Release all trout.

~~((v))~~ (vi) Walleye: No size restrictions and no limit.

~~((vi))~~ (vii) Bass: No size restrictions and no limit.

~~((vii))~~ (viii) Channel catfish: No limit.

~~((viii))~~ (ix) Salmon open July 1 through October 15:

(A) Limit 6 ~~((Chinook and 6 sockeye only));~~ no more than 2 adult hatchery Chinook.

(B) ~~((No more than 3 adult Chinook may be retained, and only one adult Chinook may be wild))~~ Release all wild salmon.

~~((ix))~~ (x) Release all sturgeon.

(n) Above Chief Joseph Dam: Refer to Rufus Woods Lake rules listed in this section.

(o) Above Grand Coulee Dam: Refer to Lake Roosevelt rules listed in this section.

Colville River (Stevens County):

(1) From the mouth to the bridge at town of Valley:

(a) Open year-round.

(b) Trout:

(i) Limit 5.

(ii) From October 1 through November 30, not more than 2 brown trout may be retained.

(c) Walleye: Daily limit 16 fish; no size restrictions.

(d) Sturgeon: It is unlawful to fish for or retain sturgeon.

(2) All tributaries to Colville River, from the mouth to the bridge at the town of Valley, open the Saturday before Memorial Day through October 31.

(3) From the bridge at the town of Valley upstream, including tributaries:

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

Conconully Lake (Okanogan County): Fourth Saturday in April through October 31 season.

Conconully Reservoir (Okanogan County): Fourth Saturday in April through October 31 season.

Conger Pond (Pend Oreille County): Fourth Saturday in April through October 31 season.

Connelly Creek and tributaries (Lewis County): From four hundred feet below the city of Morton Dam to its source: Closed waters.

Conner Lake (Okanogan County): Fourth Saturday in April through October 31 season.

Connor Creek (Grays Harbor County):

- (1) Open the first Saturday in June through October 31.
- (2) Selective gear rules apply.
- (3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Cook Creek (Grays Harbor County), from the Quinault Indian Reservation boundary upstream:

- (1) Open the first Saturday in June through October 31.
- (2) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
- (3) Selective gear rules apply.

Cooper River (Kittitas County), mouth to Cooper Lake:

- (1) Open the Saturday before Memorial Day through October 31.
- (2) Selective gear rules apply.

Coot Lake (Grant County): April 1 through September 30 season.

Copalis River (Grays Harbor County):

- (1) General river rules:
  - (a) Open for game fish the first Saturday in June through last day in February.
  - (b) It is permissible to retain hatchery steelhead defined as having a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.
  - (2) Rules by river section:
    - (a) From mouth to Carlisle Bridge:
      - (i) Trout minimum length 14 inches, except ~~((is))~~ it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
      - (ii) Salmon:
        - (A) Open September 1 through January 31.
        - (B) Limit 6; no more than 2 adult salmon may be retained.
        - (C) Release adult Chinook and chum.
      - (b) From Carlisle Bridge upstream; Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Copper Creek (Snohomish County) (Clear Creek tributary, a tributary of Sauk River): All game fish: First Saturday in June through October 31 season.

Corral Canyon Creek (Benton County): Selective gear rules.

Cottage Lake (King County): Fourth Saturday in April through October 31 season.

Cottonwood Creek (Lincoln County): Year-round season.

Cottonwood Creek (Walla Walla County): Closed waters.

Cougar Creek (tributary to Yale Reservoir) (Cowlitz County): The first Saturday in June through August 31 season.

Cougar Lake (Pasayten Wilderness) (Okanogan County): All species: Selective gear rules. Fishing two poles is permissible so long as the angler possesses a two-pole endorsement.

Cougar Lake (near Winthrop) (Okanogan County):

- (1) Open year-round.
- (2) From April 1 through August 31:
  - (a) Catch and release.
  - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

Coulter Creek (Kitsap/Mason counties): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

County Line Ponds (Skagit County): Closed waters.

Coweeman River (Cowlitz County):

- (1) From mouth to Baird Creek:
  - (a) Barbless hooks required for steelhead.
  - (b) Open the first Saturday in June through August 31 and November 1 through March 15.
  - ~~((b))~~ (c) Release all trout, except anglers may retain up to 2 hatchery steelhead.
- (2) From Baird Creek upstream:
  - (a) Barbless hooks required for steelhead.
  - (b) Open the first Saturday in June through August 31.
  - ~~((b))~~ (c) Release all trout, except anglers may retain up to 2 hatchery steelhead.

Cowiche Creek (Yakima County): Selective gear rules apply.

Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County):

- (1) The upstream boundary of the reservoir in the Cowlitz arm is the posted PUD sign on Peters Road.
- (2) The upstream boundary of the reservoir in the Cispus arm is the posted markers at the Lewis County PUD kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus arms.
- (3) Barbless hooks required for salmon and steelhead.
- (4) Open June 1 through the last day in February for game fish.
- ~~((4))~~ (5) Trout:
  - (a) Minimum length 8 inches.
  - (b) Release cutthroat.
  - (c) Release rainbow trout, except those with a clipped adipose fin with a healed scar at the site of the clipped fin.
  - (d) From September 1 through the last day in February, limit 10.
  - ~~((5))~~ (6) Salmon open year-round:
    - (a) Minimum length 8 inches.
    - (b) Limit 6.
    - (c) Release wild Chinook and wild coho.
    - (d) From January 1 through July 31, no more than 2 adult salmon may be retained.
    - (e) From August 1 through December 31, no more than 2 adult hatchery Chinook may be retained.

Cowlitz River (Lewis County):

- (1) From mouth to Mayfield Dam:
  - (a) Closed waters:
    - (i) From 400 feet or posted markers below Cowlitz salmon hatchery barrier dam to boundary markers near the

Cowlitz salmon hatchery water intake approximately 1,700 feet upstream of the Cowlitz salmon hatchery barrier dam.

(ii) From 400 feet below the Mayfield powerhouse upstream to Mayfield Dam.

(iii) From within a 100 foot radius of the new Cowlitz Trout Hatchery outfall structure, except anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card may fish within posted markers when adjacent waters are open.

(b) Barbless hooks required for salmon, steelhead, and cutthroat trout.

(c) From Lexington Bridge Drive in Kelso upstream to the Highway 505 Bridge in Toledo, fishing two poles is permissible so long as the angler possesses a two-pole endorsement.

~~((e))~~ (d) From mouth of Mill Creek to the Cowlitz salmon hatchery barrier dam:

(i) Anti-snagging rule and night closure in effect April 1 through November 30. Anglers may only retain fish hooked in the mouth when the anti-snagging rule is in effect.

(ii) It is unlawful to fish from a floating device.

(iii) It is unlawful to fish from the south side of the river from May 1 through June 15.

~~((f))~~ (e) Sturgeon:

(i) It is unlawful to retain sturgeon, except on Thursdays, Fridays, and Saturdays January 1 through ~~((July 31))~~ June 15, 2013, and October ~~((20))~~ 19 through December 31, 2013.

(ii) Release sturgeon ~~((August 1))~~ June 16 through October ~~((19))~~ 18, 2013.

(iii) Effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).

~~((e))~~ (f) Open first Saturday in June through March 31 for trout and other game fish:

(i) Trout limit 5, minimum length 12 inches. Up to 2 over 20 inches may be retained.

(ii) Release wild cutthroat.

~~((f))~~ (g) Open April 1 through the Friday before the first Saturday in June; catch and release only, except anglers may retain up to 2 hatchery steelhead.

~~((g))~~ (h) Salmon:

(i) Open January 1 through July 31:

(A) Limit 6; up to 2 hatchery adults may be retained.

(B) Only hatchery Chinook and hatchery coho may be retained.

(ii) Open August 1 through December 31:

(A) Limit 6; up to 2 adult hatchery Chinook may be retained.

(B) Only hatchery Chinook and hatchery coho may be retained.

(2) From posted PUD sign on Peters Road to the mouth of Ohanapecosh River and the mouth of Muddy Fork:

(a) Barbless hooks required for salmon and steelhead.

(b) Anti-snagging rule and night closure in effect September 1 through October 31 for all species. Anglers may only retain fish hooked in the mouth when anti-snagging rule is in effect.

~~((h))~~ (c) Trout and other game fish:

(i) Open the first Saturday in June through October 31; release cutthroat.

(ii) Open November 1 through the Friday before the first Saturday in June. For trout, catch and release only except anglers may retain up to 2 hatchery steelhead.

~~((e))~~ (d) Salmon:

(i) Open January 1 through July 31:

(A) Limit 6; up to 2 adult salmon may be retained.

(B) Release wild coho and wild Chinook.

(ii) Open August 1 through December 31:

(A) Limit 6; up to 2 adult hatchery Chinook may be retained.

(B) Release wild coho and wild Chinook.

Cowlitz River, Clear and Muddy Forks (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release cutthroat.

Coyote Creek and Ponds (Adams County): April 1 through September 30 season.

Crab Creek (Adams/Grant counties):

From mouth to Morgan Lake Road in Section 36: April 1 through September 30 season.

From Morgan Lake Road in Section 36 to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed waters.

Crab Creek (Lincoln/Grant counties) and tributaries: Year-round season. In those waters from Grant County Road 7 to the fountain buoy and shoreline markers or 150 feet downstream of the Alder Street fill March 1 through May 31 terminal gear restricted to one single hook measuring 3/4 inch or less point to shank. Year-round: Daily limits and size limits same as Moses Lake. From Moses Lake downstream to the confluence of the outlet streams March 1 through May 31 terminal gear restricted to one single-point hook measuring 3/4 inch or less point to shank. Year-round: Daily limits and size limits same as Potholes Reservoir.

Crabapple Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Cranberry Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Crawfish Lake (Okanogan County): Fourth Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Crescent Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Crescent Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Crescent Lake (Pierce County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Crim Creek (Lewis County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, min-



imum length eight inches. Other game fish: Selective gear rules.

Crocker Lake (Jefferson County): Closed waters.

Crooked Creek (Clallam County) and tributaries that are outside of Olympic National Park:

(1) Open the first Saturday in June through October 15.

(2) Selective gear rules apply.

(3) Trout:

(a) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) Release kokanee.

Crystal Lake (Grant County): March 1 through July 31 season.

Cumberland Creek (Whatcom County), upstream from the USFS 17 road bridge located 0.7 lineal miles from its confluence with the Skagit River, including all tributaries: Open the Saturday before Memorial Day through October 31.

Cup Lake (Grant County): March 1 through July 31 season.

Curl Lake (Columbia County): Fourth Saturday in April through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Dakota Creek (Whatcom County): From mouth to Giles Road Bridge: First Saturday in June through ~~((October))~~ December 31 season. Selective gear rules. Salmon: Open October 1 through December 31. Daily limit 2 salmon. Release wild Chinook.

Dalton Lake (Franklin County): Trout: No more than two over 13 inches in length may be retained.

Damon Lake (Grays Harbor County): The first Saturday in June through October 31 season.

Dan's Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Davis Lake (Ferry County): Fourth Saturday in April through October 31 season.

Davis Lake (Lewis County): Fourth Saturday in April to last day in February season.

Davis Lake (Okanogan County): April 1 through August 31: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Davis Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Dayton Pond (Columbia County):

(1) Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.

(2) No more than 2 trout over 13 inches in length may be retained.

Deadman Lake (Adams County): April 1 through September 30 season.

De Coursey Pond (Pierce County): Fourth Saturday in April through November 30 season. Juveniles only. Salmon: Land-locked salmon rules apply.

Decker Creek (Mason County) (Satsop River tributary): From mouth upstream: First Saturday in June through October 31 season. Trout: Minimum length eight inches, daily limit 2 fish. Selective gear rules. Other game fish: Selective gear rules.

Deep Creek (Clallam County): December 1 through January 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained per day.

Deep Creek (Grays Harbor County): From mouth upstream: The first Saturday in June through last day in October season. All species: Selective gear rules.

Deep Creek (tributary to Bumping Lake) (Yakima County):

(1) From the mouth to the second bridge crossing on USFS Rd. 1808 (approximately 3.7 miles from junction of USFS Rds. 1800 and 1808): Closed waters.

(2) From the second bridge crossing upstream; open the Saturday before Memorial Day through October 31.

Deep Lake (Grant County): Fourth Saturday in April through September 30 season.

Deep Lake (Stevens County): Fourth Saturday in April through October 31 season.

Deep Lake (Thurston County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Deep River (Wahkiakum County): Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round only from mouth to town bridge. January 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild Chinook and wild coho. August 1 through December 31, daily limit 6 fish of which no more than 2 may be adult Chinook. Release chum and wild coho. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Deer Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Deer Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Deer Lake (Island County): Fourth Saturday in April through October 31 season.

Deer (Deer Springs) Lake (Lincoln County): Fourth Saturday in April through September 30 season.

Deer Lake (Mason County): Fourth Saturday in April through October 31 season.

Deer Lake (Stevens County): March 1 through October 31 season. Trout: No more than two over thirty inches in length may be retained.

Delemeter Creek (Cowlitz County): Closed waters from 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek.

Deleze Creek (Grays Harbor County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. All species: Selective gear rules.

Dempsey Creek (Thurston County) (Black River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

De Roux Creek (Kittitas County):

(1) Closed waters from the mouth to the USFS Trail #1392 (De Roux Cr. Trail) stream crossing (approximately one river mile).

(2) Upstream of the USFS Trail #1392 stream crossing, selective gear rules apply.

Deschutes River (Thurston County):

(1) From old U.S. Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park:

(a) Selective gear rules apply, except bait allowed September 1 through October 15.

(b) Open for trout year-round; catch and release only.

(c) Open for all other game fish the first Saturday in June through October 15.

(d) Salmon:

(i) Open July 1 through October 15.

(ii) Limit 6; no more than 2 adult salmon may be retained.

(iii) Release coho.

(2) From Henderson Boulevard Bridge upstream:

(a) Open year-round.

(b) Selective gear rules apply.

(c) Release all trout.

(d) Salmon:

(i) Open July 1 through October 15.

(ii) Limit 6; no more than 2 adult salmon may be retained.

(iii) Release coho.

Devereaux Lake (Mason County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Devil's Lake (Jefferson County): Fourth Saturday in April through October 31 season.

Dewatto River (Mason County): From mouth to Dewatto-Holly Road Bridge: First Saturday in June through August 15 and October 1 through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Night closure October 1

through October 31. Game fish: Release all fish. Salmon: Open October 1 through October 31. Daily limit two coho only.

From Dewatto-Holly Road Bridge upstream: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Diamond Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Dickey River (Clallam County):

(1) From Olympic National Park boundary upstream to the confluence of the East and West Forks:

(a) Open the first Saturday in June through April 30.

(b) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) It is permissible to retain wild steelhead February 16 through April 30.

(d) Salmon open July 1 through November 30:

(i) From July 1 through August 31:

(A) Limit 6; no more than 2 adult salmon may be retained.

(B) Release wild adult Chinook and wild adult coho.

(ii) From September 1 through November 30:

(A) Limit 6.

(B) Two salmon may be adults, plus 2 additional adult hatchery coho may be retained.

(2) From the confluence of the East and West Forks upstream (for both forks):

(a) Open the first Saturday in June through April 30.

(b) Selective gear rules apply.

(c) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Dillacort Creek (Klickitat County): Trout: Release all trout.

Diobsud Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Dog Lake (Yakima County): Trout: Daily limit may contain no more than 1 fish over 14 inches in length.

Dogfish Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Donkey Creek (Grays Harbor County): From mouth upstream: The first Saturday in June through last day in October season. All species: Selective gear rules.

Donovan Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Dosewallips River (Jefferson County): From mouth to Olympic National Park boundary about three-quarters mile downstream of falls: The first Saturday in June through August 31 season mouth to park boundary and November 1 through December 15 season mouth to Highway 101 Bridge. Selective gear rules and unlawful to fish from a floating device

equipped with an internal combustion motor the first Saturday in June through August 31. All species: Release all fish except salmon may be retained November 1 through December 15. Salmon: Open only November 1 through December 15 from mouth to Highway 101 Bridge. Daily limit 2 chum salmon.

Dot Lake (Grant County): March 1 through July 31 season.

Downey Creek (Snohomish County) (Suitttle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Downs Lake (Lincoln/Spokane counties): March 1 through September 30 season. Crappie: Daily limit ten, minimum length nine inches.

Drano Lake (waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery):

(1) Barbless hooks required for salmon and steelhead.

(2) Closed Wednesdays beginning the second Wednesday in April through June 30.

((2)) (3) Closed from 6 p.m. Tuesdays through 6 p.m. Wednesdays during October.

((3)) (4) Night closure in effect March 16 through June 30.

((4)) (5) Two-pole fishing is permissible from May 12 through June 30 and from September 15 through December 31, so long as the angler possesses a two-pole endorsement.

((5)) (6) The area west of a line projected from the easternmost pillar of the Highway 14 Bridge to a posted marker on the north shore, is open only to bank fishing from April 16 through June 30.

((6)) (7) Anti-snagging rule applies August 1 through December 31.

((7)) (8) Game fish other than trout: Open May 1 through March 31.

((8)) (9) Trout:

(a) Open August 1 through March 15.

(b) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

((9)) (10) Salmon and steelhead:

(a) Open March 16 through July 31.

(b) Limit 2 hatchery steelhead or 2 hatchery Chinook, or one of each.

(c) Salmon:

(i) Open August 1 through December 31.

(ii) Limit 6; no more than 2 adult salmon may be retained.

Dry Creek (Walla Walla County): Upstream from the middle Waitsburg Road: Closed waters.

Dry Falls Lake (Grant County): April 1 through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Duck Lake (Grays Harbor County): Crappie: Daily limit ten, minimum length nine inches.

Duckabush River (Jefferson County): From mouth to the Olympic National Park Boundary: The first Saturday in June

through August 31 season mouth to park boundary and November 1 through December 15 season mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through August 31. All species: Release all fish except salmon may be retained November 1 through December 15. Salmon: Open only November 1 through December 15 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Daily limit 2 chum salmon.

Dune Lake (Grant County): All species: Selective gear rules. Trout: Daily limit 1.

Dungeness River (Clallam County):

(1) From the mouth to the forks at Dungeness Campground:

(a) Open October ((46)) 8 through January 31.

(b) Trout minimum length 14 inches.

(c) Salmon:

(i) Open only from the mouth to the hatchery intake pipe at river mile 11.3 from October 16 through December 31.

(ii) Limit 4 coho only.

(2) From Gold Creek upstream: Open the Saturday before Memorial Day through October 31.

Dusty Lake (Grant County): March 1 through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one fish.

Dyes Inlet (Kitsap County): All streams: First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Eaton Creek (Thurston County) (Lake St. Clair tributary): First Saturday in June through October 31 season. Selective gear rules.

Early Winters Creek (Okanogan County): Closed waters.

East Little Walla Walla River (Walla Walla County): Closed waters.

East Twin River (Clallam County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Easton Lake (Kittitas County): Saturday before Memorial Day through October 31 season. Trout: Daily limit five fish of which no more than 2 may be trout other than eastern brook trout. Minimum length 8 inches.

Echo Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Eglon Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

Eight Creek (Lewis County) (tributary to Elk Creek, which is a Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Eightmile Lake (Chelan County): Trout: Daily limit five, not more than two mackinaw may be retained.

Elbow Lake (Stevens County): Fourth Saturday in April through October 31 season.

Elk Creek (Clallam County), outside of Olympic National Park:

- (1) Open the first Saturday in June through October 15.
- (2) Selective gear rules apply.
- (3) Trout:

(a) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

- (b) Release kokanee.

Elk Creek (Lewis County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. All species: Selective gear rules.

Elk River (Grays Harbor County):

(1) From the mouth (Highway 105 Bridge) to the confluence of east and middle branches:

(a) Single-point barbless hooks required August 16 through November 30.

(b) Open for game fish the first Saturday in June through the last day in February; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) Salmon open October 1 through November 30:

- (i) Limit 2; only one wild coho may be retained.
- (ii) Release chum and Chinook.

(2) From confluence of east and middle branches upstream:

(a) Open the first Saturday in June through the last day in February.

(b) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Elkhorn Creek (Pacific County) (Smith River tributary): The first Saturday in June through October 31 season. All species: Selective gear rules.

Ell Lake (Okanogan County): Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Ellen Lake (Ferry County): Fourth Saturday in April through October 31 season. All species: Catch and release except up to five rainbow trout may be retained.

Elliot Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules.

Ellis Creek (Pacific County) (Willapa River tributary): From mouth upstream: All game fish: First Saturday in June through October 15 season. Selective gear rules.

Ellsworth Creek (Pacific County) (Naselle River tributary): From mouth upstream: All game fish: First Saturday in June through September 30 season. Selective gear rules.

Elochoman River (Wahkiakum County): Closed waters: Waters from 100 feet above the upper hatchery rack downstream to the Elochoman Hatchery Bridge located 400 feet below the upper hatchery rack; waters from a point 50 feet above to 100 feet below the outlet pipes from the most downstream Elochoman Hatchery rearing pond and extending 30 feet out from the south bank of the river; from 200 feet above the department of fish and wildlife temporary weir downstream to Foster (Risk) Road Bridge while weir is installed in the river; mainstem waters from the confluence of the west fork to source.

From mouth to West Fork: Barbless hooks required for salmon and steelhead. The first Saturday in June through March 15 season. Anti-snagging rule, night closure, and stationary gear restriction August 1 through October 31. Trout: Release all fish except up to 2 hatchery steelhead may be retained per day. Salmon: Open the first Saturday in June through December 31. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release chum, wild coho, and wild Chinook.

Eloika Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Elwha River (Clallam County): Closed waters.

Empire Lake (Ferry County): Fourth Saturday in April through October 31 season.

Entiat River (Chelan County):

(1) From mouth (Highway 97 bridge) to Entiat Falls:

(a) Open December 1 through March 31 for whitefish only.

(b) Whitefish gear rules apply.

(2) Above Entiat Falls:

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Trout:

(i) Limit 5; no more than one greater than 12 inches in length may be retained.

(ii) Eastern brook trout limit 10. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing.

Ephrata Lake (Grant County): Closed waters.

Erie Lake (Skagit County): Fourth Saturday in April through October 31 season.

Evans Creek (Pierce County) (Carbon River tributary) from Carbon River-Fairfax Road upstream: First Saturday in June through October 31 season.

Failor Lake (Grays Harbor County): Fourth Saturday in April through October 31 season. Trout: No more than two over 15 inches in length may be retained per day.

Fairchild Creek (Pacific County) (Wilson Creek tributary, which is a Willapa River tributary): From mouth upstream: All game fish: First Saturday in June through October 31 season. Selective gear rules.

Fall River and all forks (Pacific County) (North River tributary): From mouth upstream: All game fish: The first Saturday in June through October 31 season. Selective gear rules.

Falls Creek (Pacific County) (Willapa River tributary): From mouth upstream: All game fish: First Saturday in June through October 15 season. Selective gear rules.

Falls Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules.

Fan Lake (Pend Oreille County): Fourth Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fazon Lake (Whatcom County):

(1) It is unlawful to fish from any floating device from the first Friday in October through January 27.

(2) Channel catfish daily and possession limit is 2.

Fern Creek (Pacific County) (Willapa River tributary): From mouth upstream: All game fish: First Saturday in June through October 15 season. Selective gear rules.

Ferry Lake (Ferry County): Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

Finch Creek (Mason County): Anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card may fish from the ADA accessible site at the Hoodspout Salmon Hatchery, ((sø)) as long as those anglers follow all applicable rules of the adjoining waters of Marine Area 12.

Fio Rito Lakes (Kittitas County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Finn Creek (Pacific County) (Nemah River North Fork tributary): First Saturday in June through October 31 season.

Fish Lake (Chelan County): Trout: No more than two over fifteen inches in length may be retained. Perch: Daily limit 25.

Fish Lake (Ferry County): Fourth Saturday in April through October 31 season.

Fish Lake (Okanogan County): Fourth Saturday in April through October 31 season.

Fish Lake (Spokane County): Fourth Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fisher Slough (Snohomish County): Mouth to I-5 Bridge: First Saturday in June through October 31 season. Trout: Minimum length fourteen inches.

Fishhook Pond (Walla Walla County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Fishtrap Creek (Whatcom County): From Koh Road to Bender Road: First Saturday in June through October 31 season. Juveniles only.

Fishtrap Lake (Lincoln/Spokane counties): Fourth Saturday in April through September 30 season.

Fiske Creek (Pierce County) (Puyallup River tributary): Upstream from Fiske Road: First Saturday in June through October 31 season.

Forde Lake (Okanogan County): Fourth Saturday in April through October 31 season.

Fork Creek (Pacific County) (Willapa River tributary):

(1) From Forks Creek Hatchery Rack upstream 500 feet at fishing boundary sign:

(a) Closed waters except open to anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card.

(b) Night closure in effect for all species.

(c) October 1 through November 30, single-point barbless hooks required and stationary gear restriction.

(d) Open for all game fish from the first Saturday in June through July 15 and October 1 through March 31:

(i) Up to 2 hatchery steelhead may be retained.

(ii) Catch and release all other fish.

(e) Salmon:

(i) Open October 1 through November 30:

(A) Limit 6; no more than 3 may be adults and only 2 adults may be wild coho.

(B) Release wild Chinook and chum.

(ii) Open December 1 through January 31:

(A) Limit 6; no more than 2 may be adults and only one adult may be a wild coho.

(B) Release wild Chinook and chum.

(2) From the fishing boundary sign 500 feet above Forks Creek Hatchery rack upstream to the source:

(a) Open first Saturday in June through October 31.

(b) Selective gear rules apply.

Fort Borst Park Pond (Lewis County): Open the fourth Saturday in April through the last day in February, except closed the Monday before Thanksgiving Day through Thanksgiving Day.

Fortson Mill Pond #2 (Snohomish County): Fourth Saturday in April through October 31 season. Juveniles only.

Found Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Fourth of July Lake (Adams/Lincoln counties): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than two over fourteen inches in length may be retained.

Fox Creek (Pierce County) (Puyallup River tributary): Upstream from Fiske Road: First Saturday in June through October 31 season.

Franz Lake (Skamania County): Closed waters.

Frater Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Frenchman Hills Lake (Grant County): February 1 through September 30 season.

Friday Creek (Whatcom County) (Samish River tributary): First Saturday in June through October 31 season. Selective gear rules.

Fulton Creek (Mason County): From mouth to falls at river mile 0.8: First Saturday in June through October 31 season. Selective gear rules and release all fish.

From falls at river mile 0.8 upstream: First Saturday in June through October 31 season.

Gadwall Lake (Grant County): April 1 through September 30 season.

Gale Creek (Pierce County) (South Prairie Creek tributary) upstream of confluence with Wilkeson Creek: First Saturday in June through October 31 season.

Gamble Creek (Kitsap County): First Saturday in June through October 31 season: Selective gear rules and release all fish.

Garfield Juvenile Pond (Whitman County): Juveniles only.

Garrard Creek (Grays Harbor County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

George Lake (Grant County): March 1 through July 31 season.

Geneva Lake (King County): Fourth Saturday in April through October 31 season.

Germany Creek (Cowlitz County): From mouth to end of Germany Creek Road (approximately five miles): Barbless hooks required for steelhead. The first Saturday in June through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Gibbs Lake (Jefferson County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Gillette Lake (Stevens County): Fourth Saturday in April through October 31 season.

Gissberg Pond, North (Snohomish County): Juveniles only.

Gissberg Ponds (Snohomish County): Channel catfish: Daily limit 2, no minimum size.

Goat Creek (Okanogan County): Closed waters.

Gobar Creek (tributary to Kalama River) (Cowlitz County): The first Saturday in June through March 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Gold Creek, Gold Creek Pond and Outlet Channel, tributary to Keechelus Lake (Kittitas County): Closed, including that portion of Gold Creek that flows through the dry lake bed.

Gold Creek (Okanogan County): From mouth to confluence north fork Gold Creek: Closed waters.

Goldsborough Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Golf Course Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

Goodell Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Goodman Creek (Jefferson County), outside Olympic National Park:

(1) Open the first Saturday in June through the last day in February.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Goodwin Lake (Snohomish County): Chumming permitted.

Goose Creek (Lincoln County), within the city limits of Wilbur:

(1) Open year-round.

(2) Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.

Goose Lake, Lower (Adams County): Crappie: Daily limit ten, minimum length nine inches. Bluegill: Not more than five over six inches in length.

Goss Lake (Island County): Fourth Saturday in April through October 31 season.

Grade Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Grande Ronde River (Asotin County):

(1) General river rules:

(a) For all portions of the Grande Ronde River and its tributaries that are open to game fish angling:

(i) Channel catfish: No limit.

(ii) Bass: No size restrictions and no limit.

(iii) Walleye: No size restrictions and no limit.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor from September 15 through March 15.

(2) Rules by river section:

(a) From mouth to County Road Bridge, about 2.5 miles upstream:

- (i) Open year-round.
- (ii) Selective gear rules apply September 1 through May 31.
- (iii) Trout minimum length is 10 inches, and maximum length is 20 inches.
- (b) From County Road Bridge upstream to Oregon state line and all tributaries, except Wenaha River tributaries:
  - (i) Selective gear rules apply the first Saturday in June through August 31.
  - (ii) Barbless hooks required September 1 through April 15.
  - (iii) Open the first Saturday in June through October 31; anglers may retain up to 3 hatchery steelhead.
  - (iv) Open from November 1 through April 15:
    - (A) Tributaries: Closed.
    - (B) Release all fish except whitefish and hatchery steelhead; up to 15 whitefish and 3 hatchery steelhead may be retained.

Granite Creek and tributaries (Pend Oreille County): Closed waters.

Granite Lakes (near Marblemount) (Skagit County): Grayling: Release all grayling.

Grass Creek (Grays Harbor County): From mouth upstream: First Saturday in June through October 31 season. All species: Selective gear rules.

Grass Lake (Mason County): Fourth Saturday in April through October 31 season.

Gray Wolf River (Clallam County): From bridge at river mile 1.0 upstream: First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Grays River (Wahkiakum County): From mouth to (~~Highway 4 Bridge~~) South Fork: Barbless hooks required for salmon and steelhead. First Saturday in June through March 15 season(~~and~~), except closed from Highway 4 Bridge to mouth of South Fork(~~First Saturday in June through~~) from October (~~15 and December 1 through March 15 season~~) 16 through November 30. Closed waters from 400 feet above to 200 feet above the temporary weir while the weir is installed in the river. Anti-snagging rule, night closure and stationary gear restriction from mouth to Highway 4 Bridge August 1 through November 15 and from Highway 4 Bridge to mouth of South Fork August 1 through October 15. All game fish: Release all fish except up to 2 hatchery steelhead may be retained per day. Salmon: From mouth to Highway 4 Bridge: Open first Saturday in June through December 31. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release chum, wild coho, and unmarked Chinook. Unmarked Chinook are Chinook without either a clipped ventral fin or a clipped adipose fin. From Highway 4 Bridge to South Fork: Open first Saturday in June through October 15 and December 1 through December 31. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through October 15 and December 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chi-

nook. Release chum, wild coho and unmarked Chinook. Unmarked Chinook are Chinook without either a clipped ventral fin or a clipped adipose fin.

Grays River, East Fork (Wahkiakum County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all fish except up to 2 hatchery steelhead may be retained per day.

Grays River, West Fork (Wahkiakum County): Downstream from hatchery intake/footbridge: Barbless hooks required for salmon and steelhead. The first Saturday in June through March 15 season, except closed waters from posted markers approximately 300 yards below the hatchery road bridge downstream to mouth October 16 through November 30. August 1 through November 15: Anti-snagging rule, night closure and stationary gear restriction. October 16 through March 15: Release all fish except up to 2 hatchery steelhead may be retained per day. Salmon: Open from first Saturday in June through December 31. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through December 31, daily limit 6 fish, of which not more than 2 may be adult Chinook. Release chum, wild coho and unmarked Chinook. Unmarked Chinook are Chinook without either a clipped ventral fin or a clipped adipose fin.

Green Lake (Okanogan County): April 1 through November 30: Selective gear rules, and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Green Lake (Lower) (Okanogan County): April 1 through November 30: Selective gear rules, and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Green River (Cowlitz County):

(1) From the mouth to Miner's Creek:

(a) Barbless hooks required for salmon and steelhead.

(b) Closed waters:

(i) All tributaries.

(ii) From 400 feet above and 400 feet below the salmon hatchery rack (or from the posted signs above and below the salmon hatchery rack) when the rack is installed in the river.

(iii) From 400 feet below to 400 feet above the water intake at the upper end of the hatchery grounds from September 1 through November 30.

(iv) From the 2800 Bridge to Miner's Creek.

~~((b))~~ (c) Anti-snagging rule and night closure in effect September 1 through October 31 from the mouth to 400 feet below the salmon hatchery rack. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

~~((c))~~ (d) Open the last Saturday in May through November 30:

(i) From the mouth to 400 feet below the Toutle Hatchery water intake:

(A) Open from the last Saturday in May through the first Friday in June.

(B) Selective gear rules apply.

(C) Release all trout, except anglers may retain up to 2 hatchery steelhead.

(ii) From the first Saturday in June through November 30, trout catch and release only, except anglers may retain up to 2 hatchery steelhead.

~~((d))~~ (e) Salmon:

(i) Open August 1 through November 30.

(ii) Limit 6; not more than 2 adult Chinook may be retained.

(iii) Release chum, wild coho, and wild Chinook.

(2) From Miner's Creek upstream:

(a) Open from the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

Green (Duwamish) River (King County):

(1) From the First Avenue South Bridge to Tukwila International Boulevard/Old Highway 99:

(a) Anti-snagging rule and night closure in effect September 1 through November 30.

(b) It is unlawful to fish from any floating device November 1 through January 15.

(c) Open the first Saturday in June through July 31 and September 1 through January 15; trout minimum length 14 inches.

(d) In years ending in odd numbers, additional season for game fish and salmon August ~~((20))~~ 23 through August 31:

(i) Night closure in effect.

(ii) Anti-snagging rule applies.

(iii) It is unlawful to use bait.

(iv) Only one single-point hook may be used. The hook must measure ~~((less than))~~ 1/2 inch or less from point to shank.

(v) Trout minimum length 14 inches.

(e) Salmon:

(i) In years ending in odd numbers:

(A) Open August ~~((20))~~ 23 through December 31.

(B) Limit 6 salmon; no more than 3 may be any combination of adult coho and adult chum.

(C) Release Chinook.

(ii) In years ending in even numbers:

(A) Open September 1 through December 31.

(B) Limit 6; no more than 3 adults may be retained.

(C) Release Chinook.

(2) From Tukwila International Boulevard/Old Highway 99 to the Interstate 405 Bridge:

(a) Anti-snagging rule and night closure in effect September 1 through November 30.

(b) It is unlawful to fish from any floating device November 1 through January 15.

(c) Open the first Saturday in June through July 31 and September 1 through January 15; trout minimum length 14 inches.

~~(d) ((In years ending in odd numbers, additional season for game fish and salmon August 20 through August 31:~~

~~(i) Night closure in effect.~~

~~(ii) Anti-snagging rule applies.~~

~~(iii) It is unlawful to use bait.~~

~~(iv) Only one single-point hook may be used. The hook must measure less than 1/2 inch from point to shank.~~

~~(v) Trout minimum length 14 inches.~~

~~(e))~~ Salmon:

(i) In years ending in odd numbers:

(A) Open ~~((August 20))~~ September 1 through December 31.

(B) Daily limit 6 salmon; no more than 3 may be any combination of adult coho and adult chum.

(C) Release Chinook.

(ii) In years ending in even numbers:

(A) Open September 1 through December 31.

(B) Limit 6 salmon; no more than 3 adults may be retained.

(C) Release Chinook.

(3) From the Interstate 405 Bridge to South 277th Street Bridge in Auburn:

(a) Anti-snagging rule and night closure in effect October 1 through November 30.

(b) It is unlawful to fish from any floating device November 1 through January 15.

(c) Open the first Saturday in June through July 31 and October 1 through January 15; trout minimum length 14 inches.

(d) In years ending in odd numbers, additional season for game fish and salmon September 1 through September 30:

(i) Night closure in effect.

(ii) Anti-snagging rule applies.

(iii) It is unlawful to use bait.

(iv) Only one single-point hook may be used. The hook must measure ~~((less than))~~ 1/2 inch or less from point to shank.

(v) Trout minimum length 14 inches.

(e) Salmon:

(i) In years ending in odd numbers:

(A) Open September 1 through December 31.

(B) Limit 6; no more than 3 may be any combination of adult coho and adult chum.

(C) Release Chinook.

(ii) In years ending in even numbers:

(A) Open October 1 through December 31.

(B) Limit 6; no more than 3 adults may be retained.

(C) Release Chinook.

(4) From the 277th Street Bridge to Auburn-Black Diamond Road Bridge:

(a) Anti-snagging rule and night closure in effect October 16 through November 30.

(b) It is unlawful to fish from a floating device November 1 through January 31.

(c) Open the first Saturday in June through August 15 and October 16 through January 31; trout minimum length 14 inches.

(d) In years ending in odd numbers, additional season for game fish and salmon September 16 through October 15:

(i) Night closure in effect.

(ii) Anti-snagging rule applies.

(iii) It is unlawful to use bait.

(iv) Only one single-point hook may be used. The hook must measure ~~((less than))~~ 1/2 inch or less from point to shank.

(v) Trout minimum length 14 inches.



(e) Salmon:

(i) In years ending in odd numbers:

(A) Open September 16 through December 31.

(B) Limit 6; no more than 3 may be any combination of adult coho and adult chum.

(C) Release Chinook.

(ii) In years ending in even numbers:

(A) Open October 16 through December 31.

(B) Limit 6; no more than 3 adults may be retained.

(C) Release Chinook.

(5) From the Auburn-Black Diamond Road Bridge to the mouth of Cristy Creek at Flaming Geyser State Park:

(a) Closed waters within 150 feet of the mouth of Keta (Crisp) Creek.

(b) Anti-snagging rule and night closure in effect August 1 through September 15 and November 1 through November 30.

(c) Open the first Saturday in June through September 15 and November 1 through January 31; trout minimum length 14 inches.

(d) Salmon:

(i) Open November 1 through December 31.

(ii) Limit 6; no more than 3 (~~adults~~) may be (~~retained~~) any combination of adult coho and adult chum.

(iii) Release Chinook.

(6) From mouth of Cristy Creek at Flaming Geyser State Park to the water pipeline walk bridge (1/2 mile downstream of Tacoma Headworks Dam):

(a) Closed waters within 150 feet of the Palmer Pond outlet rack.

(b) Anti-snagging rule and night closure in effect August 1 through November 30.

(c) Open the first Saturday in June through January 31; trout minimum length 14 inches.

(d) Salmon:

(i) Open November 1 through December 31.

(ii) In years ending in odd numbers:

(A) Limit 6; no more than 3 may be any combination of adult coho and adult chum.

(B) Release Chinook.

(iii) In years ending in even numbers:

(A) Limit 6; no more than 3 adults may be retained.

(B) Release Chinook.

(7) From Friday Creek upstream, including all tributaries and their tributaries, open the Saturday before Memorial Day through October 31.

Greenwater River (King County), from mouth to Greenwater Lakes: November 1 through January 31 season. Release all fish except whitefish. Whitefish gear rules.

From Greenwater Lakes upstream: First Saturday in June through October 31 season.

Grimes Lake (Douglas County): June 1 through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Grizzly Lake (Skamania County): Closed waters.

Groves Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Halfmoon Creek (Pacific County) (Willapa River tributary): From mouth upstream: All game fish: First Saturday in June through October 15 season. Selective gear rules.

Halfmoon Lake (Adams County): April 1 through September 30 season.

Halfmoon Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Halfway Creek (Lewis County) (tributary of Stillman Creek, which is a Chehalis River tributary): From mouth to second bridge crossing on Pe Ell McDonald Road: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Hamilton Creek (Skamania County): Barbless hooks required for steelhead. Trout: Release all fish except up to two hatchery steelhead may be retained per day. All tributaries downstream from the Highway 14 Bridge: Closed waters.

Hamma Hamma River (Mason County):

(1) From the mouth to 400 feet below the falls:

(a) Open the first Saturday in June through August 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Catch and release only.

(2) From the falls upstream: Open the first Saturday in June through October 31.

Hampton Lakes, Lower and Upper (Grant County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Hanaford Creek (Lewis County) (Skookumchuck River tributary): From mouth upstream: All Species: Selective gear rules. The first Saturday in June through October 31 season. Trout: Minimum length eight inches.

Hancock Lake (King County): Fourth Saturday in April through October 31 season. All tributary streams and the upper third of the outlet are closed waters. Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

Hansen Creek (Skagit County): Including all tributaries and their tributaries: First Saturday in June through October 31 season. Selective gear rules.

Harris Creek (Grays Harbor County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Harris Lake (Grant County): All species: Selective gear rules. Trout: Daily limit 1.

Harrison Slough (Skagit County): All game fish: First Saturday in June through October 31 season.

Harvey Creek (tributary to Sullivan Lake) (Pend Oreille County):

From mouth to Bridge 4830 on county road (about one and one-half miles): Closed waters.

From Bridge 4830 upstream: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Hatch Lake (Stevens County): December 1 through March 31 season. All species: Catch and release except up to five rainbow trout may be retained.

Hatchery Lake (Mason County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Haven Lake (Mason County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Hawk Creek and tributaries (Lincoln County): Year-round season.

Hays Creek and Ponds (Adams County): April 1 through September 30 season.

Headgate Pond (Asotin County):

(1) Open to juvenile anglers, seniors, and anglers with a disability who possess a designated harvester companion card only.

(2) Open the fourth Saturday in April through October 31.

Heart Lake (near Anacortes) (Skagit County): Fourth Saturday in April through October 31 season.

Heins Lake (Kitsap County): Closed waters.

Hemlock Lake (Trout Creek Reservoir) (Skamania County): Closed waters.

Hen Lake (Grant County): April 1 through September 30 season.

Heritage Lake (Stevens County): Fourth Saturday in April through October 31 season.

Herman Lake (Adams County): April 1 through September 30 season.

Hicks Lake (Thurston County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Hilt Creek (Skagit County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Hog Canyon Creek (Spokane County): Hog Canyon Dam to Scroggie Road: Year-round season.

Hog Canyon Lake (Spokane County): December 1 through March 31 season. Trout: No more than two over fourteen inches in length may be retained.

Hoh River (Jefferson County):

(1) From Olympic National Park boundary upstream to DNR Oxbow Campground Boat Launch:

(a) Open May 16 through April 15.

(b) From February 16 through April 15, wild steelhead retention allowed.

(c) From May 16 through the Friday before the first Saturday in June:

(i) Open Wednesdays through Sundays only.

(ii) Release game fish, except anglers may retain up to 2 hatchery steelhead.

(d) From the first Saturday in June through April 15:

(i) From the first Saturday in June through March 31, trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) From April 1 through April 15, trout minimum length 14 inches.

(iii) From November 1 through February 15, limit may include one additional hatchery steelhead.

(e) Salmon open May 16 through November 30:

(i) From May 16 through August 31:

(A) Open Wednesday through Sunday only.

(B) Limit 6; no more than 1 adult may be retained.

(C) Release wild Chinook.

(ii) From September 1 through November 30:

(A) Limit 6.

(B) No more than 2 adults may be retained.

(2) From DNR Oxbow Campground Boat Launch to Willoughby Creek:

(a) Open May 16 through April 15.

(i) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(ii) Selective gear rules apply (~~August 1~~) May 16 through October 15 and December 1 through April 15.

(b) From May 16 through the Friday before the first Saturday in June:

(i) Open Wednesdays through Sundays only.

(ii) Release game fish, except anglers may retain up to 2 hatchery steelhead.

(c) From the first Saturday in June through April 15: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(d) Salmon:

(i) Open May 16 through August 31:

(A) Open Wednesdays through Sundays only.

(B) Limit 6; no more than 1 adult may be retained.

(C) Release wild Chinook.

(ii) Open October 16 through November 30:

(A) Limit 6.

(B) No more than 2 adults may be retained.

(3) From Willoughby Creek to Morgan's Crossing boat launch site:

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) Selective gear rules apply from the first Saturday in June through October 15 and December 1 through April 15.

(c) Open the first Saturday in June through April 15: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(d) Salmon:

(i) Open October 16 through November 30.

(ii) Limit 6; no more than 2 adults may be retained.

(4) From Morgan's Crossing Boat Launch upstream to the Olympic National Park boundary below mouth of South Fork Hoh River:

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) Selective gear rules apply.

(c) Open the first Saturday in June through April 15: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Hoh River, South Fork (Jefferson County), outside the Olympic National Park boundary:

(1) Open the first Saturday in June through April 15.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Hoko River (Clallam County):

From mouth to upper Hoko Bridge: Permissible to fish up to the hatchery ladder, except closed to fishing from shore on the hatchery side of the river from the ladder downstream 100 feet. First Saturday in June through March 15 season. Fly fishing only September 1 through October 31. Trout: Minimum length fourteen inches.

From upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5): The first Saturday in June through March 31 season. Fly fishing only. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Homestead Lake (Grant County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one fish.

Hoquiam River, including West Fork (Grays Harbor County):

(1) From mouth to Dekay Road Bridge (West Fork):

(a) Single-point barbless hooks required August 16 through November 30.

(b) Open the first Saturday in June through the last day of February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) Salmon:

(i) Open October 1 through November 30.

(ii) Limit 6; no more than 2 adults may be retained, and only one may be an adult wild coho.

(iii) Release Chinook and chum.

(2) From Dekay Road Bridge upstream:

(a) Open the first Saturday in June through the last day of February.

(b) Selective gear rules apply.

(c) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Hoquiam River, East Fork (Grays Harbor County):

(1) From mouth to confluence of Berryman Creek:

(a) Single-point barbless hooks required August 16 through November 30.

(b) Open the first Saturday in June through the last day of February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) Salmon:

(i) Open October 1 through November 30.

(ii) Limit 6; no more than 2 adults may be retained, and only one may be an adult wild coho.

(iii) Release Chinook and chum.

(2) From confluence of Berryman Creek upstream to Youman's Road Bridge:

(a) Open the first Saturday in June through the last day of February.

(b) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Hoquiam River, Middle Fork (Grays Harbor County): From mouth upstream: The first Saturday in June through last day of October season. Trout: Minimum length eight inches, daily limit 2 fish. Selective gear rules. Other game fish: Selective gear rules.

Horseshoe Lake (Clark/Cowlitz counties): Trout: No more than 2 trout 20 inches or greater in length may be retained. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Jefferson County): Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit 1.

Horseshoe Lake (Kitsap County): Fourth Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Horseshoe Lake (Pend Oreille County): Fourth Saturday in April through October 31 season. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Horsethief Lake (Klickitat County): Fourth Saturday in April through October 31 season.

Hourglass Lake (Grant County): April 1 through September 30 season.

Howard Creek (Whatcom County): Upstream from where Howard Creek flows into Section 13 of township 36N, range 6E, 0.3 lineal miles upstream from the South Fork Nooksack River, and including all tributaries: Open the Saturday before Memorial Day through October 31.

Howard Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Howe Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Howell Lake (Mason County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Hozomeen Lake (Whatcom County): July 1 through October 31 season. Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

Huff Lake (Pend Oreille County): Closed waters.

Humptulips River (Grays Harbor County):

(1) From the mouth (Jessie Slough) to Ocean Beach Road (near Copalis Crossing), including all channels, sloughs, and interconnected waterways:

(a) August 16 through ~~((August 31 and October 1 through))~~ November 30:

- (i) Night closure in effect.
- (ii) Single-point barbless hooks required.

(b) Open the first Saturday in June through March 31 ~~((; except closed September 1 through September 30))~~: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) Salmon open ~~((October))~~ September 1 through January 31:

- (i) From ~~((October))~~ September 1 through November 30:
  - (A) Limit 6; no more than 3 adults may be retained.
  - (B) Only one adult Chinook and one adult wild coho may be retained.

~~((C) Release chum.)~~

- (ii) From December 1 through January 31:
  - (A) Limit 6; no more than 2 adults may be retained.
  - (B) Only one adult Chinook may be retained.
  - (C) Release chum and wild coho.

(2) From Ocean Beach Road (near Copalis Crossing) to Highway 101 Bridge:

(a) August 16 through ~~((August 31 and September 16 through))~~ November 30:

- (i) Night closure in effect.
- (ii) Single-point barbless hooks required.

(b) Open the first Saturday in June through March 31 ~~((; except closed September 1 through September 15))~~: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) Salmon open September ~~((16))~~ 1 through January 31:

- (i) From September ~~((16))~~ 1 through November 30:
  - (A) Limit 6; no more than 3 adults may be retained.
  - (B) Only one adult ~~((may be))~~ Chinook and only ~~((2))~~ one adult ~~((s may be))~~ wild coho may be retained.

~~((C) Release chum.)~~

- (ii) From December 1 through January 31:
  - (A) Limit 6; no more than 2 adults may be retained.
  - (B) Only one adult may be Chinook.
  - (C) Release chum and wild coho.

(3) From Highway 101 Bridge to the confluence of the East and West forks:

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor from September 1 through March 31 for all species.

(b) From August 16 through November 30:

- (i) Night closure in effect.
- (ii) Single-point barbless hooks are required.

~~((b))~~ (c) Open the first Saturday in June through March 31:

(i) From the first Saturday in June through the last day in February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) From March 1 through March 31:

(A) Release all fish, except anglers may retain up to 2 hatchery steelhead.

(B) Selective gear rules apply.

~~((C) It is unlawful to fish from a floating device equipped with an internal combustion motor.~~

~~((e))~~ (d) Salmon open September ~~((16))~~ 1 through January 31:

(i) ~~((It is unlawful to fish from a floating device equipped with an internal combustion motor.~~

~~((ii))~~ From September ~~((16))~~ 1 through November 30:

- (A) Limit 6; no more than 3 adults may be retained.
- (B) Only one adult Chinook and only one adult wild coho may be retained.

(C) Release chum.

~~((iii))~~ (ii) From December 1 through January 31:

(A) Limit 6; no more than 2 adults may be retained, and only one may be an adult Chinook.

(B) Release chum and wild coho.

Humptulips River, East Fork (Grays Harbor County):

(1) From the mouth to the concrete bridge on Forest Service Road 220:

(a) Anti-snagging rule and night closure in effect August 16 through October 31.

(b) Open the first Saturday in June through October 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(2) From the concrete bridge on Forest Service Road 220 upstream:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

Humptulips River, West Fork (Grays Harbor County):

(1) From mouth to Donkey Creek:

(a) Anti-snagging rule and night closure in effect August 16 through November 30.

(b) Open the first Saturday in June through March 31:

(i) From the first Saturday in June through the last day in February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) From March 1 through March 31:

(A) Selective gear rules apply.

(B) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(C) Release all fish, except anglers may retain up to 2 hatchery steelhead.

(2) From Donkey Creek upstream:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

Hutchinson Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Hylebos Creek (Pierce County): First Saturday in June through October 31 season. Two trout over 14 inches in length. Selective gear rules apply.

I-82 Ponds, 1 through 7 (Yakima County): Fishing from vessels equipped with internal combustion motors prohibited.

Icehouse Lake (Skamania County): Trout: No more than 2 trout 20 inches or greater in length may be retained.

Icicle River (Creek) (Chelan County):

(1) Closed waters from the mouth to the Leavenworth National Fish Hatchery rack.

(2) From the Leavenworth National Fish Hatchery rack upstream to Leland Creek:

(a) Open the Saturday before Memorial Day through September 30.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

Illabot Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Illahie Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

Independence Creek (Grays Harbor County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Indian Creek and tributaries (Pend Oreille County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Eastern brook trout limit 10.

(3) Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken.

Indian Creek (Yakima County):

(1) Closed from the mouth to the waterfall approximately 6 miles upstream (including the portion of the creek that flows through the dry lakebed).

(2) Upstream of the waterfall approximately 6 miles upstream from the mouth:

(a) Open the Saturday before Memorial Day through October 31.

(b) Eastern brook trout:

(i) No size restrictions and no limit.

(ii) Eastern brook trout do not count as part of the trout limit.

Indian Heaven Wilderness Lakes (Skamania County): Trout: Daily limit three.

Ingall's Creek (Chelan County): Mouth to Wilderness boundary: Closed waters.

Isabella Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Island Lake (Kitsap County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Island Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Issaquah Creek (King County): The first Saturday in June through August 31 season. Juveniles only.

Jackman Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Jackson Lake (Pierce County): Fourth Saturday in April through October 31 season.

Jameson Lake (Douglas County): Fourth Saturday in April through July 4 and October 1 through October 31 seasons.

Jasmine Creek (Okanogan County): Year-round season. Juveniles only.

Jefferson Creek (Mason County): Open the Saturday before Memorial Day through October 31.

Jefferson Park Pond (Walla Walla County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Jennings Park Pond (Snohomish County): Fourth Saturday in April through October 31 season. Juveniles only.

Jewitt Creek (Klickitat County): Juveniles only. Trout: Daily limit five, no minimum length.

Jimmy-Come-Lately Creek (Clallam County): Mouth to confluence with East Fork: The first Saturday in June through August 31 season. Selective gear rules and release all fish.

From confluence with East Fork upstream, including East Fork: First Saturday in June through October 31 season.

Joe Creek (Grays Harbor County):

(1) From ((~~State Highway 109 Bridge~~)) mouth to Ocean Beach Road Bridge:

(a) Single-point barbless hooks required August 16 through November 30.

(b) Open the first Saturday in June through November 30: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) Salmon open September 1 through November 30:

(i) Limit 6; no more than 2 adults may be retained.

(ii) Release adult Chinook and chum.

(2) From Ocean Beach Road Bridge upstream:

(a) Open the first Saturday in June through October 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) Selective gear rules apply.

Johns Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Johns River (Grays Harbor County):

(1) From the mouth (Highway 105 Bridge) to Ballon Creek:

(a) Single-point barbless hooks required August 16 through November 30.

(b) Open the first Saturday in June through the last day in February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) Salmon open October 1 through November 30:

(i) Limit 2; only one wild coho may be retained.

(ii) Release chum and Chinook.

(2) From Ballon Creek upstream, including North and South Forks:

(a) Open the first Saturday in June through September 30, and December 1 through the last day in February.

(b) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Johnson Creek (Lewis County) (Cowlitz River tributary): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches.

Johnson Creek (Thurston County) (Skookumchuck River tributary): From mouth upstream: All Species: Selective gear rules. The first Saturday in June through October 31 season. Trout: Minimum length eight inches.

Johnson Creek (Whatcom County): From Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas: First Saturday in June through October 31 season. Juveniles only.

Jolanda, Lake (Chelan County): Closed.

Jones Creek (Lewis County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Jones Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Jordan Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. Selective gear rules.

Jorsted Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Jump-Off Joe Lake (Stevens County): Fourth Saturday in April through October 31 season.

Kachess Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Kachess River (Kittitas County):

(1) It is permissible to fish to base of Kachess Dam.

(2) Selective gear rules apply.

(3) Closed waters from Kachess Lake (Reservoir) upstream to the waterfall approximately one-half mile above Mineral Creek.

Kalaloch Creek (Jefferson County), outside Olympic National Park:

(1) Closed waters within the section posted as the Olympic National Park water supply.

(2) Open the first Saturday in June through the last day in February:

(a) Selective gear rules apply.

(b) Trout minimum length 14 inches(-), except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Kalama River (Cowlitz County):

(1) From the mouth upstream to 1,000 feet above the fishway at the upper salmon hatchery:

(a) Closed waters:

(i) From 1,000 feet below to 1,000 feet above the fishway at upper salmon hatchery.

(ii) From Modrow Bridge downstream to the markers 1,500 feet below the temporary rack when the rack is installed below Modrow Bridge.

(b) All other waters open year-round.

(c) Barbless hooks required for salmon and steelhead.

(d) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

~~((d))~~ (e) Anti-snagging rule and night closure in effect April 1 through October 31 from the railroad bridge below I-5 to the intake at the lower salmon hatchery. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

~~((e) Stationary gear restriction applies September 1 through October 31 from the railroad bridge below I-5 to the natural gas pipeline at Mahaffey's Campground.))~~

(f) It is unlawful to fish from a floating device equipped with an internal combustion motor upstream of Modrow Bridge.

(g) Fly fishing only September 1 through October 31 from the natural gas pipeline crossing to the posted deadline at the intake to the lower salmon hatchery.

(h) Salmon open (~~year-round~~):

(i) From January 1 through (~~July 31~~) April 30:

(A) Limit 6 hatchery Chinook only.

(B) No more than 1 adult hatchery Chinook may be retained.

(ii) From August 1 through December 31:

(A) Limit 6; no more than 2 adult hatchery Chinook may be retained.

(B) Release all salmon other than hatchery Chinook and hatchery coho.

(2) From 1,000 feet above the fishway at the upper salmon hatchery, upstream to Summers Creek:

(a) Open year-round.

(b) It is unlawful to fish from a floating device equipped with a motor.

(c) Selective gear rules apply.

(d) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

(3) From Summers Creek upstream to Kalama Falls:

(a) Closed from the 6420 Road, approximately one mile above the gate at the end of the county road, to Kalama Falls.

(b) Open the first Saturday in June through March 31:

(i) It is unlawful to fish from a floating device equipped with a motor.

(ii) Fly fishing only.

(iii) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

Kalispell Creek and tributaries (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Kapowsin Lake (Pierce County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Keechelus Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches, additionally up to sixteen kokanee may be retained.

Kelsey Creek (tributary of Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Kendall Creek (Whatcom County) (NF Nooksack tributary) above the hatchery grounds: First Saturday in June through October 31 season. Selective gear rules.

Kennedy Creek (Mason County):

(1) From the mouth to 400 feet below the falls:

(a) Open the first Saturday in June through the last day in February.

(b) Selective gear rules apply from Highway 101 Bridge to 400 feet below the falls, except October 1 through December 31.

(c) Anti-snagging rule and night closure in effect October 1 through December 31.

(d) Trout minimum length 14 inches.

(e) Salmon:

(i) Open October 1 through November 30 from the mouth to the northbound Highway 101 Bridge.

(ii) Limit 6; no more than 2 adults may be retained.

(iii) Release wild coho.

(2) From the falls upstream, including all tributaries:

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply within the mainstem of Kennedy Creek.

Kennedy Creek Pond (Thurston County): Fourth Saturday in April through October 31 season.

Kettle River (Stevens County):

(1) From the mouth to Barstow Bridge, the tributaries are open from the Saturday before Memorial Day through October 31.

(2) From Barstow Bridge upstream:

(a) Open the Saturday before Memorial Day until October 31.

(b) Selective gear rules apply, except for juvenile anglers, from the Canadian border upstream to Highway 21 Bridge at Curlew.

(c) It is unlawful to fish from a floating device equipped with an internal combustion engine.

(d) Trout minimum length 12 inches.

(e) It is unlawful to fish for or retain sturgeon.

(f) Open November 1 through May 31 for whitefish only. Whitefish gear rules apply as provided in WAC 220-56-100.

(3) Tributaries to Kettle River, from Barstow Bridge upstream; open from the Saturday before Memorial Day through October 31.

Ki Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Kidney Lake (Skamania County): Fourth Saturday in April through last day in February season.

Kimball Creek (near Snoqualmie) (King County): Fourth Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Kindy Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

King's Creek (Pierce County) (Puyallup River tributary): First Saturday in June through October 31 season.

Kings Lake and tributaries (Pend Oreille County): Closed waters.

Kings Lake Bog (King County): Closed waters.

Kitsap Lake (Kitsap County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Kiwanis Pond (Kittitas County): Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.

Klaus Lake (King County): Fourth Saturday in April through October 31 season. Closed waters: The inlet and outlet to first Weyerhaeuser spur.

Klickitat River (Klickitat County):

From mouth to Fisher Hill Bridge: Barbless hooks required for salmon and steelhead. April 1 through January 31 season. Anti-snagging rule and night closure April 1 through May 31 and August 1 through January 31. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained. Game fish: Closed December 1 through January 31. Release game fish other than hatchery steelhead April 1 through May 31. Trout: Minimum length twelve inches. Steelhead and salmon: Open April 1 through May 31 on Sundays, Mondays, Wednesdays and Saturdays only; daily limit 2 hatchery steelhead or 2 salmon, or 1 of each. Release wild Chinook. Salmon: Open June 1 through January 31. June 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild

Chinook. August 1 through January 31, daily limit 6 fish of which no more than 2 may be adult Chinook.

From Fisher Hill Bridge to four hundred feet above # 5 fishway: Closed waters.

From four hundred feet above # 5 fishway to the Yakama Indian Reservation boundary: Barbless hooks required for salmon and steelhead. June 1 through November 30 season, except waters from boundary markers above Klickitat salmon hatchery to boundary markers below hatchery are closed waters. Trout: Minimum length twelve inches. Additional December 1 through March 31 season. Whitefish gear rules apply. Salmon: Open only June 1 through November 30 from 400 feet above No. 5 Fishway to boundary markers below Klickitat Salmon Hatchery. June 1 through July 31, daily limit 6 salmon. Release adult salmon and release wild Chinook. August 1 through October 31, daily limit 6 fish of which no more than 2 may be adult Chinook. November 1 through November 30, daily limit 6 fish. Release Chinook.

From the Yakama Indian Reservation boundary upstream to source, including all tributaries: Closed waters.

Klineline Ponds (Clark County):

(1) Closed the Monday before Thanksgiving Day through Thanksgiving Day.

(2) No more than 2 trout 20 inches in length or greater may be retained.

Koeneman Lake (Fern Lake) (Kitsap County): Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Kokanee Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Kress Lake (Cowlitz County):

(1) Closed the Monday before Thanksgiving Day through Thanksgiving Day.

(2) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(3) No more than 2 trout 20 inches in length or greater may be retained.

(4) Landlocked salmon rules apply.

Lacamas Creek (Clark County): From mouth to footbridge at lower falls: First Saturday in June through August 31 season. From footbridge at lower falls upstream: Permissible to fish upstream to the base of Lacamas Lake Dam.

Lacamas Creek, tributary of Cowlitz River (Lewis County): Barbless hooks required for steelhead. Trout: Release all trout except up to two hatchery steelhead may be retained per day.

Ladder Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Lake Creek (Okanogan County): Mouth to Black Lake: Closed waters. Black Lake to Three Prong Creek: Closed waters.

Langlois Lake (King County): Fourth Saturday in April through October 31 season.

Latah (Hangman) Creek (Spokane County): Year-round season.

Lawrence Lake (Thurston County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

LeBar Creek (Mason County): From the falls at river mile one upstream: First Saturday in June through October 31 season.

Le Clerc Creek and tributaries (Pend Oreille County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Eastern brook trout limit is 10.

(3) Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken.

Ledbetter Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Ledking Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Leech Lake (White Pass area) (Yakima County): Fly fishing only. Fishing prohibited from floating devices equipped with motors. Trout: No more than one over 14 inches in length.

Leland Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Leland Lake (Jefferson County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Lemna Lake (Grant County): April 1 through September 30 season.

Lena Creek (Mason County): First Saturday in June through October 31 season.

Lenice Lake (Grant County): March 1 through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Lena Lake, Lower (Jefferson County): Closed waters: Inlet stream from mouth upstream to footbridge (about one hundred feet).

Lenore Lake (Grant County): Closed waters: Area within two hundred yard radius of trash rack leading to the irrigation pumping station (south end of lake) and area approximately one hundred yards beyond the mouth of inlet stream to State Highway 17. March 1 through May 31 season: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. Additional season the first Saturday in June through November 30: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.



Leo Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Lewis River (Clark County), from mouth to forks:

(1) Open year-round.  
 (2) Barbless hooks required for salmon and steelhead.  
 (3) Fishing two poles is permissible from Railroad Bridge near Kuhns Road upstream to mouth of East Fork Lewis, so long as the angler possesses a two-pole endorsement.

~~((3))~~ (4) Trout: Release all fish except anglers may retain up to 2 hatchery steelhead.

~~((4))~~ (5) Salmon (~~(-open year-round)~~):

(a) Open from January 1 through ((July 31)) April 30:

~~((1))~~ Limit 6 hatchery Chinook (~~(-~~

~~((1))~~); no more than one ((hatchery Chinook)) may be an adult.

(b) From August 1 through September 30:

(i) Limit 6 hatchery salmon; no more than 2 may be adult hatchery Chinook.

(ii) Release all salmon except hatchery Chinook and hatchery coho.

(c) From October 1 through December 31:

(i) Limit 6; no more than 2 may be adult Chinook.

(ii) Release all salmon except Chinook and hatchery coho.

~~((5))~~ (6) Sturgeon: Seasons, days of the week, limits, and size restrictions are the same as in adjacent waters of the mainstem Columbia River.

Lewis River, East Fork (Clark/Skamania counties): Closed waters: From the posted markers at the lower end of Big Eddy to one hundred feet above Lucia Falls; from four hundred feet below to four hundred feet above Molton Falls; from four hundred feet below Horseshoe Falls upstream including all tributaries above Horseshoe Falls.

Mouth to 400 feet below Horseshoe Falls: The first Saturday in June through March 15 season. Barbless hooks required for steelhead. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained. Mouth to top boat ramp at Lewisville Park: Additional April 16 through the Friday before the first Saturday in June season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Release all fish except up to 2 hatchery steelhead may be retained per day.

Lewis River, North Fork (Clark/Skamania counties):

From mouth to Colvin Creek: Year-round season except closed waters: From Johnson Creek upstream May 1 through May 31, and those waters shoreward of the cable buoy and corkline at the mouth of the Lewis River Salmon Hatchery fish ladder (~~(are closed waters)~~). Barbless hooks required for salmon and steelhead. All species: Fishing two poles is permissible from mouth to Johnson Creek, so long as the angler possesses a two-pole endorsement. Anti-snagging rule and night closure (~~(April)~~) June 1 through November 30 and April 1 through April 30 from Johnson Creek to Colvin Creek. When anti-snagging rule is in effect, only fish hooked inside the mouth may be retained. Trout: Release all fish except up to 2 hatchery steelhead may be retained per day. Salmon: Open (~~(year-round)~~) August 1 through April 30. January 1 through (~~(July 31))~~ April 30, daily limit 6 hatchery

Chinook of which only 1 may be an adult salmon. August 1 through September (~~((14))~~) 30, daily limit 6 hatchery salmon, of which no more than 2 may be adult hatchery Chinook. Release all salmon except hatchery Chinook and hatchery coho. (~~(September 15))~~ From October 1 through December 31, daily limit 6 salmon, of which no more than 2 adult Chinook may be retained. Release all salmon except Chinook and hatchery coho. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in waters of mainstem Columbia River adjacent to mouth of Lewis River.

From mouth of Colvin Creek to overhead powerlines at Merwin Dam: Barbless hooks required for salmon and steelhead. June 1 through October 15 and December 16 through ((September)) April 30 seasons. Anti-snagging rule and night closure April 1 through (~~(September))~~ April 30 and June 1 through October 15. When anti-snagging rule is in effect, only fish hooked inside the mouth may be retained. Trout: Release all fish except up to 2 hatchery steelhead may be retained per day. Salmon: Open (~~(only January 1 through September 30))~~ August 1 through October 15 and December 16 through ((December 31)) April 30. January 1 through (~~(July 31))~~ April 30, daily limit 6 hatchery Chinook of which only 1 may be an adult salmon. August 1 through September (~~((14))~~) 30, daily limit 6 hatchery salmon, of which no more than 2 may be adult hatchery Chinook. Release all salmon except hatchery Chinook and hatchery coho (~~(September 15))~~. October 1 through ((September 30)) October 15 and December 16 through December 31. Daily limit 6 salmon, of which no more than 2 may be adult Chinook. Release all salmon except Chinook and hatchery coho. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in waters of mainstem Columbia River adjacent to mouth of Lewis River.

From overhead powerlines at Merwin Dam to Merwin Dam: Closed waters.

From the cable crossing 1,300 feet below Yale Dam to Yale Dam: Closed waters.

Within Lewis River Power Canal: From the fishing pier to the access road at Swift Dam: Fourth Saturday in April through October 31 season. Fishing from a floating device prohibited. Trout: No minimum size, daily limit 5.

From Eagle Cliff Bridge to lower falls including all tributaries: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Liberty Lake (Spokane County): March 1 through October 31 season.

Lilliwaup River (Mason County): Mouth to 200 feet below falls: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

From falls upstream: First Saturday in June through October 31 season.

Lilly Lake (Chelan County): Fourth Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Lime Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Limerick Lake (Mason County): Fourth Saturday in April through October 31 season.

Lincoln Creek, including South Fork (Lewis County) (Chelalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Lincoln Pond (Clallam County): Juveniles only.

Lions Park Pond (Walla Walla County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Little Ash Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Little Bear Creek (tributary of Sammamish River) (Snohomish/King counties): The first Saturday in June through August 31 season. Juveniles only.

Little Hoko River (Clallam County): First Saturday in June through October 31 season. Selective gear rules. All species: Release all fish.

Little Hoquiam River (Grays Harbor County): From mouth upstream: The first Saturday in June through October 31 season. Selective gear rules.

Little Klickitat River (Klickitat County): Within Goldendale city limits: Fourth Saturday in April through October 31 season. Juveniles only. Trout: Daily limit five, no minimum length.

Little Lost Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Little Mission Creek (Mason County) from falls upstream: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Little Naches River (Yakima County), including tributaries: Selective gear rules apply.

Little Nisqually River (Lewis County): First Saturday in June through October 31 season. Trout: Minimum length fourteen inches.

Little North River ((~~Creek~~)) and all forks (Grays Harbor County) (North River tributary): From mouth upstream: All game fish: The first Saturday in June through October 31 season. Selective gear rules.

Little Pend Oreille River (Stevens County):

(1) From the Little Pend Oreille wildlife refuge boundary approximately 1 mile downstream from the refuge headquarters office, to Crystal Falls:

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Release all fish except anglers may retain up to 5 eastern brook trout.

(2) All tributaries to the Little Pend Oreille River are open the Saturday before Memorial Day through October 31.

Little Quilcene River (Jefferson County): From mouth to the Little Quilcene River Bridge on Penny Creek Road: First Saturday in June through October 31 season. All species: Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish. Closed waters: Mouth to Highway 101 Bridge September 1 through October 31.

From Little Quilcene River Bridge on Penny Creek Road upstream: First Saturday in June through October 31 season.

Little Scandia Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Little Spokane River (Spokane County):

(1) Open year-round from the mouth to the SR 291 Bridge.

(2) From the SR 291 Bridge upstream to the West Branch:

(a) Open the fourth Saturday in April through October 31.

(b) Open December 1 through March 31 for whitefish only; whitefish gear rules apply.

(3) From the West Branch upstream:

(a) Closed from the inlet of Chain Lake upstream one-quarter mile to the railroad crossing culvert.

(b) Open the Saturday before Memorial Day through October 31.

(c) Release kokanee taken upstream from the bridge at Fridegar Rd, including Chain Lake.

(4) All tributaries to the Little Spokane River, not otherwise listed in this document, are open the Saturday before Memorial Day through October 31.

Little Twin Lake (Okanogan County): Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Little Twin Lake (Stevens County): Fourth Saturday in April through October 31.

Little Washougal River (Clark County): Barbless hooks required for steelhead.

Little Wenatchee River (Chelan County): From Lake Wenatchee to the falls below U.S. Forest Service Road 6700 Bridge at Riverside Campground: Closed waters.

Little White Salmon River (Skamania County):

(1) Closed waters from the orange fishing boundary markers at Drano Lake upstream to the intake near the north boundary of the Little White Salmon National Fish Hatchery.

(2) Open the Saturday before Memorial Day through October 31.

(3) Trout limit 5.

Lone Lake (Island County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combus-

tion motor. Trout: Daily limit one, minimum length 18 inches.

Long Lake (Ferry County): Fourth Saturday in April through October 31 season. Fly fishing only. Unlawful to use flies containing lead. Unlawful to fish from floating devices equipped with motors.

Long Beach Peninsula waterways and lakes (Pacific County): All game fish: Fourth Saturday in April through October 31 season.

Long Lake (Okanogan County): Fourth Saturday in April through September 30 season.

Long Lake (Thurston County): Trout limit 5; no more than 2 over 14 inches in length may be retained, except no size restriction for kokanee.

Long's Pond (Thurston County): Juveniles only.

Loomis Lake (Pacific County): Fourth Saturday in April through October 31 season.

Loomis Pond (Grays Harbor County): Closed waters.

Loon Lake (Stevens County): Fourth Saturday in April through October 31 season. Trout except kokanee: Daily limit five, except no more than two over twenty inches in length may be retained. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Lost Lake (Kittitas County): Trout: Not more than 1 fish over 14 inches in length.

Lost Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Lost Lake (Okanogan County): Unlawful to fish from a floating device equipped with an internal combustion engine. Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

Lost River (Okanogan County):

(1) Closed from the mouth to the mouth of Monument Creek.

(2) From the mouth of Monument Creek to the outlet of Cougar Lake:

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Trout:

(i) Minimum length 14 inches.

(ii) It is permissible to retain Dolly Varden/Bull Trout, as part of the trout limit; minimum length 14 inches.

Love Lake (Clark County): Closed waters.

Lower Salmon Creek and all forks (Grays Harbor/Pacific counties) (North River tributary): From mouth upstream: All game fish: The first Saturday in June through October 31 season. Selective gear rules.

Lucas Creek (Lewis County) (tributary to the Newaukum River North Fork): From mouth upstream: The first Saturday in June through October 31 season. Trout: Catch and release only. Selective gear rules. Other game fish: Selective gear rules.

Lucky Duck Pond (Stevens County): Juveniles only.

Ludlow Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Ludlow Lake (Jefferson County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Lyle Lake (Adams County): April 1 through September 30 season.

Lyle Creek (King County) (White River tributary): First Saturday in June through October 31 season.

Lyre River (Clallam County):

From mouth to falls near river mile 3: The first Saturday in June through January 31 season. Trout: Minimum length fourteen inches.

From falls to Olympic National Park boundary: First Saturday in June through October 31 season. Selective gear rules. All species: Release all fish.

Mad River (Chelan County): From mouth upstream to Jimmy Creek: Closed waters.

Maggie Lake (Mason County): Fourth Saturday in April through November 30 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Salmon: Landlocked salmon rules apply.

Malaney Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Manastash Creek (Kittitas County), including tributaries: Selective gear rules apply.

Maple Creek (Whatcom County) (NF Nooksack tributary): First Saturday in June through October 31 season. Selective gear rules.

Marble Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Margaret Lake (King County): Fourth Saturday in April through October 31 season.

Marsh Creek (Snohomish County) (Sultan River tributary): Above the falls and upstream, including tributaries and beaver ponds: Open the Saturday before Memorial Day through October 31.

Marshal Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Martha Lake (Grant County): March 1 through July 31 season.

Martha Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Matheny Creek (Jefferson County) (Queets River tributary), outside Olympic National Park:

- (1) Open the first Saturday in June through October 31.
- (2) Selective gear rules apply.
- (3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Mattoon Lake (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.

May Creek (tributary of Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Mayfield Lake (Reservoir) (Lewis County): Mayfield Dam to 400 feet below Mossyrock Dam: Closed waters: Tacoma Power safety signs at Onion Rock Bridge to Mossyrock Dam. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Release rainbow trout except rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho and wild Chinook.

McAllister Creek (Thurston County): Barbless hooks required. First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches. Salmon: Open July 1 through November 30. Daily limit six fish and up to two adults may be retained.

McCabe Pond (Kittitas County): Fishing from any floating device prohibited. All species: Five fish daily limit for all species combined.

McDonald Creek (Clallam County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

McDowell Lake (Stevens County): Fourth Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

McIntosh Lake (Thurston County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

McLane Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules. Night closure August 1 through October 31. Trout: Minimum length fourteen inches.

McLane Creek Ponds (Thurston County): Fourth Saturday in April through October 31 season.

McManaman Lake (Adams County): April 1 through September 30 season.

McMurray Lake (Skagit County): Fourth Saturday in April through October 31. Salmon: Landlocked salmon rules apply.

Medical Lake (Spokane County): March 1 through October 31 season. Selective gear rules. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two, minimum length fourteen inches.

Medical Lake, West (Spokane County): Fourth Saturday in April through September 30 season.

Melbourne Lake (Mason County): Fourth Saturday in April through October 31 season.

Mercer Creek (Kittitas County): That portion within Ellensburg city limits: Juveniles only.

Mercer Slough (tributary of Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Merrill Lake (Cowlitz County): All species: Fly fishing only and release all fish. Unlawful to fish from a floating device equipped with an internal combustion engine.

Merritt Lake (Chelan County): Trout: Daily limit sixteen.

Merry Lake (Grant County): March 1 through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Merwin Lake (Reservoir) (Clark/Cowlitz County):

- (1) Landlocked salmon rules apply.
- (2) Kokanee limit 10; kokanee do not count as part of the trout limit.

Methow River (Okanogan County):

- (1) Closed from the mouth to County Road 1535 (Burma Road) Bridge.
- (2) From County Road 1535 (Burma Road) Bridge to Gold Creek:
  - (a) Open the Saturday before Memorial Day through September 15.
  - (b) Selective gear rules apply.
  - (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
  - (d) Catch and release only.
- (3) From Gold Creek to Foghorn Dam:
  - (a) Open the Saturday before Memorial Day through September 30.
  - (b) Selective gear rules apply.
  - (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
  - (d) Catch and release only.
- (4) From Foghorn Dam to Weeman Bridge:
  - (a) Open the Saturday before Memorial Day through August 15.
  - (b) Selective gear rules apply.
  - (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
  - (d) Catch and release only.
- (5) Closed from Weeman Bridge to the falls above Brush Creek the first Saturday in June through October 31.

(6) From Gold Creek to the falls above Brush Creek:

(a) Open December 1 through March 31 for whitefish only.

(b) Whitefish gear rules apply.

(7) Methow River tributaries not otherwise listed in this section:

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Trout maximum length 20 inches.

Milk Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Mill Creek (Chelan County): Closed waters.

Mill Creek (Cowlitz County): The first Saturday in June through August 31 and November 1 through March 15 seasons. Barbless hooks required for steelhead. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Mill Creek (Lewis County): Barbless hooks required for steelhead. Additional season December 1 through December 31, mouth to hatchery road crossing culvert. Anti-snagging rule and night closure. All species: Release all fish except that up to two hatchery steelhead may be retained per day.

Mill Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Mill Creek (Pacific County) (Willapa River tributary): From mouth upstream: All game fish: First Saturday in June through October 31 season. Selective gear rules.

Mill Creek and tributaries (Pend Oreille County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Eastern brook trout limit 10.

(3) Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken.

Mill Creek (Walla Walla County):

From mouth to Bennington Dam: Closed waters.

From Bennington Dam upstream: All tributaries: Closed waters. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Barbless hooks required September 1 through October 31. Trout: Release all steelhead.

Mill Creek Pond (Grays Harbor County): Juveniles only.

Mill Pond (Auburn) (King County): Fourth Saturday in April through October 31 season. Juveniles only except open to all ages during Free Fishing Weekend (as defined in WAC 220-56-160).

Mill Pond (Pend Oreille County): Fourth Saturday in April through October 31 season.

Mima Creek (Thurston County) (Black River tributary): From mouth upstream: First Saturday in June through October 31 season. Selective gear rules.

Mineral Creek (tributary to upper Kachess River) (Kittitas County): From mouth to Wilderness Boundary: Closed waters.

Mineral Creek (tributary to Nisqually River), and Mineral Creek, North Fork (Lewis County): Trout: Minimum length fourteen inches.

Mineral Lake (Lewis County): Fourth Saturday in April through September 30 season.

Minter Creek (Pierce/Kitsap counties), from the mouth to the hatchery rack:

(1) Open for trout only the first Saturday in June through October 31:

(a) Selective gear rules apply.

(b) Minimum length 14 inches.

(2) Open for salmon November 1 through December 31 from the mouth to the fishing boundary markers approximately 50 feet downstream of the hatchery rack:

(a) Night closure in effect.

(b) Limit 4 chum only.

Mirror Lake (Grant County): Fourth Saturday in April through September 30 season.

Mission Lake (Kitsap County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Mitchell Creek (Lewis County) (tributary to the Newaukum River North Fork): From mouth upstream: The first Saturday in June through October 31 season. Trout: Catch and release only. Selective gear rules. Other game fish: Selective gear rules.

Moclips River (Grays Harbor County), from mouth to the Quinault Indian Reservation boundary:

(1) Open the first Saturday in June through the last day in February.

(2) Trout:

(a) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) It is permissible to retain steelhead with a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.

Molson Lake (Okanogan County): Fishing from a floating device equipped with an internal combustion engine prohibited.

Monte Cristo Lake (Snohomish County):

(1) Open the first Saturday in June through August 31.

(2) Selective gear rules apply.

(3) Catch and release only except anglers may retain up to 2 hatchery steelhead.

Monument Creek (Okanogan County), including tributaries: Selective gear rules apply.

Moran Slough (including inlet and outlet streams) (Grant County): Closed waters.

Morgan Lake (Adams County): April 1 through September 30 season.

Morse Creek (Clallam County), from mouth to Port Angeles Dam: December 1 through January 31 season. Trout: Minimum length fourteen inches.

From Port Angeles Dam upstream: First Saturday in June through October 31 season.

Moses Lake (Grant County): Crappie: Daily limit ten, only crappie more than nine inches in length may be retained. Bluegill: Daily limit five, only bluegill more than eight inches in length may be retained. Walleye: Daily limit 8 walleye. Minimum length twelve inches. No more than one walleye over 22 inches in length may be retained. Yellow perch: Daily limit 25 yellow perch.

Mosquito Creek (Jefferson County), outside Olympic National Park upstream to the Goodman 3000 Mainline Bridge:

(1) Open the first Saturday in June through the last day in February.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

Mox Chehalis Creek (Grays Harbor County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Mountain Lake (San Juan County): Trout: Daily limit may not contain more than one trout over 18 inches in length.

Mud Lake (Mason County): Fourth Saturday in April through October 31 season.

Mud Lake (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Mudget Lake (Stevens County): Fourth Saturday in April through October 31 season.

Munn Lake (Thurston County): All species: Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish.

Muskegon Lake (Pend Oreille County): Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit two.

Myron Lake (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Mystic Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Naches River (Yakima/Kittitas counties):

From the mouth to Little Naches River: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches, maximum length twenty inches. Release trout the first Saturday in June through October 31 from confluence with Tieton River to mouth of Rattle Snake Creek. Additional December 1 through March 31 season. Whitefish gear rules apply.

Nahwatzel Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Naneum Creek (Kittitas County): Selective gear rules apply.

Naneum Pond (Kittitas County): Juveniles only.

Napeequa River (Chelan County): Mouth to Twin Lakes Creek: Closed waters.

Naselle River (Pacific/Wahkiakum counties):

(1) From the Highway 101 Bridge to the Highway 4 Bridge:

(a) Night closure ~~((and))~~, anti-snagging rule ~~((in effect))~~, and barbless hooks required August 1 through November ~~((30))~~ 15.

(b) Stationary gear restriction applies August 1 through ~~((December 31))~~ November 15 from the South Fork upstream to the Highway 4 Bridge.

(c) From Highway 101 Bridge upstream to Highway 401, anglers may fish with a two-pole endorsement August 1 through January 31.

(d) Open the first Saturday in June through April 15: Release all fish except anglers may retain up to 2 hatchery steelhead.

~~((4))~~ (e) Salmon open August 1 through January 31:

(i) From August 1 through November ~~((30))~~ 15:

(A) Limit 6; no more than 3 adults may be retained, and no more than 2 adults may be wild coho.

(B) Release wild Chinook and chum.

(ii) From ~~((December 1))~~ November 16 through January 31:

(A) Limit 6; no more than ~~((2))~~ 3 adults may be retained, and no more than one adult may be a wild coho.

(B) Release ~~((wild))~~ Chinook and chum.

(e) Sturgeon open year-round in 2013; effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).

(2) From the Highway 4 Bridge to the Crown Mainline (Salme) Bridge:

(a) Closed waters:

(i) From the falls in Sec. 6, T10N, R8W (Wahkiakum County) downstream 400 feet.

(ii) From upstream entrance of the hatchery attraction channel downstream 400 feet.

(iii) From ~~((the temporary hatchery weir downstream to Highway 4 when the weir is installed))~~ Highway 4 upstream to the full spanning concrete diversion structure at the Naselle Hatchery, closed August 1 through October 15.

(b) From August 1 through November ~~((30))~~ 15:

(i) Night closure in effect;

- (ii) Anti-snagging rule applies;
- (iii) Barbless hooks required; and
- (iv) Stationary gear rules in effect.
- (v) Internal combustion motors prohibited.

(c) Open the first Saturday in June through April 15: Release all fish except anglers may retain up to 2 hatchery steelhead.

(d) Salmon open August 1 through January 31:

(i) From August 1 through November ~~((30))~~ 15:

(A) Limit 6; no more than 3 adults may be retained, and no more than 2 adults may be wild coho.

(B) Release wild Chinook and chum.

(ii) From ~~((December 1))~~ November 16 through January 31:

(A) Limit 6; no more than ~~((2))~~ 3 adults may be retained, and no more than one adult may be a wild coho.

(B) Release ~~((wild))~~ Chinook and chum.

(3) From the Crown Mainline (Salme) Bridge to the mouth of the North Fork:

(a) Night closure and anti-snagging rule in effect August 6 through November 30.

(b) Open the first Saturday in June through April 15: Release all fish except anglers may retain up to 2 hatchery steelhead.

(4) Upstream from the mouth of the North Fork:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain up to 2 hatchery steelhead.

Naselle River, North Fork (Pacific County): From mouth upstream: All game fish: The first Saturday in June through October 31 season. Selective gear rules.

Naselle River, South Fork (Pacific County):

(1) Selective gear rules apply the first Saturday in June through August 15.

(2) Anti-snagging rule and night closure in effect August 16 through November 30.

(3) Open from the mouth to Bean Creek from the first Saturday in June through the last day in February for all game fish.

(4) Release all fish except anglers may retain up to 2 hatchery steelhead.

(5) Sturgeon:

(a) Open year-round through December 31, 2013.

(b) Effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).

Nason Creek (Chelan County):

(1) Closed waters from the mouth upstream to Smith Brook.

(2) From Smith Brook to Stevens Creek:

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

Negro Creek (Lincoln County): Year-round season from mouth at Sprague Lake to the fish barrier dam at Fishtrap Lake.

Negro Creek (Whitman County): Fourth Saturday in April through July 15 season.

Neil Creek (Grays Harbor County) (Wynoochee River tributary): From mouth to USFS 22 Road: First Saturday in June through October 31 season. All species: Selective gear rules.

Nemah River, Middle Fork (Pacific County):

(1) From the mouth upstream to the Department of Natural Resources bridge on the Middle Nemah A-Line Road:

(a) Night closure and single-point barbless hooks required August 1 through November 30.

(b) Open the first Saturday in June through March 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(c) Salmon:

(i) Open ~~((August))~~ September 1 through January 31.

(ii) Limit 6; no more than 2 adults may be retained.

(iii) Release wild Chinook, wild coho, and chum.

(2) From the Department of Natural Resources bridge on the Middle Nemah A-Line Road upstream:

(a) Night closure and anti-snagging rule in effect August 16 through November 30.

(b) Open the first Saturday in June through March 31:

(i) Selective gear rules apply.

(ii) Release all fish except angler may retain up to 2 hatchery steelhead.

Nemah River, North Fork (Pacific County):

From Highway 101 Bridge upstream to bridge on Nemah Valley Road: The first Saturday in June through March 31 season. Release all game fish except up to 2 hatchery steelhead may be retained. Night closure, single-point barbless hooks required, and stationary gear restriction from August 1 through November 30. Salmon: Open August 1 through November 30. Daily limit 6, of which only 3 may be adult salmon and of the three adults, only two may be wild coho. Release chum and wild Chinook. Open December 1 through January 31. Daily limit six fish, of which only two may be adult salmon and of the two adults, only one may be a wild coho. Release chum and wild Chinook.

From bridge on Nemah Valley Road upstream to Nemah Hatchery: Closed waters August 1 through November 15.

From bridge on Nemah Valley Road upstream to Cruiser Creek: The first Saturday in June through March 31 season. Release all game fish except up to 2 hatchery steelhead may be retained. Night closure and anti-snagging rule August 16 through November 30. Selective gear rules December 1 through March 31.

Nemah River, South Fork (Pacific County):

(1) From the mouth (Lynn Point, 117 degrees true to opposite shore) to the confluence with Middle Fork Nemah River:

(a) Night closure and single-point barbless hooks required September 1 through November 30.

(b) Open the first Saturday in June through March 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(c) Salmon:

(i) Open September 1 through January 31.

(ii) Limit 6; only 2 adults may be retained.

(iii) Release wild Chinook, wild coho, and chum.

(2) From the confluence with Middle Fork Nemah River upstream to the second Highway 101 Bridge crossing:

(a) Open the first Saturday in June through March 31.

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain up to 2 hatchery steelhead.

Newaukum River, including South Fork (Lewis County):

(1) From the mouth to Leonard Road near Onalaska:

(a) Night closure in effect and single-point barbless hooks required from August 16 through November 30.

(b) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) Salmon open October 1 through the last day in February:

(i) From October 1 through November 30:

(A) Limit 6; no more than 3 adults may be retained, and only 2 adults may be wild coho.

(B) Release Chinook and chum.

(ii) From December 1 through the last day in February:

(A) Limit 6; no more than 2 adults may be retained, and only one adult may be a wild coho.

(B) Release Chinook and chum.

(2) From Leonard Road near Onalaska to Highway 508 Bridge near Kearny Creek:

(a) Night closure in effect and single-point barbless hooks required August 16 through November 30.

(b) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(3) From Highway 508 Bridge upstream:

(a) Night closure in effect and single-point barbless hooks required August 16 through October 31.

(b) Open the first Saturday in June through October 31.

(c) Selective gear rules apply.

(d) Release all trout.

Newaukum River, Middle Fork (Lewis County), from the mouth to Tauscher Road Bridge:

(1) Open the first Saturday in June to March 31.

(2) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Newaukum River, North Fork (Lewis County), from the mouth to 400 feet below the Chehalis city water intake:

(1) Open the first Saturday in June through March 31.

(2) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Newhalem Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Newhalem Ponds (Whatcom County): Closed waters.

New Pond Creek (Pierce County) (South Prairie Creek tributary): First Saturday in June through October 31 season.

Newman Creek (Grays Harbor County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Newskah Creek (Grays Harbor County): From mouth upstream: First Saturday in June through October 31 season. All species: Selective gear rules.

Niawiakum River (Pacific County): From Highway 101 Bridge to the South Bend/Palix Road Bridge: Night closure and single-point barbless hooks required August 16 through November 30. All game fish: First Saturday in June through November 30 season. Salmon: Open only September 1 through November 30. Daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and wild Chinook.

Nile Creek (Yakima County), including tributaries: Selective gear rules apply.

Nile Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Nisqually River (Pierce County):

(1) From the mouth to Military Tank Crossing Bridge:

(a) From August 1 through November 30:

(i) Anti-snagging rule applies;

(ii) Night closure in effect; and

(iii) Barbless hooks required.

(iv) Fishing from any floating device prohibited from July 28 through July 30, August 4 through August 6, August 11 through August 13, August 18 through August 20, and August 25 through August 27.

(b) Open July 1 through January 31:

(i) From July 1 through November 30: Trout minimum length 14 inches.

(ii) From December 1 through January 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(c) Salmon open July 1 through January 31:

(i) In years ending in even numbers:

(A) From July 1 through October 31:

((A)) (B) Limit 6; no more than 3 adults may be retained, and only 2 adults may be any combination of chum and coho.

((B)) (C) Release wild Chinook.

(ii) In years ending in odd numbers:

(A) From July 1 through October 31.

(B) Limit 6; no more than 4 adults may be retained, of which only 2 adults may be any combination of Chinook, chum, and coho.

(C) Release wild Chinook.

((B)) (iii) From November 1 through January 31:

(A) Limit 6; no more than 2 adults may be retained.

(B) Release wild Chinook.

(2) From Military Tank Crossing Bridge to 400 feet below LaGrande Powerhouse:

(a) Open July 1 through October 31.

(b) Selective gear rules apply.



(c) Release all fish except anglers may retain up to 2 hatchery steelhead.

(3) From Alder Reservoir upstream including all tributaries:

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) Trout minimum length 14 inches.

Nookachamps Creek (Skagit County): Including all tributaries and their tributaries: First Saturday in June through October 31 season. Selective gear rules.

Nooksack River (Whatcom County): From Lummi Indian Reservation boundary to yellow marker at the FFA High School barn at Deming: The first Saturday in June through January 31 season. Anti-snagging rule and night closure the first Saturday in June through November 30. Trout: Minimum length fourteen inches. Salmon: In odd years, open July 16 through August 31 from Lummi Indian Reservation boundary to Highway 544 Bridge at Everson. Daily limit 4 pink salmon only. Bait prohibited. Only single-point hook may be used, hook must measure (~~less than~~)  $1/2$  (<sup>(")</sup>) inch or less from point to shank. Open September 1 through December 31. Daily limit 2 salmon, plus 2 additional coho, except release wild Chinook September 1 through September 30.

From yellow marker at the FFA High School barn in Deming to confluence of the forks: October 1 through January 31 season. Anti-snagging rule and night closure October 1 through November 30. Trout: Minimum length 14 inches. Salmon: Open October 1 through December 31. Daily limit 2 salmon, plus 2 additional coho.

Nooksack River, North Fork (Whatcom County):

(1) From the mouth to Maple Creek:

(a) Night closure and anti-snagging rule in effect from the first Saturday in June through November 30.

(b) It is unlawful to fish from a floating device equipped with a motor November 1 through February 15.

(c) Open the first Saturday in June through February 15.

(d) Trout minimum length 14 inches.

(e) Salmon:

(i) Open October 1 through November 30.

(ii) Limit 2 salmon, plus 2 additional coho may be retained.

(2) From Maple Creek to Nooksack Falls:

(a) It is unlawful to fish from a floating device equipped with a motor November 1 through January 31.

(b) Open the first Saturday in June through January 31.

(c) Selective gear rules apply.

(d) Trout minimum length 14 inches.

(3) Waters above Nooksack Falls, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

Nooksack River, Middle Fork (Whatcom County):

(1) From the mouth to the city of Bellingham diversion dam:

(a) It is unlawful to use motors November 1 through January 31.

(b) Open the first Saturday in June through January 31.

(c) Selective gear rules apply.

(d) Trout minimum size 14 inches.

(2) Waters above the diversion dam, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

Nooksack River, South Fork (Skagit/Whatcom counties):

(1) From the mouth to Skookum Creek:

(a) Open the first Saturday in June through January 31.

(b) Night closure in effect the first Saturday in June through November 30.

(c) Selective gear rules apply.

(d) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(e) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

(f) Salmon:

(i) Open October 1 through December 31.

(ii) Limit 2, plus 2 additional coho.

(iii) Release chum.

(iv) In years ending in odd numbers, release pink salmon.

(2) Upstream from and including Wanlick Creek, including all tributaries:

(a) Open the Saturday before Memorial Day through October 31.

(b) Fly fishing only.

(c) Catch and release only.

No Name Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

North Creek (Okanogan County): From mouth to falls at river mile 0.8: Closed waters.

North Creek (tributary of Sammamish River) (Snohomish/King counties): The first Saturday in June through August 31 season. Juveniles only.

North Elton Ponds (Yakima County): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit two.

North Lake (King County): Fourth Saturday in April through October 31 season.

North Potholes Reserve Ponds (Grant County): February 1 through the day before opening of waterfowl season. Fishing from any floating device prohibited, except float tubes permitted.

North River (Grays Harbor/Pacific counties):

(1) From Highway 105 Bridge to Salmon Creek (located approximately 2 miles upstream from Highway 101):

(a) Night closure in effect and single-point barbless hooks required August 16 through November 30.

(b) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.

(c) Salmon open September 1 through December 31:

(i) From September 1 through November 30:

(A) Limit 6; no more than 3 adults may be retained, and only 2 adults may be wild coho.

(B) Release wild Chinook and chum.

- (ii) From December 1 through December 31:
- (A) Limit 6; no more than 2 adults may be retained, and only one adult may be a wild coho.
- (B) Release wild Chinook and chum.
- (d) Sturgeon open year-round in 2013; effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).
- (2) From Salmon Creek (located approximately 2 miles upstream from Highway 101) to Fall River:
- (a) Night closure ~~((and))~~, anti-snagging rule ~~((in effect))~~, and single-point barbless hooks required August 16 through November 30.
- (b) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.
- (c) Salmon open October 1 through December 31:
- (i) From October 1 through November 30:
- (A) Limit 6; no more than 3 adults may be retained, and only 2 adults may be wild coho.
- (B) Release wild Chinook and chum.
- (ii) From December 1 through December 31:
- (A) Limit 6; no more than 2 adults may be retained, and only one adult may be a wild coho.
- (B) Release wild Chinook and chum.
- (3) From Fall River to Raimie Creek:
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Release all fish except anglers may retain up to 2 hatchery steelhead.

Northern State Hospital Pond (Skagit County): Fourth Saturday in April through October 31 season. Juveniles only.

Nunnally Lake (Grant County): March 1 through November 30 season. Closed waters: Outlet stream of Nunnally Lake. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Oak Creek (Yakima County), including tributaries: Selective gear rules apply.

Ohanapecosh Creek (tributary to Cowlitz River) (Lewis/Pierce counties): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Ohop Creek (Pierce County):

- (1) Open July 1 through October 31.
- (2) Selective gear rules apply.
- (3) Release all fish except anglers may retain up to 2 hatchery steelhead.

Ohop Lake (Pierce County): Trout limit 5; no more than 2 over 14 inches in length may be retained, except no size restriction for kokanee.

Okanogan River (Okanogan County):

- (1) Within the mainstem or tributaries open for game fish angling:
- (a) Barbless hooks required for salmon and steelhead.
- (b) Channel catfish: No limit.
- ~~((b))~~ (c) Walleye: No size restrictions and no limit.

~~((e))~~ (d) Bass: No size restrictions and no limit.

(2) From the mouth to Highway 97 Bridge immediately upstream of the mouth:

- (a) Open year-round.
- (b) Anti-snagging rule and night closure in effect July 1 through October 15.
- (c) Release all trout.
- (d) Salmon:
- (i) Open July 1 through October 15.
- (ii) Anglers fishing with two poles is permissible July 1 through October 15 as long as the angler possesses a two-pole endorsement.

~~((iii))~~ (iii) Limit 6 ~~((Chinook and 6 sockeye only))~~; no more than ~~((3))~~ 2 adult hatchery Chinook ~~((may be retained, and only one adult may be a wild Chinook)).~~

~~((iv))~~ (iv) Release all wild salmon.

(3) From Highway 97 Bridge immediately upstream of the mouth to the highway bridge at Malott:

- (a) Open year-round.
- (b) Anti-snagging rule and night closure in effect July 1 through September 15.
- (c) Release all trout.
- (d) Salmon:
- (i) Open July 1 through September 15.
- (ii) Limit 6 ~~((Chinook and 6 sockeye only))~~; no more than ~~((3))~~ 2 adult hatchery Chinook ~~((may be retained, and only one adult may be a wild Chinook)).~~

~~((iii))~~ (iii) Release all wild salmon.

(4) Upstream from the highway bridge at Malott:

(a) Closed from Zosel Dam downstream to the first Highway 97 Bridge downstream of the dam.

(b) Open the Saturday before Memorial Day through September 15.

(c) Anti-snagging rule and night closure in effect July 1 through September 15.

(d) Release all trout.

(e) Salmon:

(i) Open July 1 through September 15.

(ii) Limit 6 ~~((Chinook and 6 sockeye only))~~; no more than ~~((3))~~ 2 adult hatchery Chinook ~~((may be retained, and only one adult may be a wild Chinook)).~~

~~((iii))~~ (iii) Release all wild salmon.

Olalla Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

Old Fishing Hole Pond (Kent) (King County): Fourth Saturday in April through October 31 season. Juveniles only.

Old Mill Stream (Chelan County): Closed waters.

Olequa Creek (Lewis County/Cowlitz County): Barbless hooks required for steelhead. Closed waters from 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek. Trout: Release all trout except up to two hatchery steelhead may be retained per day.

Olney Creek (Snohomish County) (Wallace River tributary): Waters upstream of Olney Falls, including tributaries and beaver ponds: Open the Saturday before Memorial Day through October 31.

Olson Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Osborne Lake (Mason County): Fourth Saturday in April through October 31 season.

O'Toole (Marietta) Creek (Whatcom County), upstream from Marietta Falls, located 0.3 lineal miles from the Skagit River: Open the Saturday before Memorial Day through October 31.

Outlet Creek (Klickitat County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Trout limit 5.

Outlet Creek (Mason County) (Satsop River tributary): From mouth upstream: First Saturday in June through October 31 season. Trout: Minimum length eight inches, daily limit 2 fish. Selective gear rules. Other game fish: Selective gear rules.

Owens Pond (Pacific County): The first Saturday in June through October 31 season.

Owl Creek (Snohomish County) (Whitechuck River tributary): First Saturday in June through October 31 season. Selective gear rules.

Packwood Lake (Lewis County): Closed waters: All inlet streams and outlet from log boom to dam. Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit five, minimum length ten inches.

Padden Lake (Whatcom County): Fourth Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Palix River, including all forks (Pacific County):

(1) From the Highway 101 Bridge to the mouth of the Middle Fork:

(a) Night closure in effect and single-point barbless hooks are required August 16 through November 30.

(b) Open the first Saturday in June through March 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(c) Salmon:

(i) Open September 1 through November 30.

(ii) Limit 6; no more than 2 adults (~~may be retained~~), of which only one adult may be wild coho.

(iii) Release (~~wild Chinook, wild coho, and~~) chum and wild Chinook.

(d) Sturgeon:

(i) Open year-round in 2013.

(ii) Effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).

(2) From the confluence with the Middle Fork upstream and all forks, including South Fork Palix and Cannon Rivers:

(a) Anti-snagging rule and night closure in effect August 16 through October 15.

(b) Selective gear rules apply from the first Saturday in June through August 15, and from December 16 through March 31.

(c) Open the first Saturday in June through October 15, and from December 16 through March 31.

(d) Release all fish except anglers may retain up to 2 hatchery steelhead.

Palmquist Creek (Clallam County), outside of Olympic National Park:

(1) Open the first Saturday in June through October 15.

(2) Selective gear rules apply.

(3) Trout:

(a) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) Release kokanee.

Palouse River (Whitman County), from the mouth to the base of Palouse Falls:

(1) Open year-round.

(2) Trout open June 16 through March 31 only:

(a) From June 16 through August 31:

(i) Limit 6;

(ii) Minimum length 10 inches.

(iii) Release all steelhead.

(b) From September 1 through March 31:

(i) Limit 6.

(ii) Minimum length 10 inches.

(c) From September 1 through March 31:

(i) Barbless hooks are required when fishing for steelhead;

(ii) Anglers may retain up to 3 hatchery steelhead.

(3) Walleye: No size restrictions and no limit.

(4) Channel catfish: No limit.

(5) Bass: No limit.

Palouse River mainstem above Palouse Falls and tributaries except Rock Creek: Year-round season.

Pampa Pond (Whitman County): March 1 through September 30 season. Fishing from any floating device prohibited. Trout: No more than two over 13 inches in length may be retained.

Panhandle Lake (Mason County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Panther Creek (Chelan County): Closed waters.

Panther Creek (tributary to Wind River) (Skamania County): Closed waters.

Panther Lake (Kitsap/Mason counties): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Para-Juvenile Lake (Adams/Grant counties): April 1 through September 30 season. Juveniles only.

Park Lake (Grant County): Fourth Saturday in April through September 30 season.

Parker Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Pass Lake (Skagit County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

Pataha Creek (Garfield County):

Within the city limits of Pomeroy: Juveniles only.

From city limits of Pomeroy upstream: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Pattison Lake (Thurston County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Peabody Creek (Clallam County): First Saturday in June through October 31 season. Juveniles only.

Penny Creek (Jefferson County): First Saturday in June through October 31 season.

Pearygin Lake (Okanogan County): Fourth Saturday in April through September 30 season.

Pend Oreille River (Pend Oreille County):

(1) Mainstem:

(a) Open year-round.

(b) All sloughs within the boundaries of the Kalispel Reservation except Calispell Slough: Closed.

(c) Two pole fishing is permissible so long as the angler possesses a two-pole endorsement.

(2) Pend Oreille River tributaries not otherwise listed in this section are open the Saturday before Memorial Day through October 31.

Perch Lake (Grant County): Fourth Saturday in April through September 30 season.

Percival Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Perry Creek (Thurston County): From mouth to falls: First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

Peshastin Creek (Chelan County): Mouth to Ruby Creek: Closed waters.

Petit Lake (Pend Oreille County): Fourth Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Petroleum Creek (Clallam County), from the Olympic National Park boundary upstream:

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Phalon Lake (Stevens County): Closed waters.

Pheasant Lake (Jefferson County): Fourth Saturday in April through October 31 season.

Phelps Creek (Chelan County), from the mouth to the falls at river mile one:

(1) Open the Saturday before Memorial Day through October 31.

(2) Selective gear rules apply.

(3) It is unlawful to fish from a floating device equipped with an internal combustion motor.

Phillips Lake (Mason County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Phillips Lake (Stevens County): Fourth Saturday in April through October 31 season.

Pierre Lake (Stevens County): Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

Pilchuck Creek (Clallam County) (Sooes River tributary):

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Pilchuck Creek (Snohomish County):

(1) From the mouth to the Highway 9 Bridge:

(a) Open the first Saturday in June through January 31.

(b) Selective gear rules apply the first Saturday in June through November 30.

(c) Trout minimum length 14 inches.

(2) From the Highway 9 Bridge to Pilchuck Falls:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout minimum length 14 inches.

(3) From Pilchuck Falls upstream, including all tributaries and their tributaries, and all tributaries to Lake Cavanaugh: Open the Saturday before Memorial Day through October 31.

Pilchuck River (Snohomish County): From its mouth to five hundred feet downstream from the Snohomish City diversion dam: December 1 through January 31 season. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches.

Pillar Lake (Grant County): April 1 through September 30 season.

Pine Creek (Mason County): First Saturday in June through October 31 season.

Pine Lake (King County): Fourth Saturday in April through October 31 season.

Pine Lake (Mason County): Fourth Saturday in April through October 31 season.

Ping Pond (Grant County):

(1) Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.

(2) Open the third Saturday in April through Labor Day:

(a) Limit 5.

(b) No size restrictions.

Pioneer Creek (Grays Harbor County) (North River tributary): From mouth upstream: All game fish: The first Saturday in June through October 31 season. Selective gear rules.

Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Pit Lake (Douglas County): Juveniles only.

Pleasant Lake (Clallam County): Trout: Kokanee minimum length ~~((eight))~~ six inches, maximum length ~~((twenty))~~ eighteen inches.

Plumbago Creek (Whatcom County): Upstream from the Sierra Pacific 140 road bridge located 0.5 lineal miles upstream from the South Fork Nooksack River, including all tributaries: Open the Saturday before Memorial Day through October 31.

Plummer Lake (Lewis County): Fourth Saturday in April through last day in February season.

Poacher Lake (Grant County): April 1 through September 30 season.

Porter Creek (Grays Harbor County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Potholes Reservoir (Grant County): Crappie: Minimum length nine inches. Crappie and bluegill: Combined daily limit twenty-five fish. Perch: Daily limit twenty-five fish. Walleye: Minimum size 12 inches in length. Daily limit 8 walleye, not more than 1 of which may be greater than 22 inches in length.

Potter's Pond (Stevens County): Fourth Saturday in April through October 31 season.

Powerline Lake (Franklin County): Trout: Daily limit 2.

Pratt River (tributary to Middle Fork Snoqualmie River) (King County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Selective gear rules apply.

(3) Catch and release only.

Presentin Creek (Whatcom County): Upstream from the waterfall located 0.3 miles from the Skagit River, including all tributaries: Open the Saturday before Memorial Day through October 31.

Prices Lake (Mason County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Priest Lake tributaries (Pend Oreille County), including Upper Priest Lake tributaries except those tributaries listed elsewhere in this section: Open the Saturday before Memorial Day through October 31.

Priest River (Pend Oreille County): Tributaries to Priest River are open the Saturday before Memorial Day through October 31.

Promised Land Pond (Grays Harbor County): The first Saturday in June through October 31 season.

Pugh Creek (Snohomish County) (Whitechuck River tributary): First Saturday in June through October 31 season. Selective gear rules.

Puyallup River (Pierce County):

~~From mouth to ((city of Puyallup outfall structure near junction of Freeman Road and North Levee Road))~~ mouth of the White River: ~~((Game fish season is open only when salmon fishing is open. Single point barbless hooks, anti-snagging rule and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open August 16 through December 31, except closed August 26 and September 2, 3, 9, 10, and 11. In years ending in even numbers, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild adult Chinook. In years ending in odd numbers, daily limit 6 fish, of which no more than 4 may be adult salmon, and of the adult salmon, no more than 2 may be any combination of Chinook, coho, and chum. Release wild adult Chinook))~~ Closed.

~~From ((city of Puyallup outfall structure near junction of Freeman Road and North Levee Road))~~ mouth of White River to Carbon River: Game fish season is open only when salmon fishing is open. ~~((Single point))~~ Barbless hooks, anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open August 1 through December 31. In years ending in even numbers, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild adult Chinook. In years ending in odd numbers, daily limit 6 ((fish, of which))<sub>2</sub> no more than 4 ((may be)) adult salmon, ((and of the adult salmon,)) of which no more than 2 may be any combination of Chinook, coho, and chum. Release wild adult Chinook.

From Carbon River upstream: September 1 through January 15 season. Selective gear rules and release all fish except up to 2 hatchery steelhead may be retained.

Pyramid Creek (King County) upstream of Forest Service Road 7000: First Saturday in June through October 31 season.

Pysht River (Clallam County): The first Saturday in June through January 31 season. Selective gear rules and release all fish first Saturday in June through October 31. November 1 through January 31, trout minimum length fourteen inches.

Quail Lake (Adams County): Fly fishing only. Fishing from any floating device equipped with a motor prohibited. All species: Release all fish.

Quarry Pond (Walla Walla County): Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Quigg Lake (Grays Harbor County): The first Saturday in June through April 15 season. Trout: Daily limit 2. Minimum length fourteen inches. Salmon: Open only October 1 through

January 31. Daily limit 6 hatchery coho salmon of which no more than 4 may be adult hatchery coho.

Quilcene River (Jefferson County):

- (1) From the mouth to Rodgers Street:
  - (a) Open the first Saturday in June through August 15.
  - (b) Selective gear rules apply.
  - (c) Catch and release only.
  - (d) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (2) From Rodgers Street to the Highway 101 Bridge:
  - (a) Open the first Saturday in June through October 31.
  - (b) Catch and release only.
  - (c) From the first Saturday in June through August 15:
    - (i) Selective gear rules apply.
    - (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
  - (d) From August 16 through October 31:
    - (i) Night closure in effect.
    - (ii) Only one single-point barbless hook may be used.
- (e) Salmon:
  - (i) Open August 16 through October 31.
  - (ii) Limit 4 coho only; only coho hooked inside the mouth may be retained.
- (3) From the electric weir at Quilcene National Fish Hatchery to the upper boundary of Falls View Campground:
  - (a) Open the first Saturday in June through October 31.
  - (b) Selective gear rules apply.
  - (c) Catch and release only.
- (4) From the upper boundary of Falls View Campground upstream: Open the Saturday before Memorial Day through October 31.

Quillayute River (Clallam County), outside of Olympic National Park:

- (1) Open May 1 through the Friday before the first Saturday in June; catch and release only, except anglers may retain up to 2 hatchery steelhead.
- (2) Open the first Saturday in June through April 30:
  - (a) From the first Saturday in June through March 31, trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
  - (b) From April 1 through April 30, trout minimum length 14 inches.
  - (c) From November 1 through the last day in February, limit may include 1 additional hatchery steelhead.
  - (d) From February 16 through April 30, wild steelhead retention allowed.
- (3) Salmon:
  - (a) Open February 1 through August 31:
    - (i) Limit 6; no more than 2 adults may be retained.
    - (ii) Release wild adult Chinook and wild adult coho.
  - (b) Open September 1 through November 30:
    - (i) Limit 6.
    - (ii) Two may be adults, plus 2 additional adult hatchery coho may be retained.

Quinault River (Grays Harbor County), from the mouth at the upper end of Quinault Lake upstream to the Olympic National Park boundary:

- (1) Open the first Saturday in June through April 15:
  - (a) From February 16 through April 15, one wild steelhead per day may be retained.
  - (b) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
- (2) Salmon open July 1 through ~~((October 31))~~ November 30:
  - (a) From July 1 through September 30:
    - (i) Limit 6 jack salmon only.
    - (ii) Single-point barbless hooks are required.
  - (b) From October 1 through ~~((October 31))~~ November 30:
    - (i) Limit 6; no more than 2 adults may be retained.
    - (ii) Release sockeye and chum.

Quincy Lake (Grant County): March 1 through July 31 season.

Quinn Creek (Clallam County), outside of Olympic National Park:

- (1) Open the first Saturday in June through October 15.
- (2) Selective gear rules apply.
- (3) Trout:
  - (a) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
  - (b) Release kokanee.

Racehorse Creek (Whatcom County) (NF Nooksack tributary): First Saturday in June through October 31 season. Selective gear rules.

Radar Ponds (Pacific County): Salmon: Landlocked salmon rules apply.

Raging River (King County): From its mouth to the Highway 18 Bridge: The first Saturday in June through January 31 season. Trout: Minimum length fourteen inches.

From Highway 18 Bridge upstream: First Saturday in June through October 31 season.

Raimie Creek and all forks (Pacific County) (North River tributary): From mouth upstream: All game fish: The first Saturday in June through October 31 season. Selective gear rules.

Rainbow Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Rainey Creek (Lewis County), from the mouth to Highway 12:

- (1) Release cutthroat and rainbow trout except those having a clipped adipose fin and a healed scar at the location of the clipped fin.
- (2) Trout: Limit 5.

Rapjohn Lake (Pierce County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Rat Lake (Okanogan County):

- (1) Open April 1 through November 30.
  - (a) Selective gear rules apply.
  - (b) Catch and release only.
  - (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (2) Open December 1 through March 31.

Rattlesnake Creek (Yakima County):

- (1) Selective gear rules apply in the mainstem and tributaries.
- (2) Catch and release only in the mainstem.

Rattlesnake Lake (King County): Selective gear rules and catch and release. Unlawful to fish from a floating device equipped with an internal combustion motor.

Ravensdale Lake (King County): Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit two, minimum length twelve inches.

Red Creek (King County) (White River tributary): First Saturday in June through October 31 season.

Red Rock Creek (Grant County): April 1 through September 30 season.

Reflection Pond (Okanogan County): Fourth Saturday in April through October 31 season.

Rendsland Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Renner Lake (Ferry County): Fourth Saturday in April through October 31 season.

Riffe Lake (Reservoir) (Lewis County): Mossyrock Dam to 400 feet below Cowlitz Falls Dam. Closed waters: Lewis County PUD safety signs approximately 800 feet below Cowlitz Falls Dam to Dam. Permissible to fish up to the base of Swofford Pond Dam. Salmon: Landlocked salmon rules apply.

Rigley Lake (Stevens County): Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit two, minimum length twelve inches.

Riley Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Rimrock Lake (Reservoir) (Yakima County): Chumming permitted. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Ringold Springs Creek (Hatchery Creek) (Franklin County): Closed waters.

Ripley Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Roaring Creek (Whatcom County): Upstream from its confluence with Deer Creek, including all tributaries: Open the Saturday before Memorial Day through October 31.

Robbins Lake (Mason County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Rock Creek (Adams/Whitman counties):

- (1) Open year-round from the mouth to Endicott Road.
- (2) From Endicott Road to the bridge on George Knott Road at Revere:
  - (a) Open the Saturday before Memorial Day through October 31.
  - (b) Selective gear rules apply.
  - (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
  - (d) Catch and release only.
- (3) Open year-round from the bridge on George Knott Road upstream.

Rock Creek (Chelan County):

- (1) Open the Saturday before Memorial Day through October 31.
- (2) Selective gear rules apply.
- (3) It is unlawful to fish from a floating device equipped with an internal combustion motor.

Rock Creek (Grays Harbor County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Rock Creek (Klickitat County): Mouth to the Army Corps of Engineers Park: Year-round season. Daily limits, size restrictions and gear restrictions are the same as those in the adjacent portion of the Columbia River.

Rock Creek (Lewis County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Rock Creek (Skamania County): Mouth to falls. Barbless hooks required for steelhead. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Above falls, additional November 1 through March 15 season. Barbless hooks required for steelhead.

Rocky Brook Creek (Jefferson County)(Dosewallips River tributary): From falls 1000 feet upstream of mouth upstream: First Saturday in June through October 31 season.

Rocky Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Rocky Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Rocky Ford Creek and Ponds (Grant County): Fly fishing only. Fishing from bank only (no wading). All species: Release all fish.

Rocky Lake (Stevens County): Fourth Saturday in April through October 31 season. June 1 through October 31 selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Roesiger Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Roosevelt Lake (Ferry/Lincoln/Stevens counties):

(1) Closed waters:

(a) From the Little Dalles power line crossing upstream approximately one mile to the marked rock point, and from Northport power line crossing upstream to the most upstream point of Steamboat Rock, from March 1 through the Friday immediately preceding Memorial Day weekend.

(b) The Kettle arm upstream to Barstow Bridge from April 1 through Friday before Memorial Day.

(2) Trout (except kokanee): Limit 5; no more than 2 over 20 inches in length may be retained.

(3) Kokanee: Limit 6; no more than 2 with intact adipose fins may be retained.

(4) Walleye: No size restrictions; limit 16 fish.

(5) Salmon: Landlocked salmon rules apply.

(6) Sturgeon: It is unlawful to fish for or retain sturgeon from Roosevelt Lake and its tributaries.

(7) Carp: It is unlawful to fish for carp with bow and arrow.

Rose Lake (Mason County): Fourth Saturday in April through October 31 season.

Ross Lake (Reservoir) (Whatcom County): July 1 through October 31 season. Selective gear rules. Trout: Daily limit three, possession limit six, minimum length thirteen inches.

Ross Lake tributary streams, and their tributaries, except Big Beaver Creek and Ruby Creek (Whatcom County):

(1) From one mile above the mouths to the headwaters, open July 1 through October 31.

(2) Tributaries to Ruby Creek open July 1 through October 31.

Round Lake (Okanogan County): Fourth Saturday in April through September 30 season.

Rowland Lakes (Klickitat County): Open the fourth Saturday in April through the last day in February, except closed the Monday before Thanksgiving Day through Thanksgiving Day.

Royal Lake (Adams County): Closed waters.

Royal Slough (including Marsh Unit IV impoundments) (Adams County): Closed waters.

Ruby Creek and tributaries (Pend Oreille County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Eastern brook trout limit 10.

(3) Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken.

Rue Creek, including West Fork (Pacific County) (South Fork Willapa tributary): From mouth upstream: All game fish: First Saturday in June through October 31. Selective gear rules.

Rufus Woods Lake (Douglas County):

(1) Chumming is permissible.

(2) Closed waters from Grand Coulee Dam downstream to State Route 155 Bridge.

(3) It is unlawful to fish for or retain sturgeon from the lake or its tributaries.

(4) Trout limit 2; only uninjured trout caught using artificial lures or flies with single-point barbless hooks may be released.

(5) Tributaries to Rufus Woods Lake: Open the Saturday before Memorial Day through October 31.

Sacheen Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Saddle Mountain Lake (Grant County): Closed waters.

Sago Lake (Grant County): April 1 through September 30 season.

Saint Clair Lake (Thurston County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Salmon Creek (Clark County):

From mouth to 72nd Avenue N.E.: Barbless hooks required for steelhead. The first Saturday in June through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

From 72nd Avenue N.E. Bridge upstream: Closed waters.

Salmon Creek and all forks (Grays Harbor County) (North River tributary): From mouth upstream: All game fish: The first Saturday in June through October 31 season. Selective gear rules.

Salmon Creek (Lewis County): Closed waters from 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek.

Salmon Creek, mainstem (Okanogan County): Closed waters.

Salmon Creek, North Fork and West Fork from mouth to South Fork (Okanogan County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Selective gear rules apply.

(3) It is unlawful to fish from a floating device equipped with an internal combustion motor.

Salmon Creek (Pacific County) (tributary of Naselle River):

(1) Open the first Saturday in June through the last day in February.

(2) Selective gear rules apply.

(3) Release all fish except anglers may retain up to 2 hatchery steelhead.



Salmon Creek (Thurston County) (Black River tributary), from the mouth upstream:

- (1) Open the first Saturday in June through October 31.
- (2) Selective gear rules apply and night closure in effect.
- (3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Salmon River (Jefferson County), outside Olympic National Park and the Quinault Indian Reservation:

(1) Open the first Saturday in June through the last day in February:

- (a) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
- (b) Permissible to retain steelhead with a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.

(2) Salmon open September 1 through November 30:

- (a) Limit 6.
- (b) No more than 3 adults may be retained, and no more than 2 adults may be Chinook.

Salmonberry Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

Salt Creek (Clallam County): From mouth to bridge on Highway 112: First Saturday in June through January 31 season. Selective gear rules. Release all fish except November 1 through January 31. Up to 2 hatchery steelhead may be retained.

Samish Lake (Whatcom County): Trout: Cutthroat trout daily limit two, minimum length fourteen inches.

Samish River (Skagit County):

(1) From the mouth to the I-5 Bridge open the first Saturday in June through September 8 and December 1 through December 31:

(a)(i) From the first Saturday in June through (~~November 30~~) September 8 and December 1 through December 31; trout minimum length 14 inches.

(ii) From August 1 through (~~November 30~~) September 8:

(A) Night closure in effect.

(B) Anglers may only use one single-point hook.

(~~(C) From the mouth to "Farm to Market" Road, bait or lure must be suspended below a float. A "float" or "bobber" is defined as a hookless, floating device that is attached to or slides along the mainline or leader above the hook(s) for the purpose of suspending hook(s) (which are part of the bait, lure, or fly) off the bottom of the stream and visually signaling (from the surface of the water) a fish's strike at the hook(s).)~~)

(b) From December 1 through December 31:

- (i) Selective gear rules apply.
- (ii) Catch and release only, except anglers may retain up to 2 hatchery steelhead.
- (c) Salmon:
  - (i) Open August 1 through (~~November 30~~) September 8.

(ii) Limit 2.

(iii) (~~Release wild coho.~~)

(~~iv~~) Only fish hooked inside the mouth may be retained.

(~~v~~) Anglers must retain the first 2 salmon, if permissible to do so, and stop fishing.)

(2) From the I-5 Bridge to the Hickson Bridge:

(a) Closed:

(i) From the old Highway 99 Bridge to the WDFW salmon rack.

(ii) From the I-5 Bridge to the old Highway 99 Bridge September 1 through November 30.

(b) Open the first Saturday in June through November 30:

(i) Selective gear rules apply.

(ii) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

(3) From Hickson Bridge upstream:

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

Sammamish Lake (King County):

(1) Closed to fishing within 100 yards of the mouth of Issaquah Creek August 16 through November 30.

(2) Release all kokanee.

(3) Single-point barbless hooks required January 1 through April 30.

(4) Release all steelhead and rainbow trout over 20 inches in length from December 1 through June 30.

(5) Salmon:

- (a) Open August 16 through November 30.
- (b) Limit 4; only 2 Chinook may be retained.
- (c) Release all sockeye.

Sammamish River (Slough) (King County): From the 68th Avenue N.E. Bridge to Lake Sammamish: January 1 through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

San Poil River (Ferry County):

(1) From the western shoreline at the mouth of the San Poil Arm (as marked by a regulatory buoy) directly eastward across the San Poil Arm to the eastern shoreline of the San Poil Arm (as marked by a regulatory buoy) upstream to the north shore of the outlet of French Johns Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek:

(a) It is unlawful to fish for or retain sturgeon.

(b) Open April 1 through January 31 for kokanee, trout, walleye, and smallmouth bass:

(i) Kokanee: Limit 2 fish in addition to the trout limit; no minimum size requirement.

(ii) Trout:

(A) Limit 5.

(B) No more than 2 trout over 20 inches may be retained.

(C) Release all rainbow trout with adipose fin intact.

(iii) Walleye: Limit 8; no size restrictions.

(iv) Smallmouth bass: Limit 10; no more than one over 14 inches may be retained.

(c) Year-round season for other game fish, salmon, and carp:

- (i) Salmon: Landlocked salmon rules apply.
- (ii) Carp: Unlawful to fish with bow and arrow.

(2) From the north shore of the outlet of French Johns Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek to approximately 5 miles upstream from the outlet of French Johns Lake, as marked by regulatory buoys:

(a) It is unlawful to fish for or retain sturgeon, kokanee, and all other trout.

(b) Open April 1 through January 31 for walleye and smallmouth bass:

- (i) Walleye: Limit 8; no size restrictions.
- (ii) Smallmouth bass: Limit 10; no more than one over 14 inches may be retained.

(c) Year-round season for other game fish, salmon, and carp:

- (i) Salmon: Landlocked salmon rules apply.
- (ii) Carp: Unlawful to fish with bow and arrow.

(3) Waters from approximately 5 miles upstream from the outlet of French Johns Lake, as marked by regulatory buoys, to all waters north of the regulatory buoy line at or above 1,310 feet mean sea level elevation are managed under the regulatory authority of the Colville Confederated Tribe of Indians.

(4) From above the Colville Confederated Tribe of Indians Reservation northern boundary, upstream to the headwaters, including tributaries: Open the Saturday before Memorial day through October 31.

Sand Creek (Grays Harbor County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Sandyshore Lake (Jefferson County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Sarge Hubbard Park Pond (Yakima County): Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.

Satsop Lakes (Grays Harbor County): Fourth Saturday in April through October 31 season.

Satsop River and East Fork (Grays Harbor County):

(1) From the mouth to the bridge at Schafer State Park:

(a) ~~((Single-point barbless hooks only.~~

~~(b))~~ Night closure ~~((in effect))~~ and single-point barbless hooks required August 16 through November 30.

~~((c))~~ ~~(b)~~ Open the first Saturday in June through March 31; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

~~((d))~~ ~~(c)~~ Salmon open September 16 through November 30, and December 1 through January 31:

(i) From September 16 through November 30:

(A) Limit 6; no more than 3 adults may be retained, and only 2 may be adult wild coho.

(B) Release wild adult Chinook ~~((and chum))~~.

(ii) From December 1 through January 31:

(A) Limit 6; no more than 2 adults may be retained, and only one may be an adult wild coho.

(B) Release Chinook and chum.

(2) From the bridge at Schafer State Park upstream to 400 feet below Bingham Creek Hatchery barrier dam:

(a) Open the first Saturday in June through October 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the daily limit.

(b) August 16 through October 31:

(i) Night closure in effect.

(ii) Single-point barbless hooks only.

(3) From 400 feet downstream of the Bingham Creek Hatchery barrier dam upstream to the dam:

(a) Closed waters, except anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card may fish within posted markers.

(b) Night closure in effect.

(c) Single-point barbless hooks only from August 16 through October 31.

(d) Open the first Saturday in June through March 31; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(e) Salmon open September 16 through January 31:

(i) From September 16 through November 30:

(A) Limit 6; no more than 3 adults may be retained, and only 2 may be adult wild coho.

(B) Release wild adult Chinook ~~((and chum))~~.

(ii) From December 1 through January 31:

(A) Limit 6; no more than 2 adults may be retained, and only one may be an adult wild coho.

(B) Release Chinook and chum.

(4) From the Bingham Creek Hatchery dam upstream:

(a) Open first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) August 16 through October 31:

(i) Single-point barbless hooks only.

(ii) Night closure in effect.

Middle Fork Satsop River (Turnow Branch):

(1) From the mouth to Cougar Smith Road:

(a) Night closure and anti-snagging rule in effect from August 16 through November 30.

(b) Open the first Saturday in June through the last day in February; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(2) From Cougar Smith Road upstream:

(a) Night closure and anti-snagging rule in effect from August 16 through October 31.

(b) Open the first Saturday in June through October 31.

(c) Selective gear rules apply.

West Fork Satsop River:

(1) From the mouth to Cougar Smith Road:

(a) Night closure and anti-snagging rule in effect August 16 through November 30.

(b) Open the first Saturday in June through the last day in February; trout minimum length 14 inches, except it is per-

missible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(2) From Cougar Smith Road to USFS 2260 Road Bridge at Spoon Creek:

(a) Night closure in effect August 16 through October 31.

(b) Open the first Saturday in June through October 31; selective gear rules apply.

(3) From USFS 2260 Road Bridge at Spoon Creek upstream:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Eastern brook trout:

(i) No minimum size.

(ii) Limit 5.

Sauk River (Skagit/Snohomish counties):

(1) Selective gear rules apply.

(2) Release all fish except anglers may retain up to 2 hatchery steelhead.

(3) From the mouth to the mouth of the White Chuck River:

(a) Open the first Saturday in June through January 31.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor from the mouth to Darrington Bridge.

(4) From the mouth of the White Chuck River to the headwaters, including the North Fork and the South Fork upstream to Elliot Creek; open the first Saturday in June through October 31.

(5) The South Fork upstream from Elliot Creek: Open the first Saturday in June through August 31.

Sawyer, Lake (King County): Chumming permitted. Crappie: Daily limit ten, minimum length nine inches.

Scatter Creek (King County) (White River tributary): First Saturday in June through October 31 season.

Scatter Creek (Thurston County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Schaefer Lake (Chelan County): Trout: Daily limit sixteen.

Schafer Creek (Grays Harbor County) (Wynoochee River tributary): From mouth to USFS 22 Road: First Saturday in June through October 31 season. Trout: Minimum length eight inches. Selective gear rules. Other game fish: Selective gear rules.

Schneider Creek (Thurston County) from mouth to falls: First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

Scootney Reservoir (Franklin County): Walleye minimum size 12 inches, limit 8. Anglers may retain no more than one walleye over 22 inches in length.

Sedge Lake (Grant County): All species: Selective gear rules. Trout: Daily limit 1.

Sekiu River (Clallam County):

From mouth to forks: First Saturday in June through January 31 season. All species: Selective gear rules from first Saturday in June through October 31. Release all fish except November 1 through January 31. Trout: Minimum length 14 inches.

From forks upstream: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Serene Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Shady Lake (King County):

(1) Open the fourth Saturday in April through October 31.

(2) No more than one trout over 14 inches in length may be retained.

Shannon, Lake (Skagit County): Fourth Saturday in April through October 31 season. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Shellneck Creek (Yakima County): Closed waters.

Shelton Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Sherman Creek (Ferry County):

(1) From the mouth at Lake Roosevelt upstream to the hatchery boat dock: Open the Saturday before Memorial Day through October 31.

(2) From the hatchery boat dock to 400 feet upstream of hatchery water diversion dam: Closed.

(3) From 400 feet upstream of the hatchery water diversion dam to headwaters, including all tributaries: Open the Saturday before Memorial Day through October 31.

Sherman Creek (Thurston County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Sherry Lake (Stevens County): Fourth Saturday in April through October 31 season.

Sherwood Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Sherwood Creek Mill Pond (Mason County): The first Saturday in June through October 31 season. Trout: Minimum length 14 inches, daily limit 2 fish.

Shine Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Shiner Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Shoe Lake (Mason County): Fourth Saturday in April through October 31 season.

Shoveler Lake (Grant County): April 1 through September 30 season.

Shye Lake (Grays Harbor County): The first Saturday in June through October 31 season.

Sidley Lake (Okanogan County): Trout: Daily limit two.

Siebert Creek (Clallam County): All game fish: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Silent Lake (Jefferson County): Fourth Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Silesia Creek (Chiliwack River tributary) (Whatcom County): First Saturday in June through October 31 season.

Silvas Creek (Klickitat County): Trout: Release all trout.

Silver Creek (tributary to Cowlitz River) (Lewis County): Open from the mouth to USFS Road 4778:

- (1) Selective gear rules apply.
- (2) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (3) Trout minimum length 14 inches.

Silver Creek (Skagit County) (Samish River tributary): First Saturday in June through October 31 season. Selective gear rules.

Silver Creek (Whatcom County) (Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Silver Lake (Cowlitz County): Crappie: Daily limit ten crappie. Minimum size nine inches in length.

Silver Lake (Pierce County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Silver Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Silver Lake (Whatcom County): Fourth Saturday in April through October 31 season.

Silver Nail Lake (Okanogan County): Juveniles only.

Similkameen River (Okanogan County):

- (1) Barbless hooks required for salmon and steelhead.
- (2) Rules by river section:
  - (a) From the mouth to Enloe Dam:
    - (i) Closed from Enloe Dam downstream 400 feet.
      - ~~((+))~~ (ii) Anti-snagging rule and night closure in effect July 1 through September 15.
      - ~~((+))~~ (iii) Salmon:
        - ~~((+))~~ (A) Open July 1 through September 15.
        - ~~((+))~~ (B) Limit 6 (~~Chinook and 6 sockeye only~~); no more than ~~((3))~~ 2 adult hatchery Chinook (~~may be retained, and only one may be a wild adult Chinook~~).

(C) Release all wild salmon.

~~((+))~~ (iv) Open December 1 through March 31 for whitefish only; whitefish gear rules apply.

~~((+))~~ (b) From Enloe Dam to the Canadian border:

~~((+))~~ (i) Open the Saturday before Memorial Day through October 31.

~~((+))~~ (ii) Open December 1 through March 31 for whitefish only; whitefish gear rules apply.

Sinlahekin Creek (Okanogan County):

(1) From Palmer Lake to Cecile Creek Bridge:

(a) Open the Saturday before Memorial Day through August 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Open December 1 through March 31 for whitefish only; whitefish gear rules apply.

(2) From Cecile Creek Bridge upstream, including all tributaries: Open the Saturday before Memorial Day through October 31.

Sitkum River (Clallam County) (Calawah River tributary):

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Siwash Creek (Clallam County), outside of Olympic National Park:

(1) Open the first Saturday in June through October 15.

(2) Selective gear rules apply.

(3) Trout:

(a) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) Release all kokanee.

Sixteen Lake (Skagit County): Fourth Saturday in April through October 31 season.

Skagit River (Skagit/Whatcom counties):

(1) From the mouth to Cascade River Road:

(a) Trout (except Dolly Varden/Bull Trout) minimum length is 14 inches.

(b) It is permissible to retain Dolly Varden/Bull Trout with a minimum length of 20 inches as part of the trout limit.

(2) From the mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon):

(a) Open March 1 through May 31 for trout only:

(i) Selective gear rules apply.

(ii) ~~((Maximum hook gap of 1/2 inch required))~~ The hook must measure 1/2 inch or less from point to shank from March 1 through May 31.

(iii) Release all fish other than trout.

(b) Open June 1 through January 31.

(c) The hook must measure 1/2 inch or less from point to shank from July 1 through July 31.

(d) Salmon:

(i) In years ending in even numbers:

(A) Open September 1 through December 31.

(B) Limit ((2)) 4 salmon; no more than 2 wild coho.  
 (C) Release Chinook and chum.  
 (ii) In years ending in odd numbers:  
 (A) Open August 1 through December 31.  
 (B) Limit ((3)) 4 salmon ((plus 1 additional pink)); no more than 2 wild coho.  
 (C) Release Chinook and chum.  
 (3) From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek:  
 (a) Open June 1 through January 31.  
 (b) Night closure and anti-snagging rule in effect ((June 16)) July 1 through November 30.  
 (c) Hook must measure 1/2 inch or less from point to shank from July 1 through July 31.  
 (d) Salmon:  
 (i) ((Open June 16 through July 15; limit 3 sockeye only. (ii))) In years ending in even numbers:  
 (A) Open September 1 through December 31.  
 (B) Limit ((2)) 4 salmon; no more than 2 wild coho.  
 (C) Release Chinook and chum.  
 ((iii)) (ii) In years ending in odd numbers:  
 (A) Open August 1 through December 31.  
 (B) Limit ((3)) 4 salmon((- plus 1 additional pink)); no more than 2 wild coho.  
 (C) Release Chinook and chum.  
 (4) From Gilligan Creek to The Dalles Bridge at Concrete:  
 (a) Open June 1 through January 31.  
 (b) Anti-snagging rule and night closure in effect July 1 through November 30.  
 (c) Hook must measure 1/2 inch or less from point to shank from June 1 through August 15.  
 (d) Salmon:  
 (i) In years ending in even numbers:  
 (A) Open September 16 through December 31.  
 (B) Limit ((2)) 4 salmon; no more than 2 wild coho.  
 (C) Release Chinook and chum.  
 (ii) In years ending in odd numbers:  
 (A) Open August 16 through December 31.  
 (B) Limit ((3)) 4 salmon((- plus 1 additional pink)); no more than 2 wild coho.  
 (C) Release Chinook and chum.  
 (5) From The Dalles Bridge at Concrete to the Highway 530 Bridge at Rockport:  
 (a) Open June 1 through January 31, except closed June 1 through August 31, between a line 200 feet above the east bank of the Baker River to a line 200 feet below the west bank of the Baker River.  
 (b) Anti-snagging rule and night closure in effect July 1 through November 30.  
 (c) Hook must measure 1/2 inch or less from point to shank from June 1 through August 31.  
 (d) Salmon ((open September 16 through December 31)):  
 (i) In years ending in even numbers:  
 (A) Open September 16 through December 31.  
 (B) Limit ((2)) 4 salmon; no more than 2 wild coho.  
 ((B)) (C) Release Chinook and chum.  
 (ii) In years ending in odd numbers:  
 (A) Open September 1 through December 31.

(B) Limit ((3)) 4 salmon ((plus 1 additional pink)); no more than 2 wild coho.  
 ((B)) (C) Release Chinook and chum.  
 (6) From the Highway 530 Bridge at Rockport to the Cascade River Road:  
 (a) Open June 1 through February 15.  
 (b) Anti-snagging rule and night closure in effect June 1 through November 30.  
 (c) Hook must measure 1/2 inch or less from point to shank from July 16 through August 31.  
 (d) Salmon:  
 (i) Open June 1 through July 15:  
 (A) Limit 4 hatchery Chinook only.  
 (B) Only 2 adult hatchery Chinook may be retained.  
 (ii) ((Open September 16 through December 31)) In years ending in even numbers:  
 (A) Open September 16 through December 31.  
 (B) Limit 4 salmon; no more than 2 wild coho.  
 (C) Release Chinook and chum.  
 ((B) In years ending in even numbers, limit 2. (C)) (iii) In years ending in odd numbers((;)):  
 (A) Open September 1 through December 31.  
 (B) Limit ((3)) 4 salmon ((plus 1 additional pink)); no more than 2 wild coho.  
 (C) Release Chinook and chum.  
 (7) From Cascade River Road to the Gorge Powerhouse:  
 (a) Open June 1 through January 31.  
 (b) Selective gear rules apply.  
 (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.  
 (d) Release all fish, except anglers may retain up to 2 hatchery steelhead.  
 (8) From Gorge Dam to Ross Dam and all tributaries to this section except Stetattle Creek: Open the first Saturday in June through October 31.

Skamokawa Creek (Wahkiakum County): Mouth to forks just below Oatfield and Middle Valley Road: Barbless hooks required for steelhead. June 1 through October 31 season. Trout: Release all trout except up to two hatchery steelhead may be retained.

Skate Creek (tributary to Cowlitz River) (Lewis County): Release all cutthroat.

Skokomish River (Mason County): Mouth to ((Highway 106 Bridge)) Bonneville power lines (upstream of Highway 101, approximately 47°18.188'N, 123°11.26'W): ((Night closure, anti-snagging rule and single-point barbless hooks required August 10 through November 30. The first Saturday in June through July 31 and October 1 through December 15 season. All game fish: Release all fish. Salmon: Open August 10 through September 5 and September 16 through December 15. Terminal gear restricted to no closer than 25 feet of a tribal gillnet. August 1 through September 5: Daily limit 2 salmon, except release chum and wild Chinook. Only fish hooked inside the mouth may be retained; and anglers must keep the first 2 salmon, if legal to do so and stop fishing for the day. September 16 through December 15: Daily limit 6 salmon, of which no more than 4 adult fish may be retained. Release Chinook. October 1 through October 15 release chum salmon.

~~From Highway 106 Bridge to Highway 101 Bridge: Night closure, anti-snagging rule and single-point barbless hooks required August 10 through November 30. The first Saturday in June through July 31 and October 1 through December 15 season. All game fish: Release all fish. Salmon: Open Fridays, Saturdays, Sundays, and Labor Day, August 10 through September 3. Terminal gear restricted to no closer than 25 feet of a tribal gillnet. August 10 through September 3: Daily limit 2 salmon, except release chum and wild Chinook; only fish hooked inside the mouth may be retained; and anglers must keep the first 2 salmon, if legal to do so and stop fishing for the day. October 1 through December 15, daily limit 6 salmon, except daily limit may contain no more than 4 adult fish and release Chinook. October 1 through October 15 release chum salmon.) Closed.~~

From ((Highway 101 Bridge)) Bonneville power lines (upstream of Highway 101, approximately 47°18.188'N, 123°11.26'W) to forks: First Saturday in June through October 31 season. Selective gear rules and release all fish. Unlawful to fish from a floating device equipped with an internal combustion motor.

Skokomish River, North Fork (Mason County):

From mouth to lower dam: The first Saturday in June through October 31 season. All species: Release all fish. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Above Lake Cushman: Mouth to Olympic National Park boundary: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Release all fish.

Skokomish River, South Fork (Mason County):

From mouth to mouth of LeBar Creek: First Saturday in June through October 31 season. All species: Release all fish. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

From mouth of Rule Creek to headwaters: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Skookum Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Skookum Creek (Whatcom County): From the mouth of Arlecho Creek upstream, including Arlecho Creek and all other tributaries: Open the Saturday before Memorial Day through October 31.

Skookum Lake, North (Pend Oreille County): Fourth Saturday in April through October 31 season.

Skookum Lake, South (Pend Oreille County): Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

Skookumchuck Creek (Klickitat County): Trout: Release all trout.

Skookumchuck Reservoir (Thurston County): The first Saturday in June through October 31 season. Trout: Daily limit two, minimum length twelve inches.

Skookumchuck River (Thurston County):

(1) From the mouth to 100 feet below the outlet of the PP&L/WDFW steelhead rearing pond located at the base of the Skookumchuck Dam:

(a) August 16 through November 30:

(i) Night closure in effect.

(ii) Single-point barbless hooks only.

(b) Open the first Saturday in June through April 30:

(i) From the first Saturday in June through March 31, trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) From April 1 through April 30, trout minimum length 14 inches.

(c) Salmon open October 1 through the last day in February:

(i) From October 1 through November 30:

(A) Limit 6; no more than 3 adults may be retained, and only 2 may be wild adult coho.

(B) Release Chinook and chum.

(ii) From December 1 through the last day in February:

(A) Limit 6; no more than 2 adults may be retained, and only one may be a wild adult coho.

(B) Release Chinook and chum.

(2) From Skookumchuck Reservoir upstream, selective gear rules apply.

Skykomish River (Snohomish County):

From mouth to mouth of Wallace River: June 1 through January 31 season. Anti-snagging rule and night closure August 1 through November 30 mouth to Lewis Street Bridge in Monroe and June 1 through November 30 from Lewis Street Bridge in Monroe to Wallace River. Fishing from any floating device prohibited November 1 through January 31 from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open June 1 through July 31 from mouth to Wallace River. Limit 4 hatchery Chinook; no more than 2 adult hatchery Chinook. In years ending in even numbers, open September 1 through December 31 mouth to Wallace River. Daily limit three. Release Chinook and pink. In years ending in odd numbers, open August 16 through December 31 mouth to Lewis Street Bridge in Monroe and open September 1 through December 31 Lewis Street Bridge to Wallace River. Daily limit 3 salmon plus 1 additional pink. Release Chinook and chum.

From the mouth of the Wallace River to the forks: June 1 through January 31 of the following year with an additional season, February 1 through February 15 from the Highway 2 Bridge at the Gold Bar/Big Eddy Access to the confluence of the North and South forks. Anti-snagging rule and night closure August 1 through November 30. Fishing from any floating device prohibited in the area one thousand five hundred feet upstream and one thousand feet downstream of the outlet

at Reiter Ponds June 1 through February 15 of the following year. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open September 1 through December 31. In years ending in even numbers, daily limit three. Release Chinook and pink. In years ending in odd numbers, daily limit 3 salmon plus 1 additional pink. Release Chinook and chum.

Skykomish River, North Fork (Snohomish County):

(1) From the mouth to 1,000 feet downstream of Bear Creek Falls:

- (a) Open the first Saturday in June through January 31.
- (b) Selective gear rules apply.
- (c) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

(2) Waters from Deer Falls (about 1/4 mile upstream of Goblin Creek) upstream, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

Skykomish River, South Fork (King/Snohomish counties):

(1) From the mouth to 600 feet downstream from the Sunset Falls fishway:

- (a) Open the first Saturday in June through January 31.
- (b) Trout minimum length 14 inches.
- (c) August 1 through November 30:
  - (i) Anti-snagging rule applies.
  - (ii) Night closure in effect.
- (2) From Sunset Falls to the source, including all tributaries and their tributaries:

(a) Open the first Saturday in June through November 30.

- (b) Selective gear rules apply.
- (c) Trout minimum length 14 inches.
- (d) Open for whitefish (except in the tributaries of this river section) December 1 through the last day in February; release all fish other than whitefish.

Slate Creek and tributaries (Pend Oreille County):

(1) Open the Saturday before Memorial Day through October 31.

- (2) Eastern brook trout limit 10.
- (3) Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken.

Sloan Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Smith Creek (near North River) (Pacific County):

(1) From the mouth to the Highway 101 Bridge:
 

- (a) Single-point barbless hooks required and night closure in effect August 16 through November 30.

(b) Open the first Saturday in June through the last day in February; release all fish except anglers may retain up to 2 hatchery steelhead.

- (c) Salmon open September 1 through December 31:
  - (i) From September 1 through November 30:
    - (A) Limit 6; no more than 3 adults may be retained, and only 2 adults may be wild coho.
    - (B) Release wild Chinook and chum.

(ii) From December 1 through December 31:

(A) Limit 6; no more than 2 adults may be retained, and only one adult may be a wild coho.

(B) Release wild Chinook and chum.

(d) Sturgeon:

(i) Open year-round in 2013.

(ii) Effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).

(2) From Highway 101 Bridge upstream:

(a) Selective gear rules apply.

(b) Open the first Saturday in June through the last day in February; release all fish except anglers may retain up to 2 hatchery steelhead.

Smith Creek (Pacific County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Smith Creek (Whatcom County) (Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Snahapish River (Jefferson County) (Clearwater River tributary):

- (1) Open the first Saturday in June through October 31.
- (2) Selective gear rules apply.
- (3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Snake River:

(1) Open year-round except the following waters are closed:

- (a) Within 400 feet of the base of any dam;
- (b) Within a 400 foot radius around the fish ladder entrance at Lyons Ferry Hatchery;
- (c) Within a 200 foot radius upstream of the fish ladder exit above Lower Granite Dam; and
- (d) Within an area 1,200 feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and 100 feet out into the river from the south river bank.

(2) Trout:

- (a) Release all trout April 1 through June 15.
- (b) Limit 6; minimum length 10 inches, and no more than 3 hatchery steelhead may be retained.

(c) Barbless hooks are required when fishing for steelhead.

(3) Sturgeon:

- (a) From the mouth to Ice Harbor Dam:
  - (i) Closed to fishing for sturgeon from May 1 through July 31 from the downstream end of Goose Island up to Ice Harbor Dam.

(ii) Release all sturgeon from August 1 through January 31.

(b) From Ice Harbor Dam to the Oregon border; release all sturgeon in waters upstream from Lower Granite Dam, including all tributaries.

(4) Walleye: No size restrictions, and no limit.

(5) Channel catfish: No limit.

(6) Bass: No size restrictions, and no limit.

Snipe Lake (Grant County): April 1 through September 30 season.

Snipes Creek (Benton County): Selective gear rules.

Snohomish River (Snohomish County): From Burlington-Northern Railroad bridges, including all channels, sloughs, and interconnected waterways, but excluding all tributaries, to Highway 9 Bridge: The first Saturday in June through January 31 season(~~(, except sturgeon)~~). Anti-snagging rule and night closure August 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: In years ending in even numbers, open only September 1 through December 31. Daily limit three. Release Chinook and pink. In years ending in odd numbers, open August ~~((16))~~ 1 through December 31. Daily limit 3 salmon plus 1 additional pink. Release Chinook and chum. ~~((Sturgeon Seasons, days of the week, daily limits, and size limits same as in Puget Sound Estuary (WAC 220-56-282).))~~

From Highway 9 Bridge to confluence of the Skykomish and Snoqualmie rivers (all channels): The first Saturday in June through January 31 season. Anti-snagging rule and night closure, August 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit; minimum length twenty inches. Salmon: In years ending in even numbers, open only September 1 through December 31. Daily limit three. Release Chinook and pink. In years ending in odd numbers, open August 16 through December 31. Daily limit 3 salmon plus 1 additional pink. Release Chinook and chum.

Snoqualmie River (King County):

(1) From the mouth to Snoqualmie Falls:

(a) Closed within the Puget Power tunnel at the falls and within 50 feet of any point on Puget Power's lower Plant #2 building (north bank).

(b) Selective gear rules apply the first Saturday in June through November 30.

(c) Night closure in effect September 1 through November 30.

(d) From the mouth to the boat ramp at the Plum access: Open the first Saturday in June through January 31.

(e) From the boat ramp at the Plum access to the falls: Open the first Saturday in June through February 15.

(f) It is unlawful to fish from any floating device November 1 through February 15 from the boat ramp at the Plum access to the mouth of Tokul Creek (about 1/4 mile).

(g) Trout minimum length 14 inches.

(h) Salmon:

(i) Open September 1 through December 31.

(ii) In years ending in even numbers:

(A) Limit 3(~~(;)~~).

(B) Release all Chinook and pink.

(iii) In years ending in odd numbers(~~(, from the mouth to the Plum access))~~):

(A) Limit 3 salmon plus 1 additional pink.

(B) Release Chinook and chum.

(2) From Snoqualmie Falls upstream, including the North and South Forks:

(a) Selective gear rules apply.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Open the Saturday before Memorial Day through October 31; trout minimum length 10 inches.

(d) Open November 1 through the Friday before the first Saturday in June; catch and release only.

(3) Snoqualmie River upstream of the falls, and the tributaries of the North and South Forks (except Tate, Sunday and Phillapa creeks), are open the Saturday before Memorial Day through October 31.

(4) Snoqualmie River Middle Fork from the mouth to the source, including all tributaries except Pratt and Taylor rivers:

(a) Open year-round.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Catch and release only.

Snyder Creek (Klickitat County): Trout: Release all trout.

Solberg Creek (Clallam County) (Big River tributary):

(1) Open the first Saturday in June through October 15.

(2) Selective gear rules apply.

(3) Trout:

(a) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) Release kokanee.

Sol Duc River (Clallam County):

(1) From the mouth to the concrete pump station at the Sol Duc Hatchery, open year-round:

(a) From May 1 through the Friday before the first Saturday in June: Catch and release only, except anglers may retain up to 2 hatchery steelhead.

(b) From the first Saturday in June through April 30:

(i) From the first Saturday in June through March 31; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) From April 1 through April 30; trout minimum length 14 inches.

(iii) From November 1 through the last day in February, trout limit may include 1 additional hatchery steelhead.

(iv) From February 16 through April 30, it is permissible to retain wild steelhead.

(c) Salmon open February 1 through November 30:

(i) From February 1 through August 31:

(A) Limit 6; no more than 2 adults may be retained.

(B) Release wild adult Chinook and wild adult coho.

(ii) From September 1 through November 30:

(A) Limit 6.

(B) Two adult salmon, plus 2 additional adult hatchery coho may be retained.

(2) From the concrete pump station at Sol Duc Hatchery to the Highway 101 Bridge upstream of Klahowya Camp Ground:

(a) Open the first Saturday in June through April 30.



(b) Selective gear rules apply.

(c) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(3) From the Highway 101 Bridge upstream of Klahowya Camp Ground to the Olympic National Park boundary:

(a) Open the first Saturday in June through October 31.

(b) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

(c) Selective gear rules apply.

(d) It is unlawful to fish from a floating device equipped with an internal combustion motor.

Solleks River (Jefferson County) (Clearwater River tributary):

(1) Open the first Saturday in June through October 31.

(2) Selective gear rules apply.

(3) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Sooes River (Tsoo-Yess River) (Clallam County), outside of Makah Indian Reservation:

(1) Open the first Saturday in June through the last day in February.

(2) From the first Saturday in June through October 31:

(a) Selective gear rules apply.

(b) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(3) Open November 1 through the last day in February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Soos Creek (King County): From mouth to hatchery rack: The first Saturday in June through August 31 season. Trout: Minimum length fourteen inches.

South Bend Mill Pond (Pacific County): Juveniles only.

South Creek (Clallam County), outside of Olympic National Park:

(1) Open the first Saturday in June through October 15.

(2) Selective gear rules apply.

(3) Trout:

(a) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) Release all kokanee.

South Lewis County Park Pond (Lewis County): Closed the Monday before Thanksgiving Day through Thanksgiving Day.

South Prairie Creek (Pierce County), from the city of Buckley diversion dam upstream: Open the Saturday before Memorial Day through October 31.

South Skookum Lake (Pend Oreille County): Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

South Salmo River (Pend Oreille County), including tributaries: Open the Saturday before Memorial Day through October 31.

Spada Lake (Reservoir) (Snohomish County): Fourth Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Maximum length twelve inches.

Spada Lake (Reservoir) tributaries (Snohomish County): Closed waters.

Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County): Year-round season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Spearfish Lake (Klickitat County): Fourth Saturday in April through last day in February season.

Spectacle Lake (Okanogan County): April 1 through September 30 season.

Spencer Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Spirit Lake (Skamania County): Closed waters.

Spokane River (Spokane County):

(1) From SR 25 Bridge upstream to 400 feet below Little Falls Dam:

(a) Two pole fishing is permissible so long as the angler possesses a two-pole endorsement.

(b) Open year-round:

(i) Trout: Limit 5; no minimum size and no more than 2 over 20 inches in length may be retained.

(ii) Kokanee: Limit 6; no minimum size and no more than 2 with intact adipose fins may be retained.

(iii) Walleye: No size restriction; limit 16 fish.

(iv) Salmon: Open year-round; landlocked salmon rules apply.

(v) Sturgeon: It is unlawful to fish for or retain sturgeon.

(2) From the Little Falls Dam to the upstream boundary of the Plese Flats Day Use Area (Riverside State Park), except Long Lake, formed by Long Lake Dam (see also Long Lake):

(a) Open year-round.

(b) Trout: Limit 5, no more than 2 over 20 inches in length may be retained.

(c) Salmon: Open year-round; landlocked salmon rules apply.

(d) Sturgeon: It is unlawful to fish for or retain sturgeon.

(3) From the upstream boundary at Plese Flats Day Use Area (Riverside State Park) upstream to the Monroe Street Dam:

(a) Selective gear rules apply.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Open June 1 through March 15:

(i) Trout: Limit one. Release wild trout (adipose fin intact).

(ii) Salmon: Open June 1 through March 15; landlocked salmon rules apply.

(iii) Sturgeon: It is unlawful to fish for or retain sturgeon.

(4) From Monroe Street Dam upstream to Upriver Dam:

(a) Open year-round.

(b) Salmon: Open year-round; landlocked salmon rules apply.

(5) From Upriver Dam upstream to the Idaho/Washington state line:

(a) Selective gear rules apply.

(b) Open the first Saturday in June through March 15.

(c) Catch and release only.

(6) All tributaries to the Spokane River, not otherwise listed in this section, are open the Saturday before Memorial Day through October 31.

Sprague Lake (Adams/Lincoln counties): Closed waters: Waters of Cow Creek, the marsh at the southwest end of the lake from the lakeside edge of the reeds to Danekas Road, the small bay at the southeast end of the lake, and those waters within 50 feet of Harper Island. All other waters southwest of the southwest tip of Harper Island: Closed waters from October 1 through April 30. Trout: No more than two over twenty inches in length may be retained. Crappie and bluegill: Combined daily limit twenty-five fish. Crappie: Minimum length nine inches.

Spring Creek (Benton County): Selective gear rules.

Spring Creek (Goldendale Hatchery) (Klickitat County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Trout limit 5.

Spring Hill Reservoir (Black Lake, Lower Wheeler Reservoir) (Chelan County): Fourth Saturday in April through October 31 season. July 5 through October 31, selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Spring Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Spring Lakes (Grant County): March 1 through July 31 season.

Squalicum Creek (Whatcom County): First Saturday in June through October 31 season. Selective gear rules.

Squalicum Lake (Whatcom County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two.

Squire Creek (Snohomish County) (NF Stillaguamish River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Stan Coffin Lake (Grant County): Bass: Release all bass.

Starvation Lake (Stevens County): Fourth Saturday in April through May 31 season. Additional June 1 through October 31 season. Selective gear rules. Unlawful to fish from a float-

ing device equipped with an internal combustion motor. All species: Release all fish.

Stearns Creek (Lewis County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Steel Lake (King County): Fourth Saturday in April through October 31 season.

Stehekin River (Chelan County): From the mouth to Agnes Creek: July 1 through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fifteen inches. Release cutthroat. Additional March 1 through June 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Steilacoom Lake (Pierce County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Stetattle Creek (Whatcom County): Above the mouth of Bucket Creek (one and one-half miles upstream): First Saturday in June through October 31 season.

Stevens Creek (Grays Harbor County):

(1) From the mouth to Highway 101 Bridge:

(a) Closed from the WDFW hatchery outlet downstream 400 feet.

(b) Open the first Saturday in June through September 30 and December 1 through the last day in February; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(2) From the Highway 101 Bridge upstream to the Newbury Creek Road Bridge:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

Stevens, Lake (Snohomish County): Chumming permitted. Kokanee: Kokanee not included in trout daily limit. Kokanee daily limit ten fish.

Steves Lake (Mason County): Fourth Saturday in April through October 31 season.

Stickney Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Stillaguamish River (Snohomish County):

From mouth to Marine Drive, including all sloughs: Year-round season. Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open September 1 through December 31. In years ending in even numbers, daily limit 2 coho only. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook and chum.

From Marine Drive to the forks, except from the barrier dam (downstream of I-5) downstream two hundred feet which is closed waters. The first Saturday in June through November 30. Selective gear rules. Night closure from

August 1 through November 30. All game fish: First Saturday in June through November 30 season. Release all fish except up to 2 hatchery steelhead per day may be retained. December 1 through January 31: Trout: Minimum length fourteen inches. Salmon: Open September 1 through December 31. In years ending in even numbers, daily limit 2 coho only. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook and chum.

Stillaguamish River, North Fork (Snohomish County):

(1) From the North Fork mouth to the mouth of French Creek:

(a) Anti-snagging rule and night closure in effect August 1 through November 30.

(b) It is unlawful to fish from any floating device upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge).

(c) It is unlawful to fish from any floating device equipped with a motor downstream from the Highway 530 Bridge.

(d) Open the first Saturday in June through January 31:

(i) From the first Saturday in June through November 30:

(A) Fly fishing only.

(B) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

(ii) From December 1 through January 31: Trout minimum length 14 inches.

(2) From the mouth of French Creek to Swede Heaven Bridge:

(a) Anti-snagging rule and night closure in effect August 1 through November 30.

(b) Open the first Saturday in June through February 15:

(i) From the first Saturday in June through November 30:

(A) Fly fishing only.

(B) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

(ii) From December 1 through February 15: Trout minimum length 14 inches.

(3) From Swede Heaven Bridge to the falls approximately one mile upstream of Cascade Creek:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

(4) Upstream of the falls, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

Stillaguamish River, South Fork (Snohomish County):

(1) From the mouth to 400 feet downstream of the outlet to Granite Falls fishway:

(a) Open the first Saturday in June through January 31.

(b) Anti-snagging rule and night closure in effect August 1 through November 30.

(c) Trout minimum length 14 inches.

(2) From Mountain Loop Highway Bridge above Granite Falls upstream to the source:

(a) Open the first Saturday in June through November 30.

(b) Selective gear rules apply.

(c) Anti-snagging rule and night closure in effect August 1 through November 30.

Stillman River (Lewis County) (Chehalis River tributary): From mouth to water supply pipeline at Mill Creek: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Stimson Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Storm Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Stowe Creek (Lewis County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Straight Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Stratford/Brook Lake (Grant County): February 1 through September 30 season.

Stump Lake (Mason County): Fourth Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout daily limit 5, no more than 2 over 15 inches in length.

Suiattle River (Skagit County): First Saturday in June through October 31 season. Selective gear rules. Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sullivan Creek (Pend Oreille County):

(1) From the mouth upstream, including the tributaries from Mill Pond upstream: Open the Saturday before Memorial Day through October 31.

(2) From Mill Pond upstream and tributaries:

(a) Selective gear rules apply.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Eastern brook trout limit 10.

(d) Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken.

Sullivan Lake (Pend Oreille County): Trout: Daily limit 2 trout, except kokanee not counted in daily trout limit. Kokanee daily limit ten.

Sullivan Lake Tributaries (Pend Oreille County), except as otherwise provided in this section: Open the Saturday before Memorial Day through October 31.

Sulphur Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Sultan River (Snohomish County): From its mouth to a point four hundred feet downstream from the diversion dam at river mile 9.7: The first Saturday in June through January 31

season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Upstream of the diversion dam to Culmback Dam: First Saturday in June through October 31 season.

Sumas River (Whatcom County): Including all tributaries except Johnson Creek: First Saturday in June through October 31 season.

Summit Lake (Stevens County): Fourth Saturday in April through October 31 season.

Summit Lake (Thurston County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Susan Lake (Thurston County): Selective gear rules and release all fish.

Sutherland Lake (Clallam County): Fourth Saturday in April through October 31 season. Trout: Minimum length six inches and maximum length eighteen inches.

Swale Creek (Klickitat County): Trout: Release all trout.

Swamp Creek (tributary to Sammamish River) (Snohomish/King counties): The first Saturday in June through August 31 season. Juveniles only.

Swan Lake (Ferry County): Fourth Saturday in April through October 31 season. Unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

Swan's Mill Pond (Stossel Creek) (King County): The first Saturday in June through October 31 season.

Swauk Creek (Kittitas County), including tributaries: Selective gear rules apply.

Swift Reservoir (Skamania County):

(1) Open the first Saturday in June through November 30.

(2) Selective gear rules apply from the posted markers approximately 3/8 mile below Eagle Cliff Bridge to the bridge.

(3) From September 1 through November 30, trout limit 10 from the dam to the markers approximately 3/8 mile below Eagle Cliff Bridge.

(4) Salmon:

(a) Open the first Saturday in June through November 30.

(b) Landlocked salmon rules apply.

(c) Maximum length 15 inches.

Swofford Pond (Lewis County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Sylvia Creek (Grays Harbor County) (Wynoochee River tributary): From mouth upstream: First Saturday in June through October 31 season. Trout: Minimum length eight inches. All species: Selective gear rules.

Sylvia Lake (Grays Harbor County): No more than 2 trout over 15 inches in length may be retained.

Symington Lake (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Tacoma Creek and tributaries (Pend Oreille County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Eastern brook trout limit 10.

(3) Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken.

Tahuya River (Mason County): From mouth to steel bridge approximately 1 mile upstream of North Shore Road Bridge: First Saturday in June through August 15 and October 1 through October 31 season. Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish except salmon. Night closure October 1 through October 31. Salmon: Open only October 1 through October 31. Daily limit 2 coho salmon.

From steel bridge approximately one mile upstream of North Shore Road Bridge upstream: First Saturday in June through August 15 and October 1 through October 31 season. Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish. Night closure October 1 through October 31.

Taneum Creek (Kittitas County), including tributaries: Selective gear rules apply.

Tanwax Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Tanwax Lake (Pierce County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Crappie: Daily limit ten, minimum length nine inches.

Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within four hundred feet of the screen at Dingle Basin: Year-round season.

Tarboo Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Tarboo Lake (Jefferson County): Fourth Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Taylor River (tributary to the Middle Fork Snoqualmie) (King County):

(1) Open the Saturday before Memorial Day through October 31.

(2) Selective gear rules apply.

(3) Catch and release only.

Teal Lakes (North and South) (Grant County): April 1 through September 30 season.

Teal Lake (Jefferson County): Fishing from a floating device equipped with an internal combustion engine prohibited. Selective gear rules. Trout daily limit one fish.

Teanaway River (Kittitas County), and tributaries: Selective gear rules apply.

Teanaway River, North Fork (Kittitas County):

(1) From the mouth to Beverly Creek, including all tributaries:

- (a) Selective gear rules apply.
- (b) Release all trout.

(2) Closed from Beverly Creek to the impassable waterfall at the end of USFS Road 9737 (about 8 river miles).

Tee Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Tenas Creek (Skagit County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Tenas Lake (Mason County): Fourth Saturday in April through October 31 season.

Ten Mile Creek (Whatcom County) (Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Tennant Lake (Whatcom County): It is unlawful to fish from any floating device from the first Friday in October through January 27.

Tern Lake (Grant County): All species: Selective gear rules. Trout: Daily limit 1.

Terrell Creek (Whatcom County): First Saturday in June through October 31 season. Selective gear rules.

Terrell, Lake (Whatcom County): Fishing from any floating device prohibited the first Saturday after Labor Day through the following Friday and from October 1 through January 31 except fishing from floating dock permitted.

Thomas Creek (Skagit County) (Samish River tributary): First Saturday in June through October 31 season. Selective gear rules.

Thomas Lake (Stevens County): Fourth Saturday in April through October 31 season.

Thompson Creek (Thurston County) (Skookumchuck River tributary): From mouth upstream: All Species: Selective gear rules. The first Saturday in June through October 31 season. Trout: Minimum length eight inches.

Thorndyke Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Thornton Creek (tributary to Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Thorton Creek (Skagit County): First Saturday in June through October 31 season. All species: Release all fish except up to two hatchery steelhead may be retained.

Thread Lake (Adams County): April 1 through September 30 season.

Thunder Creek (Clallam County) (Tributary to East Fork Dickey River):

- (1) Open the first Saturday in June through April 30.
- (2) From D2400 Road upstream: Closed from November 1 through April 30.
- (3) Selective gear rules apply.
- (4) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

Tibbetts Creek (tributary to Lake Sammamish) (King County): The first Saturday in June through August 31 season. Juveniles only.

Tieton River (Yakima County):

- (1) It is permissible to fish up to the base of Tieton (Rimrock) Dam.
- (2) Open the first Saturday in June through October 31; selective gear rules apply.
- (3) Open December 1 through March 31 for whitefish only; whitefish gear rules apply.

Tieton River, North Fork (Yakima County):

- (1) Closed:
  - (a) Clear Lake spillway channel.
  - (b) Within 400 feet of Clear Lake Dam.
- (2) The entire river, including that portion of the river that flows through the dry lakebed of Rimrock Reservoir:
  - (a) Open the Saturday before Memorial Day through August 15.
  - (b) Selective gear rules apply for the mainstem and the tributaries.

Tieton River, South Fork (Yakima County):

- (1) From the bridge on USFS Road 1200 to bridge on USFS Rd. 1070 (approximately 12.5 miles): Closed.
- (2) From the bridge on USFS Rd. 1070 upstream: Open the Saturday before Memorial Day through October 31.

Tiger Lake (Kitsap/Mason counties): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Tilton River (Lewis County), from the mouth to West Fork:

- (1) Barbless hooks required for salmon and steelhead.
- ~~(2)~~ Open the first Saturday in June through March 31.
- ~~((2))~~ ~~(3)~~ Night closure and anti-snagging rule in effect September 1 through October 31; when the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.
- ~~((3))~~ (4) Release all cutthroat.
- ~~((4))~~ (5) Salmon:
  - (a) Minimum length 8 inches.
  - (b) ~~((From the first Saturday in June through July 31:~~
    - ~~(i) Limit 6; no more than 2 adults may be retained.~~
    - ~~(ii) Release wild coho.~~

~~(e)~~) From August 1 through December 31:

(i) Limit 6; no more than 2 adult Chinook may be retained.

(ii) Release wild coho and wild Chinook.

Tilton River, East, North, South and West Forks (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Toad Lake (Whatcom County): Fourth Saturday in April through October 31 season.

Tokul Creek (King County) (Snoqualmie River tributary):

(1) From the mouth to the Fish Hatchery Road Bridge:

(a) Open December 1 through February 15; closed 5:00 p.m. to 7:00 a.m. daily.

(b) Anti-snagging rule applies.

(c) Trout minimum length 14 inches.

(2) From Fish Hatchery Road Bridge to the posted cable boundary marker located approximately 400 feet downstream of the hatchery intake:

(a) Open January 15 through February 15; closed 5:00 p.m. to 7:00 a.m. daily.

(b) Anti-snagging rule applies.

(c) Trout minimum length 14 inches.

(3) From Tokul Road SE upstream, including all tributaries and beaver ponds: Open the Saturday before Memorial Day through October 31.

Tolt River (King County):

(1) From the mouth to the USGS trolley cable near the confluence of the North and South Forks:

(a) Open the first Saturday in June through January 31.

(b) Selective gear rules apply from the first Saturday in June through November 30.

(c) Trout minimum length 14 inches.

(2) From the falls upstream, on the North Fork, including all tributaries:

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(3) From the dam upstream, on the South Fork:

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) Trout minimum length 10 inches.

Touchet River (Columbia/Walla Walla counties):

(1) From the mouth to confluence of North and South forks, and all tributaries open to game fish angling:

(a) Walleye: No size restrictions and no limit.

(b) Bass: No size restrictions and no limit.

(c) Channel catfish: No limit.

~~(d)~~) (2) From the mouth to the confluence of North and South forks, additional season from November 1 through April 15:

~~(i)~~) (a) Anglers may only use barbless hooks.

~~(ii)~~) (b) From November 1 through March 31: Release all fish except hatchery steelhead and brown trout; limit 3 combined.

~~(iii)~~) (c) From April 1 through April 15: Release all fish except anglers may retain up to 3 hatchery steelhead.

~~(2)~~) (3) From the confluence of North and South forks upstream, including Robinson and Wolf Forks:

(a) Closed: Tributaries other than North Fork, South Fork, Robinson Fork, and Wolf Fork.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Release all steelhead.

~~(3)~~) (4) North Fork, upstream of Spangler Creek: Open the first Saturday in June through August 31.

~~(4)~~) (5) South Fork, upstream from Griffin Creek: Open the first Saturday in June through August 31.

~~(5)~~) (6) Wolf Fork, upstream from Coates Creek: Open the first Saturday in June through August 31.

Toutle River (Cowlitz County):

From mouth to forks, and North Fork from the mouth to the posted deadline below the fish collection facility: Barbless hooks required for salmon and steelhead. The first Saturday in June through November 30 season. Anti-snagging rule and night closure September 1 through October 15 on North Fork from confluence with South Fork to mouth of Green River. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult Chinook. Release chum, wild coho, and wild Chinook.

From the posted deadline below the fish collection facility upstream to the headwaters, including all tributaries, but excepting Castle and Coldwater Lakes: Closed waters.

Toutle River, South Fork (Cowlitz County):

(1) Barbless hooks required for steelhead.

(2) All tributaries are closed.

~~(2)~~) (3) From the mouth to 4700 Road Bridge:

(a) Open the last Saturday in May to the first Friday in June.

(b) Selective gear rules apply.

(c) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

~~(3)~~) (4) From the mouth to the 4100 Road Bridge:

(a) Open the first Saturday in June through March 15.

(b) Selective gear rules apply December 1 through March 15.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor from December 1 through March 15.

(d) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

~~(4)~~) (5) From 4100 Road Bridge upstream:

(a) Open the first Saturday in June through November 30.

(b) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

Trail's End Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Trap Creek (Pacific County) (Willapa River tributary): From mouth upstream: All game fish: First Saturday in June through October 15 season. Selective gear rules.

Trapper Lake (Chelan County): Trout: Daily limit two.

Trout Creek (Clallam County) (Big River tributary):

- (1) Open the first Saturday in June through October 15.
- (2) Selective gear rules apply.
- (3) Trout:

(a) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

- (b) Release all kokanee.

Trout Creek (tributary to Wind River) (Skamania County): Closed waters.

Trout Lake (Ferry County): Fourth Saturday in April through October 31 season.

Trout Lake (tributary to Big White Salmon River) (Klickitat County): The first Saturday in June through October 31 season.

Tucannon River (Columbia/Walla Walla counties):

- (1) General River Rules:
  - (a) All tributaries are closed unless otherwise provided.
  - (b) For all portions of the Tucannon River open to game fish angling:
    - (i) Channel catfish: No limit.
    - (ii) Walleye: No size restrictions and no limit.
    - (iii) Bass: No size restrictions and no limit.
- (2) Rules by river section:

- (a) From the mouth upstream to Tucannon Hatchery

Bridge:

- (i) Open the first Saturday in June through October 31:

(A) Selective gear rules apply upstream of Turner Road Bridge at Marengo.

(B) It is unlawful to fish from a floating device equipped with an internal combustion motor upstream of Turner Road Bridge at Marengo.

(C) Anglers may retain up to 3 hatchery steelhead.

- (ii) Open November 1 through March 31:

(A) Barbless hooks are required.

(B) Catch and release only, except anglers may retain up to 3 hatchery steelhead and 15 whitefish.

- (b) From the Tucannon Hatchery Bridge upstream:

(i) Closed:

(A) All tributaries and the mainstem from the Tucannon Hatchery Bridge upstream to 500 feet above the Rainbow Lake intake.

(B) From Cow Camp Bridge upstream.

- (ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

- (iv) Release all steelhead.

Tucquala Lake (Kittitas County):

(1) Open the Saturday before Memorial Day through October 31.

(2) No limit on eastern brook trout; eastern brook trout do not count towards the trout limit.

Tunnel Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Twin Lake (Jefferson County): Fourth Saturday in April through October 31 season.

Twin Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Twin Lakes (Chelan County) and tributaries and outlet stream to junction with the Napeequa River: Closed waters.

Twisp River (Okanogan County):

- (1) From the mouth to War Creek:

(a) Open the Saturday before Memorial Day through August 15.

- (b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

- (d) Catch and release only.

- (2) From War Creek to South Fork Twisp River: Closed.

Tye River (King County):

- (1) From Foss River to Alpine Falls:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout minimum length 14 inches.

(d) Open November 1 through the last day in February for whitefish only; release all other fish.

(2) From Alpine falls upstream, and all tributaries to the Tye River, including their tributaries: Open the first Saturday in June through October 31.

U Lake (Mason County): Fourth Saturday in April through October 31 season.

Umbrella Creek (Clallam County), outside Olympic National Park, including tributaries and Elk Lake:

- (1) Open the first Saturday in June through October 15.

(2) Selective gear rules apply.

(3) Trout:

(a) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

- (b) Release all kokanee.

Umtanum Creek (Kittitas County): Selective gear rules apply.

Uncle John Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Union Creek (Yakima County): From mouth upstream to falls (approximately 1/4 mile): Closed waters.

Union River (Mason County): Mouth to North Shore Road Bridge: First Saturday in June through August 15 season. All game fish: Release all fish. Sturgeon: Open June 1 through June 30, 2013. Effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).

From North Shore Road Bridge to lower bridge on Old Belfair Highway: The first Saturday in June through August 15 season. Selective gear rules. Unlawful to fish from a float-

ing device equipped with an internal combustion motor. All species: Release all fish.

From lower bridge on Old Belfair Highway upstream: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Upper Wheeler Reservoir (Chelan County): Closed waters.

Valley Creek (Clallam County): First Saturday in June through October 31 season. Juveniles only.

Vance Creek (Grays Harbor County) (Chehalis River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Vance Creek/Elma Ponds (Grays Harbor County), Pond One and Pond Two:

(1) Pond One is open to juvenile anglers, seniors, and anglers with a disability who possess a designated harvester companion card only.

(2) Open the fourth Saturday in April through November 30:

(a) Anglers may retain no more than 2 trout over 15 inches in length.

(b) Salmon: Landlocked salmon rules apply.

Vancouver Lake and all other waters west of Burlington-Northern Railroad from the Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County):

(1) Vancouver Lake flushing channel and the lake shoreline 400 feet east and west of the channel exit: Closed April 1 through May 31.

(2) Chumming permitted.

(3) Trout: Limit 2; minimum length 12 inches.

(4) Sturgeon: Seasons, days of the week, size restrictions, and limits are the same as in adjacent waters of mainstem Columbia River.

Vanes Lake (Pend Oreille County): Fourth Saturday in April through October 31 season.

Van Winkle Creek (Grays Harbor County):

(1) Anti-snagging rule and night closure in effect August 16 through November 30.

(2) From the mouth to 400 feet below the outlet of Lake Aberdeen Hatchery:

(a) Open for game fish the first Saturday in June through January 31; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) Salmon open September 1 through January 31:

(i) Limit 6; no more than 2 adults may be retained, and only one adult may be a wild coho.

(ii) Release chum and Chinook.

(3) From Lake Aberdeen upstream:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

Vesta Creek and all forks (Grays Harbor County) (North River tributary): From mouth upstream: All game fish: The

first Saturday in June through October 31 season. Selective gear rules.

Vic Meyers (Rainbow) Lake (Grant County): Fourth Saturday in April through September 30 season.

Vogler Lake (Skagit County): Fourth Saturday in April through October 31 season. Fly fishing only. All species: Release all fish.

Voight Creek (Pierce County): From the falls under the powerline upstream: Open the Saturday before Memorial Day through October 31.

Waddell Creek (Thurston County) (Black River tributary): From mouth upstream: The first Saturday in June through October 31 season. Trout: Selective gear rules. Daily limit 2 fish, minimum length eight inches. Other game fish: Selective gear rules.

Wagners Lake (Snohomish County): Fourth Saturday in April through October 31 season.

Wahkiacus Creek (Klickitat County): Trout: Release all trout.

Waitts Lake (Stevens County): Fourth Saturday in April through last day in February season.

Walker Lake (King County): Fourth Saturday in April through October 31 season.

Wallace River (Snohomish County):

(1) From the mouth to 363rd Ave. S.E./Reece Rd:

(a) Night closure and anti-snagging rule in effect June 1 through November 30.

(b) It is unlawful to fish from any floating device November 1 through February 15.

(c) Open the first Saturday in June through February 15.

(d) Trout (except Dolly Varden/Bull Trout) minimum length 14 inches.

(e) It is permissible to retain Dolly Varden/Bull Trout as part of the trout limit; minimum length 20 inches.

(f) Salmon:

(i) In years ending in even numbers:

(A) Open September 16 through November 30.

((+)) (B) Limit 3 coho only.

(ii) In years ending in odd numbers:

(A) Open September 16 through November 30.

(B) Limit 3 salmon plus 1 additional pink.

(C) Release Chinook and chum.

(2) From 363rd Avenue S.E./Reece Road to 200 feet upstream of the water intake of the salmon hatchery:

(a) Night closure and anti-snagging rule in effect September 16 through November 30.

(b) It is unlawful to fish from any floating device November 1 through February 15.

(c) Open September 16 through February 15.

(d) Trout (except Dolly Varden/Bull Trout) minimum length 14 inches.

(e) It is permissible to retain Dolly Varden/Bull Trout as part of the trout limit; minimum length 20 inches.

(f) Salmon:

(i) In years ending in even numbers:



(A) Open September 16 through November 30.

~~((#))~~ (B) Limit 3 coho only.

(ii) In years ending in odd numbers:

(A) Open September 16 through November 30.

(B) Limit 3 salmon plus 1 additional pink.

(C) Release Chinook and chum.

(3) From 200 feet upstream of the water intake of the salmon hatchery to Wallace Falls:

(a) Open November 1 through January 31.

(b) It is unlawful to fish from any floating device.

(c) Trout (except Dolly Varden/Bull Trout) minimum length 14 inches.

(d) It is permissible to retain Dolly Varden/Bull Trout as part of the trout limit; minimum length 20 inches.

(4) From Wallace Falls upstream, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

Walla Walla River (Walla Walla County):

(1) In the mainstem and tributaries open to game fish angling:

(a) Channel catfish: No limit.

(b) Walleye: No size restrictions and no limit.

(c) Bass: No size restrictions and no limit.

(2) From the mouth to the Touchet River:

(a) Open year-round.

(b) Trout:

(i) Release trout April 1 through May 31.

(ii) Limit 3 hatchery steelhead.

(iii) Barbless hooks are required when fishing for steelhead.

(3) From the Touchet River upstream to the state line:

(a) Open from the first Saturday in June through October 31; limit 3 hatchery steelhead.

(b) From November 1 through March 31:

(i) Barbless hooks are required when fishing for steelhead.

(ii) Release all fish, except up to 3 hatchery steelhead may be retained.

(c) All tributaries are closed, except Mill Creek and the Touchet River as otherwise provided in this section.

Walupt Lake (Lewis County): Closed waters: All inlet streams. Fourth Saturday in April through October 31 season. Selective gear rules. Trout: Minimum length ten inches.

Wannacut Lake (Okanogan County): Fourth Saturday in April through October 31 season.

Wapato Lake (Chelan County): Fourth Saturday in April through October 31 season. From August 1 through October 31: Selective gear rules. Trout: Release all trout.

Wapato Lake (Pierce County): Juveniles only.

Ward Creek (Pacific County) (Willapa River tributary): From mouth upstream: All game fish: First Saturday in June through October 31 season. Selective gear rules.

Ward Lake (Ferry County): Fourth Saturday in April through October 31 season.

Ward Lake (Thurston County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more

than two over 14 inches in length may be retained, except no size restriction for kokanee.

Warden Lake and Warden Lake, South (Grant County): Fourth Saturday in April through September 30 season.

Washburn Island Pond (Okanogan County):

(1) Open April 1 through September 30.

(2) It is unlawful to fish with use of an internal combustion motor. An internal combustion motor may be attached to a floating device, but must not be used.

Washburn Lake (Okanogan County): Fourth Saturday in April through October 31 season. Trout: Daily limit two.

Washington Creek (Mason County): First Saturday in June through October 31 season.

Washington, Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream (King County): Fishing from floating device prohibited one hundred yards either side of the floating bridges. Chumming permitted. Game fish: Open year-round. Trout: Open July 1 through November 30. Open December 1 through last day in February, daily limit 5, no minimum length. Release steelhead and rainbow trout over twenty inches in length. Open March 1 through June 30, daily limit 5, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. Kokanee/sockeye less than fifteen inches in length are kokanee while those fifteen inches and over in length are sockeye salmon. Salmon: Open only September 16 through October 31 north of Highway 520 Bridge and east of Montlake Bridge. Daily limit four coho salmon.

Washington, Lake, Ship Canal (King County) (waters east of a north-south line 400 feet west of the fish ladder at the Chittenden Locks and west of a north-south line at the eastern ends of the concrete abutments east of the Montlake Bridge): West of Fremont Bridge: Fishing from floating device prohibited. East of Fremont Bridge: Chumming permitted.

From west boundary to a north-south line 400 feet east of the eastern end of the northern wing wall of Chittenden Locks: Closed waters.

From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary. Game fish: Open year-round. Trout: December 1 through last day in February daily limit five, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit five, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. Kokanee/sockeye less than fifteen inches in length are kokanee and fifteen inches and over in length are sockeye salmon.

Washougal River (Clark County):

(1) ~~((Night closure in effect year-round.~~

~~(2)))~~ From the mouth to the bridge at Salmon Falls:

(a) Barbless hooks required for salmon and steelhead.

(b) Closed waters from 200 feet (or posted markers) below to 200 feet above the temporary weir when the weir is installed in the river.

~~((#))~~ (c) Night closure in effect:

(i) Year-round from mouth to Mount Norway Bridge.

(ii) September 1 through October 31 from Mount Norway Bridge upstream.

(d) Open the first Saturday in June through March 15.

~~((e))~~ (e) Anti-snagging rule ((and stationary gear restrictions apply)) applies July 1 through October 31 from the mouth to Mount Norway Bridge, and from September 1 through October 31 from Mount Norway Bridge upstream. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

~~((f))~~ (f) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.

~~((g))~~ (g) Salmon:

(i) Open August 1 through December 31.

(ii) Limit 6; no more than 2 adults may be hatchery Chinook.

(iii) Release chum, wild coho, and wild Chinook.

~~((3))~~ (2) In addition to the season listed in subsection (2) of this definition (Washougal River (Clark County)), the waters from the mouth to Mount Norway Bridge are open April 16 through the Friday before the first Saturday in June:

(a) Selective gear rules apply.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Release all trout except anglers may retain up to 2 hatchery steelhead.

~~((4))~~ (3) From the bridge at Salmon Falls to the source, including tributaries: Closed.

Washougal River, West (North) Fork (Clark/Skamania counties):

From mouth to the water intake at the department hatchery: Closed waters.

From intake at department hatchery to source: Barbless hooks required for steelhead. The first Saturday in June through March 15 season. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

Watson Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Waughop Lake (Pierce County): Salmon: Landlocked salmon rules apply.

Wenaha River tributaries within Washington: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all steelhead.

Wenatchee Lake (Chelan County): Selective gear rules. Trout except kokanee: Daily limit two, minimum length twelve inches. Release kokanee. Kokanee/sockeye under sixteen inches will be considered kokanee while those sixteen inches and over will be considered sockeye salmon.

Wenatchee River (Chelan County):

(1) From mouth to 400' below Dryden Dam:

(a) Open for whitefish December 1 through March 31 ((from the mouth to the Highway 2 Bridge at Leavenworth only)); whitefish gear rules apply.

~~((2))~~ (b) Salmon:

(i) Open August 1 through September 30.

(ii) Selective gear rules apply and night closure in effect.

(iii) Limit 4; no more than 2 adult hatchery Chinook.

(iv) Release all wild salmon.

(2) From the mouth of Peshastin Creek (above Dryden Dam) to Highway 2 Bridge at Leavenworth:

(a) Open for whitefish December 1 through March 31: whitefish gear rules apply.

(b) Salmon:

(i) Open September 1 through September 30.

(ii) Limit 4; no more than 2 adult hatchery Chinook.

(iii) Release all wild salmon.

(iv) Selective gear rules apply and night closure in effect.

(3) Lake Jolanda is closed.

Wentworth Lake (Clallam County): Unlawful to fish from a floating device equipped with an internal combustion engine.

West Evans Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

West Twin River (Clallam County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Whatcom Creek (Whatcom County):

From mouth to markers below footbridge below Dupont Street in Bellingham. Anti-snagging rule and night closure August 1 through December 31. The first Saturday in June through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only August 1 through December 31. Daily limit 6 fish of which not more than 2 may be adult salmon. Anglers fishing lawfully, within 50 yards of the Bellingham Technical College Hatchery Collection Tube, and on the hatchery side of the creek, that hook and land chum salmon, may remove those chum salmon from the water and immediately place them unharmed into the Hatchery Collection Tube.

From footbridge below DuPont Street in Bellingham to Woburn Street Bridge. Anti-snagging rule and night closure August 1 through December 31. The first Saturday in June through last day in February season. Trout: Minimum length 14 inches.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Fourth Saturday in April through October 31 season. Juveniles only. Anti-snagging rule and night closure August 1 through October 31. Trout: No minimum length.

Whatcom, Lake (Whatcom County): Fourth Saturday in April through October 31 season, except those waters between the Electric Avenue Bridge and the outlet dam are closed waters: Trout: Release cutthroat trout.

Whatcom, Lake, tributaries (Whatcom County): Closed waters.

Wheeler Creek (Klickitat County): Trout: Release all trout.

White Creek (Skagit County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

White River (Chelan County), from mouth upstream to White River Falls: Closed waters.

## White (Stuck) River (Pierce County):

(1) From the mouth to R Street Bridge in Auburn:

(a) Selective gear rules and night closure are in effect October 1 through January 15.

(b) Open October 1 through October 31 for fly fishing only; release all fish.

(c) Open November 1 through January 15; trout minimum length 14 inches.

(2) From R Street Bridge to the Highway 410 Bridge at Buckley:

(a) Puget Power canal, including the screen bypass channel above the screen at Dingle Basin, is closed.

(b) Open October 1 through October 31:

(i) Night closure and selective gear rules are in effect.

(ii) Trout minimum length 14 inches.

(3) From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) upstream to its source:

(a) Open July 1 through October 31:

(i) Night closure in effect October 1 through October 31.

(ii) Selective gear rules apply.

(iii) Catch and release only.

(b) Open for whitefish only November 1 through January 31; whitefish gear rules apply.

Whitechuck River (Snohomish County): All species: Selective gear rules. First Saturday in June through October 31 season. Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

## White Salmon River (Klickitat/Skamania counties):

(1) From the mouth to the county road bridge below the powerhouse:

(a) Barbless hooks required for salmon and steelhead.

(b) From the mouth to the Hwy. 14 Bridge, the limit follows the most liberal regulations of the adjacent mainstem Columbia or White Salmon rivers, when both areas are open concurrently for salmon.

~~((b))~~ (c) Bank fishing only downstream from the Highway 14 Bridge.

~~((c))~~ (d) Open August 1 through March 31:

(i) Anti-snagging rule applies August 1 through December 31.

(ii) Trout minimum length 14 inches.

~~((d))~~ (e) Salmon and steelhead:

(i) From April 1 through July 31, limit 2 salmon or 2 hatchery steelhead or one of each; release wild Chinook.

(ii) Open for salmon only August 1 through March 31:

(A) Limit 6; no more than 2 adults may be retained.

(B) Release wild Chinook and wild coho.

(2) From the county road bridge below the powerhouse upstream to Big Brothers Falls (river mile 16):

(a) Closed from Big Brothers Falls downstream 400 feet.

(b) Open the first Saturday in June through October 31.

(c) Selective gear rules apply.

(d) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(e) Catch and release only, except anglers may retain up to 2 hatchery steelhead.

Wide Hollow Creek (Yakima County): Juveniles only.

Widgeon Lake (Grant County): April 1 through September 30 season.

Wildberry Lake (Mason County): Fourth Saturday in April through October 31 season.

Wildcat Creek (Grays Harbor County) (Cloquallum Creek tributary): From mouth to confluence of Middle and East forks: The first Saturday in June through October 31 season. Selective gear rules.

Wildcat Creek, East Fork (Grays Harbor County) (Cloquallum Creek tributary): From mouth to Highway 108 Bridge (Simpson Avenue, in the town of McCleary): The first Saturday in June through October 31 season. Selective gear rules.

Wildcat Lake (Kitsap County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Wilderness Lake (King County): Fourth Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Wilkeson Creek (Pierce County) (South Prairie Creek tributary) upstream of confluence with Gale Creek: First Saturday in June through October 31 season.

## Willame Lake (Lewis County):

(1) Selective gear rules apply.

(2) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(3) Open the fourth Saturday in April through October 31; trout limit 2, minimum length 15 inches.

## Willapa River (Pacific County):

(1) From the mouth (city of South Bend boat launch) to the Highway 6 Bridge approximately 2 miles below the mouth of Trap Creek:

(a) It is unlawful to fish from a floating device from the second bridge on Camp One Road upstream to the mouth of Mill Creek (approximately 0.5 miles) from August 1 through November 30.

(b) Night closure in effect and single-point barbless hooks are required from August 1 through November 30.

(c) Stationary gear restriction applies from August 1 through November 30, except from the mouth of the Willapa River to the WDFW access site at the mouth of Ward/Wilson creek.

(d) Open the first Saturday in June through March 31; release all fish except anglers may retain up to 2 hatchery steelhead.

(e) Salmon open August 1 through January 31:

(i) From August 1 through November 30:

(A) Limit 6; no more than 3 adults may be retained, and only 2 adults may be wild coho.

(B) Release wild Chinook and chum.

(ii) From December 1 through January 31:

(A) Limit 6; no more than 2 adults may be retained, and only one adult may be a wild coho.

(B) Release wild Chinook and chum.

- (f) Sturgeon:
- (i) Open year-round until December 31, 2013.
- (ii) Effective January 1, 2014, it is unlawful to retain sturgeon (catch and release only).
- (2) From Highway 6 Bridge to Fork Creek:
- (a) October 1 through November 30:
- (i) Night closure in effect.
- (ii) Single-point barbless hooks are required.
- (iii) Stationary gear restriction applies.
- (b) Open the first Saturday in June through July 15 and from October 1 through March 31; release all fish except anglers may retain up to 2 hatchery steelhead.
- (c) Salmon open October 1 through January 31:
- (i) From October 1 through November 30:
- (A) Limit 6; no more than 3 adults may be retained, and only ~~((one))~~ 2 adults may be a wild coho.
- (B) Release wild Chinook and chum.
- (ii) From December 1 through January 31:
- (A) Limit 6; no more than 2 adults may be retained, and only one adult may be a wild coho.
- (B) Release wild Chinook and chum.
- (3) From Fork Creek upstream:
- (a) Night closure in effect and single-point barbless hooks are required August 16 through October 31.
- (b) Open the first Saturday in June through October 31; release all fish except anglers may retain up to 2 hatchery steelhead.

Willapa River, South Fork (Pacific County):

- (1) From the mouth to the bridge on Pehl Road:
- (a) Closed from the falls/fish ladder downstream 400 feet in Section 6, Township 13 North, and Range 8 West.
- (b) Selective gear rules apply from the first Saturday in June through July 31.
- (c) Night closure in effect ~~((and))~~, anti-snagging rule ~~((applies))~~, and barbless hooks required August 1 through November 30.
- (d) Open the first Saturday in June through the last day in February; release all fish except anglers may retain up to 2 hatchery steelhead.
- (e) Salmon:
- (i) Open August 1 through January 31.
- (ii) Limit 6; no more than 3 adults may be retained.
- (iii) Release wild Chinook, wild coho, and chum.
- (2) From Pehl Road upstream:
- (a) Open the first Saturday in June through the last day in February.
- (b) Release all fish except anglers may retain up to 2 hatchery steelhead.

Williams Creek (Pacific County) (Nemah River North Fork tributary): First Saturday in June through October 15 season. Trout: Minimum length eight inches and daily limit two fish. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Williams Lake (Spokane County): Fourth Saturday in April through September 30 season.

Williams Lake (Stevens County): December 1 through March 31 season. All species: Catch and release except up to five rainbow trout may be retained.

Wilson Creek (Pacific County) (Willapa River tributary): All game fish: First Saturday in June through October 31 season. Selective gear rules.

Wilson Creek, North Fork (Pacific County): All game fish: First Saturday in June through October 31 season. Selective gear rules.

Wilson Creek (two branches within Ellensburg city limits) (Kittitas County): Juveniles only.

Winchester Wasteway (Grant County): Within Winchester Game Reserve: February 1 through September 30 season.

Wind River (Skamania County):

- (1) Barbless hooks required for salmon and steelhead.
- (2) From the mouth to 100 feet above Shipherd Falls:
- (a) Closed from 400 feet below to 100 feet above Shipherd Falls fish ladder, including all tributaries.
- (b) Night closure in effect March 16 through June 30.
- (c) Anti-snagging rule applies August 1 through October 31.
- (d) Anti-snagging rule applies from Burlington Northern Railroad Bridge upstream May 1 through June 30.
- (e) ~~((Fishing two poles is permissible from the mouth to Burlington Northern Railroad Bridge from May 1 through June 30, so long as the angler possesses a two pole endorsement.~~
- ~~((F))~~ When anti-snagging rule is in effect, only fish hooked inside the mouth may be retained. Open for game fish other than trout July 1 through March 15.
- ~~((G))~~ (f) Open for trout August 1 through March ~~((14))~~ 15; trout minimum length 14 inches.
- ~~((H))~~ (g) Salmon and steelhead:
- (i) Open March 16 through July 31:
- (A) Limit ~~((2))~~ one salmon or ~~((2))~~ one hatchery steelhead, or one of each.
- (B) Release wild Chinook.
- (ii) Open August 1 through October 31 for salmon ~~((only from the mouth to the Highway 14 Bridge))~~:
- (A) From the mouth to the Highway 14 Bridge, when the adjacent mainstem Columbia and the Wind rivers are open concurrently for salmon, the limit follows the most permissive regulations.
- (B) Limit 6; up to 2 adults may be retained.
- (C) Release wild coho and wild Chinook.
- ~~((2))~~ (3) From 100 feet above Shipherd Falls to ~~((boundary marker approximately 800 yards downstream of Carson National Fish Hatchery))~~ Moore Bridge:
- (a) Closed:
- (i) All tributaries; and
- (ii) From 400 feet below to 100 feet above the Coffey Dam.
- (b) ~~((Night closure in effect and anti-snagging rule applies from May 1 through June 30.~~
- ~~((E))~~ Open September 16 through November 30:
- (i) Catch and release only;
- (ii) Selective gear rules apply; and
- (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- ~~((d))~~ Open May 1 through June 30 for salmon and steelhead: Limit 2 salmon or 2 hatchery steelhead, or one of each.

(3) ~~From boundary marker approximately 800 yards downstream of Carson National Fish Hatchery to Moore Bridge:~~

- ~~(a) Open September 16 through November 30.~~
- ~~(b) Catch and release only;~~
- ~~(c) Selective gear rules apply; and~~
- ~~(d) It is unlawful to fish from a floating device equipped with an internal combustion motor.)~~

(4) Closed from Moore Bridge upstream to the river source, including all tributaries.

Winston Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches.

Wishkah River (Grays Harbor County):

(1) Single-point barbless hooks are required August 16 through November 30.

(2) From the mouth to West Fork:

(a) Open the first Saturday in June through the last day in February.

(b) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) Salmon open (~~(October 1)~~) September 16 through January 31:

(i) From (~~(October 1)~~) September 16 through November 30:

(A) Limit 6; no more than 2 adults may be retained, and only one adult may be a wild coho.

(B) Release Chinook and chum.

(ii) From December 1 through January 31:

(A) Limit 6; no more than 2 adults may be retained.

(B) Release Chinook, wild coho, and chum.

(3) From the mouth of West Fork to 200 feet below the weir at the Wishkah Rearing Ponds:

(a) Closed from (~~(200 feet downstream of the weir at the Wishkah Rearing Ponds, upstream to the weir)~~) 150 feet upstream to 150 feet downstream of the Wishkah adult attraction channel/outfall structure (within the posted fishing boundary), except for anglers with disabilities who permanently use a wheelchair and have a designated harvester companion card.

(b) Open the first Saturday in June through the last day in February.

(c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(d) Salmon open October 1 through December 31:

(i) Limit 6; no more than 2 adults may be retained.

(ii) Release chum, Chinook, and wild coho.

(4) From the weir upstream:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

Wishkah River, East and West forks (Grays Harbor County): All species: The first Saturday in June through the last day in October season. Selective gear rules.

Wolf Creek, mouth to mouth of south fork (Okanogan County): Closed waters.

Woodard Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length 14 inches.

Wood Lake (Mason County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Woodland Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Woods Creek, East Fork (Snohomish County) (Skykomish River tributary) upstream of Old Pipeline Road above Woods Creek Falls, including all tributaries and beaver ponds: Open the first Saturday before Memorial Day through October 31.

Wooten Lake (Mason County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Wye Lake (Kitsap County): Fourth Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Wynoochee River (Grays Harbor County):

(1) From the mouth to the WDFW White Bridge Access Site:

(a) Single-point barbless hooks are required August 16 through November 30.

(b) (~~(Bait prohibited September 16 through November 30.~~

~~(e))~~) Open the first Saturday in June through March 31; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

~~((c))~~) (c) Salmon:

(i) Open September 16 through November 30.

(ii) Limit 6; no more than 2 adults may be retained, and only one adult may be a wild coho.

(iii) Release Chinook (~~(and chum)~~).

(2) From the WDFW White Bridge Access Site to the 7400 line bridge (~~(above the mouth of Schafer Creek)~~):

(a) Single-point barbless hooks required August 16 through November 30.

(b) Bait is prohibited September 16 through November 30.

(c) Open the first Saturday in June through March 31; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(3) From the 7400 line bridge to 400 feet below Wynoochee Dam, including the confluence of the reservoir upstream to Wynoochee Falls:

(a) Closed from 400 feet downstream of Wynoochee Dam and from the barrier dam near Grisdale.

(b) Open the first Saturday in June through October 31 and from December 1 through March 31:

(i) From the first Saturday in June through October 31: Trout minimum length 14 inches, except it is permissible to

retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) From December 1 through March 31:

(A) Selective gear rules apply.

(B) Release all fish, except anglers may retain up to 2 hatchery steelhead.

(4) From Wynoochee Falls upstream:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Eastern brook trout limit 5. Eastern brook trout do not count toward the trout limit. However, once the daily limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing.

Wynoochee Reservoir (Grays Harbor County) upstream to head waters: The first Saturday in June through October 31 season. Trout: Daily limit two, minimum length twelve inches. Salmon: Landlocked salmon rules apply.

Yakima River (Yakima County):

(1) General river rules:

(a) Release all steelhead in the mainstem and tributaries.

(b) In the mainstem or tributaries open to game fish angling:

(i) Channel catfish: No limit.

(ii) Walleye: No size restrictions and no limit.

(iii) Bass: No size restrictions and no limit.

(2) Rules by river section:

(a) From the mouth to 400 feet below Prosser Dam:

(i) Closed from the WDFW white markers 200 feet downstream of the USBR Chandler Powerhouse/Pumping Station spillway chute to the powerline crossing immediately upstream of the powerhouse from September 1 through October 22.

(ii) Anti-snagging rule and night closure in effect September 1 through October 22.

(iii) Open March 1 through October 22.

(iv) Chumming is permitted.

(v) Release all trout.

(vi) Salmon:

(A) Open September 1 through October 22.

(B) Night closure in effect.

(C) Barbless hooks required.

(D) Limit 6; no more than 2 adults may be retained.

(b) From Prosser Dam to Highway 223 Bridge:

(i) Open May 1 through October 31.

(ii) Release all trout.

(c) From Highway 223 Bridge to 400 feet below Sunnyside Dam:

(i) Trout minimum length is 12 inches, maximum length is 20 inches.

(ii) Open December 1 through the last day in February for whitefish only; whitefish gear rules apply.

(d) From Sunnyside Dam to 3,500 feet below Roza Dam:

(i) Closed from Yakima Avenue-Terrace Heights Bridge upstream 400 feet.

(ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor from the I-82 Bridge at Selah Gap to 3,500 feet below Roza Dam.

(iv) Trout minimum length is 12 inches, maximum length is 20 inches.

(v) Open December 1 through the last day in February for whitefish only; whitefish gear rules apply.

(e) From 3,500 feet below Roza Dam to 400 feet below Roza Dam:

(i) Open December 1 through the last day in February for whitefish only; whitefish gear rules apply.

(ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(f) From Roza Dam to 400 feet below Easton Dam and from Lake Easton to the base of Keechelus Dam:

(i) Open year-round.

(ii) It is permissible to fish from floating devices equipped with motors only from the U.S. Bureau of Reclamation restricted area signs at Roza Dam upstream to the boat launch ramp on the Roza Access Area (approximately 0.5 mile).

(iii) Selective gear rules apply, except December 1 through the last day in February.

(iv) Trout:

(A) From Roza Dam to 400 feet below Easton Dam, release all trout.

(B) From Lake Easton to the base of Keechelus Dam, release all trout except eastern brook trout; eastern brook trout have no limit and no minimum size restriction.

(v) Open December 1 through the last day in February, for whitefish only; whitefish gear rules apply.

Yakima Sportsmen's Park Ponds (Yakima County): Juveniles only.

Yale Reservoir (Cowlitz County): Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen. Landlocked salmon rules.

Yellowhawk Creek (Walla Walla County): Closed waters.

Yellowjacket Creek (tributary to Cispus River) (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Yocum Lake (Pend Oreille County):

(1) Open the fourth Saturday in April through October 31.

(2) It is unlawful to use lead weights or lead jigs that measure 1.5 inches or less along the longest axis.

(3) It is unlawful to fish from a floating device equipped with an internal combustion motor.

Youngs Creek (Snohomish County) (Skykomish River tributary) and its tributaries and beaver ponds above Potson Road (299th Avenue S.E. Bridge) (Elwell Creek tributary, Skykomish River tributary near town of Sultan): Open the Saturday before Memorial Day through October 31.

AMENDATORY SECTION (Amending WSR 12-18-006, filed 8/23/12, effective 9/23/12)

**WAC 232-28-620 Coastal salmon—Saltwater seasons and daily limits.** (1) It is unlawful to take, fish for, or possess salmon taken by angling for personal use except from

the following coastal areas, during the following seasons, in the quantities and the sizes provided for in WAC 220-56-180, and for the species designated in this section. An area is open when a daily limit is provided:

(2) **Catch Record Card Area 1:**

(a) May 1 through June ((8)) 7: Closed.

(b) June ((9)) 8 through June ((22)) 21:

(i) Daily limit of 2 salmon.

(ii) Release coho and wild Chinook.

(c) June ((23)) 22 through September 30:

(i) Daily limit of 2 salmon(~~(, of which not)~~); no more than one may be a Chinook salmon.

(ii) Release wild coho.

(d) October 1 through April 30: Closed.

(e) Closed in the Columbia River Mouth Control Zone 1 during all open periods. See WAC 220-56-195.

(3) **Catch Record Card Area 2:**

(a) May 1 through June ((8)) 7: Closed.

(b) June ((9)) 8 through June ((23)) 22:

(i) Daily limit of 2 salmon.

(ii) Release coho and wild Chinook.

(c) June ((24)) 23 through September ((23)) 30:

(i) Open Sundays through Thursdays only.

(ii) Daily limit of 2 salmon(~~(, of which not)~~); no more than one may be a Chinook salmon.

(iii) Release wild coho.

(d) ((September 24)) October 1 through April 30 - Closed.

(4) **Willapa Bay (Catch Record Card Area 2-1):**

(a) May 1 through June ((8)) 7: Closed.

(b) June ((9)) 8 through July 31: Open concurrent with Area 2 when Area 2 is open for salmon angling. Area 2 rules apply.

(c) August 1 through January 31:

(i) Daily limit of 6 salmon(~~(, not)~~); no more than 3 (~~(of which)~~) may be adult salmon.

(ii) Release chum and wild Chinook.

(iii) Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing.

(d) February 1 through April 30: Closed.

(5) **Grays Harbor (Catch Record Card Area 2-2 east of the Buoy 13 line):**

(a) May 1 through September 15: Closed.

(b) September 16 through ((October 7)) September 22:

((+)) Daily limit of 3 salmon(~~(, of which not)~~); no more than one may be a Chinook salmon (~~(and not more than 2 may be wild coho salmon)~~).

(ii) ~~Release chum~~.

(c) ((October 8)) September 23 through November 30:

(i) Daily limit of 3 salmon(~~(, of which not more than 2 may be wild coho salmon)~~).

(ii) Release Chinook (~~(and chum)~~).

(d) December 1 through April 30: Closed.

(e) Notwithstanding the provisions of this subsection, the Westport Boat Basin and Ocean Shores Boat Basin are open only August 16 through January 31:

(i) Daily limit of 6 salmon(~~(, not)~~); no more than 4 (~~(of which)~~) may be adult salmon.

(ii) Release wild Chinook.

(iii) Night closure and anti-snagging rule in effect.

(6) **Grays Harbor (Catch Record Card Area 2-2 west of the Buoy 13 line):**

(a) May 1 through June ((8)) 7: Closed.

(b) June ((9)) 8 through ((September 23)) August 10: Open concurrent with Area 2 when Area 2 is open for salmon angling. Area 2 rules apply.

(c) ((September 24)) August 11 through April 30: Closed.

(7) **Catch Record Card Area 3:**

(a) May 1 through June ((45)) 28: Closed(~~(-~~

~~(b) June 16 through June 30)~~, except May 10 through May 11, May 17 through May 18, and June 22 through June 28:

(i) Daily limit of 2 salmon.

(ii) Release coho and wild Chinook.

((-)) ~~(July 1)~~ (b) June 29 through September ((23)) 22:

(i) Daily limit of 2 salmon.

(ii) Release wild coho.

(iii) In years ending in odd numbers, ((one)) two additional pink salmon may be retained as part of the daily limit.

((+)) (c) September ((24)) 23 through April 30: Closed.

((-)) (d) Notwithstanding the provisions of this subsection, waters north of 47°50'00"N latitude and south of 48°00'00"N latitude are also open September ((29)) 28 through October ((44)) 13:

(i) Daily limit of 2 salmon.

(ii) Release wild coho.

((-)) ~~(iii) In years ending in odd numbers, one additional pink salmon may be retained as part of the daily limit.)~~

(8) **Catch Record Card Area 4:**

(a) May 1 through June ((45)) 28: Closed(~~(-~~

~~(b) June 16 through June 30)~~, except May 10 through May 11, May 17 through May 18, and June 22 through June 28:

(i) Daily limit of 2 salmon.

(ii) Release coho and wild Chinook.

(iii) Waters east of a true north-south line through Sail Rock are closed.

((-)) ~~(July 1)~~ (b) June 29 through September ((23)) 22:

(i) Daily limit of 2 salmon.

(ii) Release wild coho salmon.

(iii) In years ending in odd numbers, ((one)) two additional pink salmon may be retained as part of the daily limit.

(iv) Waters east of a true north-south line through Sail Rock are closed through July 31.

(v) Release Chinook salmon caught east of the Bonilla-Tatoosh line beginning August 1.

(vi) Release chum salmon beginning August 1.

((+)) (c) September ((24)) 23 through April 30: Closed.

(9) Violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested salmon. If the person has harvested salmon, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the salmon are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

AMENDATORY SECTION (Amending WSR 12-18-006, filed 8/23/12, effective 9/23/12)

**WAC 232-28-621 Puget Sound salmon—Saltwater seasons and daily limits.** (1) It is unlawful to fish for or possess salmon taken by angling for personal use except from the following Puget Sound areas and during the seasons, in the quantities, and for the species designated in this section, and in the sizes as defined in WAC 220-56-180. An area is open when a daily limit is provided. Puget Sound waters west of the mouth of the Sekiu River are managed concurrent with ocean waters under WAC 232-28-620.

**(2) Catch Record Card Area 5:**

- (a) May 1 through June 30: Closed.
- (b) July 1 through August 15:
  - (i) Daily limit of 2 salmon.
  - (ii) Release chum, wild Chinook and wild coho.
  - (iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.
- (c) August 16 through September 14:
  - (i) Daily limit of 2 salmon.
  - (ii) Release chum, Chinook and wild coho.
  - (iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.
- (d) September 15 through September 30:
  - (i) Daily limit of 2 salmon.
  - (ii) Release chum and Chinook.
- (e) October 1 through October 31: Daily limit of 2 salmon(~~(, not)~~); no more than one (~~(of which)~~) may be a Chinook salmon.
- (f) November 1 through (~~November 30~~) February 15: Closed.

(g) (~~December 1 through February 15~~): Closed.

~~(h)~~ February 16 through April 10: Daily limit of one salmon.

~~((h))~~ (h) April 11 through April 30: Closed.

**(3) Catch Record Card Area 6:**

- (a) May 1 through June 30: Closed.
- (b) July 1 through August 15:
  - (i) Daily limit of 2 salmon.
  - (ii) Release chum, wild Chinook and wild coho.
  - (iii) Release all Chinook east of a true north-south line through the Number 2 Buoy immediately east of Ediz Hook.
  - (iv) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.
- (c) August 16 through September 30:
  - (i) Daily limit of 2 salmon.
  - (ii) Release chum, Chinook and wild coho.
  - (iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.
- (d) Waters of Port Angeles Harbor west of a line from the tip of Ediz Hook to the ITT Rayonier Dock are closed July 1 through October 31.
- (e) October 1 through October 31:
  - (i) Daily limit of 2 salmon(~~(, not)~~); no more than one (~~(of which)~~) may be a Chinook salmon, except that waters of Dungeness Bay inside a line from Dungeness Spit Lighthouse to the Number 2 Red Buoy, and then to the Port Williams Boat Ramp, are open with a daily limit of 2 coho salmon only.

(ii) (~~Release all other salmon~~).

~~((h))~~ Waters inside the line described in this subsection are closed at all times except during October.

(f) November 1 through November 30: Closed.

(g) December 1 through April 10:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

(h) April 11 through April 30: Closed.

**(4) Catch Record Card Area 7:**

(a) May 1 through June 30: Closed.

(b) July 1 through July 31:

(i) Daily limit of 2 salmon(~~(, not)~~); no more than one (~~(of which)~~) may be a Chinook salmon.

(ii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(iii) Closed to salmon fishing in the Southern Rosario Strait and Eastern Strait of Juan de Fuca closure area described in WAC 220-56-195(7).

(c) August 1 through September 30:

(i) Daily limit of 2 salmon(~~(, not)~~); no more than one (~~(of which)~~) may be a Chinook salmon.

(ii) Release chum and wild coho.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(iv) Closed to salmon fishing in the Southern Rosario Strait and Eastern Strait of Juan de Fuca closure area described in WAC 220-56-195(7).

(d) October 1 through October 31: Daily limit of 2 salmon(~~(, not)~~); no more than one (~~(of which)~~) may be a Chinook salmon. Release wild coho.

(e) Waters of Samish Bay described in WAC 220-56-195(4): Closed April 1 through April 30 and July 1 through October 15.

(f) November 1 through November 30: Closed.

(g) December 1 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

(h) Waters of Bellingham Bay described in WAC 220-56-195(1):

(i) Closed April 1 through April 30 and July 1 through August 15.

(ii) August 16 through October 31: Daily limit of 4 salmon(~~(, not)~~); no more than 2 (~~(of which)~~) may be Chinook salmon.

(iii) November 1 through March 31 and June 1 through June 30: Same rules as Area 7.

(i) Waters east of a line from Gooseberry Point to Sandy Point: Closed September ~~((4))~~ 3 through October ~~((34))~~ 15.

**(5) Catch Record Card Area 8-1:**

(a) May 1 through July 31: Closed.

(b) August 1 through September 30:

(i) Daily limit of 2 salmon.

(ii) Release Chinook.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(c) October 1 through October 31:

(i) Daily limit of 2 salmon.

(ii) Release Chinook.

(d) November 1 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.



**(6) Catch Record Card Area 8-2:**

(a) May 1 through July 31 are closed, except: Waters west of Tulalip Bay and within 2,000 feet of shore from the pilings at Old Bower's Resort to a fishing boundary marker approximately 1.4 miles northwest of Hermosa Point are open only from Friday through 11:59 a.m. the following Monday of each week, May ((+8)) 31 through June ((8)) 14 and June ((+0)) 16 through July 31:

(i) Daily limit of 2 salmon.

(ii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(iii) Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing(~~(-beginning June +0)~~).

(b) August 1 through September 30:

(i) Waters west of Tulalip Bay and within 2,000 feet of shore from the pilings at Old Bower's Resort, to a fishing boundary marker approximately 1.4 miles northwest of Hermosa Point:

(A) August 1 through September ((3)) 2: Open only from Friday through 11:59 a.m. the following Monday of each week.

(I) Daily limit of 2 salmon.

(II) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(III) Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing.

(B) September ((8)) 3 through September ((23)) 22, open only Saturday and Sunday of each week:

(I) Daily limit of 2 salmon.

(II) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(III) Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing.

(C) September ((24)) 23 through September 30: Same rules as remainder of Area 8-2.

(ii) All other waters of Area 8-2:

(A) Daily limit of 2 salmon.

(B) Release Chinook.

(C) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(c) October 1 through October 31:

(i) Daily limit of 2 salmon.

(ii) Release Chinook.

(d) November 1 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

**(7) Catch Record Card Area 9:**

(a) May 1 through June 30: Closed.

(b) July 1 through July 15:

(i) Daily limit of 2 salmon.

(ii) Release Chinook and chum.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(c) July 16 through August 31:

(i) Daily limit of 2 salmon.

(ii) Release chum and wild Chinook.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(iv) Closed south of a line from Foulweather Bluff to Olele Point, except it is permissible to fish from shore between the ((Hood Canal Bridge)) southern and ((the)) northern ((boundary)) boundaries of Salsbury Point Park:

(A) Daily limit of 2 salmon.

(B) Release Chinook and chum.

(C) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(d) September 1 through September 30:

(i) Daily limit of 2 salmon.

(ii) Release chum and Chinook.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(e) October 1 through October 31:

(i) Daily limit of 2 salmon.

(ii) Release Chinook.

(f) November 1 through November 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

(g) December 1 through January 15: Closed.

(h) January 16 through April 15:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

(i) April 16 through April 30: Closed.

(j) Edmonds Fishing Pier:

(i) Open year-round.

(ii) Daily limit of 2 salmon(~~(-not)~~); no more than one ((of which)) may be a Chinook salmon.

(iii) Release chum from August 1 through September 30.

(iv) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit from July 1 through September 30.

**(8) Catch Record Card Area 10:**

(a) May 1 through May 31: Closed.

(b) June 1 through June 30: Open only north of a line from Point Monroe to Meadow Point. Catch and release.

(c) July 1 through July 15:

(i) Daily limit of 2 salmon.

(ii) Release Chinook.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(d) July 16 through August 31:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook, and beginning August 1, release chum.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(e) September 1 through September 30:

(i) Daily limit of 2 salmon.

(ii) Release chum through September 15.

(iii) Release Chinook.

(iv) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(f) Waters of Shilshole Bay southeast of a line from Meadow Point to West Point: Closed July 1 through August 31.

(g) Waters of Elliott Bay east of a line from West Point to Alki Point: Closed July 1 through August 31, except: In years ending in odd numbers: Those waters north of a line from Jack Block Park through the north tip of Harbor Island

to shore northeast of the North Waterway (47°35.47'N, 122°20.58'W), open August 16 through August 31 from Friday through Sunday of each week only.

(i) Daily limit of 2 salmon plus 2 additional pink salmon.

(ii) Release Chinook and chum.

(iii) Bait prohibited, and only one single-point barbless hook measuring one-half inch or less from point to shank may be used.

(h) Waters of Sinclair Inlet and Port Orchard south of the Manette Bridge in Bremerton, south of a line true west from Battle Point, and west of a line drawn true south from Point White:

(i) Daily limit of ~~((2))~~ 3 salmon, July 1 through September 30. Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing.

(ii) Release wild Chinook.

(iii) Release chum from August 1 through September 15.

(iv) In years ending in odd numbers, ~~((2))~~ one additional pink salmon may be retained as part of the daily limit.

(i) October 1 through January 31:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

(j) Waters of Agate Pass west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point: Fly fishing only, lead core lines prohibited, and catch and release from January 1 through January 31.

(k) February 1 through April 30: Closed.

(l) Elliott Bay Fishing Pier at Terminal 86, Seacrest Pier, Waterman Pier, Bremerton Boardwalk, and Illahee State Park Pier, open year-round:

(i) Daily limit of 2 salmon(~~((not))~~); no more than one ((of which)) may be a Chinook salmon.

(ii) Release chum from August 1 through September 15.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit from July 1 through September 30.

(m) Duwamish Waterway downstream from the First Avenue South Bridge to an east-west line projected through Southwest Hanford Street on Harbor Island, from July 1 through October 31 night closure, anti-snagging rule, and only fish hooked inside the mouth may be retained.

(9) **Catch Record Card Area 11:**

(a) May 1 through May 31: Closed.

(b) June 1 through June 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

(iii) Waters of Commencement Bay east of a line from the Cliff House Restaurant to the Sperry Ocean Dock are closed.

(c) July 1 through September 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(iv) Waters of Commencement Bay east of a line from the Cliff House Restaurant to the Sperry Ocean Dock, closed July 1 through July 31.

(d) October 1 through October 31: Daily limit of 2 salmon.

(e) November 1 through December 31: Daily limit of 2 salmon(~~((not))~~); no more than one ((of which)) may be a Chinook salmon.

(f) January 1 through January 31: Closed.

(g) February 1 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

(iii) Waters of Commencement Bay east of a line from the Cliff House Restaurant to the Sperry Ocean Dock, closed from April 1 through April 30.

(h) Dash Point Dock, Les Davis Pier, Des Moines Pier, Redondo Pier, and Point Defiance Boathouse Dock are open year-round:

(i) Daily limit of 2 salmon, not more than one of which may be a Chinook salmon.

(ii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit from July 1 through September 30.

(10) **Catch Record Card Area 12:**

(a) May 1 through June 30: Closed.

(b) July 1 through October 15, in waters south of Ayock Point:

(i) Daily limit of 4 salmon(~~((of which))~~); no more than 2 may be Chinook salmon.

(ii) Release chum and wild Chinook.

(c) July 1 through August 15, in waters north of Ayock Point: Closed.

(d) August 16 through October 15:

(i) Waters of Quilcene Bay north of a true east line from Whitney Point to the Toandos Peninsula, and south of a line true east from Broad Spit: Daily limit 4 coho salmon. Release all salmon except coho.

(ii) Waters north of a line true east from Broad Spit: Closed September 16 through October 15.

(iii) All other waters north of Ayock Point:

(A) August 16 through August 31: Closed.

(B) September 1 through October 15: Daily limit of 4 coho salmon. Release all salmon except coho.

(e) October 16 through December 31:

(i) Waters north of a line true east from Broad Spit - Closed.

(ii) All other waters except Hoodspport Hatchery Zone:

(A) Daily limit of 4 salmon(~~((of which))~~); no more than 2 may be Chinook salmon.

(B) Release wild Chinook.

(f) January 1 through January 31: Closed.

(g) February 1 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

(h) July 1 through December 31, the Hoodspport Hatchery Zone is managed separately from the remainder of Area 12. See WAC 220-56-124.

(11) **Catch Record Card Area 13:**

(a) May 1 through June 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

(b) July 1 through September 30:

(i) Daily limit of 2 salmon.

(ii) Release wild coho and wild Chinook.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(c) October 1 through October 31:

(i) Daily limit of 2 salmon.

(ii) Release wild coho.

(d) Waters at the mouth of Minter Creek within 1,000 feet of the outer oyster stakes are closed April 16 through September 30.

(e) Waters of Budd Inlet south of the Fourth Avenue Bridge are closed.

(i) Contiguous waters north of the Fourth Avenue Bridge and south of a line from the northwest corner of the Thriftway Market building and a point 100 yards north of the railroad bridge on the western shore are closed July 16 through October 31.

(ii) Waters north of the Thriftway Market-railroad bridge line and south of a line projected due west from the KGY radio tower: Night closure and anti-snagging rule from July 16 through October 31.

(f) November 1 through December 31: Daily limit of 2 salmon(~~(-not)~~); no more than one (~~(of which)~~) may be a Chinook salmon.

(g) January 1 through April 30: Daily limit of one salmon.

(h) Fox Island Public Fishing Pier, open year-round:

(i) Daily limit 2 salmon(~~(-not)~~); no more than one (~~(of which)~~) may be a Chinook salmon.

(ii) Release wild coho from July 1 through October 31.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit July 1 through September 30.

(12) Violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested salmon. If the person has harvested salmon, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the salmon are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

**WSR 13-20-026**  
**PERMANENT RULES**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed September 23, 2013, 1:46 p.m., effective October 24, 2013]

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

Purpose: Amends WAC 181-79A-030 to add citation of RCW and new content requirements from session laws of 2013, SB [ESSB] 5563 and HB [ESHB] 1336, including child exploitation, suicide prevention and social/emotional distress identification and response.

Citation of Existing Rules Affected by this Order: Amending WAC 181-79A-030.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 13-16-071 on August 5, 2013.

A final cost-benefit analysis is available by contacting David Brenna, 600 Washington Street South, Room 400, Olympia, WA 98504-7236, phone (360) 725-6238, fax (360) 586-4548, e-mail david.brenna@k12.wa.us.

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

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

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

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

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

Date Adopted: September 19, 2013.

David Brenna  
Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 12-18-005, filed 8/23/12, effective 9/23/12)

**WAC 181-79A-030 Definitions.** The following definitions shall apply to terms used in this chapter:

(1) The terms, "program approval," "endorsement," "interstate compact," "college or university," and "regionally accredited institution of higher education," as defined in WAC 180-78-010 and 181-78A-010 shall apply to the provisions of this chapter.

(2) "Certificate" means the license issued by the superintendent of public instruction to teachers, administrators, and educational staff associates verifying that the individual has met the requirements set forth in this chapter.

(3) "Certificate renewal" means the process whereby the validity of a certificate, subject to expiration, is extended.

(4) "Certificate reinstatement" means the process whereby the validity of an expired certificate is regained.

(5) "Lapsed certificate" means a residency certificate that is subject to the timelines and renewal described under WAC 181-79A-251.

(6) "Expired certificate" means a teacher certificate that can only be reinstated under WAC 181-79A-251.

(7) "Classroom teaching" means instructing pupils in an instructional setting.

(8) "Approved baccalaureate degree" for the purpose of this chapter, means a baccalaureate from a regionally accredited college or university in any of the subject areas of the endorsement listed in chapter 181-82 WAC as now or hereafter amended: Provided, That if a candidate is accepted into a program in Washington state on or before August 31, 2000, and completes the program on or before August 31, 2003, in accordance with WAC 181-79A-299, the candidate may hold a baccalaureate degree in any of the subject areas of the endorsements listed in WAC 181-79A-302. Such degrees shall require the completion of at least forty-five quarter

hours (thirty semester hours) of course work in the subject area: Provided, That a candidate who holds a baccalaureate degree in another academic field will not be required to obtain a second baccalaureate degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed the required forty-five quarter or thirty semester hours of course work in one of the subject areas of the endorsements listed in chapter 181-82 WAC: Provided further, That a candidate who holds a baccalaureate degree in early childhood education, elementary education, or special education will not be required to obtain a second baccalaureate degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed thirty quarter or twenty semester credit hours in one academic field in an approved endorsement area pursuant to WAC 181-82A-202.

(9) "Issues of abuse course work requirement" means completion of course work or an in-service program on issues of abuse. The content shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are victims of abuse, and methods for teaching students about abuse of all types and their prevention. Additionally, content areas identified by the legislature in RCW 28A.410.035 shall be required in the issues of abuse course, including exploitation of minors and suicide prevention.

(10) "Approved master's degree" for the purpose of this chapter, means a master's or doctorate degree from a regionally accredited college or university.

(11) "Credit hour(s)" means credit (normally 100 level or above) awarded by a regionally accredited institution of higher education.

(12) "Previous standards" means a certification system in place prior to a revision in rules that results in changed names and/or validity periods for the certificates issued.

(13) "Application for certification" means an application for a certificate or endorsement that includes a signed affidavit (as specified in WAC 181-79A-157) by the applicant. Such application shall be considered valid for two years from the date of receipt by the superintendent of public instruction, or its designee.

(14) "Professional growth team" for the purpose of renewal of the professional certificate, means a team comprised of the individual renewing the certificate and a minimum of three colleagues, who hold a current educator certificate, chosen by the individual.

(15) "Professional growth plan."

(a) Teacher individualized professional growth plan means the document which identifies the specific competencies, knowledge, skills and experiences needed to meet the standards at the "career level" benchmarks as published by the professional educator standards board.

(b) Principal/program administrator individualized professional growth plan means the document which identifies the specific competencies, knowledge, skills and experiences needed to meet the standards at the "career level" benchmarks set forth in WAC 181-78A-540(1).

(c) ESA individualized professional growth plan means the document which identifies the specific competencies, knowledge, skills and experiences needed to meet the standards and career level benchmarks set forth in WAC 181-78A-540(2).

(16) "A positive impact on student learning" means that a teacher through instruction and assessment has been able to document students' increased knowledge and/or demonstration of a skill or skills related to the state goals and/or essential academic learning requirements: Provided, That teachers employed by private schools who are candidates for the professional teaching certificate shall document students' increased knowledge and/or demonstration of a skill or skills related to either:

(a) The state goals or essential academic learning requirements; or

(b) Such alternative learning goals as the private school has established.

(17) "Professional certificate support provider" means any organization or institution operating training or consulting services as a public entity or private company holding an appropriate business license.

(18) "Approved private school" means any organization of institution providing educational services to children including, but not limited to, approved private schools, state institutions, juvenile institutions, nonpublic agencies providing special education services, development centers, and bureau of Indian affairs schools.

## WSR 13-20-027

### PERMANENT RULES

### PROFESSIONAL EDUCATOR

### STANDARDS BOARD

[Filed September 23, 2013, 1:50 p.m., effective October 24, 2013]

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

Purpose: Amending WAC 181-79A-130 and 181-79A-131 to change procedures for collecting certification fees with the implementation of the new e-cert system.

Citation of Existing Rules Affected by this Order: Amending WAC 181-79A-130 and 181-79A-131.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 13-15-011 on July 8, 2013.

A final cost-benefit analysis is available by contacting David Brenna, 600 Washington Street South, Room 400, Olympia, WA 98504-7236, phone (360) 725-6238, fax (360) 586-4548, e-mail david.brenna@k12.wa.us.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 19, 2013.

David Brenna  
Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 08-12-055, filed 6/2/08, effective 7/3/08)

**WAC 181-79A-130 Fee for certification.** (1) In accordance with provisions of RCW 28A.410.060 and 28A.415.010, the fee for certificates which are valid for more than one year, issued by authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be as follows:

(a) The first issue of the residency certificate, five dollars for each year of validity;

(b) The continuing certificate, seventy dollars;

(c) The reinstatement, additional endorsement on the teaching certificate, duplicate certificates, substitute certificates, and certificates issued for the purpose of showing a name change, fifteen dollars;

(d) The first peoples' language, culture, and oral tribal traditions teacher certificate, twenty-five dollars; and

(e) Any other certificate or credential or any renewal thereof, five dollars for each year of validity:

~~((f))~~ (i) Provided, That the fee for all career and technical education certificates shall be one dollar:

~~((g))~~ (ii) Provided, That a one-time late fee for a renewed initial or continuing certificate issued under the provisions of WAC 181-79A-123 (7), (8), or (9) for those whose initial certificate had already expired shall be one hundred dollars.

(2) The fee for any other certificate/credential, or for any renewal thereof, issued by the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be five dollars.

(3) Officials authorized to collect certification fees are educational service district superintendents, ~~((local school district superintendents,))~~ deans and directors of education at colleges and universities, or their designees. Sovereign tribal governments may collect certification fees for first peoples' language, culture, and oral tribal traditions certificates. The fee must accompany the application for a certificate and shall be transmitted by the receiving district, college or university, sovereign tribal government or program unit designee at least quarterly to the educational service district within which the application is filed for disposition in accordance with provisions of RCW 28A.410.060 or to the office of the superintendent of public instruction.

(4) Beginning September 1, 2013, the office of the superintendent of public instruction may collect certification fees.

(5) The fee shall not be refunded unless the application is withdrawn before it is finally considered (i.e., the issuance of a certificate or a written communication denying such issu-

ance) by the superintendent of public instruction or his or her designee. Fees not refunded shall apply as credit toward certificate fees if such applicant reapplies within twenty-four months of the date of denial. Moneys accrued from certification fees ~~((within the boundaries of an educational service district))~~ shall be divided in the following manner:

~~((a))~~ ~~((Local school districts employing more than one hundred teachers and other professional staff and collecting certification fees may retain one dollar of each fee in order to hold a professional training institute. If such district does not hold an institute, all such moneys shall be placed to the credit of the educational service district.~~

~~((b))~~ No less than fifty percent of the funds accruing within the boundaries of an educational service district shall be used to support program activities related to statewide precertification professional preparation and evaluation.

~~((c))~~ ~~((b))~~ The remaining funds shall be used to support professional in-service training programs, program evaluation and/or provision of certification services by educational service districts.

~~((d))~~ ~~Use of certification fees described in this section shall be reported annually to the professional educator standards board pursuant to WAC 181-79A-131(6).)~~

AMENDATORY SECTION (Amending WSR 08-12-055, filed 6/2/08, effective 7/3/08)

**WAC 181-79A-131 Use of fee for certification.** (1) Certification fees will be used solely for precertification preparation, program evaluation, professional in-service training programs, and/or provision of certification services by educational service districts in accordance with this chapter.

(2) Precertification preparation:

(a) The primary utilization shall be to support collaborative efforts essential to program development, program evaluation, and assessment of candidates' entry and exit competency.

(b) Funds set aside for precertification shall not supplant funds already available to any participating agency.

(c) Until September 1, 2013, a single educational service district ((shall)) may be designated to administer the funds allocated for precertification programs. The designated educational service district shall be permitted to retain a percentage of the precertification fees at a rate to be negotiated by the superintendent of public instruction and the educational service district for costs related to administering these funds. After September 1, 2013, the office of the superintendent of public instruction may be designated to administer the funds allocated for precertification purposes per RCW 28A.410.200(7).

(d) Each quarter, for any fees collected, every educational service district shall forward the moneys designated for precertification programs to the educational service district designated to administer such programs.

(3) Professional in-service training programs and teachers' institutes and/or workshops:

(a) ~~((Each educational service district, or cooperative thereof as specified in (d) of this subsection, shall establish an in-service committee composed of an educational service dis-~~

trict representative; at least one district superintendent; one principal; one educational staff associate; one elementary, one junior high and one senior high teacher; one representative from the elementary or secondary level of private schools within the educational service district; and one representative selected by the chief administrative officer responsible for professional education from a college/university having a professional educator standards board approved teacher education program. Teacher representatives shall be selected by agreement among the presidents of the local education associations within the respective educational service district or cooperative thereof.

~~(b) The educational service district representative shall serve as chairperson of the in-service committee and provide liaison with the superintendent of public instruction and the professional educator standards board.~~

~~(c) The in-service committee will be responsible for coordinating in-service/staff development model programs within the educational service district and shall submit to the superintendent of public instruction and the professional educator standards board a plan for soliciting and selecting model programs which shall include procedures for conducting needs assessments, determining priorities and carrying out program evaluation.~~

~~(d)) Beginning with the state fiscal year 2015, the professional educator standards board shall biennially issue a request for proposal to eligible in-service education agencies per WAC 181-85-045 to submit applications for funds for the purpose of offering in-service continuing education provided per reporting requirements published by the board.~~

(b) Cooperative agreements may be made among educational service districts to provide quality in-service education programs.

~~((c)) (c) Funds designated for in-service programs shall not supplant funds already available for such programs.~~

(4) Provision of certification services:

(a) The primary utilization shall be to support costs associated with operating educational service district certification offices to provide direct service to educators related to certification.

(b) Funds set aside for the provision of certification services shall not supplant funds already available to any educational service district until such time as educational service districts are no longer receiving certificate fees.

(5) Allowable expenditures. Funds may be used to support costs related to training, such as the payment of professional contractual services, per diem, travel costs, materials, printing, or released time. Nonallowable costs are college/university tuition and fees.

~~((6) Annual reporting. No later than July 1, the superintendent of public instruction shall prepare and present to the professional educator standards board an annual report concerning the use of certification fees for the previous fiscal year. The report shall include proposed budgets and a description of activities, in accordance with this chapter, for the upcoming fiscal year. Budgets and activities must be approved by the professional educator standards board on an annual basis.))~~

**WSR 13-20-028**  
**PERMANENT RULES**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed September 23, 2013, 1:53 p.m., effective October 24, 2013]

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

Purpose: Amends WAC 181-78A-100 and 181-78A-110 to clarify program review team membership in reviews for existing programs. Clarifies that limited approval is based on results of board action in response to reviews and may include recommendations.

Citation of Existing Rules Affected by this Order: Amending WAC 181-78A-100 and 181-78A-110.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 13-14-034 on June 26, 2013.

A final cost-benefit analysis is available by contacting David Brenna, 600 Washington Street South, Room 400, Olympia, WA 98504-7236, phone (360) 725-6238, fax (360) 586-4548, e-mail david.brenna@k12.wa.us.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 19, 2013.

David Brenna  
Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 12-23-023, filed 11/13/12, effective 12/14/12)

**WAC 181-78A-100 Existing approved programs.** Chapter 181-78A WAC rules shall govern all policies related to programs upon adoption by the professional educator standards board, which shall provide assistance to programs in the revision of their existing programs.

(1) The professional educator standards board shall determine the schedule for such approval reviews and whether an on-site visit or other forms of documentation and validation shall be used for the purposes of granting approval under program approval standards. In determining the schedule for site visits, the board shall take into consideration the partnership agreement between the state and national accreditation organizations as such agreement relates to the accreditation cycle and allow CAEP accredited colleges/universities to follow the CAEP schedule for their ~~((state site visit))~~ review. Non-CAEP accredited colleges/universities shall

have a ~~((state approval site visit))~~ review every five years. The professional educator standards board may require more frequent site visits at their discretion pursuant to WAC 181-78A-110(2). The professional educator standards board will not consider requests for site visit delays.

(2) Each institution shall submit its program for review when requested by the professional educator standards board to ensure that the program meets the state's program approval standards as follows:

(a) At least six months prior to a scheduled on-site visit, the institution shall submit an institutional report that provides evidence and narrative, as needed, that addresses how the program approval standards are met for each preparation program undergoing review. Evidence shall include such data and information from the annual data submissions required per WAC 181-78A-255(2) as have been designated by the professional educator standards board as evidence pertinent to the program approval process.

(b) The institutional report shall be reviewed by ~~((an off-site))~~ a team whose membership is composed of:

(i) One member of the professional educator standards board;

(ii) One peer institution representative;

(iii) One individual with assessment expertise;

(iv) Two K-12 practitioners with expertise related to the programs scheduled for review; and

(v) A designated professional educator standards board staff member who shall serve as team leader.

~~((+))~~ (c) Substitutions, drawn from (b)(i) through (iv) of this subsection, may be assigned when individuals are not available. Additions to the team shall be drawn from (b)(i) through (iv) of this subsection when necessary. The professional educator standards board liaison for that institution may be present, but shall not serve in an evaluative role. All members, including substitutes, shall be trained.

~~((+))~~ (d) Team membership may be reduced for regular continuing visits in which fewer than five standards are being reviewed, initial visits, and focus visits. At a minimum, the team must consist of two members of which one must be a member of the professional educator standards board.

(e) Members of a focus visit team shall, at a minimum, be comprised of one member who served on the on-site team and one member of the professional educator standards board.

(f) The review of the off-site team shall identify additional evidence and clarifications that may be needed to provide adequate support for the institutional report.

~~((+))~~ (g) The report of the off-site team shall be submitted to the institution, which shall provide an addendum to the institutional report no later than five weeks preceding the on-site review.

~~((+))~~ (h) The on-site visit shall be conducted in compliance with the protocol and process adopted and published by the professional educator standards board. The team shall be comprised of members of the off-site review team whenever possible.

~~((+))~~ (i) The final site visit report and other appropriate documentation will be submitted to the professional educator standards board.

~~((g))~~ (j) Institutions may submit a reply to the report within two weeks following receipt of the report. The reply may address issues for consideration, including a request for appeal per this subsection (g), limited to evidence that the review disregarded state standards, failed to follow state procedures for review, or failed to consider evidence that was available at the time of the review.

~~((h))~~ (k) In considering the report, the professional educator standards board may grant approval according to WAC 181-78A-110 and 181-78A-100(1).

~~((+))~~ (l) Institutions may request a hearing in instances where it disagrees with the professional educator standards board's decision. The hearing will be conducted through the office of administrative hearings by an administrative law judge per chapter 34.05 RCW. The institution seeking a hearing will provide a written request to the professional educator standards board in accordance with WAC 10-08-035.

(3) Institutions seeking Council for the Accreditation of Educator Preparation, Council for Accreditation of Counseling and Related Education Programs, and National Association of School Psychologist accreditation may request from the professional educator standards board approval for concurrent site visits which would utilize the same documentation with the exception of material submitted by the institution to the state for the professional education advisory boards and the accountability standards.

AMENDATORY SECTION (Amending WSR 10-23-078, filed 11/15/10, effective 12/16/10)

**WAC 181-78A-110 Length of time for which program approval status shall be granted.** (1) Existing programs. Based upon review of the program site visit report and other documentation requested, and taking into consideration: The degree to which previously identified issues have been successfully addressed, the relationship and balance between program strengths and weaknesses, and the relative importance of specific unmet criteria to the overall function of the program, the professional educator standards board shall exercise professional judgment in taking one of the following actions:

(a) Limited, approval of up to one year in length. In issuing limited approval, and depending on the nature of evidence that must be considered to regain full approval, the board may specify the requirement of a:

(i) Focused-site visit related to unmet standards and recommendations; or

(ii) Written report, related to unmet standards and recommendations.

(b) Full approval of either:

(i) Five years; or

(ii) Seven years, per provisions of WAC 181-78A-100(6); or

(c) Disapproval (WAC 181-78A-115):

(i) A program with full five- or seven-year approval prior to the site visit shall not receive a disapproval rating, except under the provisions of subsection (3) of this section.

(ii) A program awarded a disapproval rating may request a hearing conducted through the office of administrative hearings under WAC 181-78A-100 (7)(g) and 10-08-035.

(2) New programs. All new programs shall be conditionally approved for up to twenty-seven months under WAC 181-78A-105.

(3) The professional educator standards board, upon receipt of a serious complaint from any source or upon its own initiative prompted by indications of the need for response, may at any time review all or any part of a preparation program for compliance with the provisions of this chapter. If deviations are found, the professional educator standards board is authorized to change the program's current approval status, including full disapproval.

**WSR 13-20-029**  
**PERMANENT RULES**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed September 23, 2013, 1:56 p.m., effective October 24, 2013]

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

Purpose: Amends WAC 181-86-145 and 181-86-150 to have the mailing post mark date consistently required as the beginning of a thirty day written notice to license holders for appeal procedures.

Citation of Existing Rules Affected by this Order: Amending WAC 181-86-145 and 181-86-150.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 13-14-084 on July 1, 2013.

A final cost-benefit analysis is available by contacting David Brenna, 600 Washington Street South, Room 400, Olympia, WA 98504-7236, phone (360) 725-6238, fax (360) 586-4548, e-mail david.brenna@k12.wa.us.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 19, 2013.

David Brenna  
Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 06-14-010, filed 6/22/06, effective 7/23/06)

**WAC 181-86-145 Appeal procedure—Informal SPI review.** Any person who appeals the decision or order to deny his or her application, the issuance of a reprimand, or

the order to suspend or revoke his or her certificate must file a written notice with the superintendent of public instruction within thirty calendar days following the date of (~~receipt~~) post-marked mailing from the section of the superintendent of public instruction's office responsible for certification of the decision or order.

The written notice must set forth the reasons why the appellant believes his or her application should have been granted or why his or her certificate should not be suspended or revoked, or why the reprimand should not be issued whichever is applicable.

Following timely notice of appeal, the superintendent of public instruction shall appoint a review officer who shall proceed as follows:

(1) If the appeal does not involve good moral character, personal fitness, or unprofessional conduct, the review officer shall review the application and appeal notice and may request further written information including, but not limited to, an explanation from the person or persons who initially reviewed the application of the reason(s) why the application was denied. If the review officer deems it advisable, he or she shall schedule an informal meeting with the appellant, the person or persons who denied the application, and any other interested party designated by the review officer to receive oral information concerning the application. Any such meeting must be held within thirty calendar days of the date of receipt by the superintendent of public instruction of the timely filed appeal notice.

(2) If the appeal involves good moral character, personal fitness, or acts of unprofessional conduct, the review officer shall schedule an informal meeting of the applicant or certificate holder and/or counsel for the applicant or certificate holder with the admissions and professional conduct advisory committee. Such meeting shall be scheduled in accordance with the calendar of meetings of the advisory committee: Provided, That notice of appeal must be received at least fifteen calendar days in advance of a scheduled meeting.

(3) Send by certified mail a written decision(~~(—)~~) (i.e., findings of fact and conclusions of law(~~(—)~~)) on the appeal within thirty calendar days from the date of (~~receipt of~~) post-marked mailing the timely filed appeal notice or informal meeting, whichever is later. The review officer may uphold, reverse, or modify the decision to deny the application, the order to reprimand, or the order to suspend or revoke the certificate.

(4) The timelines stated herein may be extended by the review officer for cause.

(5) Provided, That in the case of an action for suspension or revocation of a certificate, the review officer, if so requested by an appellant, shall delay any review under this section until all quasi-judicial administrative or judicial proceedings (i.e., criminal and civil actions), which the review officer and the appellant agree are factually related to the suspension or revocation proceeding, are completed, including appeals, if the appellant signs the agreement stated in WAC 181-86-160. In requesting such delay, the appellant shall disclose fully all pending quasi-judicial administrative proceedings in which the appellant is involved.



AMENDATORY SECTION (Amending WSR 11-14-112, filed 7/6/11, effective 8/6/11)

**WAC 181-86-150 Appeal procedure—Formal SPI review process.** Formal appeals to the superintendent of public instruction shall be provided as follows:

(1) Any person who has filed an appeal in accordance with WAC 181-86-140 and desires to have the decision of the review officer formally reviewed by the superintendent of public instruction may do so. To instigate review under this section, a person must file a written notice with the superintendent of public instruction within thirty calendar days following the date of ~~((receipt))~~ post-marked mailing of the review officer's written decision.

(2) For purposes of hearing an appeal under this section, the superintendent of public instruction shall conduct a formal administrative hearing in conformance with the Administrative Procedure Act, chapter 34.05 RCW. The superintendent of public instruction, in carrying out this duty, may contract with the office of administrative hearings pursuant to RCW 28A.300.120 to hear a particular appeal. Decisions in cases formally appealed pursuant to this section may be made by the administrative law judge selected by the chief administrative law judge if the superintendent of public instruction delegates this authority pursuant to RCW 28A.300.120.

(3) The decision of the superintendent of public instruction or the administrative law judge, whichever is applicable, shall be sent by certified mail to the appellant's last known address and if the decision is to reprimand, suspend, or revoke, the appellant shall be notified that such order takes effect upon signing of the final order.

### WSR 13-20-030

#### PERMANENT RULES

#### PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed September 23, 2013, 1:57 p.m., effective October 24, 2013]

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

Purpose: Amends WAC 181-85-107 permitting electronic records to meet the requirements for retaining certification records and adds requirements for the professional growth plan, the new criteria for meeting renewal requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 181-85-107.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 13-15-119 on July 22, 2013.

A final cost-benefit analysis is available by contacting David Brenna, 600 Washington Street South, Room 400, Olympia, WA 98504-7236, phone (360) 725-6238, fax (360) 586-4548, e-mail david.brenna@k12.wa.us.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2 [1], Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2 [1], Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2 [1], Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 19, 2013.

David Brenna  
Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 06-02-051, filed 12/29/05, effective 1/1/06)

**WAC 181-85-107 Documentation requirement.** Each certificate holder filing a report with the superintendent of public instruction shall be responsible for retaining records which document compliance with the continuing education requirements. Such documents in original or electronic format shall include:

(1) In-service registration forms approved by the superintendent of public instruction and furnished by an approved in-service education agency.

(2) College and university grade sheets or transcripts which indicate completion of courses.

(3) Any official correspondence from an approved in-service agency which verifies completion of three or more clock hours.

(4) Any documents related to annual professional growth plans including plan documents, required signatures, and evidence collected.

### WSR 13-20-032

#### PERMANENT RULES

#### PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed September 24, 2013, 9:01 a.m., effective October 25, 2013]

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

Purpose: Repeals WAC 181-78A-310 requiring collaboration between preparation programs and districts with pre-service teacher placements. New requirements make this section of WAC unnecessary.

Citation of Existing Rules Affected by this Order: Repealing WAC 181-78A-310.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 13-14-083 on July 1, 2013.

A final cost-benefit analysis is available by contacting David Brenna, 600 Washington Street South, Room 400, Olympia, WA 98504-7236, phone (360) 725-6238, fax (360) 586-4548, e-mail david.brenna@k12.wa.us.

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

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 1; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 19, 2013.

David Brenna  
Senior Policy Analyst

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 181-78A-310 Program approval—Teachers, collaboration with K-12 schools.

**WSR 13-20-034**  
**PERMANENT RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed September 24, 2013, 11:13 a.m., effective October 25, 2013]

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

Purpose: The purpose of the rule changes are to: Include charter schools; clarify definition of aversive interventions and add notification procedures and notice of restraint and isolation policies under ESHB 1688; define educational services agencies for consistency with federal rules; clarify due process procedures and address reconsideration in response to federal interpretation; address procedural protections for students who are being identified or evaluated for eligibility, including continued eligibility for consistency with federal case law; clarify the state process for nonpublic agency approval for consistency with the state definition of private schools; adopt federal changes addressing consent and notification procedures for public insurance such as medicaid; make technical changes to district reporting monitoring and enforcement provisions for consistency with state practice and federal requirements; and make other housekeeping changes.

Citation of Existing Rules Affected by this Order: Amending WAC 392-172A-01010, 392-172A-01035, 392-172A-01055, 392-172A-01060, 392-172A-01085, 392-172A-01115, 392-172A-01150, 392-172A-02000, 392-172A-02005, 392-172A-02040, 392-172A-03000, 392-172A-03005, 392-172A-03025, 392-172A-03105, 392-172A-03120, 392-172A-03125, 392-172A-03130, 392-172A-03135, 392-172A-04080, 392-172A-04085, 392-172A-04090, 392-172A-04095, 392-172A-05030, 392-172A-05080, 392-172A-05090, 392-172A-05100, 392-

172A-05110, 392-172A-05130, 392-172A-05140, 392-172A-05150, 392-172A-05155, 392-172A-05185, 392-172A-06000, 392-172A-06020, 392-172A-06030, 392-172A-06040, 392-172A-06045, 392-172A-06050, 392-172A-06055, 392-172A-06060, 392-172A-06065, 392-172A-06070, 392-172A-06075, 392-172A-06080, 392-172A-07000, 392-172A-07005, 392-172A-07010, 392-172A-07012, 392-172A-07015, 392-172A-07050, 392-172A-07055, and 392-172A-07060.

Statutory Authority for Adoption: RCW 28A.155.090.

Other Authority: 34 C.F.R. Part 300.

Adopted under notice filed as WSR 13-14-043 on June 27, 2013.

Changes Other than Editing from Proposed to Adopted Version: WAC 392-172A-01035 (1)(b), moved citation to WAC 392-172A-05015 to beginning of sentence and clarify protections for students in identification and evaluation processes.

WAC 392-172A-03125(2), retained reference to individualized education program.

WAC 392-172A-03135(3), changed the term aversive intervention plan to individualized education program, in response to comments and to be consistent with ESHB 1688.

WAC 392-172A-05100(6), added cross-reference to proposed amendment in WAC 392-172A-05110(2) for consistency.

WAC 392-172A-07012(4), the agency did not make the proposed change to this section.

Number of Sections Adopted in Order to Comply with Federal Statute: New 1, Amended 8, Repealed 0; Federal Rules or Standards: New 1, Amended 13, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 10, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 2, Repealed 0.

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

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 24, Repealed 0.

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

Date Adopted: September 4, 2013.

Randy Dorn  
Superintendent of  
Public Instruction

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-01010 Applicability.** (1)(a) The provisions of this chapter apply to all political subdivisions and public institutions of the state that are involved in the education of students eligible for special education, including:

(i) The OSPI to the extent that it receives payments under Part B and exercises supervisory authority over the provision of the delivery of special education services by school districts and other public agencies;

(ii) School districts (~~and~~), charter schools, educational service agencies, and educational service districts; and

(iii) State residential education programs established and operated pursuant to chapter 28A.190 RCW, the state school(~~s~~) for the (~~deaf and~~) blind and the center for childhood deafness and hearing loss established and operated pursuant to chapter 72.40 RCW, and education programs for juvenile inmates established and operated pursuant to chapters 28A.193 (~~RCW~~) and 28A.194 RCW; and

(b) Are binding on each public agency or public institution in the state that provides special education and related services to students eligible for special education, regardless of whether that agency is receiving funds under Part B of the act.

(2) Each school district (~~or public~~), charter school, and educational service agency is responsible for ensuring that the rights and protections under Part B of the act are given to students eligible for special education who are(~~;~~

~~or~~) referred to or placed in private schools and facilities by that public agency under the provisions of WAC 392-172A-04080 through 392-172A-04110(~~;~~

~~or~~).

(3) Each school district and educational service agency is responsible for ensuring that the rights and protections under Part B of the act are given to students eligible for special education who are placed in private schools by their parents under the provisions of WAC 392-172A-04000 through 392-172A-04060.

#### NEW SECTION

**WAC 392-172A-01032 Charter school.** A charter school means a public school governed by a charter school board and operated according to the terms of a charter contract executed under chapter 28A.710 RCW and includes a new charter school and a conversion charter school. A charter school also has the same meaning given in section 5210(1) of the Elementary and Secondary Education Act of 1965, as amended, 29 U.S.C. 6301, et. seq.

AMENDATORY SECTION (Amending WSR 11-06-052, filed 3/1/11, effective 4/1/11)

**WAC 392-172A-01035 Child with a disability or student eligible for special education.** (1)(a) Child with a disability or as used in this chapter, a student eligible for special education means a student who has been evaluated and determined to need special education because of having a disability in one of the following eligibility categories: Intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), an emotional behavioral disability, an orthopedic impairment, autism, traumatic brain injury, an other health impairment, a specific learning disability, deaf-blindness, multiple disabilities, or for students, three through eight, a developmental delay and who, because of the disability and adverse educational impact, has unique needs that cannot be addressed exclusively through education in general education classes with or without individual accommodations, and needs special education and related services.

(b) For purposes of providing a student with procedural safeguard protections identified in WAC 392-172A-05015, the term, "student eligible for special education" also includes a student whose identification, evaluation or placement is at issue.

(c) If it is determined, through an appropriate evaluation, that a student has one of the disabilities identified in subsection (1)(a) of this section, but only needs a related service and not special education, the student is not a student eligible for special education under this chapter. School districts and other public agencies must be aware that they have obligations under other federal and state civil rights laws and rules, including 29 U.S.C. 764, RCW 49.60.030, and 43 U.S.C. 12101 that apply to students who have a disability regardless of the student's eligibility for special education and related services.

~~((e))~~ (d) Speech and language pathology, audiology, physical therapy, and occupational therapy services, may be provided as specially designed instruction, if the student requires those therapies as specially designed instruction, and meets the eligibility requirements which include a disability, adverse educational impact and need for specially designed instruction. They are provided as a related service under WAC 392-172A-01155 when the service is required to allow the student to benefit from specially designed instruction.

(2) The terms used in subsection (1)(a) of this section are defined as follows:

(a)(i) Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, that adversely affects a student's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences.

(ii) Autism does not apply if a student's educational performance is adversely affected primarily because the student has an emotional behavioral disability, as defined in subsection (2)(e) of this section.

(iii) A student who manifests the characteristics of autism after age three could be identified as having autism if the criteria in (a)(i) of this subsection are satisfied.

(b) Deaf-blindness means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for students with deafness or students with blindness and adversely affect a student's educational performance.

(c) Deafness means a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects a student's educational performance.

(d)(i) Developmental delay means a student three through eight who is experiencing developmental delays that adversely affect the student's educational performance in one or more of the following areas: Physical development, cognitive development, communication development, social or emotional development or adaptive development and who

demonstrates a delay on a standardized norm referenced test, with a test-retest or split-half reliability of 80 that is at least:

(A) Two standard deviations below the mean in one or more of the five developmental areas; or

(B) One and one-half standard deviations below the mean in two or more of the five developmental areas.

(ii) The five developmental areas for students with a developmental delay are:

(A) Cognitive development: Comprehending, remembering, and making sense out of one's experience. Cognitive ability is the ability to think and is often thought of in terms of intelligence;

(B) Communication development: The ability to effectively use or understand age-appropriate language, including vocabulary, grammar, and speech sounds;

(C) Physical development: Fine and/or gross motor skills requiring precise, coordinated, use of small muscles and/or motor skills used for body control such as standing, walking, balance, and climbing;

(D) Social or emotional development: The ability to develop and maintain functional interpersonal relationships and to exhibit age appropriate social and emotional behaviors; and

(E) Adaptive development: The ability to develop and exhibit age-appropriate self-help skills, including independent feeding, toileting, personal hygiene and dressing skills.

(iii) A school district is not required to adopt and use the category "developmentally delayed" for students, three through eight.

(iv) If a school district uses the category "developmentally delayed," the district must conform to both the definition and age range of three through eight, established under this section.

(v) School districts using the category "developmentally delayed," for students three through eight may also use any other eligibility category.

(vi) Students who qualify under the developmental delay eligibility category must be reevaluated before age nine and determined eligible for services under one of the other eligibility categories.

(vii) The term "developmentally delayed, birth to three years" are those infants and toddlers under three years of age who:

(A) Meet the eligibility criteria established by the state lead agency under Part C of IDEA; and

(B) Are in need of early intervention services under Part C of IDEA. Infants and toddlers who qualify for early intervention services must be evaluated prior to age three in order to determine eligibility for special education and related services.

(e)(i) Emotional/behavioral disability means a condition where the student exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a student's educational performance:

(A) An inability to learn that cannot be explained by intellectual, sensory, or health factors.

(B) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.

(C) Inappropriate types of behavior or feelings under normal circumstances.

(D) A general pervasive mood of unhappiness or depression.

(E) A tendency to develop physical symptoms or fears associated with personal or school problems.

(ii) Emotional/behavioral disability includes schizophrenia. The term does not apply to students who are socially maladjusted, unless it is determined that they have an emotional disturbance under (e)(i) of this subsection.

(f) Hearing impairment means an impairment in hearing, whether permanent or fluctuating, that adversely affects a student's educational performance but that is not included under the definition of deafness in this section.

(g) Intellectual disability means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student's educational performance.

(h) Multiple disabilities means concomitant impairments, the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term, multiple disabilities does not include deaf-blindness.

(i) Orthopedic impairment means a severe orthopedic impairment that adversely affects a student's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

(j) Other health impairment means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that:

(i) Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and

(ii) Adversely affects a student's educational performance.

(k)(i) Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia, that adversely affects a student's educational performance.

(ii) Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

(l) Speech or language impairment means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a student's educational performance.

(m) Traumatic brain injury means an acquired injury to the brain caused by an external physical force, resulting in

total or partial functional disability or psychosocial impairment, or both, that adversely affects a student's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

(n) Visual impairment including blindness means an impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-01055 Educational service ((~~district~~)) agency.** Educational service ((~~district~~)) agency means:

(1) A regional public multiservice agency:

((~~(+)~~)) (a) Authorized ((~~under chapter 28A.310 RCW~~)) to develop, manage, and provide services or programs to students eligible for special education within school districts((-));

((~~(2)~~)) (b) Recognized as an administrative agency by the OSPI for purposes of the provision of special education and related services provided within public elementary schools and secondary schools; and

(2) Includes any other public institution or agency having administrative control and direction over a public elementary school or secondary school.

**AMENDATORY SECTION** (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-01060 Elementary or secondary school.** Elementary or secondary school means a public school, a nonprofit institutional day or residential school((-)) including a private school, and a public charter school that provides education to students in any combination of kindergarten through twelfth grade. The definition does not include any education beyond grade twelve.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-01085 Highly qualified special education teachers.** (1)(a) For any public elementary or secondary school special education teacher teaching core academic subjects, the term highly qualified has the meaning given the term in section 9101 of the ESEA and 34 C.F.R. 200.56; and in addition, to meet the definition of highly qualified, public elementary school or secondary school special education teachers must have a bachelors degree and obtained full certification as a teacher and a special education endorsement, which can include certification obtained through alternative routes to certification, or a continuing certificate. When used with respect to any teacher teaching in a charter school,

highly qualified means that the teacher meets the certification requirements contained in RCW 28A.710.040 (2)(c).

(b) A teacher does not meet the highly qualified definition if he or she is teaching pursuant to a temporary out-of-endorsement assignment or is teaching special education with a preendorsement waiver.

(c) A teacher will be considered to meet the highly qualified standard in (a) of this subsection if that teacher is participating in an alternative route to special education certification program under which the teacher:

(i) Receives high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction, before and while teaching;

(ii) Participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program;

(iii) Assumes functions as a teacher only for a specified period of time not to exceed three years; and

(iv) Demonstrates satisfactory progress toward full certification according to the state professional standards board rules, and the state ensures, through its certification and endorsement process, that the provisions of subsection (2) of this section are met.

(2) Any public elementary school or secondary school special education teacher who is not teaching a core academic subject is highly qualified if the teacher meets the state certification requirements and has an endorsement in special education, or holds a continuing certificate.

(3) Requirements for special education teachers teaching to alternate achievement standards. When used with respect to a special education teacher who teaches core academic subjects exclusively to students who are assessed against alternate achievement standards established under 34 C.F.R. 200.1(d), highly qualified means the teacher, whether new or not new to the profession, may either:

(a) Meet the applicable requirements of section 9101 of the ESEA and 34 C.F.R. 200.56 for any elementary, middle, or secondary school teacher who is new or not new to the profession; or

(b) Meet the requirements of paragraph (B) or (C) of section 9101(23) of the ESEA as applied to an elementary school teacher, or, in the case of instruction above the elementary level, meet the requirements of paragraph (B) or (C) of section 9101(23) of the ESEA as applied to an elementary school teacher and have subject matter knowledge appropriate to the level of instruction being provided and needed to effectively teach to those standards, based on the state professional standards board's certification requirements.

(4) Requirements for special education teachers teaching multiple subjects. Subject to subsection (5) of this section, when used with respect to a special education teacher who teaches two or more core academic subjects exclusively to students eligible for special education, highly qualified means that the teacher may:

(a) Meet the applicable requirements of section 9101 of the ESEA and 34 C.F.R. 200.56 (b) or (c);

(b) In the case of a teacher who is not new to the profession, demonstrate competence in all the core academic subjects in which the teacher teaches in the same manner as is

required for an elementary, middle, or secondary school teacher which may include a single, high objective uniform state standard of evaluation (HOUSSE) covering multiple subjects; or

(c) In the case of a new special education teacher who teaches multiple subjects and who is highly qualified in mathematics, language arts, or science, demonstrate, not later than two years after the date of employment, competence in the other core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher under 34 C.F.R. 200.56(c), which may include a single HOUSSE covering multiple subjects.

(5) Teachers may meet highly qualified standards through use of the state's HOUSSE which meets all the requirements for a HOUSSE for a general education teacher.

(6) Notwithstanding any other individual right of action that a parent or student may maintain under this chapter, nothing in this section shall be construed to create a right of action on behalf of an individual student or class of students for the failure of a particular school district employee to be highly qualified, or to prevent a parent from filing a state citizen complaint under WAC 392-172A-05025 through 392-172A-05040 about staff qualifications with the OSPI.

(7)(a) A teacher who is highly qualified under this section is considered highly qualified for purposes of the ESEA.

(b) A certified general education teacher who subsequently receives a special education endorsement is a new special education teacher when first hired as a special education teacher.

(8) Teachers hired by private elementary schools and secondary schools including private school teachers hired or contracted by school districts to provide equitable services to parentally placed private school students eligible for special education are not required to meet highly qualified standards addressed in this section. However, nonpublic agencies are required to ensure that teachers providing services to students placed by a school district meet the certification and special education endorsement standards established by the professional educators standards board in Title 181 WAC and in accordance with WAC 392-172A-04095.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-01115 Local educational agency or school district.** (1) Local educational agency or the term "school district" as used in this chapter, means a public board of education (~~with~~) or other public authority legally constituted for either administrative control (~~and~~) or direction of, or to perform a service function for, any combination of public (~~kindergarten through grade 12 in a~~) elementary and secondary schools, or for a combination of school districts.

(2) The term includes any other public institution or agency having administrative control and direction of a public elementary school or secondary school, including (~~the school for the deaf~~) charter schools, educational service agencies, the center for childhood hearing loss and deafness and the school for the blind.

~~((3) For the purposes of this chapter, use of the term school district includes public agencies described in WAC 392-172A-01150 who provide special education and/or related services.))~~

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-01150 Public agency.** Public agency includes school districts, (~~ESDs~~) educational service agencies, charter schools, state operated programs identified in WAC 392-172A-02000 and any other political subdivisions of the state that are responsible for providing special education or related services or both to students eligible for special education.

**AMENDATORY SECTION** (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-02000 Students' rights to a free appropriate public education (FAPE).** (1) Each school district (~~public agency~~) and residential or day schools operated (~~pursuant to~~) under chapters 28A.190 and 72.40 RCW shall provide every student who is eligible for special education between the age of three and twenty-one years, a free appropriate public education program (FAPE). The right to a FAPE includes special education for students who have been suspended or expelled from school. A FAPE is also available to any student determined eligible for special education even though the student has not failed or been retained in a course or grade and is advancing from grade to grade. The right to special education for eligible students starts on their third birthday with an IEP in effect by that date. If an eligible student's third birthday occurs during the summer, the student's IEP team shall determine the date when services under the individualized education program will begin.

(2) A student who is determined eligible for special education services shall remain eligible until one of the following occurs:

(a) A group of qualified professionals and the parent of the student, based on a reevaluation, determines the student is no longer eligible for special education; or

(b) The student has met high school graduation requirements established by the school district pursuant to rules of the state board of education, and the student has graduated from high school with a regular high school diploma. A regular high school diploma does not include a certificate of high school completion, or a general educational development credential. Graduation from high school with a regular high school diploma constitutes a change in placement, requiring written prior notice in accordance with WAC 392-172A-05010; or

(c) The student enrolled in the public school system or is receiving services pursuant to chapter 28A.190 or 72.40 RCW has reached age twenty-one. The student whose twenty-first birthday occurs on or before August 31 would no longer be eligible for special education. The student whose twenty-first birthday occurs after August 31, shall continue to be eligible for special education and any necessary related services for the remainder of the school year; or

(d) The student stops receiving special education services based upon a parent's written revocation to a school district pursuant to WAC 392-172A-03000 (2)(e).

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-02005 Exceptions to a student's right to FAPE.** (1) A student eligible for special education residing in a state adult correctional facility is eligible for special education services pursuant to chapter 28A.193 RCW. The department of corrections is the agency assigned supervisory responsibility by the governor's office for any student not served pursuant to chapter 28A.193 RCW.

(2)(a) Students determined eligible for special education services and incarcerated in other adult correctional facilities will be provided special education and related services under chapter 28A.194 RCW.

(b) Subsection (2)(a) of this section does not apply to students aged eighteen to twenty-one if they:

(i) Were not actually identified as being a student eligible for special education; and

(ii) Did not have an IEP; unless the student:

(A) Had been identified as a student eligible for special education and had received services in accordance with an IEP, but who left school prior to incarceration; or

(B) Did not have an IEP in his or her last education setting, but who had actually been identified as a student eligible for special education.

**AMENDATORY SECTION** (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-02040 Child find.** (1) ~~((The))~~ School districts shall conduct child find activities calculated to reach all students with a suspected disability for the purpose of locating, evaluating and identifying students who are in need of special education and related services, regardless of the severity of their disability. The child find activities shall extend to students residing ~~((in))~~ within the school district boundaries whether or not they are enrolled in the public school system~~((-))~~; except that students attending nonprofit private elementary or secondary schools located within the school district boundaries shall be located, identified and evaluated consistent with WAC 392-172A-04005. School districts will conduct any required child find activities for infants and toddlers, consistent with the child find requirements of the lead agency for Part C of the act.

(2) Child find activities must be calculated to reach students who are homeless, wards of the state, highly mobile students with disabilities, such as homeless and migrant students and students who are suspected of being a student with a disability and in need of special education, even though they are advancing from grade to grade.

(3) The ~~((local))~~ school district shall have policies and procedures in effect that describe the methods it uses to conduct child find activities in accordance with subsections (1) and (2) of this section. Methods used may include but are not limited to activities such as:

(a) Providing written notification to all parents of students in the school district's jurisdiction regarding access to and the use of its child find system;

(b) Posting notices in school buildings, other public agency offices, medical facilities, and other public areas, describing the availability of ~~((special education programs))~~ child find;

(c) Offering preschool developmental screenings;

(d) Conducting local media informational campaigns;

(e) Coordinating distribution of information with other child find programs within public and private agencies; and

(f) Using internal district child find methods such as screening, reviewing district-wide test results, providing in-service education to staff, and other methods developed by the school district to identify, locate and evaluate students including a systematic, intervention based, process within general education for determining the need for a special education referral.

**AMENDATORY SECTION** (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-03000 Parental consent for initial evaluations, initial services and reevaluations.** (1)(a) A school district proposing to conduct an initial evaluation to determine if a student is eligible for special education services must provide prior written notice consistent with WAC 392-172A-05010 and obtain informed consent from the parent before conducting the evaluation.

(b) Parental consent for an initial evaluation must not be construed as consent for initial provision of special education and related services.

(c) The school district must make reasonable efforts to obtain the informed consent from the parent for an initial evaluation to determine whether the student is eligible for special education.

(d) If the student is a ward of the state and is not residing with the student's parent, the school district or public agency is not required to obtain informed consent from the parent for an initial evaluation to determine eligibility for special education services if:

(i) Despite reasonable efforts to do so, the school district cannot discover the whereabouts of the parent of the child;

(ii) The rights of the parents of the child have been terminated; or

(iii) The rights of the parent to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

(e) If the parent of a student enrolled in public school or seeking to be enrolled in public school does not provide consent for an initial evaluation under subsection (1) of this section, or the parent fails to respond to a request to provide consent, the school district may, but is not required to, pursue the initial evaluation of the student by using due process procedures or mediation.

(f) The school district does not violate its child find and evaluation obligations, if it declines to pursue the initial evaluation when a parent refuses to provide consent under (e) of this subsection.

(2)(a) A school district that is responsible for making FAPE available to a student must obtain informed consent from the parent of the student before the initial provision of special education and related services to the student.

(b) The school district must make reasonable efforts to obtain informed consent from the parent for the initial provision of special education and related services to the student.

(c) If the parent of a student fails to respond to a request for or refuses to consent to the initial provision of special education and related services, the school district may not use the due process procedures or mediation in order to obtain agreement or a ruling that the services may be provided to the student.

(d) If the parent of the student refuses to consent to the initial provision of special education and related services, or the parent fails to respond to a request to provide consent for the initial provision of special education and related services, the school district:

(i) Will not be considered to be in violation of the requirement to make available FAPE to the student for the failure to provide the student with the special education and related services for which the school district requests consent; and

(ii) Is not required to convene an IEP team meeting or develop an IEP.

(e) If at any time after the initial provision of special education and related services, the parent revokes consent in writing for the continued provision of special education and related services, the school district:

(i) Must provide prior written notice to the parent in accordance with WAC (~~(392-172A-05015)~~) 392-172A-05010 before ceasing to provide special education and related services and may not continue to provide special education and related services after the effective date of the prior written notice;

(ii) May not use mediation or the due process procedures in order to obtain an agreement or a ruling that the services may be provided to the student;

(iii) Will not be considered to be in violation of the requirement to make FAPE available to the student because of the failure to provide the student with further special education and related services; and

(iv) Is not required to convene an IEP team meeting or develop an IEP for the student for further provision of special education services.

(3)(a) A school district must obtain informed parental consent, prior to conducting any reevaluation of a student eligible for special education services, subject to the exceptions in (d) of this subsection and subsection (4) of this section.

(b) If the parent refuses to consent to the reevaluation, the school district may, but is not required to, pursue the reevaluation by using the due process procedure(~~(s)~~) to override the parent's refusal to provide consent or mediation to obtain an agreement from the parent to provide consent.

(c) The school district does not violate its child find obligations or the evaluation and reevaluation procedures if it declines to pursue the evaluation or reevaluation.

(d) A school district may proceed with a reevaluation and does not need to obtain informed parental consent if the school district can demonstrate that:

(i) It made reasonable efforts to obtain such consent; and  
(ii) The child's parent has failed to respond.

(4)(a) Parental consent for an initial or a reevaluation is not required before:

(i) Reviewing existing data as part of an evaluation or a reevaluation; or

(ii) Administering a test or other evaluation that is administered to all students unless, before administration of that test or evaluation, consent is required of parents of all students.

(b) A school district may not use a parent's refusal to consent to one service or activity of an initial evaluation or reevaluation to deny the parent or student any other service, benefit, or activity of the school district, except as required by this chapter.

(c) If a parent of a child who is home schooled or placed in a private school by the parents at their own expense does not provide consent for the initial evaluation or the reevaluation, or the parent fails to respond to a request to provide consent, the public agency may not use the consent override procedures and the public agency is not required to consider the student as eligible for special education services.

(d) To meet the reasonable efforts requirements to obtain consent for an evaluation or reevaluation the school district must document its attempts to obtain parental consent using the procedures in WAC 392-172A-03100(6).

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-03005 Referral and timelines for initial evaluations.** (1) A parent of a child, a school district, a public agency, or other persons knowledgeable about the child may initiate a request for an initial evaluation to determine if the student is eligible for special education. The request will be in writing, unless the person is unable to write.

(2) The school district must document the ~~((referral))~~ request for an initial evaluation and:

(a) Notify the parent that the student has been referred because of a suspected disability and that the district, with parental input, will determine whether or not to evaluate the student;

(b) Collect and examine existing school, medical and other records in the possession of the parent and the school district; and

(c) Within twenty-five school days after receipt of the ~~((referral))~~ request for an initial evaluation, make a determination whether or not to evaluate the student. The school district will provide prior written notice of the decision that complies with the requirements of WAC 392-172A-05010.

(3) When the student is to be evaluated to determine eligibility for special education services and the educational needs of the student, the school district shall provide prior written notice to the parent, obtain consent, fully evaluate the student and arrive at a decision regarding eligibility within:

(a) Thirty-five school days after the date written consent for an evaluation has been provided to the school district by the parent; or

(b) Thirty-five school days after the date the ~~((refusal))~~ consent of the parent is obtained by agreement through medi-



ation, or the refusal to provide consent is overridden by an administrative law judge following a due process ((procedures)) hearing; or

(c) Such other time period as may be agreed to by the parent and documented by the school district, including specifying the reasons for extending the timeline.

(d) Exception. The thirty-five school day time frame for evaluation does not apply if:

(i) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or

(ii) A student enrolls in another school district after the consent is obtained and the evaluation has begun but not yet been completed by the other school district, including a determination of eligibility.

(e) The exception in (d)(ii) of this subsection applies only if the subsequent school district is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent school district agree to a specific time when the evaluation will be completed.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-03025 Review of existing data for evaluations and reevaluations.** As part of an initial evaluation, if appropriate, and as part of any reevaluation, the IEP team and other qualified professionals, as appropriate, must:

(1) Review existing evaluation data on the student, including:

(a) Evaluations and information provided by the parents of the student;

(b) Current classroom-based, local, or state assessments, and classroom-based observations; and

(c) Observations by teachers and related services providers.

(2)(a) On the basis of that review, and input from the student's parents, identify what additional data, if any, are needed to determine:

(i) Whether the student is eligible for special education services, and what special education and related services the student needs; or

(ii) In case of a reevaluation, whether the student continues to meet eligibility, and whether the educational needs of the student including any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum; and

(b) The present levels of academic achievement and related developmental needs of the student.

(3) The group described in this section may conduct its review without a meeting.

(4) The school district must administer such assessments and other evaluation measures as may be needed to produce the data identified in subsection ~~((4))~~ (2) of this section.

(5)(a) If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the student continues to be a student eligible for special education services, and to determine the stu-

dent's educational needs, the school district must notify the student's parents of:

(i) That determination and the reasons for the determination; and

(ii) The right of the parents to request an assessment to determine whether the student continues to be a student eligible for special education, and to determine the student's educational needs.

(b) The school district is not required to conduct the assessment described in this subsection (5) unless requested to do so by the student's parents.

**AMENDATORY SECTION** (Amending WSR 11-06-052, filed 3/1/11, effective 4/1/11)

**WAC 392-172A-03105 When IEPs must be in effect.**

(1) At the beginning of each school year, each school district must have an IEP in effect for each student eligible for special education that it is serving through enrollment in the district.

(2) For an initial IEP, a school district must ensure that:

(a) The school district holds a meeting to develop the student's IEP within thirty days of a determination that the student is eligible for special education and related services; and

(b) As soon as possible following development of the IEP, special education and related services are made available to the student in accordance with the student's IEP.

(3) Each school district must ensure that:

(a) The student's IEP is accessible to each general education teacher, special education teacher, related services provider, and any other service provider who is responsible for its implementation; and

(b) Each teacher and provider described in (a) of this subsection is informed of:

(i) His or her specific responsibilities related to implementing the student's IEP; and

(ii) The specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP.

(4) If a student eligible for special education transfers from one school district to another school district within the state and has an IEP that was in effect for the current school year from the previous school district, the new school district, in consultation with the parents, must provide FAPE to the student including services comparable to those described in the student's IEP, until the new school district either:

(a) Adopts the student's IEP from the previous school district; or

(b) Develops, adopts, and implements a new IEP that meets the applicable requirements in WAC 392-172A-03090 through 392-172A-03110.

(5) If a student eligible for special education transfers from a school district located in another state to a school district within the state and has an IEP that is in effect for the current school year from the previous school district, the new school district, in consultation with the parents, must provide FAPE to the student including services comparable to those described in the student's IEP, until the new school district:

(a) Conducts an evaluation to determine whether the student is eligible for special education services in this state, if the school district ~~((believes))~~ determines an evaluation is necessary to ~~((determine))~~ establish eligibility requirements under state standards; and

(b) Develops, adopts, and implements a new IEP, if appropriate, that meets the applicable requirements in WAC 392-172A-03090 through 392-172A-03110.

(6) To facilitate the transition for a student described in subsections (4) and (5) of this section:

(a) The new school in which the student enrolls must take reasonable steps to promptly obtain the student's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the student, from the school district in which the student was previously enrolled, pursuant to RCW 28A.225.330 and consistent with applicable Family Education Rights and Privacy Act (FERPA) requirements; and

(b) The school district in which the student was enrolled must take reasonable steps to promptly respond to the request from the new school district, pursuant to RCW ~~((28A.225-335))~~ 28A.225.330 and applicable FERPA requirements.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-03120 Aversive interventions definition and purpose.** (1) The term "aversive interventions" means the ~~((systematic use of stimuli or other treatment which a student is known to find unpleasant))~~ use of isolation or restraint practices for the purpose of discouraging undesirable behavior on the part of the student. The term does not include the use of reasonable force, restraint, or other treatment to control unpredicted spontaneous behavior which poses one of the following dangers:

(a) A clear and present danger of serious harm to the student or another person.

(b) A clear and present danger of serious harm to property.

(c) A clear and present danger of seriously disrupting the educational process.

(2) The purpose of requiring an aversive intervention plan is to assure that students eligible for special education are safeguarded against the ~~((use and))~~ misuse of various forms of aversive interventions. Each school district shall take steps to ~~((assure))~~ ensure that each employee, volunteer, contractor, and other agent of the district or other public agency responsible for the education, care, or custody of a ~~((special education))~~ student is aware of aversive intervention requirements and the conditions under which they may be used. ~~((No))~~ A school district ~~((or other public agency and no educational service district shall))~~ must not authorize, permit, or condone the use of aversive interventions which violate~~(s)~~ WAC 392-172A-03120 through 392-172A-03135 by any employee, volunteer, contractor or other agent of the school district ~~((or other public agency))~~ responsible for the education, care, or custody of a ~~((special education))~~ student eligible for special education. Aversive interventions, to the extent permitted, shall only be used as a last resort. Positive behavioral supports and interventions shall be used by the

school district and described in the individualized education program prior to the determination that the use of aversive interventions and development of an aversive intervention plan is a necessary part of the student's individualized education program, in addition to the use of positive behavioral supports and interventions.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-03125 Aversive intervention prohibitions.** There are certain interventions that are manifestly inappropriate by reason of their offensive nature or their potential negative physical consequences, or their legality. The purpose of this section is to uniformly prohibit their use with students eligible for special education as follows:

(1) Electric current. No student may be stimulated by contact with electric current.

(2) Food services. ~~((No))~~ A student who is willing to consume subsistence food or liquid when the food or liquid is customarily served ~~((may))~~ must not be denied or subjected to an unreasonable delay in the provision of the food or liquid.

(3)(a) Force and restraint in general. ~~((No))~~ A district must not use force or restraint which is either unreasonable under the circumstances or deemed to be an unreasonable form of corporal punishment as a matter of state law ~~((may be used))~~. See RCW 9A.16.100 which ~~((states))~~ prohibits the following uses of force or restraint ~~((as uses which are presumed to be unreasonable and therefore unlawful))~~:

(i) Throwing, kicking, burning, or cutting a student.

(ii) Striking a student with a closed fist.

(iii) Shaking a student under age three.

(iv) Interfering with a student's breathing.

(v) Threatening a student with a deadly weapon.

(vi) Doing any other act that is likely to cause bodily harm to a student greater than transient pain or minor temporary marks.

(b) The statutory listing of worst case uses of force or restraint described in this subsection may not be read as implying that all unlisted uses (e.g., shaking a four year old) are permissible. Whether or not an unlisted use of force or restraint is permissible depends upon such considerations as the balance of these rules, and whether the use is reasonable under the circumstances.

(4) Hygiene care. ~~((No))~~ A student ~~((may))~~ must not be denied or subjected to an unreasonable delay in the provision of common hygiene care.

(5) Isolation. ~~((No))~~ A student ~~((may))~~ must not be excluded from his or her regular instructional or service area and isolated within a room or any other form of enclosure, except under the conditions set forth in WAC 392-172A-03130.

(6) Medication. ~~((No))~~ A student ~~((may))~~ must not be denied or subjected to an unreasonable delay in the provision of medication.

(7) Noise. ~~((No))~~ A student ~~((may))~~ must not be forced to listen to noise or sound that the student finds painful.

(8) Noxious sprays. ~~((No))~~ A student ~~((may))~~ **must not** be forced to smell or be sprayed in the face with a noxious or potentially harmful substance.

(9) Physical restraints. ~~((No))~~ A student ~~((may))~~ **must not** be physically restrained or immobilized by binding or otherwise attaching the student's limbs together or by binding or otherwise attaching any part of the student's body to an object, except under the conditions set forth in WAC 392-172A-03130.

(10) Taste treatment. ~~((No))~~ A student ~~((may))~~ **must not** be forced to taste or ingest a substance which is not commonly consumed or which is not commonly consumed in its existing form or concentration.

(11) Water treatment. ~~((No))~~ A student's head ~~((may))~~ **must not** be partially or wholly submerged in water or any other liquid.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-03130 Aversive interventions—Conditions.** Use of various forms of aversive interventions which are not prohibited by WAC 392-172A-03125 warrant close scrutiny. Accordingly, the use of aversive interventions involving bodily contact, isolation, or physical restraint not prohibited is conditioned upon compliance with the following procedural and substantive safeguards:

(1) Bodily contact. The use of any form of aversive interventions which involves contacting the body of a student shall be ~~((provided for by the terms of))~~ addressed in the student's ~~((individualized education program established in accordance with))~~ **aversive intervention plan that meets** the requirements of WAC 392-172A-03135.

(2) Isolation. The use of aversive interventions which involves excluding a student from his or her regular instructional area and isolation of the student within a room or any other form of enclosure is subject to each of the following conditions:

(a) The isolation, including the duration of its use, shall be ~~((provided for by the terms of))~~ addressed in the student's ~~((individualized education program established in accordance with))~~ **aversive intervention plan that meets** the requirements of WAC 392-172A-03135.

(b) The enclosure shall be ventilated, lighted, and temperature controlled from inside or outside for purposes of human occupancy.

(c) The enclosure shall permit continuous visual monitoring of the student from outside the enclosure.

(d) An adult responsible for supervising the student shall remain in visual or auditory range of the student.

(e) Either the student shall be capable of releasing himself or herself from the enclosure or the student shall continuously remain within view of an adult responsible for supervising the student.

(3) Physical restraint. The use of aversive interventions which involves physically restraining or immobilizing a student by binding or otherwise attaching the student's limbs together or by binding or otherwise attaching any part of the student's body to an object is subject to each of the following conditions:

(a) The restraint shall only be used when and to the extent it is reasonably necessary to protect the student, other persons, or property from serious harm.

(b) The restraint, including the duration of its use, shall be ~~((provided for by the terms of))~~ addressed in the student's ~~((individualized education program established in accordance with))~~ **aversive intervention plan that meets** the requirements of WAC 392-172A-03135.

(c) The restraint shall not interfere with the student's breathing.

(d) An adult responsible for supervising the student shall remain in visual or auditory range of the student.

(e) Either the student shall be capable of releasing himself or herself from the restraint or the student shall continuously remain within view of an adult responsible for supervising the student.

AMENDATORY SECTION (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-03135 Aversive interventions—Individualized education program requirements.** (1) If the need for use of aversive interventions is determined appropriate by the IEP team, the ~~((individualized education program shall))~~ **aversive intervention plan must:**

(a) Be consistent with the recommendations of the IEP team which must include~~((s))~~ a school psychologist and/or other certificated employee who understands the appropriate use of the aversive interventions and who concurs with the recommended use of the aversive interventions, and a person who works directly with the student.

(b) Specify the aversive interventions that may be used.

(c) State the reason the aversive interventions are judged to be appropriate and the behavioral objective sought to be achieved by its use, and shall describe the positive interventions attempted and the reasons they failed, if known.

(d) Describe the circumstances under which the aversive interventions may be used.

(e) Describe or specify the maximum duration of each isolation or restraint.

(f) Specify any special precautions that must be taken in connection with the use of the aversive interventions technique.

(g) Specify the person or persons permitted to use the aversive interventions and the current qualifications and required training of the personnel permitted to use the aversive interventions.

(h) Establish a means of evaluating the effects of the use of the aversive interventions and a schedule for periodically conducting the evaluation at least every three months when school is in session.

(i) Include procedures for notifying the parent regarding the use of restraint or isolation.

(2) School districts shall document each use of an aversive intervention, circumstances under which it was used, ~~((and))~~ the length of time of use, and follow the documentation and notification procedures required under ESHB 1688.

(3) School districts must provide a copy of the district policy on its use of isolation and restraint to parents of students eligible for special education.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-04080 Applicability and authorization.** (1) The provisions of WAC 392-172A-04080 through 392-172A-04095 apply ~~((only))~~ to students eligible for special education who have been placed in or referred to a ~~((non-public agency or another public agency or school district))~~ private elementary or secondary school or facility meeting nonpublic agency approval by ~~((a resident))~~ the student's school district as a means of providing special education and related services when the school district cannot provide an appropriate education for the student within the district.

(2)(a) School districts are also authorized to ~~((~~

~~((a)))~~ enter into interdistrict agreements with other school districts pursuant to chapter 392-135 WAC((;)) or ((b)) contract with ((nonpublic)) other public and private agencies ((pursuant to this chapter and)) under WAC 392-121-188 ((and public agencies)) to provide special education ((and)) or related services, or both to eligible students ((if the school district cannot provide an appropriate education for the student within the district)) when the private or public agency does not meet the criteria for nonpublic agencies under WAC 392-172A-04090 and 392-172A-04095, but the school district determines that the private or public agency can provide the student with a free appropriate public education (FAPE).

(b) When a district contracts with other public or private agencies to provide special education or related services or both, under subsection (2)(a) of this section, the school district shall ensure that it follows the requirements under WAC 392-172A-04085.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-04085 Responsibility of the school district.** (1) A school district ~~((who))~~ that places a student eligible for special education with ~~((another public agency or approved))~~ a nonpublic agency or with another private or public agency under WAC 392-172A-04080(2) for special education and related services shall develop a written contract~~((;))~~ or interdistrict ((or interagency)) agreement which ((shall)) will include, but not be limited to, the following elements:

(a) The names of the parties involved;

(b) The name(s) of the ((special education)) student(s) ((for whom the contract is drawn));

(c) The location(s) and setting(s) of the services to be provided;

(d) A description of services provided, program administration and supervision;

(e) The charges and reimbursement including billing and payment procedures;

(f) The total contract cost;

(g) Any other contractual elements including those identified in WAC 392-121-188 that may be necessary to assure compliance with state and federal rules.

(2) Each school district must ensure that a student eligible for special education services placed in or referred to a nonpublic agency~~((, other public agency, or other school district))~~ under WAC 392-172A-04080(1) or with another pri-

ate or public agency under WAC 392-172A-04080(2) is provided special education and related services:

(a) In conformance with an IEP developed by the school district that meets the requirements of this chapter; and

(b) At no cost to the parents.

(3) The student shall be provided with a FAPE ~~((that meet all general and special education regulations that apply to the student)),~~ except that the certificated ~~((special education endorsed))~~ teachers ~~((providing)),~~ including those with a special education ((services)) endorsement, do not have to meet the highly qualified standards for core academic content areas ((as described in section 9101 of the ESEA)) under WAC 392-172A-01085.

(4) The school district remains responsible for evaluations and IEP meetings for the student. If the school district requests that the nonpublic agency~~((, or other public agency))~~ conduct evaluations or IEP meetings, the school district will ensure that all applicable requirements of Part B of the act are met.

(5) The student has all of the rights of a student eligible for special education who is served within the school district.

AMENDATORY SECTION (Amending WSR 11-06-052, filed 3/1/11, effective 4/1/11)

**WAC 392-172A-04090 Approval of nonpublic agencies.** (1) ~~((A school district shall not award a contract to a nonpublic agency to provide special education to a student until the OSPI approves the nonpublic agency.~~

~~((2)))~~ The school district shall notify the special education section of the OSPI, in writing, of their intent to serve a student through contract with a nonpublic agency.

~~((3))~~ The OSPI shall provide (2) The school district and the nonpublic agency ((with)) will review the ((procedures)) requirements for approval and complete the application for nonpublic agency approval. In addition, the school district shall conduct an on-site visit of the nonpublic agency.

~~((4))~~ (3) Upon review of the completed application which includes the results of the on-site visit, the OSPI may conduct an independent on-site visit, if appropriate, and ~~((shall))~~ will determine whether the application ((should)) will be approved or disapproved.

~~((5))~~ (4) The OSPI ~~((shall))~~ makes information regarding currently approved nonpublic agencies available ~~((to all school districts and to the public))~~ on its web site.

~~((6))~~ (5) School districts shall ensure that an approved nonpublic agency is able to provide the services required to meet the unique needs of any student being placed according to the provisions of WAC 392-172A-04080 through 392-172A-04095.

~~((7))~~ Nonpublic agencies (6) Private schools or facilities located in other states must first be approved by the state education agency of the state in which the educational institution is located to provide FAPE to students referred by school districts. Documentation of the approval shall be provided to OSPI. In the event the other state does not have a formal approval process, the ((nonpublic agency)) private school or facility shall meet the requirements for approval in this state under the provisions of this chapter.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-04095 Application requirements for nonpublic agency approval.** ~~((The application for initial approval and three-year renewal will include the following:))~~

(1) A nonpublic agency must meet the following requirements to be approved:

~~((a))~~ (a) The nonpublic agency is approved by the state board as a private school, and has at least one certificated teacher with a special education endorsement, ~~((and))~~ other certificated ~~((staff))~~ teachers who meet state standards ~~((for providing special education))~~, and related services ~~staff meeting state licensure requirements for their profession.~~ If the education program is ~~((located in))~~ associated with a facility, such as a hospital ~~((or the educational program is within a))~~ mental health, or treatment facility, and the program is not an approved private school, the program must comply with the licensing requirements for the facility, such as the department of health, and the ~~((nonpublic agency))~~ facility will assure that ~~((the educational component of the facility))~~ it has ~~((education and related services staff))~~ teachers who meet certification requirements developed by the professional educators standards board, ~~((and has))~~ related services staff meeting state licensure requirements for their profession as applicable, and at least one certificated teacher with a special education endorsement.

~~((2))~~ (b) The private school or facility meets applicable fire codes of the local or state fire marshal, including inspections and documentation of corrections of violation.

~~((3))~~ (c) The private school or facility meets applicable health and safety standards.

~~((4))~~ (d) The private school or facility can demonstrate through audits that it is financially stable, and has accounting systems that allow for separation of school district funds.

~~((5))~~ (e) The private school or facility has procedures in place that address staff hiring and evaluation including:

~~((a))~~ (i) Checking ~~((of))~~ personal and professional references for employees;

~~((b))~~ (ii) Criminal background checks in accordance with state rules for public school employees;

~~((c))~~ (iii) Regular ~~((schedule))~~ scheduling of staff evaluations of the competencies that enable the staff to work with students.

~~((6))~~ (f) The private school or facility has a policy of nondiscrimination.

~~((7))~~ (g) The private school or facility meets state education rules for hours and days of instruction.

~~((8))~~ (h) The private school or facility understands and has procedures in place to protect the procedural safeguards of the students eligible for special education and their families.

(2) After approval as a nonpublic agency, the private school or facility must provide annual review information to the OSPI and school districts with whom they contract the following two years. The nonpublic agency must complete a renewal application, including scheduling a site visit by a contracting school district every third year following approval.

AMENDATORY SECTION (Amending WSR 11-06-052, filed 3/1/11, effective 4/1/11)

**WAC 392-172A-05030 Investigation of the complaint and decision.** (1) Upon receipt of a properly filed complaint, the OSPI shall send a copy of the complaint to the school district or other agency for their investigation of the alleged violations. A complaint against OSPI shall be investigated pursuant to WAC 392-172A-05040.

(2) The OSPI will provide the complainant the opportunity to submit additional information, either orally or in writing, about the allegations contained in the complaint. If the additional information contains new information, the OSPI may, in its discretion, either notify the district of the additional issues or inform the parent of the option to open a new complaint.

(3) The school district or other agency shall respond in writing to the OSPI ~~((and include))~~ with documentation of the investigation, no later than twenty calendar days after the date of receipt of the complaint.

~~((3))~~ (4) The response to the OSPI shall clearly state whether:

(a) The allegations contained in the complaint are denied and the basis for such denial; or

(b) The allegations are admitted and with proposed reasonable corrective action(s) deemed necessary to correct the violation.

~~((4))~~ (5) The OSPI ~~((shall))~~ will provide the complainant a copy of the school district's or other agency's response to the complaint and provide the complainant an opportunity to reply ~~((to the response))~~. If the complainant is not authorized to review personally identifiable information, that information will not be provided to the complainant.

~~((5))~~ The OSPI will also provide the complainant the opportunity to submit additional information, either orally or in writing, about the allegations contained in the complaint. ~~If the additional information contains new information, the OSPI may, in its discretion, open a new complaint.~~

(6) Upon review of all relevant information including, if necessary, information obtained through an independent on-site investigation by the OSPI, the OSPI will make an independent determination as to whether the school district or other public agency has or is violating a requirement of Part B of the act, the federal regulations implementing the act, this chapter, or whether the public agency is not implementing a mediation or resolution agreement.

(7) The OSPI shall issue a written decision to the complainant that addresses each allegation in the complaint including findings of fact, conclusions, and the reasons for the decision. The decision will be issued within sixty days after receipt of the complaint unless:

(a) Exceptional circumstances related to the complaint require an extension; or

(b) The complainant and school district or other agency agrees in writing to extend the time to use mediation or an alternative dispute resolution method.

(8) If the OSPI finds a violation, the decision will include any necessary corrective action to be undertaken and any documentation to be provided to ensure that the corrective action is completed. If the decision is that a school district or

other public agency has failed to provide appropriate services, the decision will address:

(a) How to remediate the failure to provide those services, including, as appropriate, compensatory education, monetary reimbursement, or other corrective action appropriate to the needs of the student; and

(b) Appropriate future provision of services for all students eligible for special education.

(9) Corrective action ordered by OSPI must be completed within the timelines established in the written decision, unless another time period is established through an extension of the timeline. If compliance by a (~~local~~) school district or other public agency is not achieved pursuant to subsection (8) of this section, the (~~superintendent of public instruction shall~~) OSPI will initiate fund withholding, fund recovery, or any other sanction deemed appropriate.

**AMENDATORY SECTION** (Amending WSR 10-10-044, filed 4/28/10, effective 5/29/10)

**WAC 392-172A-05080 Right to a due process hearing.** (1) A parent or a school district may file a due process hearing request on any of the matters relating to the identification, evaluation or educational placement, or the provision of FAPE to a student.

(2) The due process hearing request must be made within two years of, and allege a violation that occurred not more than two years before, the date the parent or school district knew or should have known about the alleged action that forms the basis of the due process complaint except the timeline does not apply to a parent if the parent was prevented from filing a due process hearing request due to:

(a) Specific misrepresentations by the school district that it had resolved the problem forming the basis of the due process hearing request; or

(b) The school district withheld information from the parent that was required under this chapter to be provided to the parent.

(3)(a) Information about any free or low-cost legal and other relevant services available in the area is maintained on OSPI's web site and is provided by the office of administrative hearings to parents whenever a due process hearing request is filed by either the parent or the school district; and

(b) School districts must provide this information to parents whenever a parent requests the information.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-05090 Resolution process.** (1)(a) Within fifteen days of receiving notice (~~of the parent's~~) that a parent has filed a due process hearing request(~~;~~) with the district and provided a copy of the due process request to the OSPI administrative resources section, and prior to the initiation of a due process hearing under WAC 392-172A-05100, the school district must convene a meeting with the parent and the relevant member or members of the IEP team who have specific knowledge of the facts identified in the due process hearing request and that:

(i) Includes a representative of the school district who has decision-making authority on behalf of that district; and

(ii) May not include an attorney of the school district unless the parent is accompanied by an attorney.

(b) The purpose of the meeting is for the parent of the child to discuss the due process hearing request, and the facts that form the basis of the request, so that the school district has the opportunity to resolve the dispute that is the basis for the due process hearing request.

(c) The meeting described in (a) of this subsection need not be held if:

(i) The parent and the school district agree in writing to waive the meeting; or

(ii) The parent and the school district agree to use the mediation process described in WAC 392-172A-05060.

(d) The parent and the school district determine the relevant members of the IEP team to attend the meeting.

(2)(a) If the school district has not resolved the due process hearing request to the satisfaction of the parent within thirty days of the (~~receipt of~~) parent's filing of the due process hearing request under WAC 392-172A-05085, the due process hearing may occur.

(b) Except as provided in subsection (3) of this section, the timeline for issuing a final decision under WAC 392-172A-05105 begins at the expiration of this thirty-day period.

(c) Unless the parties have jointly agreed to waive the resolution process or to use mediation, notwithstanding (a) and (b) of this subsection, the failure of the parent filing a due process hearing request to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until the meeting is held.

(d) If the school district is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts have been made and documented using the procedures in WAC (~~(392-172A-05090)~~) 392-172A-03100(6), the school district may, at the conclusion of the thirty-day period, request that an administrative law judge dismiss the parent's due process hearing request.

(e) If the school district fails to hold the resolution meeting within fifteen days as specified in subsection (1) of this section (~~(within fifteen days of receiving notice of a parent's due process hearing request)~~) or fails to participate in the resolution meeting, the parent may seek the intervention of an administrative law judge to begin the due process hearing timeline.

(3) The forty-five day timeline for the due process hearing starts the day after one of the following events:

(a) Both parties agree in writing to waive the resolution meeting;

(b) After either the mediation or resolution meeting starts but before the end of the thirty-day period, the parties agree in writing that no agreement is possible;

(c) If both parties agree in writing to continue the mediation at the end of the thirty-day resolution period, but later, the parent or school district withdraws from the mediation process.

(4)(a) If a resolution to the dispute is reached at the meeting described in subsection (1)(a) and (b) of this section, the parties must execute a legally binding agreement that is:

(i) Signed by both the parent and a representative of the school district who has the authority to bind the district; and

(ii) Enforceable in any state court of competent jurisdiction or in a district court of the United States.

(b) If the parties execute an agreement pursuant this section, a party may void the agreement within three business days of the agreement's execution.

**AMENDATORY SECTION** (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-05100 Hearing rights.** These hearing rights govern both due process hearings conducted pursuant to WAC 392-172A-05080 through 392-172A-05125 and hearings for disciplinary matters conducted pursuant to WAC 392-172A-05160 and 392-172A-05165.

(1) Any party to a due process hearing has the right to:

(a) Be ~~((accompanied and advised))~~ represented by counsel and accompanied and advised by individuals with special knowledge or training with respect to the problems of students eligible for special education;

(b) Present evidence and confront, cross-examine, and compel the attendance of witnesses;

(c) Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five business days before the hearing, or two business days if the hearing is expedited pursuant to WAC 392-172A-05160;

(d) Obtain a written, or, at the option of the parents, electronic, verbatim record of the hearing; and

(e) Obtain written, or, at the option of the parents, electronic findings of fact and decisions.

(2)(a) At least five business days prior to a due process hearing conducted pursuant to this section, or two business days prior to a hearing conducted pursuant to WAC 392-172A-05165, each party must disclose to all other parties all evaluations completed by that date and the recommendations based on the offering party's evaluations that the party intends to use at the hearing.

(b) An administrative law judge may bar any party that fails to comply with (a) of this subsection from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.

(3) The party requesting the due process hearing may not raise issues at the due process hearing that were not raised in the due process hearing request unless the other party agrees otherwise.

(4) Either party may file a separate due process hearing request on an issue separate from a due process hearing request already filed.

(5) Parents involved in hearings must be given the right to:

(a) Have the student who is the subject of the hearing present;

(b) Open the hearing to the public; and

(c) Have the record of the hearing and the findings of fact and decisions described in subsection (1)(d) and (e) of this section provided to the parent at no cost.

(6) To the extent not modified by the hearing procedures addressed in this section, the timelines addressed in WAC 392-172A-05110, and the timelines and procedures for civil actions addressed in WAC 392-172A-05115, the general rules applicable for administrative hearings contained in

chapter 10-08 WAC govern the conduct of the due process hearing.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-05110 Timelines and convenience of hearings.** (1) Not later than forty-five days after the expiration of the thirty day resolution period, or the adjusted time periods described in WAC 392-172A-05090(3):

(a) A final decision shall be reached in the hearing; and

(b) A copy of the decision shall be mailed to each of the parties.

(2) Reconsideration of the decision under RCW 34.05.-070 is not allowed under Part B of the act due to the timelines for issuing a final decision.

(3) An administrative law judge may grant specific extensions of time beyond the period in subsection (1) of this section at the request of either party.

~~((3))~~ (4) Each due process hearing must be conducted at a time and place that is reasonably convenient to the parents and student involved.

**AMENDATORY SECTION** (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-05130 Surrogate parents.** (1) School districts must ensure that the rights of a student are protected when:

(a) No parent as defined in WAC 392-172A-01125 can be identified;

(b) The school district, after reasonable efforts, cannot locate a parent;

(c) The student is a ward of the state; or

(d) The student is an unaccompanied homeless youth as defined in section 725(6) of the McKinney-Vento Homeless Assistance Act(~~or~~

~~(e) An educational representative is appointed for a student pursuant to WAC 392-172A-05135(5)).~~

(2) School districts must develop procedures for assignment of an individual to act as a surrogate for the parents. This must include a method:

(a) For determining whether a student needs a surrogate parent;

(b) For assigning a surrogate parent to the student; and

(c) Ensuring that an assignment of a surrogate parent is provided within thirty days of the district's determination that a surrogate parent is required.

(3) If a student is a ward of the state, the judge overseeing the student's case, may appoint a surrogate parent, provided that the surrogate meets the requirements in subsections (4)(a) and (5) of this section.

(4) School districts must ensure that a person selected as a surrogate parent:

(a) Is not an employee of the OSPI, the school district, or any other agency that is involved in the education or care of the student;

(b) Has no personal or professional interest that conflicts with the interest of the student the surrogate parent represents; and

(c) Has knowledge and skills that ensure adequate representation of the student.

(5) A person otherwise qualified to be a surrogate parent under subsection (4) of this section is not an employee of the OSPI, school district or other agency solely because he or she is paid by the agency to serve as a surrogate parent.

(6) In the case of a student who is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents without regard to subsection (4)(a) of this section until a surrogate parent can be appointed that meets all of the requirements of subsection (4) of this section.

(7) The surrogate parent may represent the student in all matters relating to the identification, evaluation, educational placement and the provision of FAPE to the student.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-05140 Purpose.** The purpose of WAC 392-172A-05140 through ~~((392-172A-05155))~~ 392-172A-05175 is to ensure that students eligible for special education services are not improperly excluded from school for disciplinary reasons and are provided services in accordance with WAC 392-172A-05145. Each school district ~~((serving special education students))~~ shall take steps to ensure that each employee, contractor, and other agent is knowledgeable of the disciplinary procedures to be followed for students eligible for special education and students who may be deemed to be eligible for special education, and knowledgeable of the rules and procedures contained in chapter 392-400 WAC governing discipline for all students.

AMENDATORY SECTION (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-05150 Determination of setting.** The student's IEP team determines the interim alternative educational setting for services under WAC 392-172A-05145 (3), (4)~~((e))~~(f) and (7).

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-05155 Change of placement because of disciplinary removals.** (1) For purposes of removals of a student eligible for special education from the student's current educational placement, because of disciplinary removals, a change of placement occurs if:

~~((1))~~ (a) The removal is for more than ten consecutive school days; or

~~((2))~~ (b) The student has been subjected to a series of removals that constitute a pattern:

~~((a))~~ (i) Because the series of removals total more than ten school days in a school year;

~~((b))~~ (ii) Because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and

~~((c))~~ (iii) Because of such additional factors as the length of each removal, the total amount of time the student

has been removed, and the proximity of the removals to one another.

~~((3))~~ (2) The school district determines on a case-by-case basis whether a pattern of removals constitutes a change of placement.

~~((4))~~ (3) The determination regarding a disciplinary change of placement is subject to review through due process and judicial proceedings.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-05185 Notice to parents.** (1) Parents of students eligible for special education have rights regarding the protection of the confidentiality of any personally identifiable information collected, used, or maintained under WAC 392-172A-05180 through 392-172A-05240, the Family Educational Rights and Privacy Act of 1974, as amended, state laws contained in Title 28A RCW that address personally identifiable information, regulations implementing state law, and Part B of IDEA.

(2) State forms, procedural safeguards and parent handbooks regarding special education are available in Spanish, Vietnamese, Russian, ~~((Cambodian))~~ Khmer, Ukrainian, Somali, and Korean, and alternate formats on request.

(3) Personally identifiable information about students for use by the OSPI, special education section, may be contained in state complaints, due process hearing requests and decisions, monitoring ~~((hearing requests and decisions))~~, safety net applications, and mediation agreements. The state may also receive personally identifiable information as a result of grant evaluation performance. This information is removed before forwarding information to other agencies or individuals requesting the information, unless the parent or adult student consents to release the information or the information is allowed to be released without parent consent under the regulations implementing the Family Educational Rights and Privacy Act, 34 C.F.R. Part 99.

(4) School districts are responsible for child find activities for students who may be eligible for special education. If the state were to conduct any major identification, location, or evaluation activity, the state would publish notices in newspapers with circulation adequate to notify parents throughout the state of the activity, notify school districts and post information on its web site.

AMENDATORY SECTION (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-06000 Condition of assistance.** As a condition of receipt and expenditure of federal special education funds, a school district or other public agency shall annually submit a request for federal funds to the ~~((superintendent of public instruction))~~ OSPI, and conduct its special education and related services program in compliance with the requirements of this chapter. The request shall be made through an application that includes, but is not limited to the following assurances and types of information:

(1) Assurances that: The school district or other public agency meets each of the conditions contained in 34 C.F.R. 300.201 through 300.213 relating to:



- (a) Development of policies and procedures consistent with this chapter and Part B of the act;
  - (b) The provision of FAPE to students;
  - (c) Child find requirements for students, including evaluations;
  - (d) Development of an IEP;
  - (e) The provision of services in the least restrictive environment, and the availability of a continuum of services, including access to extracurricular and nonacademic activities;
  - (f) The provision of procedural safeguard protections and implementation of the procedural safeguards notices;
  - (g) Confidentiality of records and information;
  - (h) Transition of children from Part C to Part B services;
  - (i) Participation of students enrolled in private school programs, using a proportional share of Part B funds;
  - (j) Placement of students in private school programs to provide FAPE or placement of students in private school programs by their parents when FAPE is at issue;
  - (k) Use of funds;
  - ~~((k))~~ (l) Personnel preparation;
  - ~~((l))~~ (m) Availability of documents relating to the eligibility of the school district;
  - ~~((m))~~ (n) Provision to OSPI of all necessary information and data for the state's performance goals;
  - ~~((n))~~ (o) Provision of instructional materials to blind persons or persons with print disabilities;
  - ~~((o))~~ (p) Timely correction of noncompliance; and
  - ~~((p))~~ (q) A goal and detailed timetable for providing full educational opportunity to all special education students.
- (2) Identification of the ~~((local))~~ school district designee responsible for child identification activities and confidentiality of information.
- (3) ~~((Information related to participation of students enrolled in private school programs using a proportional share of Part B funds.~~
- ~~((4))~~ Information that addresses the school district's progress or slippage in meeting the state's performance goals and in addressing the state's annual performance plan.
- ~~((5))~~ (4) A description of the use of funds received under Part B of the act.
- ~~((6))~~ (5) Any other information requested by the OSPI which is necessary for the management of the special education program, including compliance with enforcement activities related to monitoring, due process, citizen complaints, or determinations status.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-06020 Exception to maintenance of effort.** A school district or other public agency may reduce the level of expenditures made by it under Part B of the IDEA below the level of those expenditures for the preceding fiscal year if the reduction is attributable to:

- (1) The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel;
- (2) A decrease in the enrollment of students eligible for special education;

(3) The termination of the obligation of the district or agency, consistent with this chapter, to provide a program of special education to a particular student that is an exceptionally costly program as determined by the state, because the student:

- (a) Has left the jurisdiction of the district or agency;
  - (b) Has reached the age at which the obligation of the district or agency to provide a free appropriate public education to the student has terminated; or
  - (c) No longer needs the program of special education.
- (4) The termination of costly expenditures for long-term purchases such as the acquisition of equipment or the construction of school facilities.
- (5) The ~~((reimbursement of the cost by the safety net fund operated by the state oversight committee))~~ assumption of costs by the high needs safety net fund operated by the OSPI.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-06030 ((School-wide)) School wide programs under Title 1 of the ESEA.** (1) A school district ~~((or other agency))~~ may use funds received under Part B of the ~~((IDEA))~~ act for any fiscal year to carry out a ~~((school-wide))~~ school wide program under section 1114 of the Elementary and Secondary Education Act of 1965, except that the amount used in any ~~((school-wide))~~ school wide program may not exceed:

(a) The amount received by the school district ~~((or agency))~~ under Part B for that fiscal year; divided by the number of students eligible for special education in the jurisdiction; multiplied by

(b) The number of students eligible for special education participating in the ~~((school-wide))~~ school wide program.

(2) The funds described in subsection (1) of this section may be used without regard to WAC ~~((392-172A-05010-1(a)))~~ 392-172A-06010 (1)(a).

(3) The funds described in subsection (1) of this section must be considered as federal Part B funds for purposes of calculating excess cost and supplanting WAC ~~((392-172A-05010))~~ 392-172A-06010 (1)(b) and (c).

(4) Except as provided in subsections (2) and (3) of this section, all other requirements of Part B must be met, including ensuring that students eligible for special education in ~~((school-wide))~~ school wide program schools:

(a) Receive services in accordance with a properly developed IEP; and

(b) Are afforded all of the rights and services guaranteed to students eligible for special education under the IDEA.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-06040 Purchase of and access to instructional materials.** The OSPI has elected to coordinate with the National Instructional Materials Access Center (NIMAC). School districts have the option of coordinating with NIMAC.

(1) Not later than December 3, 2006, a school district that chooses to coordinate with NIMAC, when purchasing

print instructional materials, must acquire those instructional materials in accordance with subsection (2) of this section.

(2) If a school district chooses to coordinate with the NIMAC, as of December 3, 2006, it must:

(a) As part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials, must enter into a written contract with the publisher of the print instructional materials to:

(i) Require the publisher to prepare and, on or before delivery of the print instructional materials, provide to NIMAC electronic files containing the contents of the print instructional materials using the NIMAS; or

(ii) Purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats.

(b) Make all reasonable attempts to provide instructional materials to blind persons or other persons with print disabilities in a timely manner.

(c) In carrying out this section, the school district, to the maximum extent possible, must work with the state instructional resources center.

(3) For the purposes of this section:

(a) Blind persons or other persons with print disabilities means students served under this part who may qualify to receive books and other publications produced in specialized formats in accordance with the act entitled "An Act to provide books for adult blind," approved March 3, 1931, 2 U.S.C. 135a;

(b) National Instructional Materials Access Center or NIMAC means the center established pursuant to section 674(e) of the act;

(c) National Instructional Materials Accessibility Standard or NIMAS has the meaning given the term in section 674 (e)(3)(B) of the act;

(d) Specialized formats has the meaning given the term in section 674 (e)(3)(D) of the act.

(4) The definitions in subsection (3) of this section apply to each school district, whether or not the school district chooses to coordinate with the NIMAC.

(5) ~~((Rights of a school district.))~~ Nothing in this section shall be construed to require a school district to coordinate with the NIMAC.

(6) If a school district chooses not to coordinate with the NIMAC, the school district must provide an assurance to the OSPI that the school district will provide instructional materials to blind persons or other persons with print disabilities by other means in a timely manner.

(7) Nothing in this section relieves a school district of its responsibility to ensure that students eligible for special education who need instructional materials in accessible formats but are not included under the definition of blind or other persons with print disabilities or who need materials that cannot be produced from NIMAS files, receive those instructional materials in a timely manner.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-06045 School district information for the OSPI.** (1) The school district must provide the OSPI with information that is necessary to enable the OSPI to carry out its duties under Part B of the act and state law, including, but not limited to child count, least restrictive environment, suspension and expulsion rates, disproportionality, and other information relating to the performance of students eligible for special education participating in programs carried out under Part B of the act.

(2) The information will be provided to the OSPI in the form and by the timelines specified for a particular report.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-06050 Public information.** The school district must make available to parents of students eligible for special education and to the general public all documents relating to the eligibility of the ~~((agency))~~ school district under Part B of the act.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-06055 Records regarding migratory students eligible for special education.** The ~~((LEA))~~ school district must cooperate in the secretary's efforts under section 1308 of the ESEA to ensure the linkage of records pertaining to migratory students eligible for special education for the purpose of electronically exchanging, among the states, health and educational information regarding those students.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-06060 Exception for prior policies and procedures.** (1) If a school district has ~~((on file with the OSPI))~~ policies and procedures on file with the OSPI that demonstrate that the school district meets the requirements ~~((under))~~ of WAC ~~((392-172A-05000))~~ 392-172A-06000, including any policies and procedures filed under Part B of the act as in effect before December 3, 2004, the OSPI must consider the school district to have met that requirement for purposes of receiving assistance under Part B of the act.

(2) Subject to subsection (3) of this section, policies and procedures submitted by a school district in accordance with this subpart remain in effect until the school district submits to the OSPI the modifications that the school district determines are necessary.

(3) The OSPI may require a school district to modify its policies and procedures, but only to the extent necessary to ensure the school district's compliance with Part B of the act or state law, if:

(a) After December 3, 2004, ~~((the effective date of the Individuals with Disabilities Education Improvement Act of 2004.))~~ the applicable provisions of the act or federal or state regulations developed to carry out the act, are amended;

(b) There is a new interpretation of an applicable provision of the act by federal or state courts; or

(c) There is an official finding of noncompliance with federal or state law or regulations.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-06065 Notification of a school district in case of ineligibility.** (1) In the event the ~~((superintendent of public instruction or designee))~~ OSPI determines that a school district is not eligible under Part B of the act, or is not complying with corrective actions as a result of monitoring, state complaints, or due process decisions and the ~~((superintendent))~~ OSPI intends to withhold or recover funds in whole or in part, the school district ~~((or other public agency))~~ shall be provided:

(a) Written notice of intent to withhold or recover funds and the reasons supporting its notice;

(b) The school district's opportunity for a hearing before the superintendent of public ~~((instruction or))~~ instruction's designee prior to a denial of the request.

(2) The ~~((superintendent of public instruction))~~ OSPI shall provide an opportunity for a hearing before the ~~((OSPI))~~ it disapproves the request in accordance with the following procedures:

(a) The applicant shall request the hearing within thirty days of receiving notice of the action of the ~~((superintendent of public instruction))~~ OSPI.

(b) Within thirty days after it receives a request, the ~~((superintendent of public instruction))~~ OSPI shall hold a hearing to review its action. At the hearing, the district shall have the opportunity to provide the superintendent's designee with documentary evidence demonstrating that the ~~((superintendent))~~ OSPI erred in reaching its determination.

(c) The ~~((superintendent))~~ superintendent's designee shall consider any new evidence provided and respond in writing to the school district within thirty days, by affirming the initial determination, rescinding its initial determination, or issuing a revised determination.

(d) If the district remains unsatisfied with the ~~((superintendent's))~~ OSPI's determination, it ~~((may appeal the agency's decision by filing))~~ may file an appeal of OSPI's determination with the office of administrative hearings within thirty days of receiving OSPI's final determination. Procedures for filing an appeal of a ~~((decision))~~ determination under this section shall be in accordance with the Administrative Procedure Act, chapter 34.05 RCW and chapter ~~((10-08))~~ 10-08 WAC ~~((10-08 WAC))~~.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-06070 School district compliance.**

(1) If the OSPI, after reasonable notice and an opportunity for a hearing, finds that a school district determined to be eligible under this subpart is failing to comply with any requirement described in WAC 392-172A-06000 through 392-172A-06060, the OSPI must reduce or must not provide any further payments to the school district until the OSPI is satisfied that the school district is complying with that requirement.

(2) Any school district ~~((or other public agency))~~ in receipt of a notice of intent to withhold or recover funds ~~((of the school district shall))~~ must, by means of a public notice, take the measures necessary to bring the pendency of an action ~~((pursuant to))~~ under this section to the attention of the public, within its jurisdiction.

(3) In carrying out its responsibilities under this section, the OSPI must consider ~~((any))~~ the results of a due process hearing decision ~~((resulting in a decision))~~ that is adverse to ~~((the))~~ a school district ~~((involved in the decision))~~.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-06075 Collaborative requests.** (1)

The ~~((superintendent of public instruction))~~ OSPI may require districts to submit a collaborative request for payments under Part B of the ~~((Individuals with Disabilities Education))~~ act if it is determined that a single district ~~((or other public agency))~~ would be disapproved because the district ~~((or other public agency))~~ is unable to establish and maintain programs of sufficient size and scope to effectively meet the educational needs of ~~((special education))~~ students eligible for special education. Districts that apply for Part B funds in a collaborative request must meet the same minimum requirements as a single school district ~~((or other public agency))~~ applicant. The request must be signed by the superintendent of each participating school district ~~((or other public agency))~~. The districts are jointly responsible for implementing programs receiving payments under Part B of the ~~((Individuals with Disabilities Education))~~ act. The total amount of funds made available to the affected school districts ~~((or other public agencies shall))~~ will be equal to the sum each would have received separately.

(2) The OSPI may not require a charter school to jointly establish its eligibility under subsection (1) of this section unless the charter school is explicitly permitted to do so under chapter 28A.710 RCW.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-06080 Requirements for establishing eligibility.** (1) School districts that establish joint eligibility under this section must:

~~((1))~~ (a) Adopt policies and procedures that are consistent with the state's policies and procedures ~~((consistent with))~~ under WAC 392-172A-06005; and

~~((2))~~ (b) Be jointly responsible for implementing programs that receive assistance under Part B of the act.

(2) If an educational service agency has authority to carry out programs under part B of the act, the joint responsibilities given to school districts:

(a) Do not apply to the administration and disbursement of any payments received by the educational service agency; and

(b) Must be carried out only by that educational service agency.

(3) Regardless of any other provisions in WAC 392-172A-06075 and 392-172A-06080, an educational service

agency must provide for the education of eligible students in the least restrictive environment.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-07000 Methods of ensuring services.**

(1) The OSPI must ensure that an interagency agreement or other mechanism for interagency coordination is in effect between each noneducational public agency described in this section and the OSPI, in order to ensure that all services that are needed to ensure FAPE are provided, including the provision of these services during the pendency of any dispute under (c) of this subsection. The agreement or mechanism shall contain:

(a) An identification of, or a method of defining, the financial responsibility of each agency for providing services to ensure FAPE to students eligible for special education. The financial responsibility of each noneducational public agency, including the state medicaid agency and other public insurers of students eligible for special education, must precede the financial responsibility of the school district.

(b) The conditions, terms, and procedures under which a school district must be reimbursed by other agencies.

(c) Procedures for resolving interagency disputes (including procedures under which ~~((LEAs))~~ school districts may initiate proceedings) under the agreement or other mechanism to secure reimbursement from other agencies or otherwise implement the provisions of the agreement or mechanism.

(d) Policies and procedures for agencies to determine and identify the interagency coordination responsibilities of each agency to promote the coordination and timely and appropriate delivery of services described in subsection (2)(a) of this section.

(2)(a) If any public agency other than an educational agency is otherwise obligated under federal or state law, or assigned responsibility under state policy or pursuant to subsection (1) of this section, to provide or pay for any services that are also considered special education or related services such as, but not limited to, assistive technology devices and services, related services, whether provided as specially designed instruction or related services; supplementary aids and services, and transition services that are necessary for ensuring FAPE to students eligible for special education, the noneducational public agency must fulfill that obligation or responsibility, either directly or through contract or other arrangement pursuant to subsection (1) of this section.

(b) A noneducational public agency described in subsections (1)(a) and (2) of this section may not disqualify an eligible service for medicaid reimbursement because that service is provided in a school context.

(c) If a noneducational public agency other than ((an educational agency)) a school district fails to provide or pay for the special education and related services described in (a) of this subsection, the school district developing the student's IEP must provide or pay for these services to the student in a timely manner. The school district is authorized to claim reimbursement for the services from the noneducational public agency that failed to provide or pay for these services and

that agency must reimburse the school district or state agency in accordance with the terms of the interagency agreement or other mechanism described in subsection (1) of this section.

(3) The requirements of subsection (1) of this section may be met through:

(a) State statute or regulation;

(b) Signed agreements between respective agency officials that clearly identify the responsibilities of each agency relating to the provision of services; or

(c) Other appropriate written methods determined by the superintendent of the office of public instruction.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-07005 Students eligible for special education who are covered by public benefits or insurance or private insurance.**

(1) A school district may use the medicaid or other public benefits or insurance programs in which a student participates to provide or pay for services required under ~~((this))~~ Part B of the act, as permitted under the public benefits or insurance program, except as provided under subsection (2) of this section.

(2) With regard to services required to provide FAPE to an eligible student, the school district:

(a) May not require parents to sign up for or enroll in public benefits or insurance programs in order for their student to receive FAPE under Part B of the act;

(b) May not require parents to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for services provided pursuant to this part, but may pay the cost that the parents otherwise would be required to pay;

(c) May not use a ~~((child's))~~ student's benefits under a public benefits or insurance program if that use would:

(i) Decrease available lifetime coverage or any other insured benefit;

(ii) Result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the ~~((child))~~ student outside of the time the student is in school;

(iii) Increase premiums or lead to the discontinuation of benefits or insurance; or

(iv) Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures; and

~~((Must obtain parental consent, each time that access to public benefits or insurance is sought for a new procedure; and must notify parents that the parents' refusal to allow access to their public benefits or insurance does not relieve the school district of its responsibility to ensure that all required services are provided at no cost to the parents.))~~  
Prior to accessing a student's or parent's public benefits or insurance for the first time, and after providing notification to the student's parents consistent with subsection (3) of this section, the school district must obtain written, parental consent that:

(i) Meets the requirements of 34 C.F.R. Sec. 99.30 and WAC 392-172A-05225, which consent must specify:

(A) The personally identifiable information that may be disclosed, such as records or information about the services that may be provided to a particular student;

(B) The purpose of the disclosure, such as billing for services under the act; and

(C) The agency to which the disclosure may be made such as the health care authority; and

(ii) Specifies that the parent understands and agrees that the public agency may access the parent's or student's public benefits or insurance to pay for services under the act.

(3) Prior to accessing a student's or parent's public benefits or insurance for the first time, and annually thereafter, the school district must provide written notification, consistent with WAC 392-172A-05010(3) to the student's parents, that includes:

(a) A statement of the parental consent provisions in subsection (2)(d)(i) of this section;

(b) A statement of the "no cost" provisions in subsection (2)(b) and (c) of this section;

(c) A statement that the parents have the right under 34 C.F.R. Part 99 and WAC 392-172A-05225 to withdraw their consent to disclosure of their child's personally identifiable information to the agency responsible for the administration of the state's public benefits or insurance program at any time; and

(d) A statement that the withdrawal of consent or refusal to provide consent under 34 C.F.R. Part 99 and WAC 392-172A-05225 to disclose personally identifiable information to the agency responsible for the administration of the state's public benefits or insurance program does not relieve the school district of its responsibility to ensure that all required services are provided at no cost to the parents.

~~((3))~~ (4) With regard to services required to provide FAPE to an eligible student under this part, a ~~((public agency))~~ school district may access the parents' private insurance proceeds only if the parents provide consent. Each time the public agency proposes to access the parents' private insurance proceeds, the ~~((agency))~~ school district must:

(a) Obtain parental consent; and

(b) Inform the parents that their refusal to permit the public agency to access their private insurance does not relieve the school district of its responsibility to ensure that all required services are provided at no cost to the parents.

~~((4))~~ (5)(a) If a school district is unable to obtain parental consent to use the parents' private insurance, or public benefits or insurance when the parents would incur a cost for a specified service required under this part, to ensure FAPE the public agency may use its Part B funds to pay for the service.

(b) To avoid financial cost to parents who otherwise would consent to use private insurance, or public benefits or insurance if the parents would incur a cost, the ~~((public agency))~~ school district may use its Part B funds to pay the cost that the parents otherwise would have to pay to use the parents' benefits or insurance such as deductible or co-pay amounts.

~~((5))~~ (6) Proceeds from public benefits or insurance or private insurance will not be treated as program income for purposes of 34 C.F.R. 80.25.

~~((6))~~ (7) If a ~~((public agency))~~ school district spends reimbursements from federal funds such as medicaid, for services under this part, those funds will not be considered state or local funds for purposes of the maintenance of effort provisions.

~~((7))~~ (8) Nothing in this part should be construed to alter the requirements imposed on a state medicaid agency, or any other agency administering a public benefits or insurance program by federal statute, regulations or policy under Title XIX, or Title XXI of the Social Security Act, 42 U.S.C. Secs. 1396 through 1396v and 42 U.S.C. Secs. 1397aa through 1397jj, or any other public benefits or insurance program.

AMENDATORY SECTION (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-07010 Monitoring.** (1) ~~((OSPI's monitoring of))~~ The OSPI monitors school districts' special education programs ~~((is))~~ to:

(a) Improve educational results and functional outcomes for all students eligible for special education;

(b) Ensure that school districts meet the program requirements under Part B of the act with a particular emphasis on those requirements that are most closely related to improving educational results for students eligible for special education;

(c) Determine the school district's compliance with this chapter, chapter 28A.155 RCW, and federal regulations implementing 20 U.S.C. Sec. 1400, et seq.;

(d) Validate information included in school district ~~((or other public agency))~~ requests for federal funds; and

(e) Measure and report school district performance on relative targets and priorities from federally approved state performance plans.

(2) Procedures for monitoring school districts and other public agencies may include any or all of the following:

(a) Collection, review, and analysis of quantitative and qualitative data and other information;

(b) Conduct of on-site visits;

(c) Review and analysis of such quantifiable and qualitative data and indicators as are needed to measure performance in the following areas:

(i) Provision of a FAPE in the least restrictive environment;

(ii) State exercise of general supervision, including child find, effective monitoring, and the use of resolution meetings, mediation, and a system of transition services; and

(iii) Disproportionate representation of racial and ethnic groups in special education and related services to the extent the representation is the result of inappropriate identification.

(3) As part of the monitoring process, a notification of identified noncompliance shall be issued to the school district. This notification will initiate a process of corrections, verification, and validation to ensure that the noncompliance is corrected as soon as possible, but no later than one year from the identification of noncompliance. If noncompliance is systemic in nature, a systemic corrective action plan is required.

(4) If the school district does not timely address compliance with corrective actions, the OSPI shall institute procedures to ensure compliance with applicable state and federal

rules and priorities and targets from the state performance plan. Such procedures may include one or more of the following:

(a) Verification visits by the OSPI staff, or its designee, to:

(i) Determine whether the school district is taking the required corrective action(s); and/or

(ii) Provide any necessary technical assistance to the school district or other public agency in its efforts to comply.

(b) Withhold, in whole or part, a specified amount of state and/or federal special education funds, to address non-compliance.

(c) Request assistance from the state (~~(auditors)~~) auditor's office.

**AMENDATORY SECTION** (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-07012 Determinations.** (1) The OSPI annually reviews the data it obtains from school districts through monitoring, submission of other data required by the district, and other public information provided by the district. Based on the data and information provided, OSPI determines if the school district:

(a) Meets the requirements and purposes of Part B of the act;

(b) Needs assistance in implementing the requirements of Part B of the act;

(c) Needs intervention in implementing the requirements of Part B of the act; or

(d) Needs substantial intervention in implementing the requirements of Part B of the act.

(2) If the OSPI determines, for two consecutive years, that a district needs assistance in implementing the OSPI's annual performance requirements, OSPI will advise the district of available sources of technical assistance that may help the district address the areas in which the district needs assistance, which may include assistance from the OSPI, office of special education programs, other offices of the department of education, other federal agencies, technical assistance providers approved by the department of education, and other federally or state funded nonprofit agencies, and require the district to work with appropriate entities. Such technical assistance may include:

(a) The provision of advice by experts to address the areas in which the district needs assistance, including explicit plans for addressing the areas of concern within a specified period of time;

(b) Assistance in identifying and implementing professional development, instructional strategies, and methods of instruction that are based on scientifically based research;

(c) Designating and using distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, technical assistance, and support; and

(d) Devising additional approaches to providing technical assistance, such as collaborating with institutions of higher education, educational service districts, national centers of technical assistance, and private providers of scientifically based technical assistance.

(3) If the OSPI determines, for three or more consecutive years, that a district needs intervention in implementing the OSPI's annual performance requirements, OSPI may take actions described under subsection (2) of this section and will take one or more of the following actions:

(a) Require the district to prepare a corrective action plan or improvement plan if the OSPI determines that the district should be able to correct the problem within one year;

(b) Withhold, in whole or in part, any further payments to the district under Part B of the act;

(4) Notwithstanding subsections (2) or (3) of this section, at any time that the OSPI determines that a district needs substantial intervention in implementing the requirements of Part B of the act or that there is a substantial failure to comply with any condition of a school district's eligibility under Part B of the act, OSPI will withhold, in whole or in part, any further payments to the district under Part B of the act, in addition to any other actions taken under subsections (2) or (3) of this section.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-07015 Performance goals and indicators.** (1) The OSPI has established goals for the performance of (~~(special education)~~) students eligible for special education that promote the purposes of the (~~(Individuals with Disabilities Education)~~) act, and are consistent, to the maximum extent appropriate, with the state's (~~(four)~~) learning goals (~~(and essential academic learning requirements)~~) for all students (~~(, and are the same as the state's objectives for progress by students in its definition of adequate yearly progress, including the state's objectives for progress by students eligible for special education,)~~) under section 1111 (b)(2)(C) of the ESEA, 20 U.S.C. Sec. 6311. The performance goals are identified in the state's performance plan, which is based upon district data provided to the OSPI.

(2) In addition, the OSPI has established performance indicators that are used to assess the state's and school (~~(districts)~~) districts' progress toward achieving those goals that at a minimum address the performance of eligible students on assessments, dropout rates, transition, and graduation rates.

(3) The state reports annually to the department of education and to the public through its annual performance report on the progress of the state, and of students eligible for special education in the state, toward meeting the goals established under subsection (1) of this section.

**AMENDATORY SECTION** (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-07050 State use of funds.** The OSPI reserves funds for state-level activities, including state administration and other state-level activities, in accordance with the provisions of 34 C.F.R. Sec. 300.704. OSPI makes distributions of unreserved or unused grant funds, that it receives pursuant to section 611 of the act, to eligible school districts (~~(allocated)~~) and charter schools through subgrants in accordance with the provisions of 34 C.F.R. Sec. 300.705.

AMENDATORY SECTION (Amending WSR 09-20-053, filed 10/1/09, effective 11/1/09)

**WAC 392-172A-07055 State safety net fund for high need students.** (1) The state has established a special education safety net fund for students eligible for special education. The rules for applying for reimbursement for the fund are contained in WAC (~~(392-14-600 through 392-14-685)~~) 392-140-600 through 392-140-685 or as may be amended.

(2) Part B funding is available through the safety net fund to reimburse (~~(high need, low incidence, catastrophic, or extraordinary aid)~~) costs associated with the provision of services identified in a properly formulated IEP consistent with WAC 392-140-609 for applicants with eligible high need (~~(special education)~~) students whose cost is at least three times the average per pupil expenditure; and whose placement is consistent with least restrictive environment provisions and other applicable rules regarding placement, including placement in nonpublic agencies.

(3) Disbursements provided under subsection (2) of this section must not be used to pay costs that otherwise would be reimbursed as medical assistance for a student eligible for special education under the state medicaid program under Title XIX of the Social Security Act.

(4) The costs associated with educating a high need student eligible for special education, in subsections (2) and (3) of this section, are only those costs associated with providing direct special education and related services to the student that are identified in that student's IEP, including the cost of room and board for a residential placement determined necessary, consistent to implement a student's IEP.

(5) The disbursements to an applicant must not be used to support legal fees, court costs, or other costs associated with a cause of action brought on behalf of a student to ensure FAPE for such student.

(6) Federal funds reserved for the safety net fund from the appropriation for any fiscal year, but not expended to eligible applicants for safety net funding must be allocated to school districts in the same manner as other funds from the appropriation for that fiscal year are allocated to school districts during their final year of availability.

(7) The funds in the high cost fund remain under the control of the state until disbursed to a school district to support a specific child who qualifies under this section and the state regulations for safety net funding described in subsection (1) of this section.

(8) Nothing in this section:

(a) Limits or conditions the right of a student eligible for special education who is assisted under Part B of the act to receive a FAPE in the least restrictive environment; or

(b) Authorizes the state or a school district to establish a limit on what may be spent on the education of a student eligible for special education.

AMENDATORY SECTION (Amending WSR 07-14-078, filed 6/29/07, effective 7/30/07)

**WAC 392-172A-07060 State advisory council.** (1) The special education state advisory council is established in order to help facilitate the provision of special education and

related services to meet the unique needs of special education students.

(2) The membership of the council is appointed by the superintendent of the office of public instruction and shall include at least one representative of each of the following groups or entities:

(a) Parents of children, aged birth to twenty-six, with disabilities;

(b) Individuals with disabilities;

(c) Teachers;

(d) Institutions of higher education that prepare special education and related services personnel;

(e) (~~(Superintendents and principals, including)~~) State and local district officials who carry out activities under subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act;

(f) Local administrators of special education programs;

(g) State agencies involved in the financing or delivery of related services to special education students;

(h) Representatives of private schools and public charter schools;

(i) Not less than one vocational, community, or business organization concerned with the provision of transition services to students eligible for special education;

(j) A state child welfare agency employee responsible for services to children in foster care;

(k) State juvenile and adult corrections agencies;

(l) Other individuals or groups as may hereafter be designated and approved by the superintendent of public instruction.

A majority of the members of the advisory council shall be individuals with disabilities or parents of special education students.

(3) The council's purposes are to:

(a) Advise the superintendent of public instruction and make recommendations on all matters related to special education and specifically advise the superintendent of unmet needs within the state in the education of special education students;

(b) Comment publicly on any rules or regulations proposed by the state regarding the education of special education students;

(c) Advise the state in developing evaluations and reporting such information as may assist the state in its data requirements under section 618 of the act;

(d) Advise the state in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Individuals with Disabilities Education Act; and

(e) Advise the state in developing and implementing policies relating to the coordination of services for special education students.

(4) The council shall follow the procedures in this subsection.

(a) The advisory council shall meet as often as necessary to conduct its business.

(b) By July 1<sup>st</sup> of each year, the advisory council shall submit an annual report of council activities and suggestions to the superintendent of public instruction. This report must

be made available to the public in a manner consistent with other public reporting requirements of this chapter.

(c) Official minutes will be kept on all council meetings and shall be made available to the public on request to the OSPI.

### WSR 13-20-064

#### PERMANENT RULES

#### DEPARTMENT OF COMMERCE

[Filed September 26, 2013, 4:42 p.m., effective October 27, 2013]

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

Purpose: Commerce is required to adopt rules regarding the designation of projects of statewide significance in RCW 43.157.030. These rules will outline the application process and define the information required to be included by applicants. The rules will also define a decision timeline for the department.

Statutory Authority for Adoption: RCW 43.157.030.

Adopted under notice filed as WSR 13-15-178 on July 24, 2013.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 4, Amended 0, Repealed 0.

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

Number of Sections Adopted on the Agency's Own Initiative: New 4, Amended 0, Repealed 0.

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

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

Date Adopted: September 26, 2013.

Nick Demerice  
Director of  
External Relations

### Chapter 130-30 WAC

#### Projects of Statewide Significance

#### NEW SECTION

**WAC 130-30-010 Purpose.** (1) The department of commerce may designate certain private sector investments as projects of statewide significance to expedite the permitting and environmental review process. These projects will bolster the economy at both the local and state levels.

(2) The purpose of this chapter is to prescribe the form and manner of the application to be used in requesting designation as a project of statewide significance.

#### NEW SECTION

**WAC 130-30-020 Definitions.** Unless the context clearly requires otherwise, the definitions found in RCW 43.157.010.

(1) "Standard contact information" shall mean a mailing address, telephone number, and e-mail address.

(2) "Jurisdiction" shall mean any local government with the authority to issue permits related to the construction of a project seeking designation as a project of statewide significance.

#### NEW SECTION

**WAC 130-30-030 Application.** (1) Applications shall be submitted to the department.

(2) Applications shall be completed on forms prescribed by and obtained from the department.

(3) The application will contain the following information:

(a) Standard contact information of the applicant requesting the designation;

(b) Standard contact information of all jurisdictions that will have the project of statewide significance within its boundaries;

(c) Selection of the category of project of statewide significance;

(d) A detailed description of the project that details, at least:

(i) The location of the project,

(ii) The applicant's average employment in the state for the prior year,

(iii) The estimated new employment related to the project,

(iv) The estimated wages of employees related to the project,

(v) The estimated level of private investment in the project,

(vi) The estimated time schedules for completion and operation,

(vii) A justification why the director of the department should qualify the project based on the criteria found in RCW 43.157.010 (5)(b)(iii)(J); and

(e) Explanation of the need to expedite the permitting and environmental review process.

(4) The application shall be accompanied by letters of approval from the legislative of any jurisdiction that will have the proposed project of statewide significance within its boundaries as defined by RCW 43.157.030.

**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 130-30-040 Department deliberations.** (1) The department will consider the application and make a determination whether the project is one of statewide significance within sixty days of the receipt of application.

(2) The applicants will be notified in writing of the department's decision.



**WSR 13-20-069**  
**PERMANENT RULES**  
**PUGET SOUND**  
**CLEAN AIR AGENCY**

[Filed September 27, 2013, 2:19 p.m., effective November 1, 2013]

Effective Date of Rule: November 1, 2013.

Purpose: To provide a specific reference to the current effective date of the agency's incorporation by reference of the state department of ecology's State Environmental Policy Act (SEPA) regulations.

Citation of Existing Rules Affected by this Order: Amending Regulation I, Section 2.02.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Adopted under notice filed as WSR 13-17-118 on August 21, 2013.

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

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

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

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

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

Date Adopted: September 26, 2013.

Craig Kenworthy  
Executive Director

**AMENDATORY SECTION**

**REGULATION I, SECTION 2.02 ADOPTION BY REFERENCE**

For purposes of this regulation, ((F)) the Agency adopts by reference the following sections of chapter 197-11 WAC, in effect as of January 28, 2013 ((by reference)):

197-11-040 Definitions.  
 197-11-050 Lead agency.  
 197-11-055 Timing of the SEPA process.  
 197-11-060 Content of environmental review.  
 197-11-070 Limitations on actions during SEPA process.  
 197-11-080 Incomplete or unavailable information.  
 197-11-090 Supporting documents.  
 197-11-100 Information required of applicants.  
 197-11-250 SEPA/Model Toxics Control Act integration.  
 197-11-253 SEPA lead agency for MTCA actions.  
 197-11-256 Preliminary evaluation.  
 197-11-259 Determination of nonsignificance for MTCA remedial actions.  
 197-11-262 Determination of significance and EIS for MTCA remedial actions.

197-11-265 Early scoping for MTCA remedial actions.  
 197-11-268 MTCA interim actions.  
 197-11-300 Purpose of this part.  
 197-11-305 Categorical exemptions.  
 197-11-310 Threshold determination required.  
 197-11-315 Environmental checklist.  
 197-11-330 Threshold determination process.  
 197-11-335 Additional information.  
 197-11-340 Determination of nonsignificance (DNS).  
 197-11-350 Mitigated DNS.  
 197-11-360 Determination of significance (DS)/initiation of scoping.  
 197-11-390 Effect of threshold determination.  
 197-11-400 Purpose of EIS.  
 197-11-402 General requirements.  
 197-11-405 EIS types.  
 197-11-406 EIS timing.  
 197-11-408 Scoping.  
 197-11-410 Expanded scoping.  
 197-11-420 EIS preparation.  
 197-11-425 Style and size.  
 197-11-430 Format.  
 197-11-435 Cover letter or memo.  
 197-11-440 EIS contents.  
 197-11-442 Contents of EIS on nonproject proposals.  
 197-11-443 EIS contents when prior nonproject EIS.  
 197-11-444 Elements of the environment.  
 197-11-448 Relationship of EIS to other considerations.  
 197-11-450 Cost-benefit analysis.  
 197-11-455 Issuance of DEIS.  
 197-11-460 Issuance of FEIS.  
 197-11-500 Purpose of this part.  
 197-11-502 Inviting comment.  
 197-11-504 Availability and cost of environmental documents.  
 197-11-508 SEPA register.  
 197-11-510 Public notice.  
 197-11-535 Public hearings and meetings.  
 197-11-545 Effect of no comment.  
 197-11-550 Specificity of comments.  
 197-11-560 FEIS response to comments.  
 197-11-570 Consulted agency costs to assist lead agency.  
 197-11-600 When to use existing environmental documents.  
 197-11-610 Use of NEPA documents.  
 197-11-620 Supplemental environmental impact statement—Procedures.  
 197-11-625 Addenda—Procedures.  
 197-11-630 Adoption—Procedures.  
 197-11-635 Incorporation by reference—Procedures.  
 197-11-640 Combining documents.  
 197-11-650 Purpose of this part.  
 197-11-655 Implementation.  
 197-11-660 Substantive authority and mitigation.  
 197-11-680 Appeals.  
 197-11-700 Definitions.  
 197-11-702 Act.  
 197-11-704 Action.  
 197-11-706 Addendum.

197-11-708 Adoption.  
 197-11-710 Affected tribe.  
 197-11-712 Affecting.  
 197-11-714 Agency.  
 197-11-716 Applicant.  
 197-11-718 Built environment.  
 197-11-720 Categorical exemption.  
 197-11-722 Consolidated appeal.  
 197-11-724 Consulted agency.  
 197-11-726 Cost-benefit analysis.  
 197-11-728 County/city.  
 197-11-730 Decision maker.  
 197-11-732 Department.  
 197-11-734 Determination of nonsignificance (DNS).  
 197-11-736 Determination of significance (DS).  
 197-11-738 EIS.  
 197-11-740 Environment.  
 197-11-744 Environmental document.  
 197-11-746 Environmental review.  
 197-11-750 Expanded scoping.  
 197-11-752 Impacts.  
 197-11-754 Incorporation by reference.  
 197-11-756 Lands covered by water.  
 197-11-758 Lead agency.  
 197-11-760 License.  
 197-11-762 Local agency.  
 197-11-764 Major action.  
 197-11-766 Mitigated DNS.  
 197-11-768 Mitigation.  
 197-11-770 Natural environment.  
 197-11-772 NEPA.  
 197-11-774 Nonproject.  
 197-11-776 Phased review.  
 197-11-778 Preparation.  
 197-11-780 Private project.  
 197-11-782 Probable.  
 197-11-784 Proposal.  
 197-11-786 Reasonable alternative.  
 197-11-788 Responsible official.  
 197-11-790 SEPA.  
 197-11-792 Scope.  
 197-11-793 Scoping.  
 197-11-794 Significant.  
 197-11-796 State agency.  
 197-11-797 Threshold determination.  
 197-11-799 Underlying governmental action.  
 197-11-800 Categorical exemptions.  
 197-11-880 Emergencies.  
 197-11-890 Petitioning DOE to change exemptions.  
 197-11-900 Purpose of this part.  
 197-11-902 Agency SEPA policies.  
 197-11-916 Application to ongoing actions.  
 197-11-920 Agencies with environmental expertise.  
 197-11-922 Lead agency rules.  
 197-11-924 Determining the lead agency.  
 197-11-926 Lead agency for governmental proposals.  
 197-11-928 Lead agency for public and private proposals.  
 197-11-930 Lead agency for private projects with one agency with jurisdiction.

197-11-932 Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.

197-11-934 Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.

197-11-936 Lead agency for private projects requiring licenses from more than one state agency.

197-11-938 Lead agencies for specific proposals.

197-11-940 Transfer of lead agency status to a state agency.

197-11-942 Agreements on lead agency status.

197-11-944 Agreements on division of lead agency duties.

197-11-946 DOE resolution of lead agency disputes.

197-11-948 Assumption of lead agency status.

197-11-960 Environmental checklist.

197-11-965 Adoption notice.

197-11-970 Determination of nonsignificance (DNS).

197-11-980 Determination of significance and scoping notice (DS).

197-11-985 Notice of assumption of lead agency status.

197-11-990 Notice of action.

**WSR 13-20-070**  
**PERMANENT RULES**  
**PUGET SOUND**  
**CLEAN AIR AGENCY**

[Filed September 27, 2013, 2:19 p.m., effective November 1, 2013]

Effective Date of Rule: November 1, 2013.

Purpose: To adjust the maximum civil penalty amount for inflation and update the federal regulation reference date.

Citation of Existing Rules Affected by this Order:  
 Amending Regulation I, Sections 3.11 and 3.25.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Adopted under notice filed as WSR 13-17-119 on August 21, 2013.

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

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

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

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

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

Date Adopted: September 26, 2013.

Craig Kenworthy  
 Executive Director

**AMENDATORY SECTION****REGULATION I, SECTION 3.11 CIVIL PENALTIES**

(a) Any person who violates any of the provisions of chapter 70.94 RCW or any of the rules or regulations in force pursuant thereto, may incur a civil penalty in an amount not to exceed \$((~~17,279.00~~)) 17,525.00, per day for each violation.

(b) Any person who fails to take action as specified by an order issued pursuant to chapter 70.94 RCW or Regulations I, II, and III of the Puget Sound Clean Air Agency shall be liable for a civil penalty of not more than \$((~~17,279.00~~)) 17,525.00, for each day of continued noncompliance.

(c) Within 30 days of the date of receipt of a Notice and Order of Civil Penalty, the person incurring the penalty may apply in writing to the Control Officer for the remission or mitigation of the penalty. To be considered timely, a mitigation request must be actually received by the Agency, during regular office hours, within 30 days of the date of receipt of a Notice and Order of Civil Penalty. This time period shall be calculated by excluding the first day and including the last, unless the last day is a Saturday, Sunday, or legal holiday, and then it is excluded and the next succeeding day that is not a Saturday, Sunday, or legal holiday is included. The date stamped by the Agency on the mitigation request is prima facie evidence of the date the Agency received the request.

(d) A mitigation request must contain the following:

(1) The name, mailing address, telephone number, and telefacsimile number (if available) of the party requesting mitigation;

(2) A copy of the Notice and Order of Civil Penalty involved;

(3) A short and plain statement showing the grounds upon which the party requesting mitigation considers such order to be unjust or unlawful;

(4) A clear and concise statement of facts upon which the party requesting mitigation relies to sustain his or her grounds for mitigation;

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

(6) A statement that the party requesting mitigation has read the mitigation request and believes the contents to be true, followed by the party's signature.

The Control Officer shall remit or mitigate the penalty only upon a demonstration by the requestor of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty.

(e) Any civil penalty may also be appealed to the Pollution Control Hearings Board pursuant to chapter 43.21B RCW and chapter 371-08 WAC. An appeal must be filed with the Hearings Board and served on the Agency within 30 days of the date of receipt of the Notice and Order of Civil Penalty or the notice of disposition on the application for relief from penalty.

(f) A civil penalty shall become due and payable on the later of:

(1) 30 days after receipt of the notice imposing the penalty;

(2) 30 days after receipt of the notice of disposition on application for relief from penalty, if such application is made; or

(3) 30 days after receipt of the notice of decision of the Hearings Board if the penalty is appealed.

(g) If the amount of the civil penalty is not paid to the Agency within 30 days after it becomes due and payable, the Agency may bring action to recover the penalty in King County Superior Court or in the superior court of any county in which the violator does business. In these actions, the procedures and rules of evidence shall be the same as in an ordinary civil action.

(h) Civil penalties incurred but not paid shall accrue interest beginning on the 91st day following the date that the penalty becomes due and payable, at the highest rate allowed by RCW 19.52.020 on the date that the penalty becomes due and payable. If violations or penalties are appealed, interest shall not begin to accrue until the 31st day following final resolution of the appeal.

(i) To secure the penalty incurred under this section, the Agency shall have a lien on any vessel used or operated in violation of Regulations I, II, and III which shall be enforced as provided in RCW 60.36.050.

**AMENDATORY SECTION****REGULATION I, SECTION 3.25 FEDERAL REGULATION REFERENCE DATE**

Whenever federal regulations are referenced in Regulation I, II, or III, the effective date shall be July 1, ((2012)) 2013.

**WSR 13-20-071****PERMANENT RULES****PUGET SOUND****CLEAN AIR AGENCY**

[Filed September 27, 2013, 2:19 p.m., effective November 1, 2013]

Effective Date of Rule: November 1, 2013.

Purpose: To provide a technical clarification in the notice of construction (NOC) exemption list found in Section 6.03(c) regarding metal cutting. The amendments move the exemption criteria that relate to thermal cutting to the metal-lurgy section of the exemptions and amend the material handling section for mechanical processes (e.g., cutting, sanding, etc.). The proposal requires thermal cutting of stainless steel installed after November 1, 2013, to be subject to NOC review. The proposal exempts thermal cutting of metal alloys that are not classified as stainless steel. It also exempts thermal cutting of any metal (including stainless) if it is incidental to plant maintenance activities.

Citation of Existing Rules Affected by this Order: Amending Regulation I, Section 6.03.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Adopted under notice filed as WSR 13-17-120 on August 21, 2013.

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

Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

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

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

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

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

Date Adopted: September 26, 2013.

Craig Kenworthy  
Executive Director

## **AMENDATORY SECTION**

### **REGULATION I, SECTION 6.03 NOTICE OF CONSTRUCTION**

(a) It shall be unlawful for any person to cause or allow the establishment of a new source, or the replacement or substantial alteration of control equipment installed on an existing source, unless a "Notice of Construction application" has been filed and an "Order of Approval" has been issued by the Agency. The exemptions in Sections 6.03 (b) and (c) of this regulation shall not apply to:

(1) Any project that qualifies as construction, reconstruction, or modification of an affected facility within the meaning of 40 CFR Part 60 (New Source Performance Standards), except for Subpart AAA (New Residential Wood Heaters), Subpart BB (Kraft Pulp Mills), Subpart S (Primary Aluminum Reduction Plants), Subpart OOO (Nonmetallic Mineral Processing Plants), and Subpart IIII pertaining to owners and operators of emergency stationary compression ignition internal combustion engines; and for relocation of affected facilities under Subpart I (Hot Mix Asphalt Facilities) for which an Order of Approval has been previously issued by the Agency;

(2) Any project that qualifies as a new or modified source within the meaning of 40 CFR 61.02 (National Emission Standards for Hazardous Air Pollutants), except for Subpart B (Radon from Underground Uranium Mines), Subpart H (Emissions of Radionuclides other than Radon from Department of Energy Facilities), Subpart I (Radionuclides from Federal Facilities other than Nuclear Regulatory Commission Licensees and not covered by Subpart H), Subpart K (Radionuclides from Elemental Phosphorus Plants), Subpart Q (Radon from Department of Energy Facilities), Subpart R (Radon from Phosphogypsum Stacks), Subpart T (Radon from Disposal of Uranium Mill Tailings), Subpart W (Radon from Operating Mill Tailings), and for demolition and renovation projects subject to Subpart M (Asbestos);

(3) Any project that qualifies as a new source as defined under 40 CFR 63.2 (National Emission Standards for Hazardous Air Pollutants for Source Categories), except for the provisions of Subpart M (Dry Cleaning Facilities) pertaining to

area source perchloroethylene dry cleaners, Subpart LL (Primary Aluminum Reduction Plants), the provisions of Subpart S (Pulp and Paper Industry) and Subpart MM (Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicheical Pulp Mills) pertaining to kraft and sulfite pulp mills, the provisions of Subpart ZZZZ (Reciprocating Internal Combustion Engines) pertaining to emergency and limited-use stationary reciprocating internal combustion engines, Subpart DDDDD (Industrial, Commercial, and Institutional Boilers and Process Heaters), Subpart WWWW (Hospitals: Ethylene Oxide Sterilizers), Subpart CCCCC (Gasoline Dispensing Facilities), Subpart HHH-HHH (Paint Stripping and Miscellaneous Surface Coating Operations), Subpart WWWW (Plating and Polishing Operations), Subpart XXXXXX (Nine Metal Fabrication and Finishing Source Categories), Subpart YYYYYY (Ferroalloys Production Facilities), and Subpart ZZZZZZ (Aluminum, Copper, and Other Nonferrous Foundries);

(4) Any new major stationary source or major modification as defined under WAC 173-400-030; and

(5) Any stationary source previously exempted from review that is cited by the Agency for causing air pollution under Section 9.11 of this regulation.

(b) **Notifications.** A Notice of Construction application and Order of Approval are not required for the new sources identified in this section, provided that a complete notification is filed with the Agency. It shall be unlawful for any person to cause or allow establishment of a new source identified in this section unless a complete notification has been filed with the Agency:

#### **Liquid Storage and Transfer**

(1) Storage tanks used exclusively for:

(A) Gasoline dispensing and having a rated capacity of  $\geq 1,001$  gallons, PROVIDED THAT they are installed in accordance with the current California Air Resources Board Executive Orders;

(B) Organic liquids with a true vapor pressure of 2.2-4.0 psia and having a rated capacity of 20,000-39,999 gallons; or

(C) Organic liquids with a true vapor pressure of 0.5-0.75 psia and having a rated capacity  $\geq 40,000$  gallons.

(2) Loading and unloading equipment used exclusively for the storage tanks exempted above, including gasoline dispensers at gasoline stations.

#### **Relocation of Portable Batch Plants**

(3) Relocation of the following portable facilities: asphalt batch plants, nonmetallic mineral processing plants, and concrete batch plants for which an Order of Approval has been previously issued by the Agency. *All the conditions in the previously issued Order of Approval remain in effect.*

#### **Dry Cleaning**

(4) Unvented, dry-to-dry, dry-cleaning equipment that is equipped with refrigerated condensers to recover the cleaning solvent.

#### **Printing**

(5) Non-heatset, web offset presses and wholesale, sheet-fed offset presses (lithographic or letterpress) using exclusively soy-based or kerosene-like oil-based inks, fountain solutions with  $\leq 6\%$  VOC by volume or  $\leq 8.5\%$  if refrig-

erated to <60°F, and cleaning solvents with a vapor pressure ≤25mm Hg or a VOC content ≤30% by volume.

#### Water Treatment

(6) Industrial and commercial wastewater evaporators (except flame impingement) used exclusively for wastewater generated on-site that meets all discharge limits for disposal into the local municipal sewer system (including metals, cyanide, fats/oils/grease, pH, flammable or explosive materials, organic compounds, hydrogen sulfide, solids, and food waste). *A letter from the local sewer district documenting compliance is required in order to use this exemption.*

#### Sanding Equipment

(7) Sanding equipment controlled by a fabric filter with an airflow of 2,000-5,000 cfm and an air-to-cloth ratio of <3.5:1 (for reverse-air or manual cleaning) or <12:1 (for pulse-jet cleaning).

#### Ventilation and Control Equipment

(8) Vacuum-cleaning systems used exclusively for industrial, commercial, or residential housekeeping purposes controlled by a fabric filter with an airflow of 2,000-5,000 cfm and an air-to-cloth ratio of <3.5:1 (for mechanical or manual cleaning) or <12:1 (for pulse-jet cleaning).

(9) Replacement of an existing paint spray booth that has previously received an Order of Approval, with like kind equipment and for spray coating operations that continue to operate consistent with the previously issued Order of Approval. *All the conditions in the previously issued Order of Approval remain in effect.*

#### Miscellaneous

(10) Any source not otherwise exempt under Section 6.03(c) of this regulation that has been determined through review of a Notice of Construction application by the Control Officer not to warrant an Order of Approval because it has a de minimis impact on air quality and does not pose a threat to human health or the environment.

#### Coffee Roasters

(11) Batch coffee roasters with a maximum rated capacity of 10 lbs per batch or less.

(c) **Exemptions.** A Notice of Construction application and Order of Approval are not required for the following new sources, provided that sufficient records are kept to document the exemption:

#### Combustion

(1) Fuel-burning equipment (except when combusting pollutants generated by a non-exempt source) having a rated capacity:

(A) <10 million Btu per hour heat input burning exclusively distillate fuel oil, natural gas, propane, butane, bio-diesel that meets ASTM D 6751 specifications (or any combination thereof);

(B) <0.5 million Btu per hour heat output burning waste-derived fuel (including fuel oil not meeting the specifications in Section 9.08 of this regulation); or

(C) <1 million Btu per hour heat input burning any other fuel.

(2) All stationary gas turbines with a rated heat input <10 million Btu per hour.

(3) Stationary internal combustion engines having a rated capacity:

(A) <50 horsepower output;

(B) Used solely for instructional purposes at research, teaching, or educational facilities; or

(C) Portable or standby units operated <500 hours per year, PROVIDED THAT they are not operated at a facility with a power supply contract that offers a lower rate in exchange for the power supplier's ability to curtail energy consumption with prior notice.

(4) Relocation of portable, stationary internal combustion engines or gas turbines for which an Order of Approval has been previously issued by the Agency.

(5) All nonroad compression ignition engines subject to 40 CFR Part 89 and land-based nonroad compression engines subject to 40 CFR Part 1039.

#### Metallurgy

(6) Crucible furnaces, pot furnaces, or induction furnaces with a capacity ≤1,000 pounds, PROVIDED THAT no sweating or distilling is conducted, and PROVIDED THAT only precious metals, or an alloy containing >50% aluminum, magnesium, tin, zinc, or copper is melted.

(7) Crucible furnaces or pot furnaces with a capacity ≤450 cubic inches of any molten metal.

(8) Ladles used in pouring molten metals.

(9) Foundry sand-mold forming equipment.

(10) Shell core and shell-mold manufacturing machines.

(11) Molds used for the casting of metals.

(12) Die casting machines with a rated capacity ≤1,000 pounds that are not used for copper alloys.

(13) Equipment used for heating metals immediately prior to forging, pressing, rolling, or drawing, if any combustion equipment is also exempt.

(14) Forming equipment used exclusively for forging, rolling, or drawing of metals, if any combustion equipment is also exempt.

(15) Heat treatment equipment used exclusively for metals, if any combustion equipment is also exempt.

(16) Equipment used exclusively for case hardening, carburizing, cyaniding, nitriding, carbonitriding, silicizing, or diffusion treating of metals, if any combustion equipment is also exempt.

(17) Atmosphere generators used in connection with metal heat-treating processes.

(18) Sintering equipment used exclusively for metals other than lead, PROVIDED THAT no coke or limestone is used, if any combustion equipment is also exempt.

(19) Welding equipment, and (~~oxygen/gaseous fuel cutting equipment~~) thermal cutting of metals other than stainless steel. Exceptions or specific conditions that apply to these exemptions are identified as follows:

(A) Thermal cutting of stainless steel (defined as an alloy with a minimum chromium content of 10.5% by weight) installed after November 1, 2013 shall not be exempt;

(B) Thermal cutting of stainless steel performed solely for plant maintenance activities shall be exempt;

(C) Thermal cutting of stainless steel refers to all thermal cutting technologies, including but not limited to, plasma arc, air carbon arc, laser, powder torch, and oxy-fuel technologies.

(20) Soldering or brazing, or equipment, including brazing ovens.

(21) Equipment used exclusively for surface preparation, passivation, deoxidation, and/or stripping that meets all of the following tank content criteria:

(A)  $\leq 50$  grams of VOC per liter;

(B) No acids other than boric, formic, acetic, phosphoric, sulfuric, or  $\leq 12\%$  hydrochloric; and

(C) May contain alkaline oxidizing agents, hydrogen peroxide, salt solutions, sodium hydroxide, and water in any concentration.

Associated rinse tanks and waste storage tanks used exclusively to store the solutions drained from this equipment are also exempt. (This exemption does not include anodizing, hard anodizing, chemical milling, circuit board etching using ammonia-based etchant, electrocleaning, or the stripping of chromium, except sulfuric acid and/or boric acid anodizing with a total bath concentration of  $\leq 20\%$  by weight and using  $\leq 10,000$  amp-hours per day, or phosphoric acid anodizing with a bath concentration of  $\leq 15\%$  by weight of phosphoric acid and using  $\leq 20,000$  amp-hours per day.)

(22) Equipment used exclusively for electrolytic plating (except the use of chromic and/or hydrochloric acid) or electrolytic stripping (except the use of chromic, hydrochloric, nitric, or sulfuric acid) of brass, bronze, copper, iron, tin, zinc, precious metals, and associated rinse tanks and waste storage tanks used exclusively to store the solutions drained from this equipment. Also, equipment used to electrolytically recover metals from spent or pretreated plating solutions that qualify for this exemption.

#### **Ceramics and Glass**

(23) Kilns used for firing ceramic-ware or artwork, if any combustion equipment is also exempt.

(24) Porcelain enameling furnaces, porcelain enameling drying ovens, vitreous enameling furnaces, or vitreous enameling drying ovens, if any combustion equipment is also exempt.

(25) Hand glass melting furnaces, electric furnaces, and pot furnaces with a capacity  $\leq 1,000$  pounds of glass.

(26) Heat-treatment equipment used exclusively for glass, if any combustion equipment is also exempt.

(27) Sintering equipment used exclusively for glass PROVIDED THAT no coke or limestone is used, if any combustion equipment is also exempt.

#### **Plastics and Rubber and Composites**

(28) Equipment used exclusively for conveying and storing plastic pellets.

(29) Extrusion equipment used exclusively for extruding rubber or plastics where no organic plasticizer is present, or for pelletizing polystyrene foam scrap.

(30) Equipment used for extrusion, compression molding, and injection molding of plastics, PROVIDED THAT the VOC content of all mold release products or lubricants is  $\leq 1\%$  by weight.

(31) Injection or blow-molding equipment for rubber or plastics, PROVIDED THAT no blowing agent other than compressed air, water, or carbon dioxide is used.

(32) Presses or molds used for curing, post-curing, or forming composite products and plastic products, PROVIDED

THAT the blowing agent contains no VOC or chlorinated compounds.

(33) Presses or molds used for curing or forming rubber products and composite rubber products with a ram diameter  $\leq 26$  inches, PROVIDED THAT it is operated at  $\leq 400^\circ\text{F}$ .

(34) Ovens used exclusively for the curing or forming of plastics or composite products, where no foam-forming or expanding process is involved, if any combustion equipment is also exempt.

(35) Ovens used exclusively for the curing of vinyl plastisols by the closed-mold curing process, if any combustion equipment is also exempt.

(36) Equipment used exclusively for softening or annealing plastics, if any combustion equipment is also exempt.

(37) Hot wire cutting of expanded polystyrene foam and woven polyester film.

(38) Mixers, roll mills, and calenders for rubber or plastics where no material in powder form is added and no organic solvents, diluents, or thinners are used.

#### **Material Working and Handling**

(39) Equipment used for mechanical buffing (except tire buffers), polishing, carving, cutting, drilling, grinding, machining, planing, pressing, routing, sawing, stamping, or turning of wood, ceramic artwork, ceramic precision parts, leather, metals, plastics, rubber, fiberboard, masonry, glass, silicon, semiconductor wafers, carbon, graphite, or composites. (~~This exemption also applies to laser cutting, drilling, and machining of metals.~~)

(40) Hand-held sanding equipment.

(41) Sanding equipment controlled by a fabric filter with an airflow of  $< 2,000$  cfm.

(42) Equipment used exclusively for shredding of wood (e.g., tub grinders, hammermills, hoppers), or for extruding, pressing, handling, or storage of wood chips, sawdust, or wood shavings.

(43) Paper shredding and associated conveying systems and baling equipment.

(44) Hammermills used exclusively to process aluminum and/or tin cans.

(45) Tumblers used for the cleaning or deburring of metal products without abrasive blasting.

#### **Abrasive Blasting**

(46) Portable abrasive blasting equipment used at a temporary location to clean bridges, water towers, buildings, or similar structures, PROVIDED THAT any blasting with sand (or silica) is performed with  $\geq 66\%$  by volume water.

(47) Portable vacuum blasting equipment using steel shot and vented to a fabric filter.

(48) Hydroblasting equipment using exclusively water as the abrasive.

(49) Abrasive blasting cabinets vented to a fabric filter, PROVIDED THAT the total internal volume of the cabinet is  $\leq 100$  cubic feet.

(50) Shot peening operations, PROVIDED THAT no surface material is removed.

#### **Cleaning**

(51) Solvent cleaning:

(A) Non-refillable, hand-held aerosol spray cans of solvent; or

(B) Closed-loop solvent recovery systems with refrigerated or water-cooled condensers used for recovery of waste solvent generated on-site.

(52) Steam-cleaning equipment.

(53) Unheated liquid solvent tanks used for cleaning or drying parts:

(A) With a solvent capacity  $\leq 10$  gallons and containing  $\leq 5\%$  by weight perchloroethylene, methylene chloride, carbon tetra-chloride, chloroform, 1,1,1-trichloroethane, trichloroethylene, or any combination thereof;

(B) Using a solvent with a true vapor pressure  $\leq 0.6$  psi containing  $\leq 5\%$  by weight perchloroethylene, methylene chloride, carbon tetrachloride, chloroform, 1,1,1-trichloroethane, trichloro-ethylene, or any combination thereof;

(C) With a remote reservoir and using a solvent containing  $\leq 5\%$  by weight perchloroethylene, methylene chloride, carbon tetra-chloride, chloroform, 1,1,1-trichloroethane, trichloroethylene, or any combination thereof; or

(D) With a solvent capacity  $\leq 2$  gallons; or

(E) Using solutions with a Volatile Organic Compound (VOC) content of  $\leq 1\%$  by weight and no identified Hazardous Air Pollutant (HAP), and are heated below the boiling point of the solution.

(54) Hand-wipe cleaning.

#### **Coating, Resin, and Adhesive Application**

(55) Powder-coating equipment.

(56) Portable coating equipment and pavement strippers used exclusively for the field application of architectural coatings and industrial maintenance coatings to stationary structures and their appurtenances or to pavements and curbs.

(57) High-volume low-pressure (HVLP) spray-coating equipment having a cup capacity  $\leq 8$  fluid ounces, PROVIDED THAT it is not used to coat  $> 9$  square feet per day and is not used to coat motor vehicles or aerospace components.

(58) Airbrushes having a cup capacity  $\leq 2$  fluid ounces and an airflow of 0.5-2.0 cfm.

(59) Hand-held aerosol spray cans having a capacity of  $\leq 1$  quart of coating and hand-held brush and rollers for coating application.

(60) Spray-coating equipment used exclusively for application of automotive undercoating or bed liner materials with a flash point  $> 100^\circ\text{F}$ .

(61) Ovens associated with an exempt coating operation, if any combustion equipment is also exempt.

(62) Ovens associated with a coating operation that are used exclusively to accelerate evaporation, if any combustion equipment is also exempt. (Note: The coating operation is not necessarily exempt.)

(63) Radiation-curing equipment using ultraviolet or electron beam energy to initiate a chemical reaction forming a polymer network in a coating.

(64) Hand lay, brush, and roll-up resins equipment and operations.

(65) Equipment used exclusively for melting or applying of waxes or natural and synthetic resins.

(66) Hot-melt adhesive equipment.

(67) Any adhesive application equipment that exclusively uses materials containing  $< 1\%$  VOC by weight and  $< 0.1\%$  HAP.

(68) Equipment used exclusively for bonding of linings to brake shoes, where no organic solvents are used.

#### **Printing**

(69) Retail, sheet-fed, non-heatset offset presses (lithographic or letter-press).

(70) Presses using exclusively UV-curable inks.

(71) Presses using exclusively plastisols.

(72) Presses using exclusively water-based inks ( $< 1.5$  lbs VOC per gallon, excluding water, or  $< 10\%$  VOC by volume) and cleaning solvents without VOC.

(73) Presses used exclusively for making proofs.

(74) Electrostatic, ink jet, laser jet, and thermal printing equipment.

(75) Ovens used exclusively for exempt printing presses, if any combustion equipment is also exempt.

#### **Photography**

(76) Photographic process equipment by which an image is reproduced upon material sensitized by radiant energy, excluding equipment using perchloroethylene.

#### **Liquid Storage and Transfer**

(77) Storage tanks permanently attached to a motor vehicle.

(78) Storage tanks used exclusively for:

(A) Liquefied gases, including any tanks designed to operate in excess of 29.7 psia without emissions;

(B) Asphalt at a facility other than an asphalt roofing plant, asphalt processing plant, hot mix asphalt plants, or petroleum refinery;

(C) Any liquids (other than asphalt) that also have a rated capacity  $\leq 1,000$  gallons;

(D) Organic liquids (other than gasoline or asphalt) that also have a rated capacity  $< 20,000$  gallons;

(E) Organic liquids (other than asphalt) with a true vapor pressure  $< 2.2$  psia (e.g., ASTM spec. fuel oils and lubricating oils) that also have a rated capacity  $< 40,000$  gallons;

(F) Organic liquids (other than asphalt) with a true vapor pressure  $< 0.5$  psia that also have a rated capacity  $\geq 40,000$  gallons;

(G) Sulfuric acid or phosphoric acid with an acid strength  $\leq 99\%$  by weight;

(H) Nitric acid with an acid strength  $\leq 70\%$  by weight;

(I) Hydrochloric acid or hydrofluoric acid tanks with an acid strength  $\leq 30\%$  by weight;

(J) Aqueous solutions of sodium hydroxide, sodium hypochlorite, or salts, PROVIDED THAT the surface of the solution contains  $\leq 1\%$  VOC by weight;

(K) Liquid soaps, liquid detergents, vegetable oils, fatty acids, fatty esters, fatty alcohols, waxes, and wax emulsions;

(L) Tallow or edible animal fats intended for human consumption and of sufficient quality to be certifiable for United States markets;

(M) Water emulsion intermediates and products, including latex, with a VOC content  $\leq 5\%$  by volume or a VOC composite partial pressure of  $\leq 0.1$  psi at  $68^\circ\text{F}$ ; or

(N) Wine, beer, or other alcoholic beverages.

(79) Loading and unloading equipment used exclusively for the storage tanks exempted above.

(80) Loading and unloading equipment used exclusively for transferring liquids or compressed gases into containers

having a rated capacity <60 gallons, except equipment transferring >1,000 gallons per day of liquid with a true vapor pressure >0.5 psia.

(81) Equipment used exclusively for the packaging of sodium hypochlorite-based household cleaning or pool products.

### Mixing

(82) Mixing equipment, PROVIDED THAT no material in powder form is added and the mixture contains <1% VOC by weight.

(83) Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water-based adhesives.

(84) Equipment used exclusively for the manufacture of water emulsions of waxes, greases, or oils.

(85) Equipment used exclusively for the mixing and packaging of lubricants or greases.

(86) Equipment used exclusively for manufacturing soap or detergent bars, including mixing tanks, roll mills, plodders, cutters, wrappers, where no heating, drying, or chemical reactions occur.

(87) Equipment used exclusively to mill or grind coatings and molding compounds in a paste form, PROVIDED THAT the solution contains <1% VOC by weight.

(88) Batch mixers with a rated working capacity  $\leq 55$  gallons.

(89) Batch mixers used exclusively for paints, varnishes, lacquers, enamels, shellacs, printing inks, or sealers, PROVIDED THAT the mixer is equipped with a lid that contacts  $\geq 90\%$  of the rim.

### Water Treatment

(90) Oil/water separators, except those at petroleum refineries.

(91) Water cooling towers and water cooling ponds not used for evaporative cooling of process water, or not used for evaporative cooling of water from barometric jets or from barometric condensers, and in which no chromium compounds are contained.

(92) Equipment used exclusively to generate ozone and associated ozone destruction equipment for the treatment of cooling tower water or for water treatment processes.

(93) Municipal sewer systems, including wastewater treatment plants and lagoons, PROVIDED THAT they do not use anaerobic digesters or chlorine sterilization. This exemption does not include sewage sludge incinerators.

(94) Soil and groundwater remediation projects involving <15 pounds per year of benzene or vinyl chloride, <500 pounds per year of perchloroethylene, and <1,000 pounds per year of toxic air contaminants.

### Landfills and Composting

(95) Passive aeration of soil, PROVIDED THAT the soil is not being used as a cover material at a landfill.

(96) Closed landfills that do not have an operating, active landfill gas collection system.

(97) Non-commercial composting.

### Agriculture, Food, and Drugs

(98) Equipment used in agricultural operations, in the growing of crops, or the raising of fowl or animals.

(99) Insecticide, pesticide, or fertilizer spray equipment.

(100) Equipment used in retail establishments to dry, cook, fry, bake, or grill food for human consumption, including charbroilers, smokehouses, barbecue units, deep fat fryers, cocoa and nut roasters, but not including coffee roasters.

(101) Cooking kettles (other than deep frying equipment) and confection cookers where all the product in the kettle is edible and intended for human consumption.

(102) Bakery ovens with a total production of yeast leavened bread products <10,000 pounds per operating day, if any combustion equipment is also exempt.

(103) Equipment used to dry, mill, grind, blend, or package <1,000 tons per year of dry food products such as seeds, grains, corn, meal, flour, sugar, and starch.

(104) Equipment used to convey, transfer, clean, or separate <1,000 tons per year of dry food products or waste from food production operations.

(105) Storage equipment or facilities containing dry food products that are not vented to the outside atmosphere, or that handle <1,000 tons per year.

(106) Equipment used exclusively to grind, blend, package, or store tea, cocoa, spices, coffee, flavor, fragrance extraction, dried flowers, or spices, PROVIDED THAT no organic solvents are used in the process.

(107) Equipment used to convey or process materials in bakeries or used to produce noodles, macaroni, pasta, food mixes, and drink mixes where products are edible and intended for human consumption, PROVIDED THAT no organic solvents are used in the process. This exemption does not include storage bins located outside buildings.

(108) Brewing operations at facilities producing <3 million gallons per year of beer.

(109) Fermentation tanks for wine (excluding tanks used for the commercial production of yeast for sale).

(110) Equipment used exclusively for tableting, or coating vitamins, herbs, or dietary supplements, PROVIDED THAT no organic solvents are used in the process.

(111) Equipment used exclusively for tableting or packaging pharmaceuticals and cosmetics, or coating pharmaceutical tablets, PROVIDED THAT no organic solvents are used.

### Quarries, Nonmetallic Mineral Processing Plants, and Concrete and Asphalt Batch Plants

(112) Portable nonmetallic mineral processing plants.

(113) Fixed nonmetallic mineral processing plants.

(114) (Reserved).

(115) Mixers and other ancillary equipment at concrete batch plants (or aggregate product production facilities) with a rated capacity <15 cubic yards per hour.

(116) Concrete mixers with a rated working capacity of  $\leq 1$  cubic yard.

(117) Drilling or blasting (explosives detonation).

(118) Asphaltic concrete crushing/recycling equipment with a throughput <5,000 tons per year.

### Construction

(119) Asphalt paving application.

(120) Asphalt (hot-tar) roofing application.

(121) Building construction or demolition, except that notification of demolitions is required under Section 4.03 of Regulation III.



**Ventilation and Control Equipment**

(122) Comfort air-conditioning systems, or ventilating systems (forced or natural draft), PROVIDED THAT they are not designed or used to control air contaminants generated by, or released from, sources subject to Notice of Construction.

(123) Refrigeration units, except those used as, or in conjunction with, air pollution control equipment.

(124) Refrigerant recovery and/or recycling units, excluding refrigerant reclaiming facilities.

(125) Emergency ventilation systems used exclusively to contain and control emissions resulting from the failure of a compressed gas storage system.

(126) Emergency ventilation systems used exclusively to scrub ammonia from refrigeration systems during process upsets or equipment breakdowns.

(127) Negative air machines equipped with HEPA filters used to control asbestos emissions from demolition/renovation activities.

(128) Portable control equipment used exclusively for storage tank degassing.

(129) Vacuum-cleaning systems used exclusively for industrial, commercial, or residential housekeeping purposes controlled by a fabric filter with an airflow <2,000 cfm.

(130) Control equipment used exclusively for sources that are exempt from Notice of Construction under Section 6.03(c) of this regulation.

(131) Routine maintenance, repair, or similar parts replacement of control equipment.

**Testing and Research**

(132) Laboratory testing and quality assurance/control testing equipment used exclusively for chemical and physical analysis, teaching, or experimentation, used specifically in achieving the purpose of the analysis, test, or teaching activity. Non-production bench scale research equipment is also included.

**Miscellaneous**

(133) Single-family and duplex dwellings.

(134) Oxygen, nitrogen, or rare gas extraction and liquefaction equipment, if any combustion equipment used to power such equipment is also exempt.

(135) Equipment, including dryers, used exclusively for dyeing, stripping, or bleaching of textiles where no organic solvents, diluents, or thinners are used, if any combustion equipment used to power such equipment is also exempt.

(136) Chemical vapor sterilization equipment where no ethylene oxide is used, and with a chamber volume of  $\leq 2$  cubic feet used by healthcare facilities.

(137) Ozone generators that produce <1 pound per day of ozone.

(138) Fire extinguishing equipment.

(d) Each Notice of Construction application and Section 6.03(b) notification shall be submitted on forms provided by the Agency and shall be accompanied by the appropriate fee as required by Section 6.04 of this regulation. Notice of Construction applications shall also include any additional information required to demonstrate that the requirements of this Article are met. Notice of Construction applications shall also include an environmental checklist or other documents

demonstrating compliance with the State Environmental Policy Act.

**WSR 13-20-072**  
**PERMANENT RULES**  
**PUGET SOUND**  
**CLEAN AIR AGENCY**

[Filed September 27, 2013, 2:20 p.m., effective November 1, 2013]

Effective Date of Rule: November 1, 2013.

Purpose: To update two *North American Industry Classification System* (NAICS) codes to reflect the latest changes published in 2012 by the department of commerce.

Citation of Existing Rules Affected by this Order:  
Amending Regulation I, Section 7.07.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Adopted under notice filed as WSR 13-17-121 on August 21, 2013.

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

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

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

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

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

Date Adopted: September 26, 2013.

Craig Kenworthy  
Executive Director

**AMENDATORY SECTION****REGULATION I, SECTION 7.07 OPERATING PERMIT FEES**

(a) The Agency shall assess annual operating permit fees as set forth in Section 7.07(b) below to cover the cost of administering the operating permit program.

(b) Upon assessment by the Agency, the following annual operating permit fees are due and payable within 45 days of the invoice date. They shall be deemed delinquent if not fully paid within 90 days of the date of the invoice and will be subject to an additional delinquent fee equal to 25% of the original fee, not to exceed \$6,500. In addition, persons knowingly under-reporting emissions or other information used to set fees, or persons required to pay emission or permit fees who are more than 90 days late with such payments may be subject to a penalty equal to 3 times the amount of the original fee owed (in addition to other penalties provided by chapter 70.94 RCW).

(1) Sources in the following North American Industry Classification System (NAICS) codes (*North American Industry Classification System Manual*, U.S. Executive Office of the President, Office of Management and Budget, 1997), or sources subsequently determined by the control officer to be assigned to either Section 7.07 (b)(1)(i) or 7.07 (b)(1)(ii) shall be subject to the following facility fees:

(i) Operating permit sources with the following NAICS codes:

NAICS	NAICS Description	Fee
221112	Fossil Fuel Electric Power Generation	
324110	Petroleum Refineries	
327213	Glass Container Manufacturing	
327310	Cement Manufacturing	
<del>331110</del>	<del>Iron and Steel Mills and Ferroalloy</del>	
<del>(331110)</del>	<del>Manufacturing</del>	
336411	Aircraft Manufacturing	
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing	
928110	National Security	
		.....\$57,200

(ii) Operating permit sources with the following NAICS codes:

NAICS	NAICS Description	Fee
311119	Other Animal Food Manufacturing	
311812	Commercial Bakeries	
321912	Cut Stock, Resawing Lumber, and Planing	
321918	Other Millwork (including Flooring)	
321999	All Other Miscellaneous Wood Product Manufacturing	
<del>322220</del>	<del>Paper Bag and Coated and Treated Paper</del>	
<del>(322220)</del>	<del>Manufacturing ((Coated and Laminated Paper Manufacturing))</del>	
326140	Polystyrene Foam Product Manufacturing	
327121	Brick and Structural Clay Tile Manufacturing	
332996	Fabricated Pipe and Pipe Fitting Manufacturing	
		.....\$14,300

(iii) Operating permit sources with NAICS codes other than listed above. ....\$28,600

(2) Additional emission rate fees shall be paid in addition to the annual operating permit fees of Section 7.07 (b)(1):

\$30 for each ton of CO reported in the previous calendar year, and

\$60 for each ton of NOx reported in the previous calendar year, and

\$60 for each ton of PM10 reported in the previous calendar year, and

\$60 for each ton of SOx reported in the previous calendar year, and

\$60 for each ton of VOC reported in the previous calendar year, and

\$60 for each ton of HAP reported in the previous calendar year.

(c) In addition to the fees under Sections 7.07 (b)(1) and (b)(2) above, the Agency shall, on a source-by-source basis, assess the following fees:

(1) \$500 for administrative permit amendments [WAC 173-401-720], and

(2) for minor permit modifications [WAC 173-401-725 (2) and (3)], a fee equal to 10% of the annual operating permit fee, not to exceed \$6,500, and

(3) for the original issuance [WAC 173-401-700], significant modification [WAC 173-401-725(4)], reopening for cause [WAC 173-401-730], or renewal [WAC 173-401-710] of an operating permit, a fee equal to 20% of the annual operating permit fee, not to exceed \$13,000, and

(4) to cover the costs of public involvement under WAC 173-401-800, and

(5) to cover the costs incurred by the Washington State Department of Health in enforcing 40 CFR Part 61, Subpart I and chapter 246-247 WAC.

(d) In addition to the fees described under Sections 7.07 (b) and (c) above, the Agency shall collect and transfer to the Washington State Department of Ecology a surcharge established by the Department of Ecology under chapter 173-401 WAC to cover the Department of Ecology's program development and oversight costs.

(e) Continued payment to the Agency of the annual operating permit fee maintains the operating permit and the status of the source as an operating facility.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 13-20-087**

**PERMANENT RULES**

**TRANSPORTATION IMPROVEMENT BOARD**

[Filed September 30, 2013, 12:32 p.m., effective October 31, 2013]

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

Purpose: Develop rules to support RCW 47.26.084 [(1)](c), which directs the transportation improvement board (TIB) to use funds from the transportation improvement account to maintain, preserve, and extend the life and utility in transportation systems and services. These rules will align TIB preservation programs under one chapter, outline the arterial preservation program's intent, provide parameters for eligibility, and define requirements for local agency matching funds.

Citation of Existing Rules Affected by this Order: Amending WAC 479-01-060, 479-10-005, 479-10-011, and 479-14-011.

Statutory Authority for Adoption: Chapter 47.26 RCW.

Adopted under notice filed as WSR 13-14-028 on June 26, 2013.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 6, Amended 4, Repealed 0.

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 6, Amended 4, Repealed 0.

Date Adopted: September 27, 2013.

Stevan Gorcester  
Executive Director

AMENDATORY SECTION (Amending WSR 12-08-060, filed 4/3/12, effective 5/4/12)

**WAC 479-01-060 Executive director—Powers and duties.** The board appoints an executive director who will serve at its pleasure to carry out the board priorities and the mission of the agency including the following administrative duties:

(1) The executive director will direct and supervise all day-to-day activities of the staff.

(2) The executive director is the appointing authority of the staff and may authorize subordinates to act in the executive director's place to carry out administrative duties.

(3) The executive director has sidewalk deviation authority as described in WAC 479-14-200.

(4) The executive director has administrative increase authority for projects up to the following levels:

(a) Urban program – Fifteen percent of project costs or seven hundred fifty thousand dollars whichever is less.

(b) Small city arterial program – Up to one hundred twenty-five thousand dollars.

(c) City hardship assistance program – Up to seventy-five thousand dollars.

(d) Sidewalk program – Up to fifty thousand dollars (~~for small city projects; zero for urban projects~~).

(e) Small city preservation program – Up to two hundred thousand dollars within available funding limitations.

(f) Arterial preservation program – Up to fifteen percent of original TIB grant.

(g) Small city federal match within the limits set by the board in accordance with WAC 479-14-215.

## Chapter 479-10 WAC

### ~~((SMALL-CITY PAVEMENT)) PRESERVATION (AND SIDEWALK ACCOUNT)) PROGRAMS~~

AMENDATORY SECTION (Amending WSR 08-21-005, filed 10/2/08, effective 11/2/08)

**WAC 479-10-005 Purpose (~~and~~), authority, and funding.** The board adopts reasonable rules necessary to administer the:

(1) Small city (~~and sidewalk account~~) preservation ((and sidewalk account)) program pursuant to RCW 47.26.340, 47.26.345 and 47.26.164 and funded by the small city pavement preservation and sidewalk account;

(2) Arterial preservation program pursuant to RCW 47.26.084 and funded by the highway safety account or the transportation improvement account; and

(3) City hardship assistance program pursuant to RCW 47.26.164 and funded by the small city pavement preservation and sidewalk account.

AMENDATORY SECTION (Amending WSR 10-14-027, filed 6/28/10, effective 7/29/10)

**WAC 479-10-011 (~~Programs funded from the~~) Small city pavement preservation and sidewalk account additional uses.** (~~The small city pavement preservation and sidewalk account funds:~~

(1) ~~Small city preservation program and if funds are~~) If available, ((for use on a project-by-project basis for the)) funds from the small city pavement preservation and sidewalk account may be provided to small cities to match federal funding provided for local government federal aid of transportation, on a first come/first served basis(~~and~~

~~(2) City hardship assistance program).~~

#### NEW SECTION

**WAC 479-10-300 Intent of the arterial preservation program.** The intent of the arterial preservation program is to aid urban cities with low assessed property valuation preserve arterial pavement.

#### NEW SECTION

**WAC 479-10-310 Who is eligible for arterial preservation program funds.** Incorporated cities with a population of more than five thousand and an assessed property valuation below a maximum valuation established annually by the board are eligible to receive arterial preservation program funding.

#### NEW SECTION

**WAC 479-10-320 Projects eligible for arterial preservation program funds.** Eligible roadway projects are:

(1) Improvements on city-owned federally classified arterials;

(2) City-owned federal arterial functional classification projects within cities qualifying for urban designation upon the next federal census; and

(3) City-owned urban streets, not functionally classified at the time of award, but meeting federal functional classification prior to approval to expend board funds.

#### NEW SECTION

**WAC 479-10-323 Arterial preservation program allowable street system treatments and funding uses.** The type of treatment allowed will be based on the pavement condition rating, treatment types available in the area, and concurrence by the local agency. Funding can be used for resurfacing of existing streets, required ADA ramp upgrades, and minor associated sidewalk repairs.

#### NEW SECTION

**WAC 479-10-330 Consideration of arterial preservation program funding requests.** To be considered for funding a project under the arterial preservation program, an eligible agency must submit a funding application in response to a TIB call for projects.

#### NEW SECTION

**WAC 479-10-370 Arterial preservation program city matching funds.** The arterial preservation program provides funding when program funds are matched by any other non-TIB funds as follows:

(1) If the city assessed valuation is less than one billion dollars, the matching rate is ten percent of the total project costs;

(2) If the city valuation is one billion dollars to two and one-half billion dollars, the matching rate is fifteen percent of the total project costs;

(3) If the city valuation is over two and one-half billion dollars, the matching rate is twenty percent of the total project costs.

AMENDATORY SECTION (Amending WSR 12-08-060, filed 4/3/12, effective 5/4/12)

**WAC 479-14-011 Programs funded from the transportation improvement account.** The transportation improvement account funds the following programs:

- (1) The urban program;
- (2) The small (~~arterial~~) city arterial program:
  - (a) Grants; and
  - (b) Federal match funding.
- (3) The sidewalk programs:
  - (a) Urban sidewalk program; and
  - (b) Small city sidewalk program.
- (4) The arterial preservation program.

**WSR 13-20-118**  
**PERMANENT RULES**  
**BUILDING CODE COUNCIL**

[Filed October 1, 2013, 3:02 p.m., effective November 1, 2013]

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

Purpose: This rule is needed to implement legislation passed during the 2013 legislative session. The 2013 legislature amended the number/type of school emergency drills to include lockdown drills. This rule will amend the Fire Code to require three rather than six emergency drills per school year, referencing RCW 28A.320.125 for lockdown requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 51-54A-0405.

Statutory Authority for Adoption: RCW 19.27.031, 19.27.074.

Adopted under notice filed as WSR 13-14-116 on July 3, 2013.

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

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

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

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

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

Date Adopted: September 20, 2013.

C. Ray Allshouse  
Chair

AMENDATORY SECTION (Amending WSR 13-04-063, filed 2/1/13, effective 7/1/13)

**WAC 51-54A-0405 Emergency drills.**

**405.1 General.** Emergency drills complying with the provisions of this section shall be conducted at least annually in the occupancies listed in Section 404.2.1 or when required by the fire code official. Drills shall be designed in cooperation with the local authorities.

**405.2 Frequency.** Required emergency drills shall be held at the intervals specified in Table 405.2 or more frequently where necessary to familiarize all occupants with the drill procedure.

**405.2.1 Group E occupancies.** The occupancy shall conduct at a minimum the following drills during the year:

1. One drill using the school mapping information system.

EXCEPTION: Day cares not colocated on a school campus.

2. ~~((Six))~~ Three fire evacuation drills.

3. One shelter-in-place drill.

4. Additional drills shall be as required by RCW 28A.320.125.

**Table 405.2**  
**Emergency Drill Frequency and Participation**

Group or Occupancy	Frequency	Participation
Group A	Quarterly	Employees
Group B <sup>c</sup>	Annually	Employees
Group E	Monthly <sup>a,c</sup>	All Occupants
Group F	Annually	Employees
Group I	Quarterly on each shift	Employees <sup>b</sup>
Group R-1	Quarterly on each shift	Employees
Group R-2 <sup>f</sup>	Quarterly on each shift	Employees
Group R-2 <sup>d</sup>	Four Annually	All Occupants
High-rise buildings	Annually	Employees

<sup>a</sup> The frequency shall be allowed to be modified in accordance with Section 408.3.2.

<sup>b</sup> Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises in accordance with Section 408.10.5. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program.

<sup>c</sup> Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.

<sup>d</sup> Applicable to Group R-2 college and university buildings in accordance with Section 408.3.

<sup>e</sup> Day cares collocated on a Group E campus shall participate in emergency drills occurring on the campus.

<sup>f</sup> Applicable to boarding homes, group homes, and residential treatment facilities licensed by the state of Washington.

**405.4 Time.** Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of an emergency.

**405.5 Recordkeeping.** Records shall be maintained of required emergency evacuation drills and include the following information:

1. Identity of the person conducting the drill.
2. Date and time of the drill.
3. Notification method used.
4. Staff members on duty and participating.
5. Number of occupants participating.
6. Special conditions simulated.
7. Problems encountered and corrective actions taken.
8. Weather conditions when occupants were evacuated.
9. Time required to accomplish complete evacuation, or shelter-in-place.

**405.6 Notification.** Where required by the fire code official, prior notification of emergency drills shall be given to the fire code official.

**405.7 Initiation.** Emergency drills shall be initiated in accordance with Sections 405.7.1 through 405.7.2.

**405.7.1 Fire evacuation drills.** Where a fire alarm system is provided, emergency evacuation drills shall be initiated by activating the fire alarm system. The fire alarm monitoring company shall be notified prior to the activation of the fire alarm system for drills proposed and again at the conclusion of the transmission and restoration of the fire alarm system to normal mode.

EXCEPTION: Drills conducted between the hours of 9:00 p.m. and 6:00 a.m., in Group R-2 boarding homes, group homes, and residential treatment facilities licensed by the state of Washington.

**405.7.2 Shelter-in-place drills.** Shelter-in-place drills shall be initiated by the shelter-in-place alert signal, generated by the alerting system in accordance with Section 915.

**405.8 Accountability.** As building occupants arrive at the assembly point, efforts shall be made to determine if all occupants have been successfully evacuated and/or have been accounted for in the shelter-in-place.

**405.9 Recall and reentry.** The recall signal initiation shall be manually operated and under the control of the person in charge of the premises or the official in charge of the incident. No one shall reenter the premises until authorized to do so by the official in charge.

**WSR 13-20-119**

**PERMANENT RULES**

**BUILDING CODE COUNCIL**

[Filed October 1, 2013, 3:24 p.m., effective November 1, 2013]

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

Purpose: These changes are being adopted for consistency with new provisions for concrete as adopted by the American Concrete Institute. The state building code must reference the correct standards; this is an editorial correction.

Citation of Existing Rules Affected by this Order: Amending WAC 51-50-1905.

Statutory Authority for Adoption: RCW 19.27.031, 19.27.074.

Adopted under notice filed as WSR 13-15-169 on July 24, 2013.

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

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

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

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

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

Date Adopted: September 24, 2013.

C. Ray Allshouse  
Chair

**AMENDATORY SECTION** (Amending WSR 13-04-067, filed 2/1/13, effective 7/1/13)

**WAC 51-50-1905 Section 1905—Modifications to ACI 318.**

**1905.1 General.** The text of ACI 318 shall be modified as indicated in Sections 1905.1.1 through 1905.1.10.

**WALL PIER.** This definition is not adopted.

(Other definition remains unchanged)

**1905.1.3 ACI 318, Section 21.4.** Modify ACI 318, Section 21.4, by adding new Section 21.4.3 and renumbering existing Section 21.4.3 to become 21.4.4.

*21.4.3 - Connections that are designed to yield shall be capable of maintaining 80 percent of their design strength at the deformation induced by the design displacement or shall use Type 2 mechanical splices.*

21.4.4 - Elements of the connection that are not designed to yield shall develop at least 1.5 *S<sub>y</sub>*.

**1905.1.4 ACI 318, Section 21.9.** This section is not adopted.

**1905.1.9 ACI 318, Section D.3.3.**

**Modify ACI 318 Sections D.3.3.4.2, D.3.3.4.3(d) and D.3.3.5.2 to read as follows:**

D.3.3.4.2 - Where the tensile component of the strength-level earthquake force applied to anchors exceeds 20 percent of the total factored anchor tensile force associated with the same load combination, anchors and their attachments shall be designed in accordance with D.3.3.4.3. The anchor design tensile strength shall be determined in accordance with D.3.3.4.4.

EXCEPTION((S)): ((+)) Anchors designed to resist wall out-of-plane forces with design strengths equal to or greater than the force determined in accordance with ASCE 7 Equation 12.11-1 or 12.14-10 (~~need not~~) shall be deemed to satisfy Section D.3.3.4.3(d).  
((2. Anchors in concrete designed to support nonstructural components in accordance with ASCE 7 Section 13.4.2 need not satisfy Section D.3.3.4.3.))

D.3.3.4.3(d) – The anchor or group of anchors shall be designed for the maximum tension obtained from design load combinations that include  $E_u$  with  $E$  increased by  $\Omega_0$ . The anchor design tensile strength shall be calculated from D.3.3.4.4.

D.3.3.5.2 - Where the shear component of the strength-level earthquake force applied to anchors exceeds 20 percent of the total factored anchor shear force associated with the same load combination, anchors and their attachments shall be designed in accordance with D.3.3.5.3. The anchor design shear strength for resisting earthquake forces shall be determined in accordance with D.6.

EXCEPTIONS: 1. (~~D.3.3.5.3 need not apply and the design shear strength in accordance with D.6.2.1(e) need not be computed~~) For the calculation of the in-plane shear strength of anchor bolts attaching wood sill plates of bearing or nonbearing walls of light-frame wood structures to foundations or foundation stem walls, the in-plane shear strength in accordance with D.6.2 and D.6.3 need not be computed and D.3.3.5.3 shall be deemed to be satisfied provided all of the following are ((satisfied)) met:

1.1. The allowable in-plane shear strength of the anchor is determined in accordance with AF&PANDS Table 11E for lateral design values parallel to grain.

1.2. The maximum anchor nominal diameter is 5/8 inches (16 mm).

1.3. Anchor bolts are embedded into concrete a minimum of 7 inches (178 mm).

1.4. Anchor bolts are located a minimum of 1 3/4 inches (45 mm) from the edge of the concrete parallel to the length of the wood sill plate.

1.5. Anchor bolts are located a minimum of 15 anchor diameters from the edge of the concrete perpendicular to the length of the wood sill plate.

1.6. The sill plate is 2-inch or 3-inch nominal thickness.

2. (~~Section D.3.3.5.3 need not apply and the design shear strength in accordance with Section D.6.2.1(e) need not be computed~~) For the calculation of the in-plane shear strength of anchor bolts attaching cold-formed steel track of bearing or nonbearing walls of light-frame construction to foundations or foundation stem walls, the in-plane shear strength in accordance with D.6.2 and D.6.3 need not be computed and D.3.3.5.3 shall be deemed to be satisfied provided all of the following are ((satisfied)) met:

2.1. The maximum anchor nominal diameter is 5/8 inches (16 mm).

2.2. Anchors are embedded into concrete a minimum of 7 inches (178 mm).

2.3. Anchors are located a minimum of 1 3/4 inches (45 mm) from the edge of the concrete parallel to the length of the track.

2.4. Anchors are located a minimum of 15 anchor diameters from the edge of the concrete perpendicular to the length of the track.

2.5. The track is 33 to 68 mil designation thickness.

Allowable in-plane shear strength of exempt anchors, parallel to the edge of concrete shall be permitted to be determined in accordance with AISI S100 Section E3.3.1.

3. (~~Anchors in concrete designed to support nonstructural components in accordance with ASCE 7 Section 13.4.2 need not satisfy Section D.3.3.5.3.~~)

4.) In light-frame construction, bearing or nonbearing walls, shear strength of concrete anchors less than or equal to 1 inch (25 mm) in diameter connecting sill plate or track to foundation or foundation stem wall need not satisfy D.3.3.5.3 (a) through (c) when the design strength of the anchors is determined in accordance with D.6.2.1(c).

~~((1905.1.10 ACI 318, Section D.4.2.2. Delete ACI 318, Section D.4.2.2, and replace with the following:—~~

~~D.4.2.2—For anchors with diameters not exceeding 4 in., the concrete breakout strength requirements shall be considered satisfied by the design procedure of D.5.2 and D.6.2. For anchors in shear with diameters exceeding 4 inches, shear anchor reinforcement shall be provided in accordance with the procedures of D.6.2.9.))~~

**WSR 13-20-120**  
**PERMANENT RULES**  
**BUILDING CODE COUNCIL**

[Filed October 1, 2013, 3:33 p.m., effective November 1, 2013]

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

Purpose: Editorial changes to chapter 51-11C WAC, 2012 Washington State Energy Code—Commercial.

Citation of Existing Rules Affected by this Order: Amending WAC 51-11C-10140, 51-11C-10143, 51-11C-403247, 51-11C-403248, 51-11C-403254, 51-11C-403291, 51-11C-40332, 51-11C-40341, 51-11C-40343, and 51-11C-61031.

Statutory Authority for Adoption: RCW 19.27A.025, 19.27A.045.

Other Authority: RCW 19.27.074.

Adopted under notice filed as WSR 13-14-126 on July 3, 2013.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 10, Repealed 0.

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

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

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

Date Adopted: September 20, 2013.

C. Ray Allhouse  
Council Chair

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-10140 Section C101.4—Applicability.**

**C101.4 Applicability.** Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.

**C101.4.1 Existing buildings.** Except as specified in this chapter, this code shall not be used to require the removal, alteration or abandonment of, nor prevent the continued use and maintenance of, an existing building or building system lawfully in existence at the time of adoption of this code.

**C101.4.2 Historic buildings.** The building official may modify the specific requirements of this code for historic buildings and require in lieu of alternate requirements which will result in a reasonable degree of energy efficiency. This modification may be allowed for those buildings or structures that are listed in the state or national register of historic places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a national register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the national or state registers of historic places either individually or as a contributing building to a historic district by the state historic preservation officer or the keeper of the national register of historic places.

**C101.4.3 Additions, alterations, renovations or repairs.** Additions, alterations, renovations or repairs to an existing building, building system or portion thereof shall conform to the provisions of this code as they relate to new construction without requiring the unaltered portion(s) of the existing building or building system to comply with this code. Additions, alterations, renovations or repairs shall not create an unsafe or hazardous condition or overload existing building systems. An addition shall be deemed to comply with this code if the addition alone complies or if the existing building and addition comply with this code as a single building.

**EXCEPTION:** The following need not comply provided the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.
2. Glass only replacements in an existing sash and frame.
3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are insulated to full depth with insulation having a minimum nominal value of R-3.0 per inch installed per Section C402.
4. Construction where the existing roof, wall or floor cavity is not exposed.
5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing.
6. Replacement of existing doors that separate *conditioned space* from the exterior shall not require the installation of a vestibule or revolving door, provided, however, that an existing vestibule that separates a *conditioned space* from the exterior shall not be removed.
7. Alterations to lighting systems only that replace less than 60 percent of the luminaires in a space, provided that such alterations do not increase the installed interior lighting power.

8. Alterations that replace only the bulb and ballast within the existing luminaires in a space provided that the alteration does not increase the installed interior lighting power.

**C101.4.3.1 Lighting and motors.** Alterations that replace 60 percent or more of the luminaires in a space enclosed by walls or ceiling-height partitions shall comply with Section ~~(s)~~ C405.5 ~~(and C405.6)~~. Where less than 60 percent of the ~~(fixtures)~~ luminaires in a space enclosed by walls or ceiling-height partitions are new, the installed lighting wattage shall be maintained or reduced.

Alterations that replace 60 percent or more of the exterior luminaires shall comply with Section C405.6. Where less than 60 percent of the exterior luminaires are new, the installed lighting wattage shall be maintained or reduced.

Where new wiring is being installed to serve added fixtures and/or fixtures are being relocated to a new circuit, controls shall comply with Sections C405.2.1, C405.2.2.3, C405.2.3, ~~(C405.3.4)~~ C405.2.4, and as applicable C408.3. In addition, office areas less than 300 ft<sup>2</sup> enclosed by walls or ceiling-height partitions, and all meeting and conference rooms, and all school classrooms, shall be equipped with occupancy sensors that comply with Section C405.2.2 and C408.3. Where a new lighting panel (or a moved lighting panel) with all new raceway and conductor wiring from the panel to the fixtures is being installed, controls shall also comply with the other requirements in Sections C405.2.2 and C408.3.

Where new walls or ceiling-height partitions are added to an existing space and create a new enclosed space, but the lighting fixtures are not being changed, other than being relocated, the new enclosed space shall have controls that comply with Sections C405.2.1, C405.2.2, C405.2.3 and C408.3.

Those motors which are altered or replaced shall comply with Section C403.2.13.

**C101.4.3.2 Mechanical systems.** Those parts of systems which are altered or replaced shall comply with Section C403. Additions or alterations shall not be made to an existing mechanical system that will cause the existing mechanical system to become out of compliance.

All new systems in existing buildings, including packaged unitary equipment and packaged split systems, shall comply with Section C403.

Where mechanical cooling is added to a space that was not previously cooled, the mechanical cooling system shall comply with the economizer requirements in Section C403.3.1 or C403.4.1.

EXCEPTION: Alternate designs that are not in full compliance with this code may be approved when the building official determines that existing building or occupancy constraints make full compliance impractical or where full compliance would be economically impractical.

Alterations to existing mechanical cooling systems shall not decrease economizer capacity unless the system complies with Section C403.3.1 or C403.4.1. In addition, for existing mechanical cooling systems that do not comply with Sections C403.3.1 or Section 403.4.1, including both the individual unit size limits and the total building capacity limits on units

without economizer, other alterations shall comply with Table ~~((C101.4.3.1))~~ C101.4.3.2.

When space cooling equipment is replaced, controls shall be installed to provide for integrated operation with economizer in accordance with Section C403.3.

Existing equipment currently in use may be relocated within the same floor or same tenant space if removed and reinstalled within the same permit.

**C101.4.4 Change in occupancy or use.** Spaces undergoing a change in occupancy from an F, S or U occupancy to an occupancy other than F, S or U shall comply with this code. Any space that is converted to a residential dwelling unit or portion thereof, from another use or occupancy shall comply with this code. Where the use in a space changes from one use in Table C405.5.2 (1) or (2) to another use in Table C405.5.2 (1) or (2), the installed lighting wattage shall comply with Section C405.5.

EXCEPTION: Where the component performance building envelope option in Section C402.1.3 is used to comply with this section, the Proposed UA is allowed to be up to 110 percent of the Target UA. Where the total building performance option in Section C407 is used to comply with this section, the annual energy consumption of the proposed design is allowed to be 110 percent of the annual energy consumption otherwise allowed by Section C407.3 and Section C401.2 (3).

**C101.4.5 Change in space conditioning.** Any nonconditioned space that is altered to become *conditioned space* or *semi-heated space* shall be required to be brought into full compliance with this code. Any semi-heated space that is altered to become conditioned space shall be required to be brought into full compliance with this code.

EXCEPTION: Where the component performance building envelope option in Section C402.1.3 is used to comply with this section, the Proposed UA is allowed to be up to 110 percent of the Target UA. Where the total building performance option in Section C407 is used to comply with this section, the annual energy consumption of the proposed design is allowed to be 110 percent of the annual energy consumption otherwise allowed by Section C407.3 and Section C401.2 (3).

**C101.4.6 Mixed occupancy.** Where a building includes both *residential* and *commercial* occupancies, each occupancy shall be separately considered and meet the applicable provisions of IECC—Commercial Provisions or IECC—Residential Provisions.

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-10143 Table ~~((C101.4.3.1))~~ C101.4.3.2—Economizer compliance options for mechanical alterations.**



**Table ((~~C101.4.3.1~~) C101.4.3.2)  
Economizer Compliance Options for Mechanical Alterations**

	<b>Option A</b>	<b>Option B (alternate to A)</b>	<b>Option C (alternate to A)</b>	<b>Option D (alternate to A)</b>
<b>Unit Type</b>	<b>Any alteration with new or replacement equipment</b>	<b>Replacement unit of the same type with the same or smaller output capacity</b>	<b>Replacement unit of the same type with a larger output capacity</b>	<b>New equipment added to existing system or replacement unit of a different type</b>
1. Packaged Units	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2</sup>	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2,3</sup>	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2,3</sup>	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2,4</sup>
2. Split Systems	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2</sup>	Efficiency: + 10/5% <sup>5</sup> Economizer: Shall not decrease existing economizer capability	Only for new units < 54,000 Btu/h replacing unit installed prior to 1991 (one of two): Efficiency: + 10/5% <sup>5</sup> Economizer: 50% <sup>6</sup> For units > 54,000 Btu/h or any units installed after 1991: Option A	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2,4</sup>
3. Water Source Heat Pump	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2</sup>	(two of three): Efficiency: + 10/5% <sup>5</sup> Flow control valve <sup>7</sup> Economizer: 50% <sup>6</sup>	(three of three): Efficiency: + 10/5% <sup>5</sup> Flow control valve <sup>7</sup> Economizer: 50% <sup>6</sup> (except for certain pre-1991 systems <sup>8</sup> )	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2,4</sup> (except for certain pre-1991 systems <sup>8</sup> )
4. Hydronic Economizer using Air-Cooled Heat Rejection Equipment (Dry Cooler)	Efficiency: min. <sup>1</sup> Economizer: 1433 <sup>2</sup>	Efficiency: + 10/5% <sup>5</sup> Economizer: Shall not decrease existing economizer capacity	Option A	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2,4</sup>
5. Air-Handling Unit (including fan coil units) where the system has an air-cooled chiller	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2</sup>	Economizer: Shall not decrease existing economizer capacity	Option A (except for certain pre-1991 systems <sup>8</sup> )	Option A (except for certain pre-1991 systems <sup>8</sup> )
6. Air- Handling Unit (including fan coil units) and Water-cooled Process Equipment, where the system has a water-cooled chiller <sup>10</sup>	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2</sup>	Economizer: Shall not decrease existing economizer capacity	Option A (except for certain pre-1991 systems <sup>8</sup> and certain 1991-2004 systems <sup>9</sup> )	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2,4</sup> (except for certain pre-1991 systems <sup>8</sup> and certain 1991-2004 systems <sup>9</sup> )
7. Cooling Tower	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2</sup>	No requirements	Option A	Option A
8. Air-Cooled Chiller	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2</sup>	Efficiency: + 5% <sup>11</sup> Economizer: Shall not decrease existing economizer capacity	Efficiency (two of two): (1) + 10% <sup>12</sup> and (2) multistage Economizer: Shall not decrease existing economizer capacity	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2,4</sup>

	<b>Option A</b>	<b>Option B (alternate to A)</b>	<b>Option C (alternate to A)</b>	<b>Option D (alternate to A)</b>
<b>Unit Type</b>	<b>Any alteration with new or replacement equipment</b>	<b>Replacement unit of the same type with the same or smaller output capacity</b>	<b>Replacement unit of the same type with a larger output capacity</b>	<b>New equipment added to existing system or replacement unit of a different type</b>
9. Water-Cooled Chiller	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2</sup>	Efficiency (one of two): (1) + 10% <sup>13</sup> or (2) plate frame heat exchanger <sup>15</sup> Economizer: Shall not decrease existing economizer capacity	Efficiency (two of two): (1) + 15% <sup>14</sup> and (2) plate frame heat exchanger <sup>15</sup> Economizer: Shall not decrease existing economizer capacity	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2,4</sup>
10. Boiler	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2</sup>	Efficiency: + 8% <sup>16</sup> Economizer: Shall not decrease existing economizer capacity	Efficiency: + 8% <sup>16</sup> Economizer: Shall not decrease existing economizer capacity	Efficiency: min. <sup>1</sup> Economizer: C403.4.1 <sup>2,4</sup>

- 1 Minimum equipment efficiency shall comply with Section C403.2.3 and Tables C403.2.3(1) through C403.2.3(9).
- 2 System and building shall comply with Section C403.4.1 (including both the individual unit size limits and the total building capacity limits on units without economizer). It is acceptable to comply using one of the exceptions to Section C403.4.1.
- 3 All equipment replaced in an existing building shall have air economizer complying with Sections C403.3.1 and C403.4.1 unless both the individual unit size and the total capacity of units without air economizer in the building is less than that allowed in Exception 1 to Section C403.3.1.
- 4 All separate new equipment added to an existing building shall have air economizer complying with Sections C403.3.1 and C403.4.1 unless both the individual unit size and the total capacity of units without air economizer in the building is less than that allowed in Exception 1 to Section C403.4.1.
- 5 Equipment shall have a capacity-weighted average cooling system efficiency:
  - a. For units with a cooling capacity below 54,000 Btu/h, a minimum of 10% greater than the requirements in Tables C403.2.3(1) and C403.2.3(2) (1.10 x values in Tables C403.2.3(1) and C403.2.3(2)).
  - b. For units with a cooling capacity of 54,000 Btu/h and greater, a minimum of 5% greater than the requirements in Tables C403.2.3(1) and C403.2.3(2) (1.05 x values in Tables C403.2.3(1) and C403.2.3(2)).
- 6 Minimum of 50% air economizer that is ducted in a fully enclosed path directly to every heat pump unit in each zone, except that ducts may terminate within 12 inches of the intake to an HVAC unit provided that they are physically fastened so that the outside air duct is directed into the unit intake. If this is an increase in the amount of outside air supplied to this unit, the outside air supply system shall be capable of providing this additional outside air and equipped with economizer control.
- 7 Have flow control valve to eliminate flow through the heat pumps that are not in operation with variable speed pumping control complying with Section C403.4.3 for that heat pump.
  - When the total capacity of all units with flow control valves exceeds 15% of the total system capacity, a variable frequency drive shall be installed on the main loop pump.

- As an alternate to this requirement, have a capacity-weighted average cooling system efficiency that is 5% greater than the requirements in note 5 (i.e., a minimum of 15%/10% greater than the requirements in Tables C403.2.3(1) and C403.2.3(2) (1.15/1.10 x values in Tables C403.2.3(1) and C403.2.3(2)).
- 8 Systems installed prior to 1991 without fully utilized capacity are allowed to comply with Option B, provided that the individual unit cooling capacity does not exceed 90,000 Btu/h.
- 9 Economizer not required for systems installed with water economizer plate and frame heat exchanger complying with previous codes between 1991 and June 2013, provided that the total fan coil load does not exceed the existing or added capacity of the heat exchangers.
- 10 For water-cooled process equipment where the manufacturers' specifications require colder temperatures than available with waterside economizer, that portion of the load is exempt from the economizer requirements.
- 11 The air-cooled chiller shall have an IPLV efficiency that is a minimum of 5% greater than the IPLV requirements in Table C403.2.3(7) (1.05 x IPLV values in Table C403.2.3(7)).
- 12 The air-cooled chiller shall:
  - a. Have an IPLV efficiency that is a minimum of 10% greater than the IPLV requirements in Table C403.2.3(7) (1.10 x IPLV values in Table C403.2.3(7)); and
  - b. Be multistage with a minimum of two compressors.
- 13 The water-cooled chiller shall have an IPLV efficiency that is a minimum of 10% greater than the IPLV requirements in Table C403.2.3(7) (1.10 x IPLV values in Table C403.2.3(7)).
- 14 The water-cooled chiller shall have an IPLV efficiency that is a minimum of 15% greater than the IPLV requirements in Table C403.2.3(7), (1.15 x IPLV values in Table C403.2.3(7)).
- 15 Economizer cooling shall be provided by adding a plate-frame heat exchanger on the waterside with a capacity that is a minimum of 20% of the chiller capacity at standard AHRI rating conditions.
- 16 The replacement boiler shall have an efficiency that is a minimum of 8% higher than the value in Table C403.2.3(5) (1.08 x value in Table C403.2.3(5)), except for electric boilers.

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-403247 Section C403.2.4.7—Hotel/motel controls.**

**C403.2.4.7 Group R-1 hotel/motel guest rooms.** For hotel and motel guest rooms, a minimum of one of the following control technologies shall be required in hotels/motels with over 50 guest rooms such that the space temperature would automatically setback (winter) or set up (summer) by no less than 5°F (3°C) ~~((or hotel and motel guest rooms, a minimum of))~~ when the occupant is not in the room:

1. Controls that are activated by the room occupant via the primary room access method - Key, card, deadbolt, etc.
2. Occupancy sensor controls that are activated by the occupant's presence in the room.

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-403248 Section C403.2.4.8—Residential occupancy controls.**

**C403.2.4.8 Group R-2 and R-3 dwelling units.** The primary space conditioning system within each dwelling unit shall be provided with at least one programmable thermostat for the regulation of space temperature. The thermostat shall allow for, at a minimum, a 5-2 programmable schedule (weekdays/weekends) and be capable of providing at least two programmable setback periods per day.

Each additional system provided within the dwelling unit shall be provided with at least one adjustable thermostat for the regulation of temperature.

- EXCEPTIONS:
1. Systems controlled by an occupant sensor that is capable of shutting the system off when no occupant is sensed for a period of up to 30 minutes.
  2. Systems controlled solely by a manually operated timer capable of operating the system for no more than two hours.
  3. Ductless heat pumps.

Each thermostat shall be capable of being set by adjustment or selection of sensors as follows: When used to control heating only: 55°F to 75°F; when used to control cooling only: 70°F to 85°F; all other: 55°F to 85°F with an adjustable deadband of not less than 10°F.

**C403.2.4.9 Group R-2 sleeping units.** The primary space conditioning system within each sleeping unit shall be provided with at least one programmable thermostat for the regulation of space temperature. The thermostat shall allow for, at a minimum, a 5-2 programmable schedule (weekdays/weekends) and be capable of providing at least two programmable setback periods per day.

Each additional system provided within the sleeping unit shall be provided with at least one adjustable thermostat for the regulation of temperature.

- EXCEPTIONS:
1. Systems controlled by an occupant sensor that is capable of shutting the system off when no occupant is sensed for a period of up to 30 minutes.
  2. Systems controlled solely by a manually operated timer capable of operating the system for no more than two hours.
  3. Zones with a full HVAC load demand not exceeding 3,400 Btu/h (1 kW) and having a readily accessible manual shutoff switch.
  4. Ductless heat pumps.

Each thermostat shall be capable of being set by adjustment or selection of sensors as follows: When used to control heating only: 55°F to 75°F; when used to control cooling only: 70°F to 85°F; all other: 55°F to 85°F with an adjustable deadband of not less than 10°F.

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-403254 Section C403.2.5.4—Exhaust systems.**

**C403.2.5.4 Exhaust systems.**

**C403.2.5.4.1 Kitchen hoods.** Each kitchen area with total exhaust capacity larger than 2,000 cfm shall be provided with make-up air sized so that at least 50% of exhaust air volume be (a) unheated or heated to no more than 60°F and (b) uncooled or cooled without the use of mechanical cooling.

- EXCEPTIONS:
1. Where hoods are used to exhaust ventilation air which would otherwise exfiltrate or be exhausted by other fan systems. A detailed accounting of exhaust airflows shall be provided on the plans that accounts for the impact of any required demand controlled ventilation.
  2. Certified grease extractor hoods that require a face velocity no greater than 60 fpm.

**C403.2.5.4.2 Laboratory exhaust systems.** Buildings with laboratory exhaust systems having a total exhaust rate greater than 5,000 cfm (2,360 L/s) shall include heat recovery systems to ~~((preconditioned))~~ precondition makeup air from laboratory exhaust. The heat recovery system shall be capable of increasing the outside air supply temperature at design heating conditions by 25°F (13.9°C) in Climate Zones 4C/5B and 35°F (19.4°C) in Climate Zone 6B. A provision shall be made to bypass or control the heat recovery system to permit air economizer operation as required by Section C403.4.

- EXCEPTIONS:
1. Variable air volume laboratory exhaust and room supply systems capable of reducing exhaust and make-up air volume to 50% or less of design values; or
  2. Direct make-up (auxiliary) air supply equal to at least 75% of the exhaust rate, heated no warmer than 2°F (1.1°C) below room set point, cooled to no cooler than 3°F (1.7°C) above room set point, no humidification added, and no simultaneous heating and cooling used for dehumidification control; or

3. Combined Energy Reduction Method: VAV exhaust and room supply system capable of reducing exhaust and makeup air volumes and a heat recovery system to pre-condition makeup air from laboratory exhaust that when combined will produce the same energy reduction as achieved by a heat recovery system with a 50% sensible recovery effectiveness as required above. For calculation purposes, the heat recovery component can be assumed to include the maximum design supply airflow rate at design conditions. The combined energy reduction ( $Q_{ER}$ ) shall meet the following:

$$Q_{ER} \geq Q_{MIN}$$

$$Q_{MIN} = CFM_S \cdot (T_R - T_O) \cdot 1.1 \cdot 0.6$$

$$Q_{ER} = CFM_S \cdot (T_R - T_O) \cdot 1.1(A + B)/100$$

Where:

- $Q_{MIN}$  = Energy recovery at 60% sensible effectiveness (Btu/h)
- $Q_{ER}$  = Combined energy reduction (Btu/h)
- $CFM_S$  = The maximum design supply airflow rate to conditioned spaces served by the system in cubic feet per minute
- $T_R$  = Space return air dry bulb at winter design conditions
- $T_O$  = Outdoor air dry bulb at winter design conditions
- A = Percentage that the exhaust and makeup air volumes can be reduced from design conditions
- B = Percentage sensible heat recovery effectiveness

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-403291 Section C403.2.10—Air system design and control.**

**C403.2.10 Air system design and control.** Each HVAC system having a total fan system motor nameplate horsepower (hp) exceeding 5 horsepower (hp) (3.7 kW) shall meet the provisions of Sections C403.2.10.1 through ~~(C403.2.10.2))~~ C403.2.10.3.

**C403.2.10.1 Allowable fan floor horsepower.** Each HVAC system at fan system design conditions shall not exceed the allowable *fan system motor nameplate hp* (Option 1) or *fan system bhp* (Option 2) as shown in Table C403.2.10.1(1). This includes supply fans, return/relief fans, and fan-powered terminal units associated with systems providing heating or cooling capability. Single *zone* variable-air-volume systems shall comply with the constant volume fan power limitation.

EXCEPTION: The following fan systems are exempt from allowable fan floor horsepower requirement.

1. Hospital, vivarium and laboratory systems that utilize flow control devices on exhaust and/or return to maintain space pressure relationships necessary for occupant health and safety or environmental control shall be permitted to use variable volume fan power limitation.
2. Individual exhaust fans with motor nameplate horsepower of 1 hp or less.

**C403.2.10.2 Motor nameplate horsepower.** For each fan, the selected fan motor shall be no larger than the first available motor size greater than the brake horsepower (bhp). The fan brake horsepower (bhp) shall be indicated on the design documents to allow for compliance verification by the *code official*.

- EXCEPTIONS:
1. For fans less than 6 bhp (4413 W), where the first available motor larger than the brake horsepower has a nameplate rating within 50 percent of the bhp, selection of the next larger nameplate motor size is allowed.
  2. For fans 6 bhp (4413 W) and larger, where the first available motor larger than the bhp has a nameplate rating within 30 percent of the bhp, selection of the next larger nameplate motor size is allowed.
  3. For fans used only in *approved* life safety applications such as smoke evacuation.

**C403.2.10.3 Fractional hp fan motors.** Motors for fans that are 1/12 hp or greater and less than 1 hp shall be electronically commutated motors or shall have a minimum motor efficiency of 70 percent when rated in accordance with DOE 10 C.F.R. 431. These motors shall also have the means to adjust motor speed for either balancing or remote control. Belt-driven fans may use sheave adjustments for airflow balancing in lieu of a varying motor speed.

- EXCEPTIONS:
1. Motors in the airstream within fan-coils and terminal units that operate only when providing heating to the space served.
  2. Motors installed in space conditioning equipment certified under Section C403.2.3.

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-40332 Section C403.3.2—Hydronic system controls.**

**C403.3.2 Hydronic system controls.** Hydronic systems of at least 300,000 Btu/h (87,930 W) design output capacity supplying heated ~~((and chilled water))~~ to comfort conditioning systems shall include controls that meet the requirements of Section C403.4.3.

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-40341 Section C403.4.1—Economizers.**

**C403.4.1 Economizers.** Air economizers shall be provided on all new systems including those serving computer server rooms, electronic equipment, radio equipment, and telephone switchgear. Economizers shall comply with Sections C403.4.1.1 through C403.4.1.4.

- EXCEPTIONS:
1. Water-cooled refrigeration equipment serving chilled beams and chilled ceiling space cooling systems only which are provided with a water economizer meeting the requirements of Section ((C403.4.1)) C403.4.1.1 through C403.4.1.4. Water economizer capacity per building shall not exceed 500 tons. This exception shall not be used for Total Building Performance.
  2. Systems complying with all of the following criteria:
    - 2.1. Consist of multiple water source heat pumps connected to a common water loop;
    - 2.2. Have a minimum of 60 percent air economizer;
    - 2.3. Have water source heat pumps with an EER at least 15 percent higher for cooling and a COP at least 15 percent higher for heating than that specified in Section C403.2.3;
    - 2.4. Where provided, have a central boiler or furnace efficiency of 90 percent minimum for units up to 199,000 Btu/h; and
    - 2.5. Provide heat recovery with a minimum 50 percent heat recovery effectiveness as defined in Section C403.2.6 to preheat the outside air supply.
  3. Chilled water terminal units connected to systems with chilled water generation equipment with IPLV values more than 25 percent higher than minimum part load efficiencies listed in Table C403.2.3(7), in the appropriate size category, using the same test procedures. Equipment shall be listed in the appropriate certification program to qualify for this exception. The total capacity of all systems without economizers shall not exceed

- 480,000 Btu/h per building, or 20 percent of its air economizer capacity, whichever is greater. That portion of the equipment serving Group R Occupancy is not included in determining the total capacity of all units without economizers in a building. This exception shall not be used for the initial permit (this includes any initial permit for the space including, but not limited to, the shell-and-core permit, built-to-suit permit, and tenant improvement permit) or for Total Building Performance Method.
4. For Group R occupancies, cooling units installed outdoors or in a mechanical room adjacent to outdoors with a total cooling capacity less than 20,000 Btu/h and other cooling units with a total cooling capacity less than 54,000 Btu/h provided that these are high-efficiency cooling equipment with SEER and EER values more than 15 percent higher than minimum efficiencies listed in Tables C403.2.3 (1) through (3), in the appropriate size category, using the same test procedures. Equipment shall be listed in the appropriate certification program to qualify for this exception. For split systems, compliance is based on the cooling capacity of individual fan coil units.
5. Equipment used to cool any dedicated server room, electronic equipment room or telecom switch room provided that they completely comply with Option a, b, or c in the table below. The total capacity of all systems without economizers shall not exceed 240,000 Btu/h per building or 10 percent of its air economizer capacity, whichever is greater. This exception shall not be used for Total Building Performance.

	Equipment Type	Higher Equipment Efficiency	Part-Load Control	Economizer
Option a	Tables C403.2.3(1) and C403.2.3(2) <sup>a</sup>	+15% <sup>b</sup>	Required over 85,000 Btu/h <sup>c</sup>	None Required
Option b	Tables C403.2.3(1) and C403.2.3(2) <sup>a</sup>	+5% <sup>d</sup>	Required over 85,000 Btu/h <sup>c</sup>	Waterside Economizer <sup>e</sup>
Option c	ASHRAE Standard 127 <sup>f</sup>	+0% <sup>g</sup>	Required over 85,000 Btu/h <sup>c</sup>	Waterside Economizer <sup>e</sup>

Notes for Exception 5:

- a For a system where all of the cooling equipment is subject to the AHRI standards listed in Tables C403.2.3(1) and C403.2.3(2), the system shall comply with all of the following (note that if the system contains any cooling equipment that exceeds the capacity limits in Table C403.2.3(1) or C403.2.3(2), or if the system contains any cooling equipment that is not included in Table C403.2.3(1) or C403.2.3(2), then the system is not allowed to use this option).
- b The cooling equipment shall have an EER value and an IPLV value that is a minimum of 15 percent greater than the value listed in Tables C403.2.3(1) and C403.2.3(2) (1.15 x values in Tables C403.2.3(1) and C403.2.3(2)).
- c For units with a total cooling capacity over 85,000 Btu/h, the system shall utilize part-load capacity control schemes that are able to modulate to a part-load capacity of 50 percent of the load or less that results in the compressor operating at the same or higher EER at part loads than at full load (e.g., minimum of two-stages of compressor unloading such as cylinder unloading, two-stage scrolls, dual tandem scrolls, but hot gas bypass is not credited as a compressor unloading system).
- d The cooling equipment shall have an EER value and an IPLV value that is a minimum of 5 percent greater than the value listed in Tables C403.2.3(1) and C403.2.3(2) (1.05 x values in Tables C403.2.3(1) and C403.2.3(2)).
- e The system shall include a water economizer in lieu of air economizer. Water economizers shall meet the requirements of C403.4.1.2 through C403.4.1.4 and be capable of providing the total concurrent cooling load served by the connected terminal equipment lacking airside economizer, at outside air temperatures of 50°F dry-bulb/45°F wet-bulb and below. For this calculation, all factors including solar and internal load shall be the same as those used for peak load calculations, except for the outside temperatures. The equipment shall be served by a dedicated condenser water system unless a nondedicated condenser water system exists that can provide appropriate water temperatures during hours when waterside economizer cooling is available.
- f For a system where all cooling equipment is subject to ASHRAE Standard 127.

- g. The cooling equipment subject to the ASHRAE Standard 127 shall have an EER value and an IPLV value that is equal or greater than the value listed in Tables C403.2.3(1) and C403.2.3(2) when determined in accordance with the rating conditions ASHRAE Standard 127 (i.e., not the rating conditions in AHRI Standard 210/240 or 340/360). This information shall be provided by an independent third party.
6. Variable refrigerant flow (VRF) systems, multiple-zone split-system heat pumps, consisting of multiple, individually metered indoor units with multi-speed fan motors, served on a single common refrigeration circuit with an exterior reverse-cycle heat pump with variable speed compressor(s) and variable speed condenser fan(s). These systems shall also be capable of providing simultaneous heating and cooling operation, where recovered energy from the indoor units operating in one mode can be transferred to one or more indoor units operating in the other mode, and shall serve at least 20 percent internal (no perimeter wall within 12') and 20 percent perimeter zones (as determined by conditioned floor area) and the outdoor unit shall be at least 65,000 Btu/h in total capacity. Systems utilizing this exception shall have 50 percent heat recovery effectiveness as defined by Section C403.2.6 on the outside air. For the purposes of this exception, dedicated server rooms, electronic equipment rooms or telecom switch rooms are not considered perimeter zones. This exception shall be limited to buildings of 60,000 square feet and less.

**C403.4.1.1 Design capacity.** Water economizer systems shall be capable of cooling supply air by indirect evaporation and providing up to 100 percent of the expected system cooling load at *outdoor air* temperatures of 50°F dry-bulb (10°C dry-bulb)/45°F wet-bulb (7.2°C wet-bulb) and below.

EXCEPTION: Systems in which a water economizer is used and where dehumidification requirements cannot be met using outdoor air temperatures of 50°F dry-bulb (10°C dry-bulb)/45°F wet-bulb (7.2°C wet-bulb) shall satisfy 100 percent of the expected system cooling load at 45°F dry-bulb (7.2°C dry-bulb)/40°F wet-bulb (4.5°C wet-bulb).

**C403.4.1.2 Maximum pressure drop.** Precooling coils and water-to-water heat exchangers used as part of a water economizer system shall either have a waterside pressure drop of less than 15 feet (4572 mm) of water or a secondary loop shall be created so that the coil or heat exchanger pressure drop is not seen by the circulating pumps when the system is in the normal cooling (noneconomizer) mode.

**C403.4.1.3 Integrated economizer control.** Economizer systems shall be integrated with the mechanical cooling system and be capable of providing partial cooling even where additional mechanical cooling is required to meet the remainder of the cooling load.

EXCEPTIONS:

1. Direct expansion systems that include controls that reduce the quantity of *outdoor air* required to prevent coil frosting at the lowest step of compressor unloading, provided this lowest step is no greater than 25 percent of the total system capacity.
2. Individual direct expansion units that have a rated cooling capacity less than 54,000 Btu/h (15,827 W) and use nonintegrated economizer controls that preclude simultaneous operation of the economizer and mechanical cooling.

**C403.4.1.4 Economizer heating system impact.** HVAC system design and economizer controls shall be such that

economizer operation does not increase the building heating energy use during normal operation.

EXCEPTION: Economizers on VAV systems that cause *zone* level heating to increase due to a reduction in supply air temperature.

**AMENDATORY SECTION** (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-40343 Section C403.4.3—Hydronic systems controls.**

**C403.4.3 Hydronic systems controls.** The heating of fluids that have been previously mechanically cooled and the cooling of fluids that have been previously mechanically heated shall be limited in accordance with Sections C403.4.3.1 through C403.4.3.3. Hydronic heating systems comprised of multiple-packaged boilers and designed to deliver conditioned water or steam into a common distribution system shall include automatic controls capable of sequencing operation of the boilers. Hydronic heating systems comprised of a single boiler and greater than 500,000 Btu/h (146,550 W) input design capacity shall include either a multi-staged or modulating burner.

**C403.4.3.1 Three-pipe system.** Hydronic systems that use a common return system for both hot water and chilled water are prohibited.

**C403.4.3.2 Two-pipe changeover system.** Systems that use a common distribution system to supply both heated and chilled water shall be designed to allow a dead band between changeover from one mode to the other of at least 15°F (8.3°C) outside air temperatures; be designed to and provided with controls that will allow operation in one mode for at least 4 hours before changing over to the other mode; and be provided with controls that allow heating and cooling supply temperatures at the changeover point to be no more than 30°F (16.7°C) apart.

**C403.4.3.3 Hydronic (water loop) heat pump systems.** Hydronic heat pump systems shall comply with Sections C403.4.3.3.1 through C403.4.3.3.3.

**C403.4.3.3.1 Temperature dead band.** Hydronic heat pumps connected to a common heat pump water loop with central devices for heat rejection and heat addition shall have controls that are capable of providing a heat pump water supply temperature dead band of at least 20°F (11.1°C) between initiation of heat rejection and heat addition by the central devices.

EXCEPTION: Where a system loop temperature optimization controller is installed and can determine the most efficient operating temperature based on real time conditions of demand and capacity, dead bands of less than 20°F (11°C) shall be permitted.

**C403.4.3.3.2 Heat rejection.** Heat rejection equipment shall comply with Sections C403.4.3.3.2.1 and C403.4.3.3.2.2.

EXCEPTION: Where it can be demonstrated that a heat pump system will be required to reject heat throughout the year.

**C403.4.3.3.2.1 Climate Zones 3 and 4.** For Climate Zones 3 and 4:

1. If a closed-circuit cooling tower is used directly in the heat pump loop, either an automatic valve shall be installed to bypass all but a minimal flow of water around the tower, or lower leakage positive closure dampers shall be provided.

2. If an open-circuit tower is used directly in the heat pump loop, an automatic valve shall be installed to bypass all heat pump water flow around the tower.

3. If an open- or closed-circuit cooling tower is used in conjunction with a separate heat exchanger to isolate the cooling tower from the heat pump loop, then heat loss shall be controlled by shutting down the circulation pump on the cooling tower loop.

**C403.4.3.3.2.2 Climate Zones 5 through 8.** For Climate Zones 5 through 8, if an open- or closed-circuit cooling tower is used, then a separate heat exchanger shall be provided to isolate the cooling tower from the heat pump loop, and heat loss shall be controlled by shutting down the circulation pump on the cooling tower loop and providing an automatic valve to stop the flow of fluid.

**C403.4.3.3.3 Isolation valve.** Each hydronic heat pump on the hydronic system having a total pump system power exceeding 10 horsepower (hp) (7.5 kW) shall have a two-way (but not three-way) valve. For the purposes of this section, pump system power is the sum of the nominal power demand (i.e., nameplate horsepower at nominal motor efficiency) of motors of all pumps that are required to operate at design conditions to supply fluid from the heating or cooling source to all heat transfer devices (e.g., coils, heat exchanger) and return it to the source. This converts the system into a variable flow system and, as such, the primary circulation pumps shall comply with the variable flow requirements in Section C403.4.3.6.

**C403.4.3.4 Part load controls.** Hydronic systems greater than or equal to 300,000 Btu/h (87,930 W) in design output capacity supplying heated or chilled water to comfort conditioning systems shall include controls that have the capability to:

1. Automatically reset the supply-water temperatures using zone-return water temperature, building-return water temperature, or outside air temperature as an indicator of building heating or cooling demand. The temperature shall be capable of being reset by at least 25 percent of the design supply-to-return water temperature difference; and

2. Reduce system pump flow by at least 50 percent of design flow rate utilizing adjustable speed drive(s) on pump(s), or multiple-staged pumps where at least one-half of the total pump horsepower is capable of being automatically turned off or control valves designed to modulate or step down, and close, as a function of load, or other *approved* means.

Hydronic systems serving hydronic heat pumps are exempt from item 1, and only those hydronic systems with a total pump system power greater than 3 hp (2.2 kW) shall have controls meeting the requirements of item 2, above.

**C403.4.3.5 Pump isolation.** Chilled water plants including more than one chiller shall have the capability to reduce flow

automatically through the chiller plant when a chiller is shut down and automatically shut off flow to chillers that are shut down. Chillers piped in series for the purpose of increased temperature differential shall be considered as one chiller.

EXCEPTION: Chillers that are piped in series for the purpose of increased temperature differential.

Boiler plants including more than one boiler shall have the capability to reduce flow automatically through the boiler plant when a boiler is shut down and automatically shut off flow to (~~chillers~~) boilers that are shut down.

**C403.4.3.6 Variable flow controls.** Individual pumps requiring variable speed control per Section C403.4.9 shall be controlled in one of the following manners:

1. For systems having a combined pump motor horsepower less than or equal to 20 hp (15 kW) and without direct digital control of individual coils, pump speed shall be a function of either:

1.1. Required differential pressure; or

1.2. Reset directly based on zone hydronic demand, or other zone load indicators; or

1.3. Reset directly based on pump power and pump differential pressure.

2. For systems having a combined pump motor horsepower that exceeds 20 hp (15 kW) or smaller systems with direct digital control, pump speed shall be a function of either:

2.1. The static pressure set point as reset based on the valve requiring the most pressure; or

2.2. Directly controlled based on zone hydronic demand.

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-61031 Section A103.1—General.**

**A103.1 General.** The tables ((A103.1(1), A103.1(2) and A103.1(3))) in this section list heat loss coefficients for the opaque portion of above-grade wood stud frame walls, metal stud frame walls and concrete masonry walls (Btu/h • ft<sup>2</sup> • °F) (~~(respectively.)~~) They are derived from procedures listed in the ASHRAE Fundamentals Handbook. For intermediate floor slabs which penetrate the insulated wall, use the concrete wall U-factors in Table (~~(A103.1(2))~~) A103.3.7.1(1).

Insulation is assumed to uniformly fill the entire cavity and to be installed as per manufacturer's directions. All walls are assumed to be finished on the inside with 1/2 inch gypsum wallboard, and on the outside with either beveled wood siding over 1/2 inch plywood sheathing or with 5/8 inch T1-11 siding. Insulated sheathing (either interior or exterior) is assumed to cover the entire opaque wall surface, except where modified in accordance with footnote h to Table C402.1.1.

Metal building walls have a different construction and are addressed in Table A103.3.6.3.

**WSR 13-20-121  
PERMANENT RULES  
BUILDING CODE COUNCIL**

[Filed October 1, 2013, 3:36 p.m., effective November 1, 2013]

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

Purpose: Editorial changes to chapter 51-11R WAC, 2012 Washington State Energy Code—Residential.

Citation of Existing Rules Affected by this Order: Amending WAC 51-11R-40211, 51-11R-40340, and 51-11R-40621.

Statutory Authority for Adoption: RCW 19.27A.025, 19.27A.045.

Other Authority: RCW 19.27.074.

Adopted under notice filed as WSR 13-14-119 on July 3, 2013.

Changes Other than Editing from Proposed to Adopted Version: Under WAC 51-11R-40211, the footnotes under "ceiling" and "mass wall" were corrected. In WAC 51-11R-40621, the duplicated sentence at the end of Option 2a was deleted.

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

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

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

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

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

Date Adopted: September 20, 2013.

C. Ray Allshouse  
Council Chair

**AMENDATORY SECTION** (Amending WSR 13-04-055, filed 2/1/13, effective 7/1/13)

**WAC 51-11R-40211 Table R402.1.1—Insulation and fenestration requirements by component.**

**TABLE R402.1.1  
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT<sup>a</sup>**

Climate Zone	Fenestration U-Factor <sup>b</sup>	Skylight <sup>b</sup> U-Factor	Glazed Fenestration SHGC <sup>b, c</sup>	Ceiling R-Value <sup>(g)</sup> <sup>k</sup>	Wood Frame Wall <sup>g, (k-b)</sup> <sup>m, n</sup> R-Value	Mass Wall R-Value <sup>i</sup>	Floor R-Value	Below-Grade <sup>c, (k)</sup> <sup>m</sup> Wall R-Value	Slab <sup>d</sup> R-Value & Depth
5 and Marine 4	0.30	0.50	NR	49	21 int	21/ 21 <sup>h</sup>	30 <sup>e</sup>	10/15/ 21int+TB	10, 2 ft
6	0.30	0.50	NR	49	21+5ci	21+5 <sup>h</sup>	30 <sup>e</sup>	10/15/ 21int+TB	10, 4 ft

For SI: 1 foot = 304.8 mm, ci = continuous insulation, int = intermediate framing.

<sup>a</sup> R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the compressed R-value of the insulation from Appendix Table A101.4 shall not be less than the R-value specified in the table.

<sup>b</sup> The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration. Exception: Skylights may be excluded from glazed fenestration SHGC requirements in Climate Zones 1 through 3 where the SHGC for such skylights does not exceed 0.30.

<sup>c</sup> "10/15/21+TB" means R-10 continuous insulation on the exterior of the wall, or R-15 on the continuous insulation on the interior of the wall, or R-21 cavity insulation plus a thermal break between the slab and the basement wall at the interior of the basement wall. "10/15/21+TB" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulation on the interior or exterior of the wall. "10/13" means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall. "TB" means thermal break between floor slab and basement wall.

<sup>d</sup> R-10 continuous insulation is required under heated slab on grade floors. See R402.2.9.1.

<sup>e</sup> There are no SHGC requirements in the Marine Zone.

<sup>f</sup> Basement wall insulation is not required in warm-humid locations as defined by Figure R301.1 and Table R301.1.

<sup>g</sup> Reserved.

<sup>h</sup> First value is cavity insulation, second is continuous insulation or insulated siding, so "13+5" means R-13 cavity insulation plus R-5 continuous insulation or insulated siding. If structural sheathing covers 40 percent or less of the exterior, continuous insulation R-value shall be permitted to be reduced by no more than R-3 in the locations where structural sheathing is used to maintain a consistent total sheathing thickness.

<sup>i</sup> The second R-value applies when more than half the insulation is on the interior of the mass wall.

<sup>(g)</sup> <sup>k</sup> For single rafter- or joist-vaulted ceilings, the insulation may be reduced to R-38.

<sup>(k)</sup> <sup>m</sup> Int. (intermediate framing) denotes standard framing 16 inches on center with headers insulated with a minimum of R-10 insulation.

<sup>(h)</sup> <sup>n</sup> Log and solid timber walls with a minimum average thickness of 3.5 inches are exempt from this insulation requirement.



AMENDATORY SECTION (Amending WSR 13-04-055, filed 2/1/13, effective 7/1/13)

**WAC 51-11R-40340 Section R403.4—Service hot water systems.**

**R403.4 Service hot water systems.** Energy conservation measures for service hot water systems shall be in accordance with Sections R403.4.1 ((and R403.4.2)) through R403.4.3.

**R403.4.1 Circulating hot water systems (Mandatory).** Circulating hot water systems shall be provided with an auto-

matic or *readily accessible* manual switch that can turn off the hot water circulating pump when the system is not in use.

**R403.4.2 Hot water pipe insulation (Prescriptive).** Insulation for hot water pipe shall have a minimum thermal resistance (*R*-value) of R-4.

**R403.4.3 Electric water heater insulation.** All electric water heaters in unheated spaces or on concrete floors shall be placed on an incompressible, insulated surface with a minimum thermal resistance of R-10.

AMENDATORY SECTION (Amending WSR 13-04-055, filed 2/1/13, effective 7/1/13)

**WAC 51-11R-40621 Table R406.2—Energy credits.**

**TABLE 406.2  
ENERGY CREDITS (DEBITS)**

OPTION	DESCRIPTION	CREDIT(S)
1a	EFFICIENT BUILDING ENVELOPE 1a: Prescriptive compliance is based on Table R402.1.1 with the following modifications: Fenestration U = 0.28 Floor R-38 Slab on grade R-10 perimeter and under entire slab Below grade slab R-10 perimeter and under entire slab <b>or</b> Compliance based on Section R402.1.4: Reduce the Total UA by 5%.	0.5
1b	EFFICIENT BUILDING ENVELOPE 1b: Prescriptive compliance is based on Table R402.1.1 with the following modifications: Fenestration U = 0.25 Wall R-21 plus R-4 Floor R-38 Basement wall R-21 int plus R-5 ci Slab on grade R-10 perimeter and under entire slab Below grade slab R-10 perimeter and under entire slab <b>or</b> Compliance based on Section R402.1.4: Reduce the Total UA by 15%.	1.0
1c	EFFICIENT BUILDING ENVELOPE 1c: Prescriptive compliance is based on Table R402.1.1 with the following modifications: Fenestration U = 0.22 Ceiling and single-rafter or joist-vaulted R-49 advanced Wood frame wall R-21 int plus R-12 ci Floor R-38 Basement wall R-21 int plus R-12 ci Slab on grade R-10 perimeter and under entire slab Below grade slab R-10 perimeter and under entire slab <b>or</b> Compliance based on Section R402.1.4: Reduce the Total UA by 30%.	2.0
2a	AIR LEAKAGE CONTROL AND EFFICIENT VENTILATION 2a: Compliance based on R402.4.1.2: Reduce the tested air leakage to 4.0 air changes per hour maximum <b>and</b> All whole house ventilation requirements as determined by Section M1507.3 of the <i>International Residential Code</i> shall be met with a high efficiency fan (maximum 0.35 watts/cfm), not interlocked with the furnace fan. Ventilation systems using a furnace including an ECM motor are allowed, provided that they are controlled to operate at low speed in ventilation only mode. To qualify to claim this credit, the building permit drawings shall specify the option being selected ((and shall specify the option being selected)) and shall specify the maximum tested building air leakage and shall show the ((heat recovery)) qualified ventilation system.	0.5
2b	AIR LEAKAGE CONTROL AND EFFICIENT VENTILATION 2b: Compliance based on Section R402.4.1.2: Reduce the tested air leakage to 2.0 air changes per hour maximum <b>and</b> All whole house ventilation requirements as determined by Section M1507.3 of the <i>International Residential Code</i> shall be met with a heat recovery ventilation system with minimum sensible heat recovery efficiency of 0.70. To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the maximum tested building air leakage and shall show the heat recovery ventilation system.	1.0

OPTION	DESCRIPTION	CREDIT(S)
2c	<p>AIR LEAKAGE CONTROL AND EFFICIENT VENTILATION 2c: Compliance based on Section R402.4.1.2: Reduce the tested air leakage to 1.5 air changes per hour maximum <b>and</b> All whole house ventilation requirements as determined by Section M1507.3 of the <i>International Residential Code</i> shall be met with a heat recovery ventilation system with minimum sensible heat recovery efficiency of 0.85. To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the maximum tested building air leakage and shall show the heat recovery ventilation system.</p>	1.5
3a	<p>HIGH EFFICIENCY HVAC EQUIPMENT 3a: Gas, propane or oil-fired furnace with minimum AFUE of 95% To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the heating equipment type and the minimum equipment efficiency.</p>	0.5
3b	<p>HIGH EFFICIENCY HVAC EQUIPMENT 3b: Air-source heat pump with minimum HSPF of 8.5 To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the heating equipment type and the minimum equipment efficiency.</p>	1.0
3c	<p>HIGH EFFICIENCY HVAC EQUIPMENT 3c: Closed-loop ground source heat pump; with a minimum COP of 3.3 <b>or</b> Open loop water source heat pump with a maximum pumping hydraulic head of 150 feet and minimum COP of 3.6 To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the heating equipment type and the minimum equipment efficiency.</p>	2.0
3d	<p>HIGH EFFICIENCY HVAC EQUIPMENT 3d: DUCTLESS SPLIT SYSTEM HEAT PUMPS, ZONAL CONTROL: In homes where the primary space heating system is zonal electric heating, a ductless heat pump system shall be installed and provide heating to at least one zone of the housing unit. To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the heating equipment type and the minimum equipment efficiency.</p>	1.0
4	<p>HIGH EFFICIENCY HVAC DISTRIBUTION SYSTEM:<sup>a</sup> All heating and cooling system components installed inside the conditioned space. All combustion equipment shall be direct vent or sealed combustion. Locating system components in conditioned crawl spaces is not permitted under this option. Electric resistance heat is not permitted under this option. Direct combustion heating equipment with AFUE less than 80% is not permitted under this option. To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the heating equipment type and shall show the location of the heating and cooling equipment and all the ductwork.</p>	1.0
5a	<p>EFFICIENT WATER HEATING 5a: Water heating system shall include one of the following: Gas, propane or oil water heater with a minimum EF of 0.62 <b>or</b> Electric water heater with a minimum EF of 0.93. <b>and for both cases</b> All showerhead and kitchen sink faucets installed in the house shall be rated at 1.75 GPM or less. All other lavatory faucets shall be rated at 1.0 GPM or less.<sup>b</sup> To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the water heater equipment type and the minimum equipment efficiency and shall specify the maximum flow rates for all showerheads, kitchen sink faucets, and other lavatory faucets.</p>	0.5
5b	<p>EFFICIENT WATER HEATING 5b: Water heating system shall include one of the following: Gas, propane or oil water heater with a minimum EF of 0.82 <b>or</b> Solar water heating supplementing a minimum standard water heater. Solar water heating will provide a rated minimum savings of 85 therms or 2000 kWh based on the Solar Rating and Certification Corporation (SRCC) Annual Performance of OG-300 Certified Solar Water Heating Systems <b>or</b> Electric heat pump water heater with a minimum EF of 2.0 and meeting the standards of NEEA's Northern Climate Specifications for Heat Pump Water Heaters <b>or</b> Water heater heated by ground source heat pump meeting the requirements of Option 3c. To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the water heater equipment type and the minimum equipment efficiency and, for solar water heating systems, the calculation of the minimum energy savings.</p>	1.5

OPTION	DESCRIPTION	CREDIT(S)
6	<p>RENEWABLE ELECTRIC ENERGY:</p> <p>For each 1200 kWh of electrical generation provided annually by on-site wind or solar equipment a 0.5 credit shall be allowed, up to 3 credits. Generation shall be calculated as follows:</p> <p>For solar electric systems, the design shall be demonstrated to meet this requirement using the National Renewable Energy Laboratory calculator PVWATTS. Documentation noting solar access shall be included on the plans. For wind generation projects designs shall document annual power generation based on the following factors: The wind turbine power curve; average annual wind speed at the site; frequency distribution of the wind speed at the site and height of the tower.</p> <p>To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall show the photovoltaic or wind turbine equipment type, provide documentation of solar and wind access, and include a calculation of the minimum annual energy power production.</p>	0.5

Footnotes:

<sup>a</sup> **Interior Duct Placement.** Ducts included as Option 4 of Table R406.2 shall be placed wholly within the heated envelope of the housing unit. The placement shall be inspected and certified to receive the credits associated with this option.

EXCEPTION:

Ducts complying with this section may have up to 5% of the total linear feet of ducts located in the exterior cavities or buffer spaces of the dwelling. If this exception is used the ducts will be tested to the following standards: Post-construction test: Leakage to outdoors shall be less than or equal to 1 CFM per 100 ft<sup>2</sup> of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test.

<sup>b</sup> **Plumbing Fixtures Flow Ratings.** Low flow plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following requirements:

1 Residential bathroom lavatory sink faucets: Maximum flow rate - 3.8 L/min (1.0 gal/min) when tested in accordance with ASME A112.18.1/CSA B125.1.

2 Residential kitchen faucets: Maximum flow rate - 6.6 L/min (1.75 gal/min) when tested in accordance with ASME A112.18.1/CSA B125.1.

3 Residential showerheads: Maximum flow rate - 6.6 L/min (1.75 gal/min) when tested in accordance with ASME A112.18.1/CSA B125.1.

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

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

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

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

Date Adopted: October 2, 2013.

Sharon Foster  
Chairman

NEW SECTION

**WAC 314-02-1071 What is "trade area"?** (1) "Trade area" as used in RCW 66.24.630 means an area where there is no spirits retail license within a twenty mile travel distance at the time of license application.

(2) The board will use the following criteria when determining to accept a spirits retail license application where the proposed premises location is less than ten thousand square feet of fully enclosed retail space:

(a) There is no spirits retail license holder or auction title holder within twenty travel miles at the time of license application; and

(b) The board will determine travel distance by a publicly available mapping tool which may be accessed on the board's web site. The web address of this site at the time of rule adoption is <http://wslcb.maps.arcgis.com/home/>.

(3) Former contract liquor stores and title holders by those who purchased a state store at auction are exempt from the ten thousand square foot minimum required by law. Should either choose to locate within an established trade area and they are in compliance with board relocation criteria, they may be issued a license.

(4) The board may make an exception to the twenty mile travel distance for the following: A spirits retail license application is for a location where the significant mode of travel is other than by automobile.

**WSR 13-20-148**

**PERMANENT RULES**

**LIQUOR CONTROL BOARD**

[Filed October 2, 2013, 11:27 a.m., effective November 2, 2013]

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

Purpose: RCW 66.24.630, created with the passing of Initiative 1183, require[s] clarification on the definition of "trade area" to determine if a location for a spirits retail license in a location less than ten thousand square feet of retail space meets the requirements for the license.

Statutory Authority for Adoption: RCW 66.08.030.

Adopted under notice filed as WSR 13-17-111 on August 21, 2013.

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