

WSR 14-04-001
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed January 22, 2014, 2:41 p.m., effective February 22, 2014]

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

Purpose: In response to HB [E2SHB] 1134, creating state-tribal education compact schools, the office of the superintendent of public instruction is establishing new rules to allow federally recognized tribes and currently funded Bureau of Indian Education schools to create and operate schools through negotiated compacts. The new rules will establish policies and procedures necessary to provide guidance for this new process. The rules will also clarify accountability standards, roles and responsibilities of both entities, and describe the application and negotiation processes.

Statutory Authority for Adoption: RCW 28A.655.061 and 655.065 [28A.655.065].

Adopted under notice filed as WSR 13-23-069 on November 18, 2013.

Changes Other than Editing from Proposed to Adopted Version: No substantive changes being proposed, just editing changes to WAC 392-800-845 and 392-800-865.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 13, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: January 28, 2014.

Randy Dorn
 State Superintendent
 of Public Instruction

Chapter 392-800 WAC

STATE-TRIBAL EDUCATION COMPACT SCHOOLS

NEW SECTION

WAC 392-800-805 Authority. The authority for this chapter is RCW 28A.715.010, which authorizes the superintendent of public instruction to adopt such rules as are necessary to implement chapter 28A.715 RCW, chapter 242, Laws of 2013.

NEW SECTION

WAC 392-800-810 Purpose. The purposes of this chapter are to:

- (1) Implement chapter 28A.715 RCW;
- (2) Set forth policies and procedures for initiating the process of establishing state-tribal education compacts in the state of Washington;
- (3) Define the roles and responsibilities of the superintendent of public instruction and eligible federally recognized tribes and Bureau of Indian Affairs (BIE) schools in establishing state-tribal education compacts; and
- (4) Establish accountability standards that are applicable to all schools that are the subject of state-tribal education compacts.

NEW SECTION

WAC 392-800-815 Definitions. As used in this chapter:

- (1) The term "eligible Indian tribe" means any American Indian tribe in the state of Washington that is federally recognized and included as such on the official publications of the Washington state governor's office of Indian affairs;
- (2) The term "BIE school" means a school in Washington state that was funded by the BIE in 2013, whether directly or through a contract with an Indian tribe or tribal consortium;
- (3) The term "compact school" means a school that is:
 - (a) The subject of a state-tribal education compact that is approved and executed in accordance with this chapter; and
 - (b) Operated according to the terms of a state-tribal education compact.

NEW SECTION

WAC 392-800-820 Policy. (1) The state-tribal compacts affirm the state's commitment to honor the government-to-government relationship between the state and tribes by empowering tribes to take greater responsibility for improving the educational achievement outcomes for tribal students.

(2) Compact schools are exempt from all state statutes and rules applicable to school districts and school district boards of directors, except these statutes and rules made applicable under chapter 28A.715 RCW and the state-tribal compacts executed in accordance with this chapter.

NEW SECTION

WAC 392-800-825 Application—Approval process—Timeline. (1) Beginning in February 2014, eligible federally recognized tribes or BIE schools may apply to the superintendent of public instruction to initiate negotiations to enact a state-tribal education compact.

(2) Federally recognized tribes or BIE schools seeking approval of a state-tribal education compact must submit the application to the superintendent of public instruction by February 1st of the school year preceding the year in which the federally recognized tribes or BIE school seeks to commence operation of a compact school. Federally recognized tribes or BIE schools seeking to commence operation of a

compact school in 2014 must submit an application by April 15, 2014.

(3) The application must be hand delivered or mailed to the superintendent of public instruction at the following address:

Superintendent of Public Instruction
600 Washington Street S.E.
P.O. Box 47200
Olympia, WA 98504

(4) Within ninety days of his or her receipt of the application, the superintendent of public instruction will convene a government-to-government meeting for the purpose of considering the application and initiating negotiations.

(5) The superintendent of public instruction will approve or disapprove state-tribal education compact applications no later than April 15th of the school year, as defined by WAC 392-121-031, in which the federally recognized tribe or BIE school intends to commence operation of a compact school. The superintendent of public instruction's approval or disapproval of the application shall constitute final agency action.

(6) State-tribal education compacts must be executed by the superintendent of public instruction and the federally recognized tribe or BIE school governing body before operation of a compact school commences.

NEW SECTION

WAC 392-800-830 Application—Content. (1) A state-tribal education compact application must include the following:

(a) A resolution by the federally recognized tribe or BIE school's governing body authorizing the federally recognized tribe or BIE school to submit an application pursuant to this chapter;

(b) The grade or grades from kindergarten through twelve that will be offered;

(c) The school year in which the federally recognized tribe or BIE school intends to commence operation of a compact school; and

(d) A description of the educational program that will be offered at the compact school, which must include:

(i) The school's vision and mission;

(ii) The school's program design, including a description of how the school will improve culturally responsive and academic needs of students;

(iii) The school's curriculum and instruction framework;

(iv) Student performance standards/targets;

(v) The school's assessment plan, including a design of evaluation of the proposed program that will produce quantifiable results which will be used to determine the success of the program in meeting intended outcomes including, but not limited to, increased student achievement;

(vi) For high schools, the school's graduation requirements;

(vii) The school calendar;

(viii) An overview of supplemental programs offered at the school;

(ix) An overview of the programs offered for special populations, including students eligible for special education and English language learners;

(x) The school's discipline plan;

(xi) The school's community engagement plan;

(xii) The school's operations plan and governance structure;

(xiii) The school's personnel plan, including how identified personnel will be utilized to complete the tasks and achieve the program's objectives;

(xiv) The school's facilities plan;

(xv) The school's transportation plan;

(xvi) The school's financial plan and fiscal structure;

(xvii) The school's plan to conduct background checks for school personnel; and

(xviii) The school's safety plan.

(2) The application must demonstrate that the compact school will be operated in compliance with all applicable laws.

NEW SECTION

WAC 392-800-835 Application—Assurances. State-tribal compact applications must include the following assurances:

(1) The compact school will provide a curriculum and conduct an educational program that satisfies the requirements of RCW 28A.150.200 through 28A.150.240 and 28A.230.010 through 28A.230.195;

(2) The compact school will employ certified instructional staff as required in RCW 28A.410.010; however, such schools may hire noncertificated instructional staff of unusual competence and in exceptional cases as specific in RCW 28A.150.230;

(3) The compact school will comply with employee record checks requirements in RCW 28A.400.320, and mandatory termination and notification provisions of RCW 28A.400.320, 28A.400.330, 28A.405.470, and 28A.405.475;

(4) The compact school will comply with nondiscrimination laws;

(5) The compact school will adhere to generally accepted accounting principles and be subject to financial examinations and audits as determined by the state auditor, including annual audits for legal and fiscal compliance;

(6) The compact school will be subject to and comply with legislation enacted after the effective date of the sections governing the operation and management of schools that are the subject of a state-tribal education compact;

(7) The compact school will comply with all applicable federal laws such as the Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Educational Act (IDEA), and the Elementary and Secondary Education Act (ESEA) programs, as applicable;

(8) The compact school will not engage in any sectarian practices in its educational program, admission or employment policies, or operations;

(9) The compact school will not charge tuition, except to the same extent school districts may be permitted to do so with respect to out-of-state and adult students pursuant to

chapter 28A.225 RCW, but may charge fees for participation in optional extracurricular events and activities;

(10) The compact school will not limit admission on any basis other than age group, grade level, or capacity and must otherwise enroll all students who apply, provided that the compact school may prioritize the enrollment of tribal members and siblings of already enrolled students;

(11) The compact school will report student enrollment data in the same manner and use the same definitions of enrolled students and average full-time equivalent enrollment as required of a school district;

(12) The compact school will adhere to the statewide assessment process;

(13) The compact school will adhere to the student data reporting requirements provided in WAC 392-117-020 and 392-117-038.

NEW SECTION

WAC 392-800-840 Funding. (1) Funding for a school that is the subject of a state-tribal education compact shall be apportioned by the superintendent of public instruction according to the schedule established under RCW 28A.510.-250, including general apportionment; special education, categorical, and other nonbasic education moneys.

(2) Allocations for certificated instructional staff must be based on the average staff mix ratio of the school, as calculated by the superintendent of public instruction, using the statewide salary allocation schedule and related documents, conditions, and limitations established by the Omnibus Appropriations Act.

(3) Allocations for classified staff and certificated administrative staff must be based on the salary allocations of the school district in which the school is located, subject to conditions and limitations established by the Omnibus Appropriations Act.

(4) Nothing in this section requires a school that is subject to a state-tribal education compact to use the statewide salary allocation schedule.

(5) Any moneys received by a school that is subject to a state-tribal education compact from any source that remain in the school's accounts at the end of any budget year, must remain in the school's accounts for use by the school during subsequent years.

NEW SECTION

WAC 392-800-845 Timeline for start-up and renewal. Once a compact has been approved and executed it will remain in effect for at least three years, provided all terms and conditions of the state-tribal education compact have been met. The compact may be renewed for at least another three years or a time agreed to in the negotiated compact, after a review and approval process, at which time the existing compact will be continued, or a newly negotiated compact will be established. The renewed or revised compact will continue as agreed upon and will subsequently be reviewed in five-year increments.

NEW SECTION

WAC 392-800-850 Technical assistance and support.

The state superintendent of public instruction welcomes requests for technical assistance to entities requesting a state-tribal education compact.

NEW SECTION

WAC 392-800-855 Evaluation and effectiveness review.

An annual evaluation of the impact of state-tribal compact on the academic success of native K-12 students is required. Student academic growth data and high school graduation data must be collected and reported to the superintendent of public instruction by August 1st annually.

NEW SECTION

WAC 392-800-860 Accountability.

Compact schools must calculate and report federal and state school district accountability in a manner consistent with all other public schools in the state. Accountability for compact schools that are also Bureau of Indian Education (BIE) schools will be determined by the BIE.

NEW SECTION

WAC 392-800-865 Compact termination. (1) Eligible federally recognized tribes, BIE schools, and the superintendent of public instruction may terminate state-tribal compacts in accordance with the provisions for compact termination provided for in the compact.

(2) The following process shall govern the superintendent of public instruction's termination of a state-tribal education compact:

(a) The superintendent of public instruction or his or her designee will notify the governing body of the federally recognized tribe or BIE school of the superintendent of public instruction's intent to terminate the compact. The notification will be in writing and will state with specific reasons the superintendent of public instruction believes the compact should be terminated. In the event the superintendent of public instruction believes the compact should be terminated for cause, the notification will identify:

(i) The compact term, condition, or assurance that the superintendent of public instruction believes the compact school has violated; and

(ii) The evidence indicating that the compact term, condition, or assurance has been violated.

(b) The notification will invite the federally recognized tribe or BIE school to participate in a government-to-government meeting for the purpose of discussing the alleged violation and, if appropriate, engage in dispute resolution in accordance with the terms of the compact.

WSR 14-04-002
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed January 22, 2014, 2:47 p.m., effective February 22, 2014]

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

Purpose: These rule revisions clarify which staff in public schools are eligible for the national board bonus, and also provide other "housekeeping" updates.

Citation of Existing Rules Affected by this Order: Amending WAC 392-140-970 through 392-140-975.

Statutory Authority for Adoption: RCW 28A.150.290(1) and 28A.405.415.

Adopted under notice filed as WSR 13-23-063 on November 18, 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 6, Repealed 0.

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

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

Date Adopted: December 31, 2013.

Randy Dorn
State Superintendent
of Public Instruction

AMENDATORY SECTION (Amending WSR 11-02-054, filed 1/3/11, effective 2/3/11)

WAC 392-140-970 Salary bonus for teachers and other certificated instructional staff who hold current certification by the national board—Applicable provisions—Authority. The provisions of WAC 392-140-970 through 392-140-975 govern administration of the salary bonus for teachers and other certificated instructional staff who hold current certification by the national board for professional teaching standards. The authority for WAC 392-140-970 through 392-140-975 is the state Biennial Operating Appropriations Act, RCW 28A.405.415, and 28A.150.290 (1).

AMENDATORY SECTION (Amending WSR 08-17-013, filed 8/8/08, effective 9/8/08)

WAC 392-140-971 Salary bonus for teachers and other certificated instructional staff who hold current certification by the national board—Purpose. These rules determine eligibility for state funding and establish guidelines for the administration of the bonus.

AMENDATORY SECTION (Amending WSR 11-02-054, filed 1/3/11, effective 2/3/11)

WAC 392-140-972 Salary bonus for teachers and other certificated instructional staff who hold current certification by the national board—Definitions. As used in this chapter, "teachers and other certificated instructional staff" that are eligible for the national board bonus includes ~~((employees))~~ staff assigned to one of the following duties as defined in the *S-275 Personnel Reporting Handbook*:

- (1) Elementary teacher, duty root 31;
- (2) Secondary teacher, duty root 32;
- (3) Other teacher, duty root 33;
- (4) Other support personnel, duty root 40;
- (5) Library media specialist, duty root 41;
- (6) Counselor, duty root 42;
- (7) Occupational therapist, duty root 43;
- (8) Social worker, duty root 44;
- (9) Speech-language pathologist or audiologist, duty root 45;
- (10) Psychologist, duty root 46;
- (11) Nurse, duty root 47;
- (12) Physical therapist, duty root 48;
- (13) Reading resource specialist, duty root 49;
- (14) Long-term substitute teacher, duty root 52;
- (15) Contractor teacher, duty root 63;
- (16) Contractor educational staff associate, duty root 64; and excludes ~~((employees))~~ staff not assigned to the above duties. This excludes ~~((employees))~~ staff whose duties consist entirely of the following:
 - (17) Superintendent, duty root 11;
 - (18) Deputy/assistant superintendent, duty root 12;
 - (19) Other district administrator, duty root 13;
 - (20) Elementary principal, duty root 21;
 - (21) Elementary principal, duty root 22;
 - (22) Secondary principal, duty root 23;
 - (23) Secondary vice-principal, duty root 24;
 - (24) Other school administrator, duty root 25;
 - (25) Extracurricular, duty root 51; ~~((¶))~~
 - (26) Certificated on leave, duty root 61; or
 - (27) Classified staff, duty roots 90 through 99.

AMENDATORY SECTION (Amending WSR 11-23-116, filed 11/21/11, effective 12/22/11)

WAC 392-140-973 Salary bonus for teachers and other certificated instructional staff who hold current certification by the national board—Eligibility. ~~((Candidates who))~~ Staff that are eligible for the bonus shall be limited to those meeting the following requirements:

(1) Hold current certification by the national board for professional teaching standards during the entire school year, unless otherwise specified in the state Biennial Operating Appropriations Act; and

(2) Who are:

(a) Teachers and other certificated instructional staff employed full time or part time under written contract by Washington public school districts or educational service districts pursuant to RCW 28A.405.210; or

(b) Teachers and other certificated instructional staff employed full time or part time by a contractor pursuant to WAC 392-121-188 and 392-121-206 (2)(a); or

(c) Teachers and other certificated instructional staff employed full time or part time by the Washington school for the deaf or Washington school for the blind.

(3) In addition to bonuses provided by subsection (2) of this section, teachers and other certificated instructional staff shall be eligible for additional bonuses if ~~((the employee is))~~ in an instructional assignment in challenging, high poverty schools, subject to the following conditions and limitations:

(a) ~~((For the 2011-12 school year and thereafter,))~~ Challenging, high poverty schools are schools where, for the prior year, the student headcount enrollment eligible for the federal free or reduced price lunch program was at least:

(i) 70 percent for elementary schools;

(ii) 60 percent for middle schools; or

(iii) 50 percent for high schools; as determined by the October 1 count of the comprehensive education data and research system (CEDARS) or successor data collection and reporting systems, of the office of superintendent of public instruction, on May 1st of that prior year.

(b) For purposes of the national board challenging, high poverty schools bonus, a school shall be categorized based upon the highest grade~~(s)~~ served as follows:

(i) A school whose highest grade served is 6th grade or lower shall be considered an elementary school;

(ii) A school whose highest grade served is either 7th, 8th, or 9th grade shall be considered a middle school;

(iii) A school whose highest grade served is either 10th, 11th, or 12th grade shall be considered a high school.

(c) A school shall be considered only if it serves thirty or more students, or is the largest school in the district serving its designated category.

(d) Schools that provide institutional education programs pursuant to WAC 392-122-205 shall be designated as challenging, high poverty schools with the student headcount enrollment eligible for the federal free or reduced price lunch program at one hundred percent and shall not be subject to the requirement in this subsection of serving thirty or more students.

(e) The student enrollment data used shall include the state-funded students in kindergarten through twelfth grade, plus prekindergarten students in special education.

(f) Teachers and other certificated instructional staff that meet the qualifications for ~~((additional bonuses))~~ the challenging, high poverty schools bonus under this subsection who are assigned for less than one full school year or less than full time for the school year shall receive the ~~((additional bonuses))~~ challenging, high poverty schools bonus in a prorated manner, subject to the following conditions and limitations:

(i) The portion of the employee's assignment to challenging, high poverty schools shall be determined as of June 15th of the school year.

(ii) If the employee's assignment to challenging, high poverty schools is less than 1.0 full-time equivalent, the proration shall use the methodology in WAC 392-121-212 and shall be rounded to three decimal places.

AMENDATORY SECTION (Amending WSR 11-23-116, filed 11/21/11, effective 12/22/11)

WAC 392-140-974 Salary bonus for teachers and other certificated instructional staff who hold current certification by the national board—Administrative procedures. (1) School districts that employ teachers and other certificated instructional staff eligible for the salary bonus shall report those employees to the office of superintendent of public instruction by submitting for each employee the required data as determined by the superintendent of public instruction.

(2) Districts shall document each employee's eligibility by maintaining on file for audit a copy of the employee's national board certification notice and evidence of employment and duties assigned. For employees eligible for ~~((additional bonuses))~~ the challenging, high poverty schools bonus pursuant to WAC 392-140-973(3), districts shall also document the employee's instructional assignments in challenging, high poverty schools.

(3) ~~((Beginning in the 2011-12 school year,))~~ All requests must be submitted to the superintendent of public instruction by June 15th of the school year and shall be paid in the July apportionment and displayed on Report 1197, in revenue account 4158. Bonuses ~~((in WAC 392-140-973))~~ shall be reduced by a factor of 40 percent for first year National Board for Professional Teaching Standards (NBPTS) certified teachers, to reflect the portion of the instructional school year they are certified.

(4) For each candidate, the superintendent of public instruction shall send the district the amount of the salary bonus set in the operating appropriations act plus an amount for the district's (employer) portion of mandatory fringe benefits. The amount of the annual bonus in WAC 392-140-973(2) shall be five thousand dollars in the 2007-08 school year. Thereafter, the annual bonus shall increase by inflation. The amount of the ~~((additional))~~ challenging, high poverty schools bonus in WAC 392-140-973(3) shall be five thousand dollars in the 2007-08 school year. Thereafter, the ~~((additional))~~ challenging, high poverty schools bonus shall not increase by inflation.

(5) The district shall pay the bonus to the employee in a lump sum amount on a supplemental contract pursuant to RCW 28A.400.200 no later than August 31st of the school year.

(6) ~~((The salary bonus is excluded from the definition of "earnable compensation" under RCW 41.32.010(10) teachers' retirement through the 2007-08 school year. Beginning in the 2008-09 school year and thereafter,))~~ The salary bonus is included in the definition of "earnable compensation~~(-)~~" under RCW 41.32.010(10).

AMENDATORY SECTION (Amending WSR 10-12-020, filed 5/21/10, effective 6/21/10)

WAC 392-140-975 Salary bonus for teachers and other certificated instructional staff who hold current certification by the national board—Requests for review and adjustment. A school district may request that the superintendent of public instruction review and adjust data and calculations used to determine funding for the salary

bonus for teachers and other certificated instructional staff who hold current certification by the national board for professional teaching standards pursuant to this chapter and instructions issued by the superintendent of public instruction. Requests to review and adjust data shall be considered only for those districts wishing to appeal a school's eligibility designation for the challenging, high poverty schools bonus pursuant to WAC 392-140-973(3).

Requests to review and adjust data shall be considered only if the district shows that the data or calculations are in error, or other bona fide adjustments are necessary.

WSR 14-04-013

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 12-04—Filed January 23, 2014, 5:24 p.m., effective February 23, 2014]

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

Purpose: Solid fuel burning devices (chapter 173-433 WAC) helps to reduce Washington's wood smoke emissions to help meet federal air quality standards. The focus of this rule making is to:

- Modify thresholds for calling burn bans in areas at risk for nonattainment as outlined in law.
- Align the rule with other law changes.
- Meet Environmental Protection Agency (EPA) requirements.
- Help Washington's efforts to improve air quality in areas affected by pollution from wood stoves.
- Include housekeeping changes that improve rule clarity and consistency.

Citation of Existing Rules Affected by this Order: Amending chapter 173-433 WAC.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Adopted under notice filed as WSR 13-20-129 on October 2, 2013.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 1, Amended 2, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 2, 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 1, Amended 6, Repealed 0.

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

Date Adopted: January 23, 2014.

Maia D. Bellon
Director

AMENDATORY SECTION (Amending WSR 88-01-056, filed 12/16/87)

WAC 173-433-010 Purpose. This chapter, promulgated under chapters 43.21A and 70.94 RCW, establishes the following for solid fuel burning devices:

- Emission standards(~~(;)~~);
- Certification standards and procedures(~~(; curtailment rules, and)~~);
- Fuel restrictions (~~(for solid fuel burning devices)~~);
- Operation restrictions during impaired air quality burn bans; and
- Criteria for prohibiting the use of solid fuel burning devices that are not certified.

AMENDATORY SECTION (Amending WSR 91-07-066, filed 3/20/91, effective 4/20/91)

WAC 173-433-030 Definitions. The definitions of terms contained in chapter 173-400 WAC are incorporated by reference. Unless a different meaning is clearly required by context, the following words and phrases as used in this chapter(~~(; shall)~~) have the following meanings:

(1) "Adequate source of heat" means the ability to maintain seventy degrees Fahrenheit at a point three feet above the floor in all normally inhabited areas of a dwelling.

(2) "Area at risk for nonattainment" means an area where the three-year average of the annual ninety-eighth percentile of twenty-four hour PM-2.5 levels is greater than twenty-nine micrograms per cubic meter based on monitoring data for 2008-2010. Ecology processed all statewide data according to methods defined in 40 C.F.R. Part 50 Appendix N and determined that the following areas are areas at risk for non-attainment:

- Darrington;
- Marysville;
- Tacoma-Pierce County Nonattainment Area as described in 40 C.F.R. 81.348;

• Yakima.

(3) "Certified" means that a woodstove meets emission performance standards when tested by an accredited independent laboratory and labeled according to procedures specified by the EPA in "40 C.F.R. 60 Subpart AAA - Standards of Performance for Residential Wood Heaters" as amended through July 1, 1990.

~~((3))~~ (4) "Coal-only heater" means an enclosed, coal burning appliance capable of and intended for residential space heating, domestic water heating, or indoor cooking, which has all of the following characteristics:

(a) An opening for emptying ash which is located near the bottom or the side of the appliance;

(b) A system which admits air primarily up and through the fuel bed;

(c) A grate or other similar device for shaking or disturbing the fuel bed or power driven mechanical stoker; and

(d) The model is listed by a nationally recognized safety testing laboratory for use of coal only, except for coal ignition purposes.

~~((4))~~ (5) "EPA" means United States Environmental Protection Agency.

~~((5))~~ "New woodstove" means a woodstove that has not been sold at retail, bargained, exchanged, or given away for the first time by the manufacturer, the manufacturer's dealer or agency, or a retailer, and has not been so used as to become what is commonly known as "second-hand" within the ordinary meaning of that term.)

(6) "Impaired air quality burn ban" means a condition where both of the following exist:

- Air quality has degraded or will soon degrade as described in WAC 173-433-140;

- Ecology or the local air authority restricts solid fuel burning device emissions to prevent air quality from worsening, or limit the time with poor air quality.

Ecology or the local air authority declares impaired air quality burn bans according to the criteria in WAC 173-433-140.

(7) "Jurisdictional health department" means a city, county, city-county, or district public health department.

(8) "Local air authority" means an air pollution control authority activated under chapter 70.94 RCW that has jurisdiction over the subject source.

(9) "Nonaffected pellet stove" means that a pellet stove has an air-to-fuel ratio equal to or greater than 35.0 when tested by an accredited laboratory in accordance with methods and procedures specified by the EPA in "40 C.F.R. 60 Appendix A, REFERENCE METHOD 28A - MEASUREMENT OF AIR TO FUEL RATIO AND MINIMUM ACHIEVABLE BURN RATES FOR WOOD-FIRED APPLIANCES" as amended through July 1, 1990.

~~((7))~~ (10) "Prohibit the use" or "prohibition" may include requiring disclosure of an uncertified device, removal of an uncertified device, or rendering an uncertified device inoperable. Except as provided in RCW 64.06.020, such prohibition may not include time of sale obligation on the seller or buyer of real estate as part of a real estate transaction.

(11) "Retailer" means any person engaged in the sale of solid fuel burning devices directly to the public. A contractor who sells dwellings with solid fuel burning devices installed or a mail order outlet which sells solid fuel burning devices directly to the public is considered to be a solid fuel burning device retailer.

~~((8))~~ (12) "Seasoned wood" means wood of any species that has been sufficiently dried so as to contain twenty percent or less moisture by weight.

~~((9))~~ (13) "Solid fuel burning device" (same as solid fuel heating device) means a device that burns wood, coal, or any other nongaseous or nonliquid fuels, and includes any device burning any solid fuel except those prohibited by WAC 173-433-120. This also includes devices used for aesthetic or space-heating purposes in a private residence or commercial establishment, which has a heat input less than one million British thermal units per hour.

~~((10))~~ (14) "Treated wood" means wood of any species that has been chemically impregnated, painted, or similarly modified to prevent weathering and deterioration.

~~((11))~~ (15) "Woodstove" (same as "wood heater") means an enclosed solid fuel burning device capable of and intended for residential space heating and domestic water heating that meets the following criteria contained in "40 C.F.R. 60 Subpart AAA - Standards of Performance for Residential Wood Heaters" as amended through July 1, 1990:

(a) An air-to-fuel ratio in the combustion chamber averaging less than 35.0, as determined by EPA Reference Method 28A;

(b) A useable firebox volume of less than twenty cubic feet;

(c) A minimum burn rate less than 5 kg/hr as determined by EPA Reference Method 28;

(d) A maximum weight of 800 kg, excluding fixtures and devices that are normally sold separately, such as flue pipe, chimney, and masonry components not integral to the appliance.²

Any combination of parts, typically consisting of but not limited to: Doors, legs, flue pipe collars, brackets, bolts and other hardware, when manufactured for the purpose of being assembled, with or without additional owner supplied parts, into a woodstove, is considered a woodstove.

AMENDATORY SECTION (Amending WSR 93-04-105, filed 2/3/93, effective 3/6/93)

WAC 173-433-100 Emission performance standards.

(1) **Woodstoves.** ~~((On or before January 1, 1995, a person shall not advertise to sell, offer to sell, sell, bargain, exchange, or give away a new woodstove in Washington unless it has been tested to determine its emission performance and heating efficiency and certified and labeled in accordance with procedures and criteria specified in "40 C.F.R. 60 Subpart AAA - Standards of Performance for Residential Wood Heaters" as amended through July 1, 1990. After January 1, 1995,))~~ Woodstove sales ~~((shall))~~ must comply with the requirements of subsection (3) of this section, Solid fuel burning devices.

(2) **Fireplaces.** ~~((After January 1, 1997,))~~ A person ~~((shall))~~ must not advertise to sell, offer to sell, sell, bargain, exchange, or give away a factory built fireplace unless it meets the 1990 ~~((United States Environmental Protection Agency))~~ EPA standards for woodstoves or equivalent standard that may be established by the state building code council by rule. Subsection (3) of this section ~~((shall))~~ does not apply to fireplaces, including factory built fireplaces, and masonry fireplaces.

(3) **Solid fuel burning devices.** ~~((After January 1, 1995,))~~ A person ~~((shall))~~ must not advertise to sell, offer to sell, sell, bargain, exchange, or give away a solid fuel burning device in Washington unless it has been certified and labeled in accordance with procedures and criteria specified in "40 C.F.R. 60 Subpart AAA - Standards of Performance for Residential Wood Heaters" as amended through July 1, 1990, and meets the following particulate air contaminant emission standards and the test methodology of the ~~((United States Environmental Protection Agency))~~ EPA in effect on January 1, 1991, or an equivalent standard under any test methodology adopted by the ~~((United States Environmental Protection Agency))~~ EPA subsequent to such date:

(a) Two and one-half grams per hour for catalytic woodstoves; and

(b) Four and one-half grams per hour for all other solid fuel burning devices.

(c) For purposes of this subsection, "equivalent" ~~((shall))~~ means the emissions limits specified in this subsection multi-

plied by a statistically reliable conversion factor determined by ecology that relates the emission test results from the methodology established by the (~~United States Environmental Protection Agency~~) EPA prior to May 15, 1991, to the test results from the methodology subsequently adopted by that agency.

AMENDATORY SECTION (Amending WSR 93-04-105, filed 2/3/93, effective 3/6/93)

WAC 173-433-110 Opacity standards. (1) **Statewide opacity standard.**

(a) A person (~~shall~~) must not cause or allow emission of a smoke plume from any solid fuel burning device to exceed an average of twenty percent opacity for six consecutive minutes in any one-hour period.

~~((2) Statewide opacity standard. An)~~ (b) A local air authority (~~shall~~) must not adopt or enforce an opacity level for solid fuel burning devices that is more stringent than the statewide standard.

~~((3))~~ (2) **Test method and procedures.** Methods and procedures specified by the EPA in "40 C.F.R. 60 Appendix A reference method 9 - VISUAL DETERMINATION OF THE OPACITY OF EMISSIONS FROM STATIONARY SOURCES" as amended through July 1, 1990, (~~shall~~) must be used to determine compliance with subsection (1) of this section.

~~((4))~~ (3) **Enforcement.** Smoke visible from a chimney, flue or exhaust duct in excess of the opacity standard (~~shall~~) constitutes prima facie evidence of unlawful operation of an applicable solid fuel burning device. This presumption may be refuted by demonstration that the smoke was not caused by an applicable solid fuel burning device. The provisions of this requirement shall:

(a) Be enforceable on a complaint basis.

(b) Not apply during the starting of a new fire for a period not to exceed twenty minutes in any four-hour period.

~~((5))~~ (4) **Education.** Any person or retailer providing information on the operation of solid fuel burning devices, such as brochures, demonstrations, and public education programs, should include information that opacity levels of ten percent or less are attainable through proper operation.

AMENDATORY SECTION (Amending WSR 91-07-066, filed 3/20/91, effective 4/20/91)

WAC 173-433-120 Prohibited fuel types. A person (~~shall~~) must not cause or allow any of the following materials to be burned in a solid fuel burning device:

- (1) Garbage;
- (2) Treated wood;
- (3) Plastic and plastic products;
- (4) Rubber products;
- (5) Animal carcasses;
- (6) Asphaltic products;
- (7) Waste petroleum products;
- (8) Paints and chemicals; or

(9) Any substance which normally emits dense smoke or obnoxious odors other than paper to start the fire, properly seasoned fuel wood, or coal with sulfur content less than 1.0% by weight burned in a coal-only heater.

AMENDATORY SECTION (Amending WSR 91-07-066, filed 3/20/91, effective 4/20/91)

WAC 173-433-140 ((Impaired air quality)) Criteria for impaired air quality burn bans. ((Impaired air quality shall be determined by ecology or an authority in accordance with the following criteria:

(1) "First stage impaired air quality" — the first stage indicates the presence of:

(a) Particulate matter ten microns and smaller in diameter (PM₁₀) at or above an ambient level of seventy-five micrograms per cubic meter; or

(b) Carbon monoxide at or above an ambient level of eight parts of contaminant per million parts of air by volume (ppm).

(2) "Second stage impaired air quality" — the second stage indicates the presence of particulate matter ten microns and smaller in diameter (PM₁₀) at or above an ambient level of one hundred five micrograms per cubic meter.

(3) On or after July 1, 1995, if an authority has geographically limited the use of solid fuel burning devices as specified under WAC 173-433-150(6), a single stage of impaired air quality will apply within the geographical area defined by the authority. A single stage of impaired air quality indicates the presence of:

(a) Particulate matter ten microns and smaller in diameter (PM₁₀) at or above an ambient level of ninety micrograms per cubic meter; or

(b) Carbon monoxide at or above an ambient level of eight parts of contaminant ppm.

(4) Acceptable ambient air quality measurement methods:

(a) Particulate matter ten microns and smaller in diameter (PM₁₀):

(i) Procedures specified by the EPA in "40 C.F.R. 50, APPENDIX J - REFERENCE METHOD FOR THE DETERMINATION OF PARTICULATE MATTER AS PM₁₀ IN THE ATMOSPHERE" as amended through July 1, 1990, shall be used to gather reference ambient PM₁₀ data on a twenty-four hour average.

(ii) More timely ambient PM₁₀ measurement methods may be utilized to evaluate air quality impairment if accepted and approved by ecology. Any alternative method for evaluating air quality impairment for the purpose of curtailing solid fuel burning device use must be done at the same location and in parallel to the reference method, and must be related to the reference method by a mathematical relationship with a correlation coefficient of no less than 0.85.

(b) Carbon monoxide (CO) must be measured on an eight hour average in accordance with procedures specified by the EPA in "40 C.F.R. 50, APPENDIX C - REFERENCE METHOD FOR THE DETERMINATION OF CARBON MONOXIDE IN THE ATMOSPHERE (NON-DISPURIVE INFRARED PHOTOMETRY)" as amended through July 1, 1990.

(c) All monitors used to measure PM₁₀ for evaluation of air quality impairment due to solid fuel burning device use must be sited in accordance with EPA siting criteria in or near affected residential areas.) Ecology or a local air authority may call an impaired air quality burn ban as follows:

(1) Stage 1 impaired air quality burn ban:

(a) Ecology or the local air authority may call a stage 1 impaired air quality burn ban when they predict that the twenty-four hour average of PM-2.5 levels will reach or exceed thirty-five micrograms per cubic meter within forty-eight hours.

(b) Pierce, Snohomish, and Yakima counties each contain at least one area at risk for nonattainment. In these counties, the local air authority may call a stage 1 impaired air quality burn ban when they predict that the twenty-four hour average of PM-2.5 levels will reach or exceed thirty micrograms per cubic meter within seventy-two hours.

(2) Stage 2 impaired air quality burn ban:

(a) Ecology or the local air authority may call a stage 2 impaired air quality burn ban when all of the following conditions exist:

(i) A stage 1 impaired air quality burn ban is already in effect and has not reduced the trend of rising PM-2.5 levels adequately.

(ii) The twenty-four hour average of PM-2.5 levels have already reached or exceeded twenty-five micrograms per cubic meter.

(iii) Ecology or the local air authority expects that PM-2.5 levels will remain above twenty-five micrograms per cubic meter for twenty-four hours or more from the time PM-2.5 levels reached the trigger in (a)(ii) of this subsection.

(b) Ecology or the local air authority may call a stage 2 impaired air quality burn ban without calling a stage 1 impaired air quality burn ban when all of the following conditions exist:

(i) The twenty-four hour average of PM-2.5 levels have reached or exceeded twenty-five micrograms per cubic meter.

(ii) PM-2.5 levels have risen rapidly.

(iii) Ecology or the local air authority predicts that the twenty-four hour average of PM-2.5 levels will exceed thirty-five micrograms per cubic meter within twenty-four hours.

(iv) Weather conditions alone are highly unlikely to help decrease PM-2.5 levels sufficiently.

(c) Pierce, Snohomish, and Yakima counties each contain at least one area at risk for nonattainment. In these counties, the local air authority may call a stage 2 impaired air quality burn ban without calling a stage 1 impaired air quality burn ban when all of the following conditions exist:

(i) The twenty-four hour average of PM-2.5 levels have reached or exceeded twenty-five micrograms per cubic meter.

(ii) PM-2.5 levels have risen rapidly.

(iii) The local air authority predicts that the twenty-four hour average of PM-2.5 levels will reach or exceed thirty micrograms per cubic meter within twenty-four hours.

(iv) Weather conditions alone are highly unlikely to help decrease PM-2.5 levels sufficiently.

(3) Ecology or the local air authority may call an impaired air quality burn ban for areas smaller than a county, when and where feasible.

AMENDATORY SECTION (Amending WSR 91-07-066, filed 3/20/91, effective 4/20/91)

WAC 173-433-150 ((Curtailed)) Restrictions on operation of solid fuel burning devices. (1) ~~((Whenever ecology or an authority has declared the first stage of impaired air quality for a geographical area a person in a residence or commercial establishment within that geographical area with an adequate source of heat other than a solid fuel burning device shall))~~ **Stage 1 impaired air quality burn ban:**

(a) Except as described in (b) of this subsection, a person must not operate any solid fuel burning device((s)) during a stage 1 impaired air quality burn ban when all of the following apply:

- The solid fuel burning device is located in a residence or commercial establishment within the geographical area covered by the stage 1 impaired air quality burn ban.

- The residence or commercial establishment has an adequate source of heat other than a solid fuel burning device.

(b) A person meeting all of the conditions in (a) of this subsection must not operate any solid fuel burning device during a stage 1 impaired air quality burn ban unless the solid fuel burning device is one of the following:

~~((a))~~ (i) A nonaffected pellet stove; or

~~((b))~~ (ii) A woodstove certified and labeled by the EPA under "40 C.F.R. 60 Subpart AAA - Standards of Performance for Residential Wood Heaters" as amended through July 1, 1990; or

~~((c))~~ (iii) A woodstove meeting the "Oregon Department of Environmental Quality Phase 2" emissions standards contained in Subsections (2) and (3) of Section 340-21-115, and certified in accordance with "Oregon Administrative Rules, Chapter 340, Division 21 - Woodstove Certification" dated November 1984.

(c) Except as allowed by (b) of this subsection, a person already operating a solid fuel burning device when a stage 1 impaired air quality burn ban begins must withhold new solid fuel for the duration of the impaired air quality burn ban.

~~((Whenever ecology or an authority has declared the second stage of impaired air quality for a geographical area a person in a residence or commercial establishment within that geographical area with an adequate source of heat other than a solid fuel burning device shall))~~ **Stage 2 impaired air quality burn ban:**

(a) A person must not operate any solid fuel burning device during a stage 2 impaired air quality burn ban when all of the following apply:

- The solid fuel burning device is located in a residence or commercial establishment within the geographical area covered by the stage 2 impaired air quality burn ban.

- The residence or commercial establishment has an adequate source of heat other than a solid fuel burning device.

(b) A person already operating a solid fuel burning device when a stage 2 impaired air quality burn ban begins must withhold any new solid fuel for the duration of the stage 2 impaired air quality burn ban.

~~((Whenever ecology has declared an air pollution episode at a level above forecast a person in a residence or commercial establishment within that geographical area with an adequate source of heat other than a solid fuel burning~~

device shall)) **Air pollution episodes.** Ecology may declare air pollution episodes as defined in chapter 173-435 WAC.

(a) A person must not operate any solid fuel burning device during alert, warning, or emergency air pollution episodes when all of the following apply:

- The solid fuel burning device is located in a residence or commercial establishment within the geographical area covered by the air pollution episode.
- The residence or commercial establishment has an adequate source of heat other than a solid fuel burning device.

(b) A person already operating a solid fuel burning device when an alert, warning, or emergency air pollution episode begins must withhold new solid fuel for the duration of the alert, warning, or emergency air pollution episode.

(4) The following matrix graphically illustrates the applicability of different types of solid fuel burning devices to the provisions of subsections (1) through (3) of this section:

((Burn Condition)) Type of Device	Impaired Air Quality <u>Burn Ban</u>		Episode			
	First Stage	Second Stage	Forecast	Alert(,Warning, or Emergency))	<u>Warning</u>	<u>Emergency</u>
Pellet Stove (nonaffected)	OK	NO	OK	NO	<u>NO</u>	<u>NO</u>
EPA Certified Woodstove	OK	NO	OK	NO	<u>NO</u>	<u>NO</u>
DEQ Phase 2 Woodstove	OK	NO	OK	NO	<u>NO</u>	<u>NO</u>
EPA Exempted Device	NO	NO	OK	NO	<u>NO</u>	<u>NO</u>
All Other Devices	NO	NO	OK	NO	<u>NO</u>	<u>NO</u>

NOTES: "OK" indicates that a person may operate the device ((may be operated))
 "NO" indicates that a person must withhold new fuel from the device ((may not be operated))

(5) ((On or after July 1, 1995, an authority may prohibit use of solid fuel burning devices within specific geographical areas:

(a) The following factors shall be considered in the exercise of this limitation:

- (i) ~~The contribution of solid fuel devices that do not meet the standards set forth in "40 C.F.R. 60 Subpart AAA Standards of Performance for Residential Wood Heaters" as amended through July 1, 1990, to nonattainment of national ambient air quality standards;~~
- (ii) ~~The population density of the applicable geographical area; and~~
- (iii) ~~The public health effects of the use of solid fuel devices which do not meet the standards set forth in "40 C.F.R. 60 Subpart AAA Standards of Performance for Residential Wood Heaters" as amended through July 1, 1990.~~

(b) The following solid fuel devices are exempted from this limitation:

- (i) Fireplaces;
- (ii) Woodstoves certified and labeled by the EPA under "40 C.F.R. 60 Subpart AAA Standards of Performance for Residential Wood Heaters" as amended through July 1, 1990;

or

- (iii) Nonaffected pellet stoves.

(c) ~~An authority shall allow an exemption from this subsection for low-income persons who reside in the geographical area affected by this subsection.~~

(6) ~~On or after July 1, 1995, whenever an authority has declared impaired air quality in accordance with criteria contained in WAC 173-433-140(3) for a geographical area defined under subsection (5) of this section, a person in a residence or commercial establishment within that geographical area shall not operate any solid fuel burning device.~~

(7) ~~A person responsible for an applicable solid fuel burning device already in operation at the time an episode is~~

~~declared shall withhold new solid fuel for the duration of the episode. A person responsible for an applicable solid fuel burning device already in operation at the time impaired air quality is declared shall withhold new solid fuel for the duration of the impaired air quality.)~~ Smoke visible from a chimney, flue or exhaust duct after three hours has elapsed from the declaration of the episode or impaired air quality ((shall)) burn ban constitutes prima facie evidence of unlawful operation of an applicable solid fuel burning device. A person may refute this presumption ((may be refuted by)) with a demonstration that the smoke was not caused by a solid fuel burning device.

((8)) (6) Ecology, local air authorities, health departments, fire departments, or local police forces having jurisdiction in the area may enforce compliance with the ((above solid fuel burning device curtailment rules)) air pollution episode or impaired air quality burn ban after three hours has elapsed from the declaration of the air pollution episode or impaired air quality burn ban.

NEW SECTION

WAC 173-433-155 Criteria for prohibiting solid fuel burning devices that are not certified. (1) After January 1, 2015, and after meeting the requirements in subsection (3) of this section, ecology or the local air authority may prohibit the use of solid fuel burning devices in a nonattainment area or an area with an approved PM-2.5 maintenance plan.

(2) Except as provided in subsection (3) of this section, the prohibition will prohibit the use of solid fuel burning devices that are not certified, even in the absence of an air quality episode or impaired air quality burn ban.

(3) Before prohibiting the use of solid fuel burning devices as allowed in subsections (1) and (2) of this section, ecology or a local air authority must:

(a) Allow exemptions from this subsection as described in RCW 70.94.477(2) and 70.94.477(6).

(b) Seek input from any city, county, or jurisdictional health department affected by the proposal to prohibit the use of solid fuel burning devices.

(c) Make the following written findings:

(i) The EPA has designated the area nonattainment for PM-2.5 or has approved a PM-2.5 maintenance plan for the area.

(ii) Emissions from solid fuel burning devices in the area are a major contributing factor for violating the national ambient air quality standard for PM-2.5.

(iii) The area has an adequately funded program to assist low-income households to secure an adequate source of heat.

(4) When both of the following are true:

- The area is in ecology's jurisdiction.
- The legislative authority of a city or county for the area formally expresses concerns with the written findings required in subsection (3)(c) of this section.

Ecology will publish all of the following on the agency web site:

(a) The reasons for prohibiting the use of solid fuel burning devices.

(b) The agency's responses to the concerns expressed by the city or county legislative authority.

(5) The responsibility for enforcement of the prohibition of the use of solid fuel burning devices resides solely with ecology or the local air authority.

(6) A city, county, or jurisdictional health department serving the area may agree to assist with enforcement activities.

(7) On or after June 7, 2012, and before January 1, 2015, ecology or the local air authority must provide assistance to households using solid fuel burning devices to reduce the emissions from those devices or change out to a lower emission device.

(8) Before the effective date of any prohibition, ecology or the local air authority must provide public education in the area regarding all of the following:

(a) How households can reduce their emissions through cleaner burning practices.

(b) The importance of respecting impaired air quality burn bans.

(c) Opportunities for assistance in obtaining a cleaner device.

(9) In an area where the EPA has approved a PM-10 maintenance plan, ecology or the local air authority may prohibit the use of solid fuel burning devices when all of the following are true:

(a) The PM-10 maintenance plan contained a prohibition on the use of solid fuel burning devices as a contingency measure.

(b) The area has violated the PM-10 national ambient air quality standard.

(c) The emissions from solid fuel burning devices are a major contributing factor to the violation of the PM-10 national ambient air quality standard.

WSR 14-04-014

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed January 24, 2014, 7:45 a.m., effective February 24, 2014]

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

Purpose: Adding cell phone and texting violations committed by the operators of commercial motor vehicles to the definition of "moving traffic violations."

Citation of Existing Rules Affected by this Order: Amending WAC 308-104-160.

Statutory Authority for Adoption: RCW 46.01.110, 46.20.2891, 46.20.291, and 46.65.020.

Adopted under notice filed as WSR 14-01-103 on December 18, 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 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: January 24, 2014.

Damon Monroe
Rules Coordinator

AMENDATORY SECTION (Amending WSR 13-04-059, filed 2/1/13, effective 3/4/13)

WAC 308-104-160 Moving and nonmoving violations defined. For purposes of RCW 46.20.2891, 46.65.020, and this chapter, the term "moving violation" means any violation of vehicle laws listed in this section that is committed by the driver of a vehicle, while the vehicle is moving. However, being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug is also considered a moving violation for the purposes of this section. Parking violations, equipment violations or paperwork violations relating to insurance, registration, licensing and inspection are considered "nonmoving violations." Moving violations are those violations included in the following list or violations of substantially similar laws, administrative regulations, local laws, ordinances, regulations, or resolutions of a political subdivision of this state, the federal government, or any other state:

(1) Driving while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502;

(2) Physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.504;

(3) Vehicular homicide, as defined by RCW 46.61.520;

- (4) Vehicular assault, as defined by RCW 46.61.522;
- (5) Reckless driving, as defined by RCW 46.61.500;
- (6) Racing, as defined by RCW 46.61.530;
- (7) Embracing, as defined by RCW 46.61.665;
- (8) Hit and run (injury, death, striking the body of a deceased person, or occupied vehicle), as defined by RCW 46.52.020;
- (9) Attempting to elude a police vehicle, as defined by RCW 46.61.024;
- (10) Driving while driving privilege suspended or revoked, as defined by RCW 46.20.342, 46.20.345, or 46.20.-394;
- (11) Reckless endangerment of roadway workers, as defined in RCW 46.61.527;
- (12) Driver under twenty-one driving or being in physical control of a motor vehicle after consuming alcohol, as defined in RCW 46.61.503;
- (13) Driving or in physical control of commercial motor vehicle while having alcohol in system, as defined in RCW 46.25.110;
- (14) Open container violation (driver), as defined by RCW 46.61.519;
- (15) Negligent driving in the first degree, as defined by RCW 46.61.5249;
- (16) Negligent driving in the second degree, as defined by RCW 46.61.525 or 46.61.526;
- (17) Hit and run (unattended vehicle or property), as defined by RCW 46.52.010;
- (18) Disobey road sign, as defined by RCW 46.61.050, 46.61.070, or 46.61.450;
- (19) Disobey signalman, officer, or firefighter, as defined by RCW 46.61.015, 46.61.020, 46.61.021, or 46.61.-022;
- (20) Disobey school patrol, as defined by RCW 46.61.385;
- (21) Speed too fast for conditions, as defined by RCW 46.61.400;
- (22) Speed in excess of maximum limit, as defined by RCW 46.61.400 or 46.61.460;
- (23) Speeding in a school zone, as defined by RCW 46.61.440;
- (24) Failure to stop, as defined by RCW 46.61.055, 46.61.065, 46.61.195, 46.61.200, 46.61.340, 46.61.345, 46.61.350, 46.61.365, 46.61.370, or 46.61.375;
- (25) Failure to yield right of way, as defined by RCW 46.61.180, 46.61.183, 46.61.185, 46.61.190, 46.61.202, 46.61.205, 46.61.210, 46.61.212, 46.61.215, 46.61.220, 46.61.235, 46.61.245, 46.61.261, 46.61.300, or 46.61.427;
- (26) Failure to keep to the right, as defined by RCW 46.61.100 or 46.61.105;
- (27) Wrong way on a one-way street or rotary traffic island, as defined by RCW 46.61.135;
- (28) Improper lane change or travel, as defined by RCW 46.61.140;
- (29) Straddling or driving over centerline, as defined by RCW 46.61.140;
- (30) Driving on the wrong side of the road, as defined by RCW 46.61.150;
- (31) Crossing divider, as defined by RCW 46.61.150;
- (32) Improper entrance to or exit from freeway, as defined by RCW 46.61.155;
- (33) Violating restrictions on a limited access highway while driving a motor vehicle, as defined by RCW 46.61.160;
- (34) High occupancy vehicle lane violation, as defined by RCW 46.61.165;
- (35) Improper overtaking or passing, as defined by RCW 46.61.110, 46.61.115, 46.61.120, 46.61.125, 46.61.130, or 46.61.428;
- (36) Passing stopped school bus, as defined by RCW 46.61.370;
- (37) Passing stopped private carrier bus, as defined by RCW 46.61.375;
- (38) Following too closely, as defined by RCW 46.61.145;
- (39) Following fire apparatus, as defined by RCW 46.61.635;
- (40) Crossing fire hose, as defined by RCW 46.61.640;
- (41) Driving on sidewalk, as defined by RCW 46.61.-606;
- (42) Driving through safety zone, as defined by RCW 46.61.260;
- (43) Driving with wheels off roadway, as defined by RCW 46.61.670;
- (44) Impeding traffic, as defined by RCW 46.61.100, 46.61.425, or 46.20.427;
- (45) Improper turn, as defined by RCW 46.61.290;
- (46) Prohibited turn, as defined by RCW 46.61.295;
- (47) Failure to signal or improper signal, as defined by RCW 46.61.305, 46.61.310, or 46.61.315;
- (48) Improper backing, as defined by RCW 46.61.605;
- (49) Unlawful operation of motorcycle on roadway, as defined by RCW 46.61.608, 46.61.612, or 46.61.614;
- (50) Reckless endangerment, as defined by RCW 9A.36.050;
- (51) Failure to maintain control, as defined by RCW 46.61.445;
- (52) Violation of license restriction(s), as defined by RCW 46.20.041 or 46.20.740;
- (53) Violation of instruction permit restrictions, as defined by RCW 46.20.055;
- (54) Violation of out-of-service order, as defined by RCW 46.25.090;
- (55) Obstructed vision or control, as defined by RCW 46.61.615;
- (56) Carrying persons or animals outside of vehicle, as defined by RCW 46.61.660;
- (57) Carrying passenger in towed vehicle, as defined by RCW 46.61.625;
- (58) Coasting on downgrade, as defined by RCW 46.61.-630;
- (59) Violation of child restraint requirements, as defined by RCW 46.61.687;
- (60) Carrying child under the age of five years old on motorcycle, as defined by RCW 46.37.530;
- (61) Carrying passenger improperly on motorcycle, as defined by RCW 46.61.610;
- (62) No helmet, goggles, mirrors, windshield or face shield, as defined by RCW 46.37.530;

(63) Operating moped on freeway or sidewalk, as defined by RCW 46.61.710;

(64) Driving without lights, as defined by RCW 46.37-020;

(65) Failure to dim lights, as defined by RCW 46.37.230;

(66) Operating motorcycle without lights, as defined by RCW 46.37.522;

(67) No lamp, reflector, or flag on extended load, as defined by RCW 46.37.140;

(68) Wearing earphones or viewing television in vehicle, as defined by RCW 46.37.480;

(69) Failure to secure load, as defined by RCW 46.37-490;

(70) Spilling load, as defined by RCW 46.61.655; ~~((and))~~

(71) Improper towing, as defined by RCW 46.44.070;

(72) Using a hand-held mobile telephone while driving a commercial motor vehicle, as defined by RCW 46.61.667 (1)(b); and

(73) Texting while driving a commercial motor vehicle, as defined by RCW 46.61.668 (1)(b).

WSR 14-04-015

PERMANENT RULES

DEPARTMENT OF COMMERCE

[Filed January 24, 2014, 9:20 a.m., effective February 24, 2014]

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

Purpose: Update rules relating to process, timelines and documentation for consumer-owned electric utilities subject to the Washington renewable portfolio and energy efficiency standard, chapter 19.285 RCW. Incorporate legislative changes made since existing rules were adopted in 2008, correct cross-references and omissions, strengthen and clarify documentation requirements, and update provisions to reflect changes in industry practices.

Citation of Existing Rules Affected by this Order: Amending WAC 194-37-040, 194-37-050, 194-37-060, 194-37-070, 194-37-080, 194-37-090, 194-37-100, 194-37-110, 194-37-120, 194-37-140, and 194-37-210.

Statutory Authority for Adoption: RCW 19.285.080.

Adopted under notice filed as WSR 13-23-083 on November 17 [19], 2013.

Changes Other than Editing from Proposed to Adopted Version: The permanent rule deletes two definitions from WAC 194-37-040, "load" and "year." Both terms are defined in the underlying statute and are unnecessary in the rule.

The permanent rule revises the procedure for use of renewable energy credits provided to a utility by the Bonneville Power Administration. The revision conforms rule to actual industry practice.

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 3, 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 2, Amended 11, 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: January 24, 2014.

Nick Demerice
Director of
External Relations

AMENDATORY SECTION (Amending WSR 08-07-079, filed 3/18/08, effective 4/18/08)

WAC 194-37-040 Definitions. The definitions in chapter 19.285 RCW apply throughout this chapter. ~~((Some of those definitions are included here, in addition to rule-specific definitions, to assist in understanding this chapter.~~

~~((1))~~ (1) "Auditor" means:

~~((a))~~ (a) The Washington state auditor's office or its designee for consumer-owned utilities under its jurisdiction, such as a public utility district formed under Title 54 RCW, a municipal electric utility formed under Title 35 RCW, or any other public entity authorized by law to sell electricity for retail use;

~~((b))~~ (b) An independent auditor selected by a utility that is not under the jurisdiction of the state auditor, such as a cooperative formed under chapter 23.86 RCW or an electric mutual corporation or association formed under chapter 24.06 RCW.

~~((2))~~ (1) "Annual revenue requirement" and "total annual revenue requirement" means that portion of a utility's annual budget approved by its governing body for the target year that is intended to be recovered through retail electricity sales in the state of Washington in the target year, or as otherwise documented by the utility pursuant to WAC 194-37-150.

~~((3))~~ (2) "Average water generation" means the average megawatt-hours of generation from a hydroelectric project over a period of ten consecutive years or more, taking into account differences in water flows from year to year.

~~((4))~~ (3) "Biennial target" means a utility's biennial conservation target.

~~((5))~~ (4) "BPA" means the Bonneville Power Administration.

~~((6))~~ "Conservation" means any reduction in electric power consumption resulting from increases in the efficiency of energy use, production, or distribution.

~~((7))~~ "Conservation calculator" means a spreadsheet or piece of software developed and maintained by the NWPPCC to approximate a utility's ten-year potential. The conservation calculator will use methodologies consistent with the most recently published *Power Plan*. It is available at www.nwecouncil.org.

~~((8))~~ "Cost-effective" means, as defined in RCW 80.52-030, that a project or resource is forecast:

~~((a))~~ (a) To be reliable and available within the time it is needed; and

(b) To meet or reduce the electric power demand of the intended consumers at an estimated incremental system cost no greater than that of the least-cost similarly reliable and available alternative project or resource, or any combination thereof.

(c) For purposes of this paragraph, the term "system cost" means an estimate of all direct costs of a project or resource over its effective life, including, if applicable, the costs of distribution to the consumer, and, among other factors, waste disposal costs, end-of-cycle costs, and fuel costs (including projected increases), and such quantifiable environmental costs and benefits as are directly attributable to the project or resource.

(9) "Council" means the Washington state apprenticeship and training council within the department of labor and industries.

(10) "Customer" means a person or entity that purchases electricity for ultimate consumption and not for resale.

(11) "Department" means the department of community, trade, and economic development.

(12)) (5) "Distributed generation" means an eligible renewable resource where the facility or any integrated cluster of generating units has a generating capacity of not more than five megawatts. If several five-megawatt or smaller projects are located in the same immediate area but are owned or controlled by different developers, each qualifies as a separate, independent distributed generation project. For the purposes of this rule, an eligible renewable resource or group of similar eligible renewable resources cannot be subdivided into amounts less than five megawatts solely to be considered distributed generation.

((13) "Eligible renewable resource" means:

(a) Electricity from a generation facility powered by a renewable resource other than fresh water that commences operation after March 31, 1999, where:

(i) The facility is located in the Pacific Northwest; or

(ii) The electricity from the facility is delivered into Washington state on a real-time basis without shaping, storage, or integration services (an eligible renewable resource within the Pacific Northwest may receive integration, shaping, storage or other services from sources outside the Pacific Northwest and remain eligible to count towards a utility's renewable resource target); or

(b) Incremental electricity produced as a result of efficiency improvements completed after March 31, 1999, to a hydroelectric generation project owned by one or more qualifying utilities (see definition of qualifying utility in chapter 19.285 RCW) and located in the Pacific Northwest or to hydroelectric generation in irrigation pipes and canals located in the Pacific Northwest, where the additional electricity generated in either case is not a result of new water diversions or impoundments.

(14) "Fifth power plan" means *The Fifth Northwest Electric Power and Conservation Plan* produced by the NWPCC. The power plan is available at www.nwcouncil.org.

(15)) (6) "Incremental hydropower" means the incremental amount of kilowatt-hours of electricity generated from a base or constant amount of water.

((16)) (7) "Integrated cluster" of eligible renewable resources means colocated projects owned or controlled by the same entity that feed into the same substation.

((17) "Load" means the amount of kilowatt hours of electricity delivered in the most recently completed year by a utility to its Washington retail customers.

(18) "Nonpower attributes" means all environmentally related characteristics, exclusive of energy, capacity, reliability, and other electrical power service attributes, that are associated with the generation of electricity from a renewable resource, including but not limited to the facility's fuel type, geographic location, vintage, qualification as an eligible renewable resource, and avoided emissions of pollutants to the air, soil, or water, and avoided emissions of carbon dioxide and other greenhouse gases.

(19)) (8) "Multifuel generating facility" means a generating facility that is capable of producing energy from more than one nonrenewable fuel, renewable fuel, or nonfuel energy source, either simultaneously or as alternatives, provided that at least one fuel source (energy source) is a renewable resource and the relative quantities of electricity production can be measured or calculated, and verified.

(9) "NWPCC" means Pacific Northwest Electric Power and Conservation Planning Council also known as the Northwest Power and Conservation Council. Its calculation of avoided costs and publications are available at www.nwccouncil.org.

((20) "Pacific Northwest" means the area consisting of:

(a) The states of Oregon, Washington, and Idaho, the portion of the state of Montana west of the Continental Divide, and such portions of the states of Nevada, Utah, and Wyoming as are within the Columbia River drainage basin; and

(b) Any contiguous areas, not in excess of seventy-five air miles from the area referred to in (a) of this subsection, which are a part of the service area of a rural electric cooperative customer served by the BPA on December 5, 1980, which has a distribution system from which it serves both within and without such region.

(21)) (10) "Qualified incremental hydropower efficiency improvements" means the installation or modification of equipment and structures, or operating protocols that increase the amount of electricity generated from the same amount of water. These may include rewinding of existing generators, replacing turbines with more efficient units and changing control systems to optimize electricity generation, and improvements to hydraulic conveyance systems that decrease head loss. They do not include additions to capacity by increasing pondage or elevation head, or diverting additional water into the project.

((22) "Qualifying utility" means an electric utility, as the term "electric utility" is defined in RCW 19.29A.010, that serves more than twenty-five thousand customers in the state of Washington.

(23)) (11) "Regional technical forum" or "RTF" means a voluntary advisory committee that reports to the executive director of the NWPCC and whose members are appointed by the NWPCC's chair.

((24) "Renewable energy credit" or "REC" means a tradable certificate of proof of at least one megawatt-hour of

an eligible renewable resource where the generation facility is not powered by fresh water, the certificate includes all of the nonpower attributes associated with that megawatt-hour of electricity, and the certificate is verified by the renewable energy credit tracking system chosen by the department.

~~((25))~~ (25) "Renewable resource" means:

~~(a)~~ (a) Water;

~~(b)~~ (b) Wind;

~~(c)~~ (c) Solar energy;

~~(d)~~ (d) Geothermal energy;

~~(e)~~ (e) Landfill gas;

~~(f)~~ (f) Wave, ocean, or tidal power;

~~(g)~~ (g) Gas from sewage treatment facilities;

~~(h)~~ (h) Biodiesel fuel as defined in RCW 82.29A.135 that is not derived from crops raised on land cleared from old growth or first-growth forests where the clearing occurred after December 7, 2006; and

~~(i)~~ (i) Biomass energy based on animal waste or solid organic fuels from wood, forest, or field residues, or dedicated energy crops that do not include:

~~(i)~~ (i) Wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper chromate arsenic;

~~(ii)~~ (ii) Black liquor by-product from paper production;

~~(iii)~~ (iii) Wood from old-growth forests; or

~~(iv)~~ (iv) Municipal solid waste.

~~((26))~~ (26) (12) "Substitute resource" means reasonably available electricity or generating facilities, of the same contract length or facility life as the eligible renewable resource the utility invested in to comply with chapter 19.285 RCW requirements, that otherwise would have been used to serve a utility's retail load in the absence of chapter 19.285 RCW requirements to serve that retail load with eligible renewable resources.

~~((27))~~ (27) (13) "Target year" means the specific year for which a renewable energy target must be met.

~~((28))~~ (28) (14) "Ten-year potential" means the ten-year cost effective conservation resource potential.

~~((29))~~ (29) (15) "Utility" means a consumer-owned electric utility, as the term consumer-owned utility is defined in RCW 19.29A.010, that serves more than twenty-five thousand retail customers in the state of Washington. The number of customers served shall be based on data reported by a utility in Form EIA - 861, "Annual Electric Power Industry Report," filed with the Energy Information Administration, United States Department of Energy.

A consumer-owned electric utility whose number of retail customers grows beyond twenty-five thousand over the course of a year shall be subject to the requirements of this chapter, or per chapter 19.285 RCW shall become a qualifying utility, starting January 1 of the following year. All applicable target dates, per chapter 19.285 RCW will be delayed by the same number of years as there are between January 1, 2007, and the year in which the utility becomes a qualifying utility.

~~((30))~~ (30) (16) "Weather-adjusted load" means load calculated after variations in peak and average temperatures from year to year are taken into account.

~~((31))~~ (31) (17) "WREGIS" means the Western Renewable Energy Generation Information System. WREGIS is an inde-

pendent, renewable energy ((data base)) registry and tracking system for the region covered by the Western Interconnection. WREGIS creates renewable energy certificates, WREGIS certificates, for verifiable renewable generation from units that register in the ((data base. The department selects WREGIS as the renewable energy credit tracking system to issue verified RECs per RCW 19.285.030(17) in WAC 194-37-210)) registry and tracking system.

~~((32))~~ (32) "Year" means the twelve-month period commencing January 1 and ending December 31.)

AMENDATORY SECTION (Amending WSR 08-07-079, filed 3/18/08, effective 4/18/08)

WAC 194-37-050 Documentation and auditing timelines. ~~((Utilities will))~~ (1) Each utility must maintain all records necessary to document ~~((their))~~ its compliance with the Energy Independence Act, as described in ~~((WAC 194-37-070, 194-37-080, 194-37-090, 194-37-100, 194-37-120, 194-37-130, 194-37-140, 194-37-150, 194-37-160, 194-37-170, 194-37-180, 194-37-190, and 194-37-200))~~ this chapter. All current and historical reports required ~~((in WAC 194-37-060 and 194-37-110))~~ by this chapter shall be available to a utility's customers and may be provided in conjunction with the ~~((utilities))~~ utility's requirements under RCW 19.29A.-050. ~~((Utilities that are))~~

(2) Each utility that is not under the jurisdiction of the Washington state auditor must be audited for compliance with the Energy Independence Act by an independent auditor at least every twenty-four months.

AMENDATORY SECTION (Amending WSR 08-07-079, filed 3/18/08, effective 4/18/08)

WAC 194-37-060 Conservation reporting requirements. Each utility shall submit an annual conservation report to the department by June 1 ~~((beginning in 2012))~~. The conservation report shall document the utility's progress in meeting the conservation targets established in RCW 19.285.040 and shall include the following:

~~(1) ((A summary of the data the utility reports to the "planning, tracking and reporting system.")~~ The ((summary shall include)) total electricity savings by customer sector - Residential, commercial, industrial, and agricultural, by production efficiencies, and by distribution efficiencies. ~~((To create this summary report, each utility will report its annual conservation achievements using the NWPC's regional technical forum "planning, tracking and reporting system," or an alternative reporting system approved, in advance of the reporting year, by the department. Each utility can report using the default values embedded in the NWPC's planning, tracking and reporting system or the utility may use its own inputs as))~~ All savings must be documented ((per)) pursuant to WAC 194-37-080 ((8) and (9)).

(2) If the utility counts towards its biennial target any electricity savings from local, regional, state, or federal market transformation programs, or local, state or federal codes or standards, the utility shall include copies of reports of the annual electricity savings for the utility's service territory as estimated and recorded by entities such as the department, the

NWPCC, regional market transformation organizations, or the utility.

(3) A brief description of the methodology used to establish the utility's ten-year potential and biennial target to capture cost-effective conservation, including the share of this target to be captured by efficiency improvements in customer measures, and, if any, in distribution measures and production measures.

(4) The utility's total expenditures for conservation broken down by residential sector, commercial sector, industrial sector, and agricultural sector, and, if any, production efficiency and distribution efficiency.

(5) The most recent final audit report(s), if any, that evaluate(s) the utility's compliance with chapter 19.285 RCW and the information the utility reported per this chapter.

(6) In even years this report must include the following information categorized by customer conservation savings, and if any, total distribution efficiency savings, and total production efficiency savings:

(a) The utility's achievement in meeting its preceding biennial target; and

(b) The utility's current ten-year potential and biennial target.

AMENDATORY SECTION (Amending WSR 08-07-079, filed 3/18/08, effective 4/18/08)

WAC 194-37-070 (~~Documenting~~) Development of conservation potential and biennial conservation targets.

(1) Ten-year potential. By January 1 (~~(2010)~~) of each even-numbered year, each utility shall (~~(establish its ten-year)~~) identify its achievable cost-effective conservation (resource) potential (~~(. At least every two years thereafter, the public utility shall review and update this assessment for the subsequent ten-year period)~~) for the upcoming ten years.

(2) Biennial target. (~~In January 2010, and each two years thereafter~~) By January 1 of each even-numbered year, each utility shall establish and make public a biennial conservation target. The utility's biennial target shall be no less than its pro rata share of (~~its~~) the ten-year potential identified pursuant to subsection (1) of this section.

(3) (~~To document that the utility has established its ten-year potential and biennial target using methodologies consistent with those in the fifth power plan, the utility shall choose one of the documentation procedures set forth in subsection (4), (5), or (6) of this section, subject to the following conditions:~~

(a) ~~If a utility uses the conservation calculator, or the modified conservation calculator to determine its customer conservation ten-year potential, it must use the utility analysis option per subsection (6) of this section to compute any ten-year potential for production and distribution efficiencies.~~

(b) ~~If a portion of a utility's ten-year potential and biennial target includes calculations of efficiency gains from utility production and/or distribution efficiency measures, that portion of the ten-year potential or biennial target that are not included in the list of measures approved by the regional technical forum and listed on the planning, tracking and reporting web site shall carry the stamp of a registered profes-~~

~~sional engineer licensed by the Washington department of licensing.~~

~~(e) If a utility includes production and/or distribution efficiencies in its target, then a utility's ten-year potential shall be the combined total of all cost-effective achievable conservation in customer, distribution, and production efficiency measures available to that utility.~~

~~(d) A utility will hold a noticed public meeting, which provides an opportunity for public comment, regarding its assessment of conservation potential. The utility will adopt the ten-year potential and the two-year conservation targets by action of the utility's governing board in a public meeting. Such public meeting may be conducted separately, or as part of public meetings conducted for resource planning, budget setting, or other related processes. The public notice will indicate that the meeting agenda includes the establishment of the utility's ten-year and biennial targets.~~

~~(4) Conservation calculator option.~~

~~(a) A utility that chooses this option will document its calculation of its pro rata biennial conservation targets based on its share of regional annual megawatt-hour retail sales using the NWPCC's conservation calculator. If the NWPCC updates its conservation calculator within twelve months of an even-numbered year, a utility may choose to use the NWPCC's most recent conservation calculator or the immediately preceding version.~~

~~(b) Any utility that publishes a ten-year potential and biennial target with the customer sector portion of its biennial target equal to or higher than its target calculated using the conservation calculator has effectively documented its biennial target setting requirement for customer conservation.~~

~~(e) Starting in 2010, a utility that uses the conservation calculator to establish its ten-year potential and biennial target may deduct its biennial customer sector conservation achievement that meets the criteria in WAC 194-37-080(2) from its share of the NWPCC's conservation resource potential for its subsequent assessment.~~

~~(5) Modified conservation calculator option.~~

~~A utility that chooses this option will document consistency with the NWPCC's methodologies by modifying its ten-year potential and biennial target as identified through the use of the conservation calculator by making the following adjustments to the NWPCC's analysis in the NWPCC's most recently published power plan:~~

~~(a) Deduct conservation measures in the NWPCC's list not applicable to the utility's service territory;~~

~~(b) Add conservation measures, that are not included in the NWPCC's list, but are applicable to the utility's service territory;~~

~~(c) Modify the number or ratio of applicable units, such as the ratio of electrically heated houses or square footage of commercial space, if the utility has data surveys indicating that their data on applicable units varies from the NWPCC's;~~

~~(d) Increase and/or reduce the per unit incremental resource savings for conservation measures, relative to the NWPCC's data for savings per unit;~~

~~(e) Increase and/or reduce forecasted program costs;~~

~~(f) Increase or decrease retail sales growth rates; and~~

~~(g) Increase or decrease avoided distribution capacity cost savings.~~

(6) Utility analysis option.

~~(a) The NWPCC's analytical methodology for establishing the conservation resource potential and conservation targets for the Northwest power system is outlined in procedures (a)(i) through (xv) of this subsection. A utility that chooses this option will document that it established a ten-year potential using an analytical methodology consistent with these NWPCC procedures (a)(i) through (xv) of this subsection:~~

~~((i)) Each utility must document the methodologies and inputs used in the development of its ten-year potential and biennial target and must document that its ten-year potential and biennial target are consistent with the requirements of RCW 19.285.040(1).~~

~~(4) Each utility must establish its ten-year potential and biennial target by action of the utility's governing board, after public notice and opportunity for public comment.~~

~~(5) The methodologies used by the NWPCC in its most recently published regional power plan consist of the following elements:~~

~~(a) Analyze a broad range of energy efficiency measures considered technically feasible;~~

~~((i)) (b) Perform a life-cycle cost analysis of measures or programs, including the incremental savings and incremental costs of measures and replacement measures where resources or measures have different measure lifetimes;~~

~~((ii)) (c) Set avoided costs equal to a forecast of regional market prices, which represents the cost of the next increment of available and reliable power supply available to the utility for the life of the energy efficiency measures to which it is compared;~~

~~((iii)) (d) Calculate the value of the energy saved based on when it is saved. In performing this calculation, use time differentiated avoided costs to conduct the analysis that determines the financial value of energy saved through conservation;~~

~~((iv)) (e) Conduct a total resource cost analysis that assesses all costs and all benefits of conservation measures regardless of who pays the costs or receives the benefits. The NWPCC identifies conservation measures that pass the total resource cost test as economically achievable;~~

~~((v)) (f) Identify conservation measures that pass the total resource cost test, by having a benefit/cost ratio of one or greater as economically achievable;~~

~~((vi)) (g) Include the increase or decrease in annual or periodic operations and maintenance costs due to conservation measures;~~

~~((vii)) (h) Include deferred capacity expansion benefits for transmission and distribution systems in its cost-effectiveness analysis;~~

~~((viii)) (i) Include all nonpower benefits that a resource or measure may provide that can be quantified and monetized;~~

~~((ix)) (j) Include an estimate of program administrative costs;~~

~~((x)) (k) Discount future costs and benefits at a discount rate based on a weighted, after-tax, cost of capital for utilities and their customers for the measure lifetime;~~

~~((xi)) (l) Include estimates of the achievable customer conservation penetration rates for retrofit measures and for~~

lost-opportunity (long-lived) measures. The NWPCC's twenty-year achievable penetration rates, for use when a utility assesses its twenty-year potential, are eighty-five percent for retrofit measures and sixty-five percent for lost opportunity measures achieved through a mix of utility programs and local, state and federal codes and standards. The NWPCC's ten-year achievable penetration rates, for use when a utility assesses its ten-year potential, are sixty-four percent for non-lost opportunity measures and twenty-three percent for lost-opportunity measures; the weighted average of the two is a forty-six percent ten-year achievable penetration rate;

~~((xii)) (m) Include a ten percent bonus for conservation measures as defined in 16 U.S.C. § 839a of the Pacific Northwest Electric Power Planning and Conservation Act;~~

~~((xiii)) (n) Analyze the results of multiple scenarios. This includes testing scenarios that accelerate the rate of conservation acquisition in the earlier years; and~~

~~((xiv)) (o) Analyze the costs of estimated future environmental externalities in the multiple scenarios that estimate costs and risks.~~

~~((b) In addition to the requirements in subsection (6) of this section, the utility may document any variable listed in subsection (5) of this section to indicate that its conservation resource assessment methodology is consistent with the NWPCC's but results in unique conservation resource assessment outcomes.)~~

AMENDATORY SECTION (Amending WSR 08-07-079, filed 3/18/08, effective 4/18/08)

WAC 194-37-080 Documentation of conservation savings. (1) The utility shall document:

- (a) That it achieved its biennial conservation target;
- (b) The total savings in customer efficiency measures; and

(c) If included in the target, the savings in the production and distribution sectors.

(2) A conservation measure or program counts towards a utility biennial target if it meets the following criteria:

(a) The conservation has a measure life of at least two years, or, if the measure life is less than two years the utility can verify that it has acquired the conservation for the entire biennium;

(b) It meets the definitions of conservation and cost effective as contained in WAC 194-37-040; and

(c) The NWPCC includes the measure or program in its power plan, or the measure or program is not identified by the NWPCC but it meets the definition of cost effective in RCW 19.285.030.

(3) The utility shall count the total first year savings of a conservation measure in the year during which either the measure was installed or the utility paid for it.

(4) Each utility may count towards its biennial conservation targets the proportionate share of savings resulting in its service territory from the following conservation efforts during the one biennium in which either the measure or program was placed in service or the utility paid for the measure:

(a) End-use savings from region-wide conservation projects that are centrally funded by BPA and for which the utility shared in the funding through its BPA rates.

(b) Savings from regional market transformation efforts if the NWPCC includes the program measures in its most recently published *Power Plan's* conservation resource potential or, as a newly emerging technology, the measure has yet to be included in the NWPCC's resource potential. Each utility will report a proportion of savings from these programs using established distribution methods, based on each utility's relative share of funding the regional market transformation effort through both direct funding and indirect funding through their BPA rates.

(c) Savings from improved federal minimum energy efficiency standards or Washington state building energy code improvements or improved state appliance codes and standards in the biennium in which they become effective, as proportionate to the utility's service territory. After that biennium, a utility may no longer include savings from those specific codes and/or standards in its next ten-year potential.

(5) Utilities may count savings from more stringent local building and/or local equipment codes and standards, including utility new service or connection standards, towards meeting their biennial conservation target in the biennium in which they become effective and in each biennium the local standards continue to be enforced and achieve incremental savings above minimum state energy codes or minimum federal energy standards.

(6) A utility cannot count the loss of load due to curtailments or matters outside of the utility's control (such as a facility shut-down) as achievement towards its conservation targets. However, such losses of load may change the level of current and future targets to the extent that they reduce the conservation potential available to the utility.

(7) The energy savings from an increase in distribution efficiencies are described, documented and counted under WAC 194-37-090. The energy savings from an increase in production efficiencies are described, documented and counted under WAC 194-37-100.

(8) Conservation savings from utility programs (~~beginning in 2010~~) for measures for which the NWPCC and the regional technical forum have established per unit energy savings values will be based on the per unit savings set by the NWPCC's regional technical forum (~~"planning, tracking and reporting system,"~~) unless the utility documents its variations in electricity saving estimates from the regional technical forum.

(9) Conservation savings from utility programs (~~beginning in 2010~~) for custom measures shall be developed pursuant to the NWPCC's custom requirements (~~available through the regional technical forum's "planning, tracking and reporting system"~~) or through a similar analytical framework.

(10) ~~(A utility may count towards the utility's biennial end use conservation target, twelve individual months' worth of conservation during the first twelve months of a high efficiency cogeneration facility's operations in its service territory. The high efficiency cogeneration facility shall be owned and used by a retail electric consumer to meet that consumer's heat and power needs. Only that output used by that customer to meet its own needs can count toward the utility's conservation target.~~

~~In order to count this in its conservation target, the utility shall prepare the following documentation, certified by a reg-~~

~~istered professional engineer licensed by the Washington department of licensing:~~

~~(a) That the cogeneration system has a useful thermal energy output of no less than thirty-three percent of the total energy output; and~~

~~(b) An analysis that indicates the reduction in annual electricity consumption due to high efficiency cogeneration. This reduction is calculated as the net facility's annual electrical energy production times the ratio of the fuel chargeable to power heat rate of the cogeneration facility divided by the heat rate on a new and clean basis of a best commercially available technology combined cycle natural gas fired combustion turbine.~~

~~(11))~~ A utility may document shortfalls in meeting its biennial conservation target due to lack of customer participation. Documentation of such shortfalls shall include a demonstration that:

(a) A broad array of marketing and program options were provided to customers throughout the biennium; and

(b) The utility offered throughout the biennium to pay customers an incentive in an amount equal to the utility's full avoided cost over the lifetime of measures, up to one hundred percent of the incremental cost of measures. Any such shortfall cannot be automatically deducted from the utility's conservation potential assessment for the subsequent biennium.

NEW SECTION

WAC 194-37-085 Documentation of conservation savings from high-efficiency cogeneration. (1) A utility may count as conservation savings a portion of the electricity output of a high-efficiency cogeneration facility that commences operation in its service territory.

(2) The high-efficiency cogeneration facility must be owned by a retail electric customer and used by that customer to meet its heat and electricity needs. Heat and electricity output provided to anyone other than the facility owner may not be considered in determining conservation savings.

(3) The useful thermal energy output of the cogeneration facility must be no less than thirty-three percent of the total energy output of the cogeneration facility under normal operating conditions.

(4) The reduction in customer load due to high-efficiency cogeneration must be determined by multiplying the annual electricity output of the cogeneration facility by a fraction equal to one minus the ratio of:

(a) The heat rate (in British thermal units per megawatt hour) of the cogeneration facility; and

(b) The heat rate (in British thermal units per megawatt hour) of a combined cycle natural gas-fired combustion turbine. The heat rate of the cogeneration facility must be based on the additional fuel requirements attributable to electricity production and excluding the fuel that would be required to produce all other useful energy outputs of the project without cogeneration. The heat rate of the combustion turbine must be based on a facility using best commercial available technology on a new and clean basis.

(5) The utility's documentation of a cogeneration facility's compliance with subsections (3) and (4) of this section

must be certified by a registered professional engineer licensed by the Washington department of licensing.

AMENDATORY SECTION (Amending WSR 08-07-079, filed 3/18/08, effective 4/18/08)

WAC 194-37-090 Additional documentation of efficiency from distribution system loss reduction improvements, including peak demand management and voltage regulation. (1) To the extent a utility can document a distribution system upgrade or management practice results in lower line losses and/or transformation losses, the avoided energy supply requirement to serve customers may be included in the utility's assessment of its ten-year resource potential and may count as conservation achievement towards the utility's biennial target.

(2) A utility that counts distribution system improvements in meeting its obligations under RCW 19.285.040 shall document these savings on either a component-performance basis or a system-analysis basis and shall indicate these savings distinctly from end-use and production efficiency savings.

(a) Component-performance basis. A utility that implements the component-performance basis for documenting distribution system improvements shall identify the components of the distribution system that were replaced, and the savings from replacement. For components that are not included in the list of measures approved by the regional technical forum (~~and listed on the planning, tracking and reporting web site~~), the calculation shall be prepared under the direction of, and carry the stamp of a registered professional electrical engineer licensed by the Washington department of licensing.

(b) System-analysis basis. A utility that implements the system analysis basis for documenting conservation savings from distribution system improvements shall provide the following:

(i) For distribution system upgrades, the utility will prepare a distribution flow analysis to compare the annual energy losses of the system being replaced or upgraded to the final system as installed.

(ii) For conservation voltage regulation, the utility will prepare a distribution flow analysis to compare the annual energy losses of the system before and after the implementation of a voltage regulation program. The difference in annual kilowatt-hour requirement at the utility point(s) of receipt (for distribution utilities) or net energy for load for generating utilities may be counted as conservation savings.

(iii) For peak demand management, the utility will prepare a distribution flow analysis to compare the annual energy losses of the system before and after implementation of the peak demand management program. The change in net energy losses may be counted as conservation savings. Any net reduction in energy sales (economic curtailment) shall not be included in conservation savings.

(iv) The distribution flow analysis conducted for (b)(i), (ii), or (iii) of this subsection shall be prepared under the direction of, and carry the stamp of a registered professional electrical engineer licensed by the Washington department of licensing.

AMENDATORY SECTION (Amending WSR 08-07-079, filed 3/18/08, effective 4/18/08)

WAC 194-37-100 Additional documentation of improved efficiency from production facilities. (1) A utility will measure production efficiency improvements as the fraction of fuel savings achieved by the utility. The percentage reduction in fuel use per kilowatt-hour will be applied to the annual generation to determine the amount that is to be reported as conservation.

(2) A utility that includes production efficiency improvements in its annual report pursuant to RCW 19.285.070 shall document the electricity savings for each generating unit with the following information certified by a registered professional engineer licensed by the Washington state department of licensing:

(a) The first twelve-month electricity savings that the utility is counting towards its biennial target;

(b) A description of the efficiency improvements made to the generating unit;

(c) Annual fuel use for three preceding years, in quantity units and million British thermal units;

(d) Annual electrical output for three preceding years, in kilowatt-hours;

(e) The amount of capital investment and/or annual operating expenditure associated with the efficiency improvements;

(f) The cost-effectiveness analysis prepared by the utility in planning the efficiency improvement(s);

(g) Any post-retrofit analysis prepared by the utility in evaluating the performance and/or cost-effectiveness of the efficiency improvement(s);

(h) A simple calculation showing the fuel use per kilowatt-hour before the efficiency improvement, the fuel use per kilowatt-hour after the efficiency improvement, and the amount of energy conservation being reported as the product of the percentage improvement in fuel use per kilowatt-hour and the number of kilowatt-hours generated; and

(i) If efficiency improvements are installed at the same time as pollution control equipment that may itself affect efficiency, the utility may provide documentation of the effect of the efficiency improvements alone on the fuel consumption per kilowatt-hour of the production facility. In this situation, the utility shall provide a description of the changes made, the capital cost expended for both efficiency changes and pollution control equipment, and an analysis of the impact of each on the fuel use per kilowatt-hour of the production facility.

(3) Improvements that are included in the list of measures approved by the regional technical forum (~~and listed on the planning, tracking and reporting web site~~) need not carry the certification of a professional engineer and may instead use the savings deemed by the regional technical forum.

(4) A utility shall not count towards its biennial conservation target the results from efficiency improvements made to hydropower facilities that are qualified incremental hydropower efficiency improvements and are counted towards any utility's renewable energy targets under RCW 19.285.040 or 19.285.050.

AMENDATORY SECTION (Amending WSR 08-07-079, filed 3/18/08, effective 4/18/08)

WAC 194-37-110 Renewable resource energy reporting. Each utility shall submit a renewable resource energy report to the department by June 1 of each year (~~(beginning in 2012)~~). Reporting requirements vary, as follows, depending upon how the utility elects to comply with chapter 19.285 RCW.

(1) Universal renewable energy reporting requirements. The renewable resource energy report shall include the following information:

(a) The utility's annual load for the two years preceding each renewable energy target year and the average load for those two years.

(b) The amount of megawatt-hours needed to meet the utility's annual renewable energy targets identified in RCW 19.285.040. These annual targets are established as a percentage of the utility's average retail load for the two years prior to the renewable energy target year: Three percent of each year 2012 through 2015; nine percent of each year 2016 through 2019; and fifteen percent for year 2020 and each year thereafter.

(c) The names of the eligible renewable resource facilities and/or the vintage (year in which associated power was generated) of renewable energy credits by generator that the utility owns or with which the utility has a contract dated no later than January 1 of the target year; and the estimated annual quantity (megawatt-hours) of eligible renewable resources or RECs that will be produced, or has been produced, through these resources or contracts to meet its annual targets.

(i) ~~((A utility may count any purchases of:~~

~~(A) Electricity from BPA that are generated by eligible renewable resources, for which no RECs have been created or, if RECs have been created, for which the RECs have been or will be retired by BPA on behalf of the utility; or~~

~~(B) RECs from the BPA generated by eligible renewable resources to meet all or any portion of its annual eligible renewable resource targets.~~

~~To document the annual amount of power supplied by BPA from eligible renewable resources, the utility may rely on BPA's determination of the portion of its power supply provided by eligible renewable resources during a calendar year for which no RECs have been created, or, if RECs have been created, that the RECs have been or will be retired by BPA on behalf of the utility.~~

~~((ii))~~ The list of resources will identify any resource that both commenced operations after December 31, 2005, and meets the apprenticeship construction practice standards as adopted by the council per WAC 194-37-120(1), thereby earning a 1.2 multiplier credit on its electricity output.

~~((iii))~~ (ii) The list of resources will identify any resource that meets the definition of distributed generation and that the utility owns or contracts for the associated REC, thereby earning a 2.0 multiplier credit on the electricity output.

(d) The percent of its total annual retail revenue requirement invested in the incremental cost of eligible renewable resources and the cost of renewable energy credits. Each util-

ity must include in its report documentation of the calculations and inputs to this amount.

~~(e) The most recent final audit report(s), if any, that evaluate(s) the utility's compliance with chapter 19.285 RCW and the information reported per this chapter.~~

(2) A utility that does not meet the renewable energy requirements in RCW 19.285.040(2), the financial requirements in RCW 19.285.050, or the financial requirements in RCW 19.285.040 (2)(d) shall include the following information in its June 1 report of each year beginning in 2014:

~~((i))~~ (a) The quantity of eligible renewable resources acquired by December 31 of the target year;

~~((ii))~~ (b) The quantity of RECs acquired from the target year, the year prior or the year subsequent to the target year; or

~~((iii))~~ (c) The combination of ~~((d)(i) and (ii))~~ (a) and (b) of this subsection.

~~((e) The most recent final audit report(s), if any, that evaluate(s) the utility's compliance with chapter 19.285 RCW and the information reported per this chapter.~~

~~((2))~~ (3) Renewable energy target reporting.

(a) A utility that meets the renewable energy requirements in RCW 19.285.040 (2)(a) shall include the following in its June 1 report of each year beginning in 2014.

(i) Demonstration that it acquired:

(A) By January 1 of the target year, megawatt-hours of eligible renewable resources and that those megawatt-hours were actually generated by December 31 of the target year.

(B) By January 1 of the target year, RECs produced during the target year, the year prior or the year subsequent to the target year; or

(C) Any combination of (a)(i)(A) and (B) of this subsection, in amounts sufficient to meet the percent of load target for the calendar year two years prior. Utilities may report shortfalls in expected generation from resources documented in (a)(i)(A) of this subsection and production of RECs documented in (a)(i)(B) of this subsection and may document that the shortfalls were offset by additional purchases of RECs or eligible renewable resources.

(ii) Documentation of the amount of megawatt-hours purchased or generated, the amount of ~~((WREGIS-certified))~~ RECs purchased and the names of the respective eligible renewable facilities that produced the associated power, specified by the year it was generated.

(b) The utility may, in addition, submit a copy of its fuel mix report, per chapter 19.29A RCW, for each target year.

~~((3))~~ (4) Resource cost reporting.

Each year that a utility does not meet the renewable energy target requirements in RCW 19.285.040, but meets the financial requirements in RCW 19.285.050, the utility shall include the following information in its June 1 report of that year:

(a) Its annual revenue requirement for the target year;

(b) The annual levelized delivered cost of its eligible renewable resource(s) reported separately for each resource;

(c) The annual levelized delivered cost of its substitute resources and the eligible renewable resource with which it is being compared;

(d) The total cost of renewable energy credits to be applied in the reporting year;

(e) The percentage of its annual revenue requirement invested in the incremental cost of eligible renewable resources and the cost of RECs; and

(f) The most current information required by WAC 194-37-160 used for this financial demonstration.

~~((4))~~ (5) Nonload growing utility reporting.

Each year that a utility does not meet the renewable energy target requirements in RCW 19.285.040 (2)(a), but meets the financial requirements in RCW 19.285.040 (2)(d), the utility shall report to the department each June 1 is:

(a) Annual revenue requirement for the target year;

(b) Weather-adjusted load for each of the three years immediately prior to the target year;

(c) Delivered cost of its eligible renewable resource(s), RECs or a combination of both for the target year to be applied to the one percent of annual revenue requirement, reported separately for each resource;

(d) Quantity of megawatt-hours for each target year for which the utility:

(i) Commenced or renewed ownership of nonrenewable resources after December 7, 2006; or

(ii) Made electricity purchases from nonrenewable energy resources, incremental to its annual electricity purchases made or contracted for prior to December 7, 2006. Sources of power for daily spot market purchases are not counted; and

(e) List of RECs that the utility acquired, in addition to any RECs purchased in (c) of this subsection, to offset nonrenewable purchases listed in (d) of this subsection.

~~((5))~~ (6) Reporting of uncontrollable events.

For any target year that a utility demonstrates to the auditor that it did not meet the annual renewable resource requirements in chapter 19.285 RCW due to events beyond the reasonable control of the utility per RCW 19.285.040 (2)(i), the utility shall summarize these events in its June 1 report to the department immediately following the target year.

AMENDATORY SECTION (Amending WSR 08-07-079, filed 3/18/08, effective 4/18/08)

WAC 194-37-120 Documentation of renewable energy achievement. Each utility shall provide the auditor access to contracts indicating purchases of or documentation indicating ownership of RECs and/or megawatt-hours from eligible renewable/resources equal to or exceeding the annual percentage standard for the target year. The megawatt-hours from owned eligible renewable resources count towards the percentage annual renewable energy target as long as the associated nonpower attributes, or RECs, if any have been created, are not owned by a separate entity or have not been used in an optional pricing program. A utility's power purchase contract, for eligible renewable resources, provides documentation for this section if the contract specifies that the nonpower attributes, or RECs if any have been created, associated with the power from the eligible renewable resources have been acquired by the utility. A utility using RECs to meet any of the requirements of chapter 19.285 RCW must document that the RECs have been retired pursuant to WREGIS procedures indicating the target year as the compliance period and Washington as the state program.

(1) Each utility that claims a 1.2 multiplier credit for the electricity output from an eligible renewable resource per RCW 19.285.040 (2)(h)(i) shall provide a copy of written documentation from the council that the facility met the apprenticeship labor standard of fifteen percent of the total labor hours used in its construction.

(2) A utility may provide a copy of documentation from the BPA indicating a quantity of power that BPA sold to the utility for the target year that was supplied by an eligible renewable resource.

(3) Each utility that claims a 2.0 multiplier credit for the electricity output from an eligible renewable resource per RCW 19.285.040 (2)(b) shall provide documentation that the REC applied in that year, associated with the distributed generation resource, is owned by the utility.

(4) To document the annual amount of power supplied by BPA from eligible renewable resources, the utility may rely on BPA's determination of the portion of its power supply provided by eligible renewable resources during a calendar year for which no RECs have been created, or if RECs have been created, that the RECs have been or will be retired. A utility may count any purchase of:

(a) Electricity from BPA that is generated by eligible renewable resources for which no RECs have been created, or if RECs have been created, for which the RECs have been or will be retired; or

(b) RECs from BPA generated by eligible renewable resources to meet all or any portion of its annual eligible renewable resource targets.

NEW SECTION

WAC 194-37-135 Documentation of multifuel biomass energy and qualified biomass energy. (1) A utility using biomass energy produced by a multifuel generating facility, where the biomass energy fuel provides less than ninety-eight percent of the total heat input, must document the eligible renewable energy using RECs created by WREGIS pursuant to the multifuel generating unit procedures of WREGIS.

(2) A utility using qualified biomass energy must document the eligible renewable energy using RECs created by WREGIS and must document:

(a) Information about the facility generating electricity from biomass energy:

(i) Ownership of the biomass energy facility;

(ii) Date of commercial operation of the biomass energy facility; and

(iii) Specific type of biomass used for generation by the biomass energy facility.

(b) Information about the industrial facility that hosts the biomass energy facility:

(i) The utility's load in megawatt hours that results from serving the industrial facility;

(ii) Evidence that the industrial facility had not ceased operation, other than for purposes of maintenance or upgrade, during the target year;

(iii) Evidence that the industrial facility engages in industrial pulping or wood manufacturing; and

(iv) If the facility generating electricity from biomass energy is not owned by the utility, evidence that the industrial facility owns the biomass energy facility and is directly interconnected with the electricity facilities that are owned by the utility and capable of carrying electricity at transmission voltage.

AMENDATORY SECTION (Amending WSR 08-07-079, filed 3/18/08, effective 4/18/08)

WAC 194-37-140 Documentation of renewable resource financial path for no-load growth utilities. For each year that a utility meets the renewable energy financial cost cap, associated with no load growth, identified in RCW 19.285.040 (2)(d), the utility must document the following by January 1:

- (1) That it used a consistent methodology from year to year to weather-adjust its retail load;
 - (2) That its weather-adjusted load for the most recent prior year is lower than the third year prior;
 - (3) That it invested at least one-percent of its total annual revenue requirement in each target year on eligible renewable resources, RECs, or a combination of both;
 - (4) That it executed contracts, dated no later than January 1 of the target year, for power purchases of sufficient eligible renewable resources and/or RECs;
 - (5) The quantity of megawatt-hours for each target year for which the utility:
 - (a) Commenced or renewed ownership of nonrenewable resources, other than coal transition power, after December 7, 2006; or
 - (b) Made electricity purchases from nonrenewable energy resources, other than coal transition power, incremental to its annual electricity purchases made or contracted for before December 7, 2006.
- Sources of power for daily spot market purchases are not included in this calculation;
- (6) The RECs the utility acquired, in addition to any RECs acquired for subsection (3) of this section, to offset (~~nonrenewable~~) power purchases listed in subsection (5) of this section; and
 - (7) Annual revenue requirement for the target year.

AMENDATORY SECTION (Amending WSR 08-07-079, filed 3/18/08, effective 4/18/08)

WAC 194-37-210 ((~~Selection of a~~) Renewable energy credit tracking system. (~~Pursuant to RCW 19.285-030(17), the department selects~~) WREGIS (~~(as)~~) is the renewable energy credit tracking system (~~(-If WREGIS proves to be unworkable and if there are alternative tracking systems, the department may reopen these rules and solicit, through an open process, proposals from other tracking systems to allow it to verify renewable energy credits for compliance with)~~) for purposes of verification of RECs under chapter 19.285 RCW.

WSR 14-04-020

PERMANENT RULES

DEPARTMENT OF HEALTH

(Veterinary Board of Governors)

[Filed January 27, 2014, 7:32 a.m., effective February 27, 2014]

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

Purpose: WAC 246-933-460, the rule allows veterinarians to receive continuing education credit for attending courses offered by: (1) A veterinarian certified by a recognized veterinary specialty board; (2) a veterinarian faculty member of an accredited college or school of veterinary medicine; (3) the United States Animal Health Association; (4) the American Association of Veterinary Laboratory Diagnosticians; or (5) department of agriculture without preapproval.

Citation of Existing Rules Affected by this Order: Amending WAC 246-933-460.

Statutory Authority for Adoption: RCW 18.92.030.

Adopted under notice filed as WSR 13-21-132 on October 22, 2013.

A final cost-benefit analysis is available by contacting Judy Haenke, Program Manager, Washington State Veterinary Board of Governors, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4947, fax (360) 236-2901, e-mail judy.haenke@doh.wa.gov.

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

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

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

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

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

Date Adopted: December 2, 2013.

Ethan C. Nelson, DVM, Chair
Veterinary Board of Governors

AMENDATORY SECTION (Amending WSR 07-19-130, filed 9/19/07, effective 10/20/07)

WAC 246-933-460 ((~~Courses~~) Organizations, institutions or individuals approved by the veterinary board to provide continuing education courses. (~~Courses offered by~~) (1) The veterinary board designates the following organizations (~~(are presumed to qualify)~~), institutions or individuals as providing approved continuing veterinary medical education (~~(courses without specific prior approval of the board.~~

(~~1~~) courses:

(a) The American Association of Veterinary State Boards (AAVSB).

~~((2))~~ (b) The American Veterinary Medical Association (AVMA).

~~((3))~~ (c) The Washington State Veterinary Medical Association.

~~((4))~~ (d) Any board approved college or school of veterinary medicine.

~~((5))~~ (e) Any state or regional veterinary association which is recognized by the licensing authority of its state as a qualified professional association or educational organization.

~~((6))~~ (f) The American Animal Hospital Association.

~~((7))~~ (g) Veterinary specialty boards recognized by the American Veterinary Medical Association.

~~((8))~~ (h) Conferences offered by regional ~~(veterinary conferences and)~~ or allied organizations recognized by AAVSB.

~~((9))~~ (i) The Registry of Approved Continuing Education (RACE).

~~((10) Other courses as approved by the board.)~~ (j) The United States Animal Health Association.

(k) The American Association of Veterinary Laboratory Diagnosticians.

(l) The Washington state department of agriculture.

(m) A board certified veterinarian who is certified by a veterinary specialty board recognized by the American Veterinary Medical Association when teaching a course within his or her area of certification.

(n) A veterinarian who is a faculty member of an accredited college or school of veterinary medicine when teaching a course within his or her area of expertise.

(2) Continuing veterinary medical education courses offered by the organizations, institutions, or individuals listed in subsection (1) of this section are presumed to qualify as continuing veterinary medical education courses for purposes of fulfillment of the requirements of WAC 246-933-420 without specific prior approval by the board.

(3) Other organizations, institutions, or individuals may submit course information to the board for determination whether the course qualifies as continuing veterinary medical education under WAC 246-933-401 through 246-933-480 for purposes of fulfillment of the requirements of WAC 246-933-420.

WSR 14-04-048

PERMANENT RULES

EVERETT COMMUNITY COLLEGE

[Filed January 27, 2014, 2:37 p.m., effective February 27, 2014]

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

Purpose: The purpose of the proposal is to update the rules for student affairs and student rights. The updates include a change to the titles of the designated administrator. Student housing is named as a place where the rules apply. Timelines for various grievances, appeals and responses are changed to provide additional time for investigative research, and to provide students additional time to file a complaint. Updates to the equal opportunity/Title IX policy are included.

Citation of Existing Rules Affected by this Order: Amending WAC 132E-120-130, 132E-120-150, 132E-120-

160, 132E-120-170, 132E-120-190, 132E-120-210, 132E-120-220, 132E-120-230, 132E-120-240, 132E-120-250, 132E-120-260, 132E-120-270, 132E-120-290, 132E-120-300, 132E-120-310, 132E-120-330, 132E-120-350, 132E-120-360, 132E-120-370, 132E-120-380, 132E-120-385, 132E-120-390, and 132E-120-400.

Statutory Authority for Adoption: RCW 28B.50.140.

Adopted under notice filed as WSR 13-23-035 on November 14, 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 22, 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: January 21, 2014.

Jennifer L. Howard
Vice-President
Administrative Service

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-130 Students as research subjects.

(1) Permission may be granted for conduct of research involving students for such purposes as the pursuit of advanced degrees, classroom research, independent student research, and research for off-campus individuals and ~~((ts as))~~ on human subjects must secure permission in advance of agencies. Participation therein is the choice of the individual student. Persons planning research ~~((utilizing student))~~ the project from the ~~((vice president for student services))~~ institutional review board (IRB). Minimally such approval will entail:

(a) Assurance that the project does not conflict with examinations or require a major loss of classroom time;

(b) Assurance that students know they have the alternative of choosing to participate or not;

(c) Explanation of the purpose of the research and disclosure of ~~((any))~~ all possible ~~((negative consequence of any procedure))~~ risks to which students might be exposed in the research and a thorough explanation of efforts that will be employed to reduce those risks;

(d) Provision for students to have the opportunity to see the results of the research;

(e) Evidence that the research method is appropriate for the subject to be studied;

(f) Guarantee of confidentiality of student records and responses.

(2) Prior to the initiation of such a project, the researcher shall ~~((submit a report of the research covering the points listed above to the vice-president for student services))~~ complete the IRB application and submit it to the institutional review board. Written permission may be given with or without college endorsement of the project. In such instances where the ~~((vice-president for student services))~~ institutional review board deems appropriate, assistance may be sought from others with related knowledge before permission to proceed is granted or denied.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-150 Student affairs. (1) Freedom of association - Students are free to organize and join associations to promote their common interests, provided such organizations or associations do not disrupt or interfere with the mission of the college.

(a) The membership, policies, and actions of a student organization will be determined by vote of only those persons who hold bona fide membership in the student body as determined by current enrollment in the college.

(b) Affiliation with an extramural organization shall not of itself disqualify a student organization from institutional recognition.

(c) An organization is free to nominate its own adviser from the campus faculty and staff. Campus advisers shall advise organizations in the exercise of the rights and responsibilities as an organization, but they will not have authority to control the policies of such organizations.

(d) Student organizations shall be required to submit a constitution to the office of student activities which includes a statement of purpose, criteria for membership, rules or procedures, and a current list of officers to the student government recognized by the college.

(e) Campus organizations, including those affiliated with an extramural organization, shall be open to all students.

(2) Right of assembly.

(a) Students have the right to conduct or may participate in any assembly on facilities that are generally available to the public provided that such assemblies:

(i) Are conducted in an orderly manner;

(ii) Do not unreasonably interfere with classes, scheduled meetings or ceremonies, or regular functions of the college;

(iii) Do not unreasonably interfere with pedestrian or vehicular travel; or

(iv) Do not cause destruction or damage to college property.

(b) Any student group or student organization/club which wishes to schedule an assembly must reserve the college facilities per the appropriate procedures ~~((see commercial and promotional activities in the student handbook))~~.

(c) Assemblies which violate these rules and other college policies and rules may be ordered to disperse by the college.

(d) A nonstudent who violates any provision of the rule will be referred to civilian authorities.

(3) Student participation in institutional government - As constituents of the educational community, students shall be free, individually and collectively, to express their views on issues of institutional policy and matters of general interest to the student body. The student body shall have a clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs. The role of student government will be made explicit. The actions of the student government within the areas of jurisdiction shall be reviewed by the director of student activities and by the ~~((vice-president for student services))~~ chief student affairs officer through orderly procedures.

(4) Right of ownership of works - Employees of the college shall not use students' published and unpublished works for personal gain without written consent of the student.

(5) Editorial independence of student publications policy - The college recognizes and affirms the editorial independence and press freedom of all student-edited campus media. The *Clipper* student newspaper and other student-produced media are therefore designated as public forums.

(6) Right to be interviewed.

(a) Every student has the right to be interviewed on campus by any legal organization ~~((that is legal))~~ desiring to recruit at the college.

(b) Any student, student group, or student organization/club may assemble in protest against any such organization provided that such protest does not interfere with any other student's rights to have such an interview, and provided that such protest is in accordance with subsection (2) of this section.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-160 Disclosure of student information. (1) Unless the student has provided the office of enrollment services with written notice which specifically requests otherwise, designated officials of the college may routinely respond to requests for the following directory information about a student:

(a) Student's name;

(b) Major field of study;

(c) Extracurricular activities;

(d) Height and weight of athletic team members;

(e) Quarters of attendance;

(f) Degrees and awards received;

(g) The most recent previous educational agency or institutions attended;

(h) Date of birth;

(i) E-mail address;

(j) Student enrollment status.

(2) Recognized college student organizations, such as scholastic and service clubs, may obtain information relating to a student's academic record and status; requests of this nature are handled on an individual basis and only through the organization's appointed advisor. Pursuant to the National Defense Authorization Act for Fiscal Year 1995, the college must release directory information to military recruiters unless the student specifically denies permission. The college shares selected records with organizations with which the

college has a contractual agreement for services. The college may also release enrollment data for loan processing, enrollment and degree verification, and records archiving purposes through contractual arrangements, and to another school in which a student seeks or intends to enroll. The college releases Social Security and enrollment data to the Federal Government for Financial Aid and Veterans' eligibility evaluation and for Hope Scholarship/Lifetime Learning tax credit programs. The college may release records following the receipt of a lawfully issued subpoena, attempting to notify the student beforehand. The college does not disclose records to family members without student consent.

(3) No other information is to be given without the prior consent of the student or parent/guardian as appropriate. The ~~((vice president for enrollment management))~~ college registrar or his/her designee will be responsible for reviewing unusual requests for information and assisting in the interpretation of the provisions of the Federal Family Education Rights and Privacy Act/Buckley Amendment. See Family Educational Rights and Privacy Act of 1974 in the Student Handbook for more information on confidentiality of student information and records.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-170 Everett Community College distribution of literature procedures. In order to insure an atmosphere in which the discussion of diverse points of view and ideas may exist, the following policy with regard to the distribution of printed matter will be implemented.

(1) Printed matter by students and student organizations may be distributed in an orderly and nonforceful manner in only such areas as may be designated by the ~~((vice president for student services))~~ chief student affairs officer or designee except that:

(a) Noninstructional printed matter shall not be distributed in the classroom during regularly scheduled class time unless otherwise approved by the class instructor. Exceptions to this procedure may be made for special educational purposes and/or emergencies by the president, ~~((executive vice president, vice president for instruction or designee, and/or vice president for student services))~~ chief student affairs officer or designee. If and when this occurs, the class instructor, appropriate academic dean, and students in the class shall be notified in a timely fashion;

(b) Printed matter shall not be distributed in college buildings other than in specifically designated areas or in any area where the distribution of printed matter would restrict the physical passage of students or interfere with the instructional program and administrative and student support functions unless otherwise approved on a temporary basis for a specific informational purpose by the ~~((vice president for student services))~~ chief student affairs officer or designee;

(c) Printed matter shall not be placed on any vehicle parked on the campus;

(d) Posters and advertising bulletins must be approved before they may be posted on campus, and they shall be posted only on informational display boards/areas designated for this purpose. In general, students have the right to display

posters and advertising bulletins and are expected to do so per the campus posting procedures. Class projects by students to be displayed outside the classroom must be on designated boards or areas designed for this purpose and approved by the class instructor. Posters and advertising generated for student activity related events and programs must be approved for posting by the office of student activities. Posting rules and guidelines may change periodically and in some cases be specific to a building and/or area of the campus. In general, material concerning off-campus activities will not be approved unless it is determined to be special service to EvCC students;

(e) In addition, designated points of distribution will be made available on campus.

(2) As to content of printed matter, the college will be guided by state and federal laws and principles regarding free speech.

(3) A system of prior censorship is to be avoided if at all possible. Therefore, maximum cooperation of students, faculty and administration will be necessary. Matters of interpretation regarding these procedures and questions as to content of any displayed material will be handled by the ~~((vice president for student services))~~ chief student affairs officer.

(4) Printed matter originating with an off-campus individual(s) or organization must be registered with the director of student activities before distribution will be permitted.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-190 Everett Community College—General policies concerning student conduct. (1) Everett Community College distinguishes its responsibility for student conduct from the control functions of the wider community. When a student has been apprehended for the violation of a local, state or federal law, the college will not request or agree to special consideration for the student because of his/her status as a student. The college will cooperate ~~((fully, however,))~~ with the law enforcement agencies.

(2) Everett Community College may apply sanctions or take other appropriate action only when student conduct directly and significantly interferes with the college's:

(a) Primary educational responsibility of ensuring the opportunity of all members of the college's community to attain their educational objectives~~((:));~~

(b) Subsidiary responsibilities of protecting the health and safety of persons in the college community, maintaining and protecting property, keeping records and other services, and sponsoring nonclassroom activities such as lectures, cultural events, concerts, athletic and other recreational activity events, social functions, and other special activities~~((:));~~ or

(c) When a student commits any of the offenses listed in WAC 132E-120-220.

(3) Procedural fairness is basic to the proper enforcement of all college rules. In particular, no disciplinary sanction as serious as expulsion, suspension, summary suspension or disciplinary probation, written warning, or restitution shall be imposed unless the student has been notified in writing of the charges against him/her and has had the opportunity:

(a) To appear alone or with another to advise and assist him/her as he/she appears before an appropriate college official and/or the student conduct committee. Any person who accompanies the student may provide support or guidance to the student, but may not speak, represent, or advocate for the student before the college official or student conduct committee. An accommodation of a spokesperson (a person who would address the college official, or assist the person in addressing the college official) may be approved if a person's disability warrants such an accommodation. Other circumstances regarding a request by the student for the use of a spokesperson would be considered by the ~~((vice president for student services))~~ chief student affairs officer or designee;

(b) To know the nature and source of the evidence against him/her and to present evidence in his/her behalf; and

(c) To have his/her case reviewed by the student conduct committee.

(4) Students shall have an opportunity to participate fully in the formulation of all policies and rules pertaining to student conduct.

(5) Rules and sanctions affecting the conduct of students shall be based on principles of equal treatment, including like penalties for like violations.

(6) The general policies, violations and sanctions shall be ~~((printed and))~~ made available to students of the college.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-210 Everett Community College student conduct—Authority and responsibility. (1) The board of trustees acting in accordance with RCW 28B.050.140(14) does by written order delegate to the president of the college authority to administer disciplinary action.

(2) The ~~((vice president for student services))~~ chief student affairs officer is directed by the president to represent the college with regard to student affairs including discipline. He/she or his/her designee is responsible for assembling facts regarding incidents referred to his/her office, making provisions for suitable hearings, convening the designated student conduct committee when requested, notifying students and others concerned, determining and imposing appropriate disciplinary action, keeping confidential files and reports regarding incidents following each disciplinary case until it is closed, and destroying out-of-date files related to student disciplinary cases as may be permitted under state law.

(3) The instructor is responsible for the management of student conduct in the classroom. Instructors may remove a student from class on a daily basis if the student is being disruptive to the learning environment for students and/or the teaching environment for the instructor and fails to abide by the instructor's behavioral expectations. The ~~((vice president for student services))~~ chief student affairs officer or designee may through the appropriate disciplinary proceedings as set forth in this chapter permanently remove a student from a class for disruptive behavior.

(4) Any college administrator or security personnel member may remove a disruptive student from the college facilities. If the safety of the student or others is jeopardized, the student can be summarily suspended by the chief student

affairs officer or designee until disciplinary proceedings can be completed. The chief student affairs officer or designee may through the appropriate disciplinary proceedings as set forth in this chapter permanently remove a student from the college campus for disruptive behavior.

The student has the right to appeal any disciplinary action taken against him/her by the ~~((vice president for student services))~~ chief student affairs officer or designee in accordance with the procedures set forth in this chapter.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-220 Student conduct code—Violations. (1) As members of Everett Community College, students are expected to abide by all college rules and regulations. Students shall be subject to disciplinary action as provided for by this code who, either as a principal actor, aider, abettor, or accomplice interferes with the personal rights or privileges of others or the educational process of the college; violates the provisions as set forth in this chapter; or commits any of the offenses as defined in this section.

(2) No sanction or other disciplinary action shall be imposed on a student by or in the name of the college except in accordance with this chapter.

(3) Disciplinary actions and/or sanctions may be imposed on a student for the commission of any of the following offenses:

(a) Academic cheating, fabrication, facilitating academic dishonesty, or plagiarism.

(b) Furnishing false information to the college with the intent to deceive including but not limited to the filing of a formal complaint that falsely accuses another student of violating the student conduct code or a college employee with violating college rules/procedures.

(c) Forgery, alteration, or misuse of college documents, records or identification cards.

(d) Assault, threat, verbal abuse, physical abuse, sexual misconduct, sexual harassment, sexual assault, reckless endangerment, intimidation, bullying, stalking, or interference of another person in the college community on college owned or controlled property, college housing or at functions sponsored or supervised by the college or its student organizations/clubs.

(e) Unlawful discrimination including hate crimes and/or bias incidents. ((A hate crime includes but is not limited to a criminal offense committed against a person who is motivated, in whole or in part, by the offender's bias against a race, religion, disability, age, status, ethnicity/national origin, sex, or sexual orientation. A bias incident includes but is not limited to an act of conduct, speech, or expression to which a bias motive is evident as a contributing factor, such as racist leaflets or offensive printed materials that exhibit a bias against a race, religion, disability, age, status, ethnicity/national origin, sex, or sexual orientation; verbal, written, cyber/electronic, or physical contact resulting or intending to result in intimidation, harassment, fear, personal assault and/or other violence.))

(f) Vandalism of college property, theft or conversion of another's property on college owned or controlled property,

in college housing or at functions sponsored or supervised by the college or its student organizations or clubs.

(g) Lewd or indecent conduct occurring on college owned or controlled property, in college housing, or at functions sponsored or supervised by the college or its student organizations or clubs.

(h) Possession or consuming any form of liquor or alcoholic beverage on college property, in college housing or at off-campus college events is prohibited except as a participant of legal age at a (~~college sponsored~~) program which has the special written permission of the college president.

(i) Illegal possession, consumption, selling, or distributing, or being demonstrably under the influence of any (~~harmful or controlled~~) substance (including marijuana) as defined by RCW 69.50.101 as now or hereafter amended on property owned or controlled by the college, in college housing or at functions sponsored or supervised by the college except when the use or possession of a drug is specifically prescribed as medication by an authorized doctor or dentist. For the purpose of this rule, "sale" shall include the statutory meaning defined in RCW 69.50.410 as now or hereafter amended.

(j) Disorderly or abusive conduct, including conduct resulting from being under the influence of drugs or alcohol on college owned or controlled property, in college housing or at functions sponsored or supervised by the college. Disorderly or abusive conduct also includes interfering with the right of others or obstructing or disrupting teaching, research, or administrative functions including failure to abide by the directive(s) of a member of the college faculty, or exempt, administrative, or classified staff who is acting in their capacity as an agent of the college.

(k) Gambling on property owned or controlled by the college, in college housing or at functions sponsored or supervised by the college or its student organizations/clubs.

(l) Violation of any condition imposed by the (~~vice-president for student services~~) chief student affairs officer or designee or recommended by the student conduct committee for an infraction of which sanctions may be imposed under this code.

(m) Refusal to provide positive identification (e.g., valid driver's license or state identification card) in appropriate circumstances to any college employee in the lawful discharge of said employee's duties.

(n) Entering any administrative or other employee office that is normally not accessible to the public or any locked or otherwise closed college facility in any manner, at any time, without permission of the college employee or agent in charge thereof.

(o) (~~Smoking~~) Tobacco use is prohibited in or on any college facility (~~except those areas which have been identified as designated smoking areas~~) or property. Everett Community College (EvCC) is a tobacco free campus as described in WAC 132E-120-410.

(p) Failure to comply with the following rules governing firearms and weapons on campus, in campus housing or at college sponsored events in facilities leased or rented by the college:

(i) Carrying, exhibiting, displaying, or drawing any weapon, such as a slung shot, sling shot, and club, metal

knuckles, dagger, sword, stun gun, or swing blade knife, or any knife of which is automatically released by a spring mechanism or other mechanical device, or any knife having a blade which opens, or falls, or is ejected into position by force of gravity, or by outward, downward, or centrifugal thrust or movement, or any other cutting or stabbing instrument or club or any other weapon apparently capable of inflicting bodily harm and/or property damage is prohibited.

(ii) Explosives, incendiary devices, or any weapon facsimile are prohibited.

(iii) Carrying firearms is prohibited.

(iv) The regulations in (p)(i) through (iii) of this subsection shall not apply to equipment or material owned, or maintained by the college nor will they apply to law enforcement officers.

(q) Pets are prohibited on campus with certain exceptions for service animals as per pets and service animals on campus policy.

(r) False alarms. Falsely setting off or otherwise tampering with emergency safety equipment, alarm, or other device established for the safety of individuals and/or college owned or controlled facilities, or in college housing, is prohibited.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-230 Everett Community College—Student conduct code—Sanctions for violations. Sanctions which may be imposed by the chief student affairs officer or designee for the commission of college offenses shall include the following:

(1) Expulsion or disciplinary dismissal from the college: Termination of student status for an indefinite period of time. Disciplinary dismissal may be placed on the student's transcript indefinitely at the discretion of the (~~vice-president for student services~~) chief student affairs officer or designee. Conditions, if any, of restitution readmission, and/or removal of disciplinary dismissal from the student's transcript shall be stated in the order of expulsion.

(2) Suspension from the college: Suspension from student status for a definite period of time.

(3) Summary suspension: Exclusion from classes or other privileges, services or activities.

(4) Disciplinary probation with or without loss of designated privileges for a definite period of time. The violation of the terms of disciplinary probation or the infraction of any college rule during the period of disciplinary probation may be grounds for suspension or expulsion from the college. (~~The parents of any student under eighteen years of age who is placed on disciplinary probation, suspended, or expelled shall be so notified.~~)

(5) Restitution: Reimbursement for damage to or misappropriation of property. The restitution may be in the form of appropriate service or monetary compensation.

(6) Warning: Notice in writing that continuation or repetition of conduct deemed wrongful, within a period of time stated in the warning, may be cause for more severe disciplinary action.

(7) Admonition: An oral admonition shall not be considered a formal disciplinary action, and shall not be subject to appeal to the student conduct code.

(8) The parents of any student under eighteen years of age who is placed on disciplinary probation, suspension, or expulsion may be notified at the discretion of the ~~((vice-president for student services))~~ chief student affairs officer or designee pursuant to FERPA guidelines.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-240 Student conduct—Initial disciplinary procedures. Allegations of misconduct shall be filed in the ~~((vice-president for student services))~~ chief student affairs officer or designee's office in writing. Upon investigation, the ~~((vice-president for student services))~~ chief student affairs officer or designee shall initiate action as described below.

(1) Students alleged to have committed an act of misconduct shall be notified to meet with the ~~((vice-president for student services))~~ chief student affairs officer or designee for possible disciplinary action. The notice must be given at least one school day prior to the scheduled appointment. The notice will be delivered to the student on-campus and/or by first class mail to the student's last known address. The notice shall identify the provision or provisions of the student conduct code that he/she is alleged to have violated, and the range of penalties, if any, which might result from the disciplinary proceedings.

(2) After a careful review of the circumstances surrounding the alleged misconduct and after interviewing the accused student, if he/she appears at the initial meeting, the ~~((vice-president for student services))~~ chief student affairs officer or designee may take one of the following actions:

(a) Take no further action and terminate the proceeding, exonerating the student or students;

(b) Provide whatever counseling and/or advice may be appropriate;

(c) Impose verbal admonition to the student directly which is not subject to the student's right of appeal as provided in this chapter; or

(d) Impose appropriate disciplinary action, subject to the student's right of appeal as described in this chapter. The student shall be notified in writing of such an action.

(3) The student may be placed on summary suspension pending the commencement of disciplinary action, pursuant to the conditions set forth in WAC 132E-120-250.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-250 Summary suspension—Purpose and proceedings. (1) As defined in WAC 132E-120-230, summary suspension is exclusion from classes or other privileges, services and activities. A student shall be summarily suspended if the ~~((vice-president for student services))~~ chief student affairs officer or designee has cause to believe that the student:

(a) Has violated any provision of this chapter; and/or

(b) Presents an imminent danger either to himself or herself, other persons on the campus, or to the educational process.

(2) Summary suspension is appropriate only where subsection (1)(b) of this section can be shown, either alone or in conjunction with subsection (1)(a) of this section. The ~~((vice-president for student services))~~ chief student affairs officer or designee shall enter an order as provided by law if the student is to be suspended. Written notice shall be served by certified and regular mail at the student's last known address, or shall be personally served on the student.

(3) The procedures for a summary suspension hearing shall be considered an emergency adjudicative proceeding and shall be conducted as soon as possible and, if feasible, within five working days. It is the student's responsibility to schedule the hearing. The ~~((vice-president for student services))~~ chief student affairs officer or designee may, upon the request of the student, schedule the hearing at a time later than five working days. The ~~((vice-president for student services and/or his/her))~~ chief student affairs officer or designee shall preside over the meeting. The student may appear alone or with another to advise and assist him/her as he/she appears before the appropriate college official(s). Any person who accompanies the student may provide support or guidance to the student, but may not speak, represent, or advocate for the student before the college official. An accommodation of a spokesperson (a person who would address the college official(s)) may be approved if a person's disability warrants such an accommodation. Other circumstances regarding a request by the student for the use of a spokesperson would be considered by the vice-president for student services or designee. The ~~((vice-president for student services))~~ chief student affairs officer or designee shall, at the summary suspension proceeding, determine whether there is probable cause to believe that continued suspension is necessary and/or whether other disciplinary action is appropriate.

(4) The ~~((vice-president for student services))~~ chief student affairs officer or designee may continue to enforce the suspension of the student from the college and/or may impose other disciplinary action if, after the summary suspension hearing, the ~~((vice-president for student services))~~ chief student affairs officer or designee finds that the student against whom the specific violations are alleged has in fact committed one or more of said violations and:

(a) Summary suspension is necessary for the safety of the student, other campus community members, or to restore order to the campus; and

(b) The violation(s) by the student are grounds for disciplinary action per WAC 132E-120-020 and 132E-120-040.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-260 Notice of summary suspension. (1) If, after the summary suspension hearing a student's summary suspension is upheld or if the student is disciplined in another way, the ~~((vice-president for student services))~~ chief student affairs officer or designee will provide to the student written findings of fact and conclusions which lead the ~~((vice-president for student services))~~ chief student affairs

officer or designee to conclude that the summary suspension of the student should be affirmed.

(2) The student shall be served a copy, if applicable, of the findings and conclusions by certified and regular mail to the student's last known address or by personal services within ~~((three))~~ ten working days following the summary suspension hearing. The notice shall state the terms for which the student is suspended and any conditions imposed on the student's return.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-270 Summary suspension for failure to appear. The ~~((vice president for student services))~~ chief student affairs officer or designee has the authority to enforce the suspension of a student if the student fails to appear at the time designated for the summary suspension hearing.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-290 Student conduct committee. (1) The college's student conduct committee will hear and make recommendations on all disciplinary cases, with the exception of harassment and/or discrimination complaints, referred to it by the ~~((vice president for student services))~~ chief student affairs officer or designee or appealed to it by students who have been disciplined by the ~~((vice president for student services))~~ chief student affairs officer or designee.

(2) The student conduct committee will be comprised of the following members:

(a) A chair designated by the president of the college for a period of one year. The chair will be a nonvoting member, except in the case of a tie vote by committee members, and will normally be a faculty member. It shall be his/her responsibility to ensure that all procedures prescribed in this chapter are followed. The chair will also take appropriate action to ensure that the hearing is conducted in a safe and orderly manner, advise the committee members of the precedents and guidelines concerning the case, and inform the student in writing of the action taken/recommended by the committee following the hearing.

(b) Three faculty members appointed by the president. Three alternates shall also be appointed by the president in the event an appointee(s) is unable to complete his/her term or unable to serve on a particular case.

(c) Three full-time (at least ten credits) student representatives shall be recommended by the associated students' executive council to the president of the college. Three alternates will also be appointed to serve in the event that a member(s) is unable to complete his/her term or is unable to serve on a particular case.

(d) A quorum shall consist of at least two of the above named faculty, and two of the above named students and the chair.

(e) Committee members will be appointed to serve for one year but are eligible to serve as many as three consecutive terms.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-300 Appeals of disciplinary action—General. (1) Disciplinary action imposed by the ~~((vice president for student services))~~ chief student affairs officer or designee, with the exception of harassment and/or discrimination complaints, may be appealed to the student conduct committee. All harassment and/or discrimination complaints shall follow the appeal process described in WAC 132E-120-385.

(2) An appeal by a student of disciplinary action must meet the following conditions:

(a) The appeal must be in writing and must clearly state the student's position and errors in fact, if any, and compelling reasons which support the appeal; and

(b) The appeal must be filed in the president's office within twenty-one working days from the date that the student was served notice that disciplinary action had been taken or recommended against him/her.

(3) All recommendation(s) from the student conduct committee shall include the signature of the chair. Copies of the committee's recommendation(s) shall be sent to the student, ~~((vice president for student services))~~ chief student affairs officer or designee, and president.

(4) Recommendations made by the student conduct committee may be appealed by the student to the president of the college. The president shall review the report of the proceedings which give rise to the appeal and the disciplinary action taken by the ~~((vice president for student services))~~ chief student affairs officer or designee and the recommendation(s) of the student conduct committee. The president's decision shall be final.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-310 Student conduct committee hearing procedures. (1) The student conduct committee shall conduct a hearing within fourteen working days after disciplinary action has been referred to it. Proceedings shall be governed by chapter 34.05 RCW.

(2) Proceedings before the student conduct committee shall be conducted in a manner that will bring about a prompt and fair resolution.

(3) The student has a right to a fair and impartial hearing before the student conduct committee on any allegation of violating the student conduct code and shall be provided notice of the hearing at least seven days in advance. If the student fails to attend the hearing held by the student conduct committee, the committee may proceed with the findings of fact, conclusions and recommendations.

(4) The student may appear with another to advise and assist him/her as he/she appears before the student conduct committee. Any person who accompanies the student may provide support or guidance to the student, but may not speak, represent, or advocate for the student before the college official or student conduct committee. An accommodation of a spokesperson (a person who would address the college official, or assist the person in addressing the college official) may be approved if a person's disability warrants such an accommodation. Other circumstances regarding a

request by the student for the use of a spokesperson would be considered by the ~~((vice president for student services))~~ chief student affairs officer or designee.

(5) The student may have a duly licensed attorney, admitted to practice in the state of Washington, present at the hearing to advise the student in the presentation of his/her appeal. The attorney may not address the student conduct committee unless he/she is called as a material witness in the case. An accommodation of the student's attorney addressing the college official, or assisting the person in addressing the college official may be approved if the student's disability warrants such an accommodation. Other circumstances regarding a request by the student for the use of a spokesperson will be considered by the ~~((vice president for student services))~~ chief student affairs officer or designee. If the student chooses to have an attorney present to advise him/her, the student shall notify the chair at least five days prior to the hearing.

(6) The ~~((vice president for student services))~~ chief student affairs officer or designated representative(s) shall make the first presentation. Each witness may be cross-examined by the student; and after cross-examination is completed, any committee member who wishes may ask questions of the witness but only after both direct examination and cross-examination of the witness have been completed. Upon completion of the presentation by the student, both sides shall then be permitted to make any closing arguments after which the committee may ask questions.

(7) The hearing will then be closed and the committee will retire to executive session for deliberation. At the conclusion of the executive session, the proceeding will be adjourned and the student conduct committee shall, within ~~((seven))~~ ten working days, make findings of facts, conclusions, and recommend disciplinary action/sanctions as appropriate, if any.

(8) The record in a formal hearing shall consist of all documents as required by law and as specified in RCW 34.05.476.

(9) All records of disciplinary proceedings shall be maintained in the appropriate administrative office and shall be available only during the course of the disciplinary proceedings to the student conduct committee, the student, and his/her attorney, and any other college official designated by the president.

(10) Following the conclusion of the disciplinary proceedings, access to records of the case and the hearing files will be limited to the student and to those designated by the college president.

(11) The time of the hearing may be advanced by the student conduct committee at the request of the student or continued for good cause.

(12) If at any time during the hearing a visitor disrupts the proceedings, the chair of the student conduct committee may exclude that person from the hearing room.

(13) A recorder shall be present at the hearing to record the proceedings.

AMENDATORY SECTION (Amending WSR 00-17-015, filed 8/3/00, effective 9/3/00)

WAC 132E-120-330 Decision by student conduct committee. (1) At the conclusion of the hearing, the student conduct committee shall, within ~~((seven))~~ ten working days, make findings of facts, conclusions, and recommend disciplinary action/sanctions as appropriate, if any. In deciding upon its recommendation, the committee shall consider the following:

- (a) Does the alleged act or acts constitute misconduct?
- (b) Did the student involved commit the acts with which he/she was charged?
- (c) Were there any extenuating or mitigating circumstances?

(2) The committee's recommendation(s) shall be written and the student will be provided a copy of the committee's findings of fact and conclusions. The copy shall be dated and signed by the committee chair and contain a statement advising the student of his/her right to appeal the committee's recommendation(s) to the president of the college.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-350 Readmission after dismissal. Any student expelled from the college may submit a written petition to the ~~((vice president for student services))~~ chief student affairs officer or designee requesting readmission. Such petition must include how any conditions imposed by the ~~((vice president for student services))~~ chief student affairs officer or designee or student conduct committee have been met. Decisions by the ~~((vice president for student services))~~ chief student affairs officer or designee regarding a petition for readmission shall be reviewed by the president.

If the ~~((vice president for student services))~~ chief student affairs officer or designee suspends or expels a student from a college program that has a readmission policy and procedure, the program's readmission policy and procedures will be followed and the readmission committee will review, as part of their deliberations, the ~~((vice president for student services))~~ chief student affairs officer's or designee's recommendation/conditions of readmission concerning the student's readmission to the program.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-360 Academic grievance procedure. (1) Definition of an academic grievance - If a student has evidence that he/she has been: Unfairly treated in matters related to grading, course policies or expectation; falsely accused of cheating; or inappropriately penalized for alleged cheating, he/she may be said to have an academic grievance. Students who feel that such unfair treatment has transpired should feel free to raise the question of how such a grievance may be resolved with the office of the ~~((vice president of instruction))~~ chief academic affairs officer or designee which will provide information (without judgment) regarding the procedure for filing an academic grievance. Students should also feel free to contact any member of the campus community

who they trust who may assist the student and/or refer the student to the appropriate resource. In addition to the office of the ~~((vice president for instruction))~~ chief academic affairs officer, the offices/centers that can generally be of the most assistance in terms of advice, support, and referral regarding these matters are the office of the ~~((vice president for student services))~~ chief student affairs officer, the offices of the academic deans, the office of the ~~((vice president for human resources))~~ chief human resources officer, outreach, diversity and equity center, counseling((advising)) and career center, center for disability services, Rainier learning center, student activities office, ((student support services program,)) and campus safety and security.

(2) Informal procedure resolution - Informal complaints should be made to the appropriate division dean or other supervising administrator. Upon receipt of a student complaint by the division dean, the following steps may be taken:

(a) The student will be encouraged to discuss the alleged problem with the involved instructor; or if the complaint involves a program, the student will be encouraged to speak to the director/dean of the involved program.

(b) If the student is not satisfied as a result of such discussion, he/she should then meet with the director/dean or supervising administrator ~~((to resolve the complaint))~~.

(c) If the complaint is not resolved at this level, the student, the instructor and the director/dean should meet with the ~~((vice president of instruction))~~ chief academic officer or designee to attempt resolution.

(d) If the complaint is not resolved at this level the student may institute formal grievance procedures.

(e) During any meetings that occur in (a) through (c) of this subsection, the student may invite another person or two to be with them in the meeting. The other person(s) are present to assist and advise the student although an accommodation of a spokesperson (a person who would address the college official, or assist the person in addressing the college official) may be approved if a person's disability warrants such an accommodation. Other circumstances regarding a request by the student for the use of a spokesperson would be considered by the director/dean or supervising administrator facilitating the meeting.

(3) Formal grievance procedure - To assure an atmosphere free from unfair treatment in academic matters, the following procedures are established to respond to an unresolved academic complaint registered by a student. It is understood, however, that this procedure should be employed only after efforts have been made by the student to resolve the issue through the previously described informal procedure. A student who feels an academic grievance has not been resolved through the informal resolution process may file a formal grievance with the ~~((vice president of instruction))~~ chief academic officer or designee prior to the ~~((tenth (10th)))~~ last day of the quarter (not including summer) following the alleged grievance. Within ten working days of the receipt of the signed written grievance, the ~~((vice president of instruction))~~ chief academic officer or designee will appoint a grievance committee for the purpose of reviewing the complaint and recommending a resolution.

(4) The grievance committee will be composed of seven voting members including:

(a) An administrator who will serve as the chair but will only vote in the event of a tie vote.

(b) Three faculty members, including one from the division of the involved faculty member.

(c) Three students to be selected as provided for in the associated students constitution and by-laws. ~~((All matters shall be discussed in closed meetings and shall be treated with strict confidence by committee members.))~~

(d) A quorum of the grievance shall be four members.

(e) All matters shall be discussed in closed meetings and shall be treated with strict confidence by the committee members.

(5) Formal resolution.

(a) Parties affected by the grievance will provide the grievance committee with all requested information in order to bring about full understanding and a speedy resolution to the grievance.

(b) In order to ensure due process, the aggrieved student shall have:

(i) The right to respond to the grievance, submitting appropriate evidence to support such response;

(ii) The opportunity to call as a witness any member of the college community who can provide information relevant to the allegation and interview the aggrieved student or any witness presented by the student(s) involved.

(c) The instructor against whom the grievance is filed shall have:

(i) The right to respond to the grievance, submitting appropriate evidence to support such response;

(ii) The opportunity to call as a witness any members of the college community who can provide information relevant to the allegation and interview the aggrieved student or any witness presented by the student(s) involved.

(d) Once the aggrieved student and the faculty member have had sufficient opportunity to present their points of view, the grievance committee will deliberate and reach a decision by a simple majority vote. The committee will provide the ~~((vice president of instruction))~~ chief academic officer or designee its written recommendation within ten working days of its organizational meeting. The ~~((vice president))~~ chief academic officer or designee will notify the parties in the grievance of his/her decision, and the resolution within forty-eight hours of having received the committee recommendation.

(e) If the grievance committee establishes that an aggrieved student has been treated unfairly, the committee will recommend corrective steps to the ~~((vice president of instruction))~~ chief academic officer or designee.

(f) Either party shall have the right to present a written appeal of the decision of the ~~((vice president of instruction))~~ chief academic officer or designee to the president of the college. Within one week of having received the appeal, the president shall review the case and render a decision which will be transmitted to both parties.

(g) An accommodation of a spokesperson (a person who would address the grievance committee, or assist the person in addressing the grievance committee) may be approved if a person's disability warrants such an accommodation. Other circumstances regarding a request by the student for the use

of a spokesperson would be considered by the administrator chairing the committee.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-370 Student affairs grievance procedure. (1) Definition of a student affairs grievance - If a student has evidence that he/she has been: Unfairly treated in matters related to student services/student auxiliary services, policies, procedures, or expectations, he/she may be said to have a student affairs grievance. Students who feel that such unfair treatment has transpired should feel free to raise the question of how such a grievance may be resolved with the associated student executive council which will provide information (without judgment) regarding the procedure for filing a grievance. Students should also feel free to contact any member of the campus community who they trust that may assist the student and/or refer the student to the appropriate resource. In addition to the office of the ~~((vice president for student services))~~ chief student affairs officer, the offices/centers that can generally be of the most assistance in terms of advice, support, and referral regarding these matters are the office of the ~~((vice president for instruction))~~ chief academic affairs officer, the offices of the academic deans, and the office of the ~~((vice president for human resources))~~ chief human resources officer, outreach, diversity and equity center, counseling~~((advising))~~ and career center, center for disability services, Rainier learning center, student activities office, ~~((student support services program,))~~ and campus safety and security.

(2) Informal procedure for resolution - Informal complaints should be made to the appropriate administrator. Upon receipt of a student complaint by the administrator, the following steps will be taken:

(a) The student will be encouraged to discuss the alleged problem with the party concerned; or if the complaint involves a program, the student will be encouraged to speak to the appropriate supervisor.

(b) If the student is not satisfied as a result of such discussion, he/she should then meet with the immediate administrator to resolve the complaint.

(c) If the complaint is not resolved at this level, the student, the respondent and the administrator should meet with the ~~((vice president for student services))~~ chief student affairs officer or the vice-president under which the program/service is administratively aligned ~~((to attempt resolution))~~.

(d) If the complaint is not resolved at this level, the student may institute formal grievance procedures.

(3) Formal grievance procedure - To assure an atmosphere free from unfair treatment, the following procedures are established to respond to an unresolved complaint registered by a student. It is understood, however, that this procedure should be employed only after efforts have been made by the student to resolve the issue through the previously described informal procedure. A student who feels a grievance has not been resolved through the informal resolution process may file a formal grievance with the appropriate vice-president or designee prior to the ~~((tenth - 10th))~~ last instructional day of the quarter (not including summer) fol-

lowing the alleged grievance. Within ten working days of the receipt of the signed written grievance, the appropriate vice-president or designee will appoint a grievance committee for the purpose of reviewing the complaint and recommending a resolution.

(4) The grievance committee will be composed of seven voting members including:

(a) An administrator (other than the appropriate vice-president) who shall serve as chair and vote only in the case of a tie;

(b) One faculty and two from classified staff;

(c) Three students to be selected randomly and not active members of student activities, or the involved program~~((All matters shall be discussed in closed meetings and shall be treated with strict confidence by committee members))~~;

(d) A quorum consists of four members of the grievance committee;

(e) All matters shall be discussed in closed meetings and shall be treated with strict confidence by the committee members.

(5) Formal resolution.

(a) Parties affected by the grievance will provide the grievance committee with all requested information in order to bring about full understanding and a speedy resolution to the grievance.

(b) In order to ensure due process, the aggrieved student shall have:

(i) The right to respond to the grievance, submitting appropriate evidence to support such response.

(ii) The opportunity to call as a witness any member of the college community who can provide information relevant to the allegation and interview the aggrieved student or any witness presented by the student(s) involved.

(c) The party against whom the grievance is filed shall have:

(i) The right to respond to the grievance, submitting appropriate evidence to support such response;

(ii) The opportunity to call as a witness any member of the college community who can provide information relevant to the allegation and interview the aggrieved student or any witness presented by the student(s) involved.

(d) Once the aggrieved student and the respondent have had sufficient opportunity to present their points of view, the grievance committee will deliberate and reach a decision by a simple majority vote. The committee will provide the appropriate vice-president or designee its written recommendation within ten working days of its ~~((organizational))~~ meeting.

(e) The appropriate vice-president or designee will notify the parties in the grievance of the resolution within two school days of having received the committee recommendation. If the grievance committee establishes that aggrieved student has been treated unfairly, the committee will recommend corrective steps to the appropriate vice-president or designee.

(f) Either party shall have the right to present a written appeal of the decision to the president of the college. Within one week of having received the appeal, the president shall review the case and render a decision which will be transmitted to both parties.

(g) During any meetings that occur in (a) through (f) of this subsection, the student may invite another person or two to be with them in the meeting. The other person(s) are present to assist and advise the student although an accommodation of a spokesperson (a person who would address the college official, or assist the person in addressing the college official) may be approved if a person's disability warrants such an accommodation. Other circumstances regarding a request by the student for the use of a spokesperson would be considered by the director/dean or supervising administrator facilitating the meeting.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-380 ((Illegal discrimination and sexual harassment policy statement.)) Equal opportunity—Title IX. ~~((Everett Community College affirms its commitment to equal educational opportunity for all its students, and its commitment to assure that there is no discrimination against any student, or those who apply for student status, on the basis of race, religion, creed, color, national origin, age, sex, sexual orientation, marital status, the presence of any physical, sensory or mental disability, or status as a disabled or Vietnam era veteran in accordance with state and federal laws.~~

Everett Community College is also committed to maintaining an educational environment that is free of sexual harassment and all forms of sexual intimidation and exploitation. Sexual harassment is a form of illegal sex discrimination and as such will not be tolerated. All staff, faculty and students should be aware that the college is prepared to take action to prevent and correct such behavior, and that individuals who engage in such behavior are subject to disciplinary action. The determination of what constitutes sexual harassment, sexual intimidation, and sexual exploitation will vary with the particular circumstances, but it may be described generally as repeated and unwanted/uninvited sexual behavior, such as physical contact, cyber/electronic communication, and verbal comments or suggestions, which adversely affects the learning environment.)) (1) Everett Community College is committed to providing a safe and inclusive environment for all students, employees, and patrons.

(2) The college provides equal opportunity in program activities and employment and does not discriminate on the basis of race, religion, creed, color, national origin, age, sex, sexual orientation, gender identity or gender expression, marital status, disability, genetic information, or status as a veteran of war as required by law.

(3) Prohibited sex discrimination includes sexual harassment.

(4) Harassment is defined, for the purpose of this policy, as unwelcome and unauthorized incidents and/or patterns of conduct and/or speech that are severe, persistent, or pervasive. When such conduct or action is based on a person's or persons'

- (a) race,
- (b) color,
- (c) religious belief,
- (d) sex,

- (e) marital status,
- (f) sexual orientation,
- (g) gender identity or expression,
- (h) national or ethnic origin,
- (i) disability,
- (j) genetic information,
- (k) veteran status, or
- (l) age.

and which:

(i) The harasser either knows, or should know, will have the effect of making the college environment hostile, intimidating, or demeaning to the victim; and

(ii) In fact renders the college environment (including the environment for employees, students, and patrons) hostile, intimidating, or demeaning for the victim.

(5) Sexual harassment is defined, for the purposes of this policy, as unwelcome sexual advances, requests, and other unwelcome conduct of a sexual nature where:

(a) Submission to such conduct is made, either expressly or implicitly, a term or condition of an individual's employment or education; or

(b) Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or

(c) Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance; or

(d) The conduct creates an intimidating, hostile, or demeaning employment or educational environment.

(6) Sexual harassment is a form of sex discrimination. It occurs in a variety of situations which share a common element: The inappropriate introduction of sexual activities or comments into the work or learning situation, the creation of relationships of unequal power and/or elements of coercion, and sexual assault. In addition, third parties may submit claims if a sexual relationship unfairly confers preferential treatment to participant(s) in the relationship.

(7) The college is committed to responding to complaints and will take immediate and appropriate steps to investigate what occurred and take prompt and effective action to end the harassment, remedy the effects, and prevent it from occurring again.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-385 ((Illegal discrimination and sexual harassment complaint procedures.)) Equal opportunity—Title IX procedures. ~~((1) Informal complaints.~~

Discrimination and/or sexual harassment may take many forms and the perpetrator may not understand that his/her behavior is being perceived as discriminatory or that it constitutes sexual harassment. Therefore, any student who feels that she/he is being subjected to discriminatory behavior and/or sexual harassment is encouraged to discuss the offensive behavior directly with the person involved. If direct communication is either impractical or feels too intimidating to the complainant, there are others on campus who can either intercede or assist with this conversation. Students may contact any member of the campus community who they trust that

may assist the student and/or refer the student to the appropriate resource. Generally, the offices/centers that can be of the most assistance in terms of advice, support, and referral regarding these matters are the offices of the vice-president for student services, and vice-president for human resources, the office of the vice-president for instruction and the offices of the academic deans, diversity and equity center, counseling/advising and career center, center for disability services, Rainier learning center, student activities office, student support services program, and campus safety and security.

If the situation cannot be settled informally, the complainant may file a formal internal complaint. Students are not required to utilize informal procedures, but may go directly to the following formal internal complaint procedure:

(2) Formal internal complaints.

(a) Without feeling constrained by specific definitions of discrimination, or by reporting relationships, written complaints concerning allegations of discrimination may be directed to the vice-president for student services or the vice-president of human resources. The two vice-presidents will confer and determine who will act as the investigator on the complaint.

(b) Complaints will be held in confidence to the extent possible, however, discrimination is an illegal activity requiring an active response from the college. Parties to the complaint will become directly involved, and any subsequent legal actions may result in discovery or public disclosure requests. Complainants have the right to bring an advocate to all subsequent meetings with college officials.

(c) The investigator shall assure that both the person making a formal complaint, and the accused, have been provided copies of the *Sexual Harassment* and/or the *Equal Opportunity/Anti-Discrimination* policies and this procedure.

(d) The investigator will determine the extent of the investigation. Since discrimination represents an illegal activity, the college may elect to investigate even those cases where the complainant has withdrawn the complaint, or otherwise refuses to cooperate in the investigation.

(e) A draft or preliminary report shall be produced at the end of the investigation and copies provided to the accused, and to the complainant. The two parties shall each have ten calendar days to prepare a response to the report before any action is taken. Once responses have been received, the investigator shall, within five days, produce a final report. Copies will be distributed to the complainant, the accused, and the college president.

(f) The investigator shall make a recommendation for action based on the final report to the president within ten days of its completion.

(g) If the complainant, the accused, and the investigator agree, informal meetings may be held in lieu of an investigation. Any such informal meetings shall occur with the investigator present, who will subsequently make a written recommendation for action on the complaint to the president within ten days following the last meeting regarding the complaint.

(h) The decision regarding what action to take on the complaint, including appropriate corrective or discipline measures, shall be made by the president in conjunction with the vice-president of human resources, and the vice-president for student services.

(i) If any disciplinary action is imposed, the disciplined student may appeal the action through established grievance or appeal channels.

(3) External complaints.

Inquiries or appeals beyond the institutional level may be filed with the following agencies, or any other agency with the jurisdiction to hear such complaints:

Equal Employment Opportunity Commission (a federal agency)

909 First Avenue
Seattle, WA 98104
800-669-4000

Human Rights Commission (a state agency)

1511 Third Avenue
Seattle, WA 98101
206-464-6500

Department of Education (a federal agency)

Office for Civil Rights
915-2nd Ave., Room 3310
Seattle, WA 98174

206-220-7900)

(1) The procedures regarding complaints of discrimination shall be published and distributed as determined by the president or president's designee. Any person who believes he or she has been subjected to discrimination and/or harassment, including sexual harassment and reports such activity will be provided a copy of this procedure.

(2) The following procedures are established to meet the requirements for implementing EvCC3090: Equal Opportunity/Title IX policy.

(3) Everett Community College recognizes its responsibility for investigation, resolution, implementation of corrective measures, and monitoring the educational environment and workplace to stop, remediate, and prevent discrimination on the basis of race, color, national origin, age, disability, sex, sexual orientation, marital status, creed, religion, or status as a veteran of war as required by Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, RCW 49.60.030 and their implementing regulations. This responsibility extends to activity on campus, including student housing, at all college-sponsored events, and off campus when the behavior impacts the campus such that an individual's employment, education, or access to college programs, activities, and opportunities are limited because of the behavior.

(4) Prohibited sex discrimination includes sexual harassment. Everett Community College has enacted policies prohibiting discrimination and harassment, including sexual harassment.

(5) Any individual found to be in violation of college discrimination and/or harassment, including sexual harassment policies and procedures will be subject to disciplinary action up to and including dismissal from the college or from employment.

(6) The college will follow the procedures contained herein for all discrimination and harassment, including sexual harassment complaints brought by employees, students, or visitors to the campus.

(7) Any employee, student, or visitor who believes that he or she has been the subject of discrimination and/or harassment, including sexual harassment should report the incident or incidents to the following college official listed below.

(a) If the complaint is against that official, the complainant should report the matter to the president's office for referral to an alternate designee.

(b) The college encourages the timely reporting of any incidents of discrimination or sexual harassment.

Title: Title IX Coordinator

Contact info: titleix@everettcc.edu

(8) Role of Title IX coordinator/designee.

(a) Will accept all complaints and referrals from college employees, students, and visitors.

(b) Will keep accurate records of all complaints and referrals for the required time period.

(c) Will communicate with complainant and respondent regarding outcomes.

(d) May conduct investigations.

(e) May impose interim remedial measures to protect parties during investigations of sexual misconduct.

(f) Will make findings of fact on investigations completed.

(g) May recommend specific corrective measures to stop, remediate, and prevent the recurrence of inappropriate action.

(9) Definition of terms.

(a) Complainant: Employee(s), student(s), or visitor(s) of Everett Community College who alleges that she or he has been subjected to discrimination and/or harassment, including sexual harassment.

(b) Respondent: Person or persons who are members of the campus community who allegedly discriminated against or harassed another person or persons.

(c) Complaint: A description of facts that allege violation of the college's policy against discrimination or sexual misconduct.

(i) The college has an official formal complaint form for documenting alleged discrimination or harassment.

(ii) This form is available online under policies and procedures on the Everett Community College web page.

(iii) Hard copies of the form are located in the human resources office, student activities, security, and the counseling and career services center.

(d) Investigation: The Title IX coordinator may appoint a designee to investigate the complaint. The officer shall inform the complainant and respondent of the appointment. The college representative shall conduct an investigation based upon the submitted complaint from the complainant or prepared by the officer.

(e) Resolution: A process that attempts a complaint resolution agreeable to a complainant using methods which may include counseling, supporting, mediating, discipline, or otherwise facilitating the resolution of the complaint. No Title IX complainant will be required to have face-to-face interaction with an alleged perpetrator in any informal resolution or mediation.

(f) Harassment:

(i) A form of discrimination consisting of physical or verbal conduct that:

(A) Denigrates or shows hostility toward an individual because of their race, creed, color, religion, national or ethnic origin, parental status or families with children, marital status, sex (gender), sexual orientation, gender identity or expression, age, genetic information, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability, or any other prohibited basis; and

(B) Is sufficiently severe or pervasive so as to substantially interfere with the individual's employment, education, or access to college programs, activities, and opportunities.

(ii) Examples of behaviors that may rise to the level of harassment include, but are not limited to, the following:

(A) Racial epithets, "jokes," offensive or derogatory comments, or other verbal or physical conduct based on an individual's race/color.

(B) Ethnic slurs, workplace graffiti, or other offensive conduct directed towards an individual's birthplace, ethnicity, culture, or foreign accent.

(C) Verbal or physical abuse, "jokes" or offensive comments based on an individual's age, gender, disability, or sexual orientation.

(D) Making, posting, e-mailing, or circulating demeaning or offensive pictures, cartoons, or other materials in the workplace that relate to race, ethnic origin, gender, or one of the other protected categories listed above.

(g) Discrimination:

(i) Unfavorable treatment of another person:

(A) Based on that person's race, creed, color, religion, national or ethnic origin, parental status or families with children, marital status, sex (gender), sexual orientation, gender identity or expression, age, genetic information, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability, or any other prohibited basis.

(B) That is sufficiently severe or pervasive so as to substantially deny or limit that person's ability to benefit from or fully participate in educational programs or activities or employment opportunities.

(ii) Examples of behaviors that may rise to the level of discrimination include, but are not limited to:

(A) Treating one person differently than another based on their status as described above.

(B) Denying any aid, benefits, or services or providing aid, benefits, or services in a different manner on the basis of their status as described above.

(C) Subjecting any person to separate or different rules of behavior, sanctions, or other treatment based on their status as described above.

(D) Otherwise limiting any person in the enjoyment of any right, privilege, or opportunity based on their status as described above.

(h) Sexual misconduct: A range of behaviors including sexual harassment, sexual assault, and sexual violence.

(i) Sexual harassment:

(i) For the purposes of this policy, sexual harassment is defined as unwelcome verbal or physical conduct of a sexual nature:

(A) That is sufficiently severe, persistent, or pervasive;

(B) That it substantially interferes with, limits, or deprives the victim of the ability to participate in, or benefit from the college's educational program or activities or employment benefits or opportunities;

(ii) Sexual harassment may be either "quid pro quo" when being asked to subject oneself to unwelcome advances in exchange for something else; or

(iii) "Hostile environment" which may occur when another's unwelcome conduct of a sexual nature is sufficiently severe, persistent, or pervasive such that it substantially limits one's ability to work or participate in an educational program;

(iv) Examples of behaviors that may rise to the level of sexual harassment include, but are not limited to:

(A) Physical assault.

(B) Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation.

(C) A pattern of behaviors that is unwelcome and severe or pervasive, resulting in unreasonable interference with the work or educational environment, and may include, but is not limited to, the following:

(I) Comments of a sexual nature.

(II) Sexually explicit statements, questions, jokes, or anecdotes.

(III) Unnecessary or undesirable touching, patting, hugging, kissing, or brushing against an individual's body.

(IV) Remarks of a sexual nature about an individual's clothing, body, or speculations about previous sexual experiences.

(V) Persistent, unwanted attempts to change a professional relationship to an amorous relationship.

(VI) Subtle propositions for sexual activity or direct propositions of a sexual nature.

(VII) Uninvited letters, e-mails, telephone calls, or other correspondence referring to or depicting sexual activities.

(10) How to file a complaint. Any employee, student, or visitor of the college may file a complaint. If an individual provides notice to the college of an incident, the college may investigate the complaint whether or not the individual providing notice is the victim.

(a) Confidentiality and the right to privacy. Everett Community College will seek to protect the privacy of all the parties involved to the fullest extent possible, consistent with the legal obligation to investigate, take appropriate remedial and/or disciplinary action, and comply with the federal and state law, as well as Everett Community College policies and procedures. Everett Community College cannot guarantee complete confidentiality.

(b) Reporting the incident.

(i) Any person who believes that he or she has been the subject of discrimination or sexual harassment should report the incident or incidents to the Title IX coordinator, the chief student affairs officer, security, counseling and career services office, or student activities.

(ii) If the complaint is against that official, the complainant should report the matter to the president's office for referral to an alternate designee.

(iii) The college encourages the timely reporting of any incident(s) of discrimination or sexual harassment.

(iv) All reports of incident(s) will be forwarded to the Title IX coordinator or designee for coordination and a determination on how to process the complaint.

(c) Filing the complaint.

(i) The complainant alleging discrimination or sexual harassment may submit a brief written statement of allegations to the Title IX coordinator or designee.

(ii) Complaints shall be signed, dated, include names, description and date of the incident, and the remedy sought.

(iii) If the complainant does not submit a written statement, the Title IX coordinator or designee shall prepare a statement of facts which is reviewed by the complainant.

(d) Investigating the complaint.

(i) The Title IX coordinator or chief student judicial officer may appoint a designee to investigate the complaint.

(ii) The Title IX coordinator or chief student judicial officer shall inform the complainant and respondent(s) of the identity of the investigator.

(iii) The investigator shall conduct a thorough investigation.

(A) The investigation shall include, but is not limited to, interviewing the complainant and the respondent, relevant witnesses, and reviewing relevant documents.

(B) The investigation shall be concluded within a reasonable time, normally sixty days, barring exigent circumstances. In cases of complaints of sexual misconduct, the Title IX coordinator or chief student judicial officer or designee may impose interim measures to protect the parties pending the conclusion of the investigation.

(C) At the conclusion of the investigation the investigator shall set forth his or her findings and recommendations in writing.

(D) The investigator shall send a copy of the findings and recommendations to the Title IX coordinator or chief student judicial officer or designee.

(iv) The Title IX coordinator or chief student judicial officer or designee shall consider the findings and recommendations and determine, based on a preponderance of the evidence, whether a violation of the discrimination and/or harassment, including sexual harassment policy occurred, and if so, what steps will be taken to resolve the complaint, remedy the effects on any victim(s), and prevent its recurrence.

(v) The Title IX coordinator or chief student judicial officer or designee will issue a decision in writing to each party.

(vi) Possible remedial steps may include, but are not limited to, referral for voluntary training/counseling, development of a remediation plan, limited contact orders, and referral and recommendation for formal disciplinary action.

(vii) Referrals for disciplinary action will be made to the appropriate student services administrator or appointing authority, consistent with the student conduct code, college policies, and collective bargaining agreements.

(e) Outcome of complaint.

(i) The complainant shall be informed of the decision and of actions taken or recommended to resolve the complaint, if any, that are directly related to the complainant, such as a recommendation that the accused not contact the complainant.

(ii) The complainant shall be informed of the recommended disciplinary action.

(iii) The respondent shall be informed of the decision and of actions taken or recommended to resolve the complaint and shall be notified of referrals for disciplinary action and recommended disciplinary action. Both the complainant and the respondent are entitled to review any final findings, conclusions, and recommendations subject to applicable privacy laws.

(f) Appeal of the decision. Either the complainant or the respondent may seek reconsideration of the decision by the appropriate administrator.

(i) Complaints involving students only.

(A) Requests for reconsideration relating to student issues shall be submitted in writing to the chief student affairs administrator within fourteen calendar days of receiving the decision.

(B) Requests must specify which portion of the decision should be reconsidered and the basis for reconsideration.

(C) If no request for reconsideration is received within fourteen calendar days, the decision becomes final.

(D) If a request for reconsideration is received, the chief student affairs administrator or designee shall respond within fourteen calendar days.

(E) The appropriate administrator shall either deny the request or, if the appropriate administrator determines that the request for reconsideration has merit, issue an amended decision.

(F) Any amended decision is final and no further reconsideration is available.

(ii) Complaints involving employees and/or visitors.

(A) Requests for reconsideration relating to student issues shall be submitted in writing to the college president within fourteen calendar days of receiving the decision.

(B) Requests must specify which portion of the decision should be reconsidered and the basis for reconsideration.

(C) If no request for reconsideration is received within fourteen calendar days, the decision becomes final.

(D) If a request for reconsideration is received, the college president or designee shall respond within fourteen calendar days.

(E) The appropriate administrator shall either deny the request or, if the appropriate administrator determines that the request for reconsideration has merit, issue an amended decision.

(F) Any amended decision is final and no further reconsideration is available.

(g) Authority to take immediate action. Nothing in this procedure shall prevent the college president or designee from taking immediate disciplinary action in accordance with Everett Community College policies and procedures, and federal, state, and municipal rules and regulations.

(h) Retaliation prohibited. Retaliation by, for, or against any participant (complainant, respondent, or witness) is

expressly prohibited. Retaliatory action of any kind taken against individuals as a result of seeking redress under the applicable procedures or serving as a witness in a subsequent investigation dealing with harassment/discrimination is prohibited and is conduct subject to discipline. Any person who thinks he/she has been the victim of retaliation should contact the Title IX coordinator immediately.

(11) Other complaint options. An employee or student may always file a complaint with: Washington State Human Rights Commission at 800-233-3247 or TDD 800-300-7525, or U.S. Department of Education Office for Civil Rights at 800-421-3481 or TDD 877-521-2172 or Equal Employment Opportunity Commission at 800-669-4000 or TDD 800-669-6820.

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-390 (~~(Anti-hazing)~~) Hazing policy.

(1) Hazing is prohibited on Everett Community College (EvCC) property, college housing and at all EvCC functions, including club and organization activities, whether on EvCC property or not. No individual, recognized student organization, club, team, or association is permitted to plan, engage in, or condone hazing on or off Everett Community College owned or controlled property or in college housing. All incidents of hazing will be investigated. Any individual planning or intentionally assisting in a hazing incident is determined to be involved, regardless of whether that individual was present or not when the hazing activity occurred. An individual's consent, whether implied or expressed, to be hazed, is not a defense to any alleged hazing violation.

(2) Hazing is defined as any (~~method of initiation into~~) activity done in connection with a student organization, club or association, or any pastime or amusement engaged in with respect to such an organization, club or association that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or other person. (~~Excluded from this definition are customary athletic events or other similar contests or competitions.~~)

(3) Any student organization, club, team, or association that knowingly permits hazing is strictly liable for harm caused to persons or property resulting from hazing.

(4) Any allegations of hazing shall be submitted to the (~~vice-president for student services~~) chief student affairs officer or designee and action shall be taken as appropriate per Article IV (Disciplinary Procedures) of Student Rights and Responsibilities with the following additional disciplinary provisions:

(a) Any EvCC student organization, club or association that knowingly permits hazing shall be denied recognition by EvCC as an official organization, club or association. Any group so barred may apply to be reinstated as an official organization, club or association after waiting a period of one quarter and providing a written statement of their intent to follow hazing policies as set forth herein. Repeat offenses by student organizations/clubs will be submitted to the (~~vice-president for student services~~) chief student affairs officer or designee for possible further action under the guidelines for disciplinary procedures.

(b) A person who participates in the hazing of another shall forfeit any entitlement to state funded grants, scholarships or awards for one full quarter for a first-time offense, and for a period to be determined via the processes for disciplinary procedures for repeat violations. Additional sanctions which may include expulsion from the college may be recommended by the ~~((vice-president for student services))~~ chief student affairs officer or designee per the guidelines for disciplinary procedures.

(c) Hazing violations are misdemeanors punishable under state criminal law (RCW 28B.10.901 and 9A.20.021).

AMENDATORY SECTION (Amending WSR 07-11-165, filed 5/23/07, effective 6/23/07)

WAC 132E-120-400 Drug-free campus policy. Everett Community College's board of trustees have adopted a policy for the maintenance of a drug-free campus. The provisions of this policy as it relates to students are as follows:

(1) Students who report to class or work must do so unimpaired due to the use of alcohol or other drugs.

(2) Unlawful use, possession, delivery, dispensation, distribution, manufacture or sale of drugs on college property, in college housing, in state vehicles or on official business is strictly prohibited. Documented evidence of illegal drug involvement will be given to law enforcement agencies.

(3) Possession or consuming any form of liquor or alcoholic beverage on college property or at off-campus college events is prohibited except as a participant of legal age at a ~~((college sponsored))~~ program which has the special written permission of the college president.

(4) Students found in violation of this policy will be subject to formal disciplinary action, which could include completion of an appropriate rehabilitation program up to and/or including dismissal/expulsion.

(5) Students needing assistance with problems related to alcohol or drug abuse are encouraged to seek referral from a counselor in the counseling ~~((, advising and career))~~ center and/or appropriate off campus substance abuse agencies.

(6) Students must report any criminal drug statute conviction to the ~~((vice-president for student services))~~ chief student affairs officer within five school days after such conviction.

(7) The college will report the conviction to the appropriate federal or state agency within ten working days after having received notice that a student employed under a federally funded grant or contract or receiving grant funds has any drug statute conviction occurring on campus.

(8) All students, regardless of status, shall comply with this policy regarding a drug-free campus.

WSR 14-04-049

PERMANENT RULES

BUILDING CODE COUNCIL

[Filed January 27, 2014, 3:00 p.m., effective February 27, 2014]

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

Purpose: This change will make editorial corrections to WAC 51-51-0325 regarding numerical references to certain

sections of the 2012 International Residential Code regarding means of egress.

Citation of Existing Rules Affected by this Order: Amending WAC 51-51-0325.

Statutory Authority for Adoption: RCW 19.27.031, 19.27.074.

Adopted under notice filed as WSR 13-23-089 on November 19, 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 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: January 24, 2014.

C. Ray Allshouse
Chair

AMENDATORY SECTION (Amending WSR 13-04-068, filed 2/1/13, effective 7/1/13)

WAC 51-51-0325 Section R325—Adult family homes.

SECTION R325

ADULT FAMILY HOMES

R325.1 General. This section shall apply to all newly constructed adult family homes and all existing single family homes being converted to adult family homes. This section shall not apply to those adult family homes licensed by the state of Washington department of social and health services prior to July 1, 2001.

R325.2 Submittal standards. In addition to those requirements in Section 106.1, the submittal shall identify the project as a Group R-3 Adult Family Home Occupancy. A floor plan shall be submitted identifying the means of egress and the components in the means of egress such as stairs, ramps, platform lifts and elevators. The plans shall indicate the rooms used for clients and the sleeping room classification of each room.

R325.3 Sleeping room classification. Each sleeping room in an adult family home shall be classified as:

1. Type S - Where the means of egress contains stairs, elevators or platform lifts.

2. Type NS1 - Where one means of egress is at grade level or a ramp constructed in accordance with R325.9 is provided.

3. Type NS2 - Where two means of egress are at grade level or ramps constructed in accordance with R325.9 are provided.

R325.4 Types of locking devices and door activation. All bedroom and bathroom doors shall be openable from the outside when locked.

Every closet shall be readily openable from the inside.

Operable parts of door handles, pulls, latches, locks and other devices installed in adult family homes shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist. Pocket doors shall have graspable hardware available when in the closed or open position.

The force required to activate operable parts shall be 5.0 pounds (22.2 N) maximum. Required exit doors shall have no additional locking devices.

Required exit door hardware shall unlock inside and outside mechanisms when exiting the building allowing reentry into the adult family home without the use of a key, tool or special knowledge.

R325.5 Smoke and carbon monoxide alarm requirements. All adult family homes shall be equipped with smoke and carbon monoxide alarms installed as required in Sections R314 and R315.1. Alarms shall be installed in such a manner so that the detection device warning is audible from all areas of the dwelling upon activation of a single alarm.

R325.6 Escape windows and doors. Every sleeping room shall be provided with emergency escape and rescue windows as required by Section R310. No alternatives to the sill height such as steps, raised platforms or other devices placed by the openings will be approved as meeting this requirement.

R325.7 Fire apparatus access roads and water supply for fire

protection. Adult family homes shall be served by fire apparatus access roads and water supplies meeting the requirements of the local jurisdiction.

R325.8 Grab bar general requirements. Where facilities are designated for use by adult family home clients, grab bars for water closets, bathtubs and shower stalls shall be installed according to this section.

R325.8.1 Grab bar cross section. Grab bars with a circular cross section shall have an outside diameter of 1 1/4 inches minimum and 2 inches maximum. Grab bars with noncircular cross section shall have a cross section dimension of 2 inches maximum and a perimeter dimension of 4 inches minimum and 4 5/8 inches maximum.

R325.8.2 Grab bar installation. Grab bars shall have a spacing of 1 1/2 inches between the wall and the bar. Projecting objects, control valves and bathtub or shower stall enclosure features above, below and at the ends of the grab bar shall have a clear space of 1 1/2 inches to the grab bar.

EXCEPTION: Swing-up grab bars shall not be required to meet the 1 1/2 inch spacing requirement.

Grab bars shall have a structural strength of 250 pounds applied at any point on the grab bar, fastener, mounting

device or supporting structural member. Grab bars shall not be supported directly by any residential grade fiberglass bathing or showering unit. Acrylic bars found in bathing units shall be removed.

Fixed position grab bars, when mounted, shall not rotate, spin or move and have a graspable surface finish.

R325.8.3 Grab bars at water closets. Water closets shall have grab bars mounted on both sides. Grab bars can be a combination of fixed position and swing-up bars. Grab bars shall meet the requirements of R325.8. Grab bars shall mount between 33 inches and 36 inches above floor grade. Centerline distance between grab bars, regardless of type used, shall be between 25 inches minimum and 30 inches maximum.

R325.8.3.1 Fixed position grab bars. Fixed position grab bars shall be a minimum of 36 inches in length and start 12 inches from the rear wall.

R325.8.3.2 Swing-up grab bars. Swing-up grab bars shall be a minimum of 28 inches in length from the rear wall.

R325.8.4 Grab bars at bathtubs. Horizontal and vertical grab bars shall meet the requirements of R325.8.

R325.8.4.1 Vertical grab bars. Vertical grab bars shall be a minimum of 18 inches long and installed at the control end wall and head end wall. Grab bars shall mount within 4 inches of the exterior of the bath tub edge or within 4 inches within the bath tub. The bottom end of the bar shall start between 36 inches and 42 inches above floor grade.

EXCEPTION: The required vertical grab bar can be substituted with a floor to ceiling grab bar meeting the requirements of R325.8 at the control end and head end entry points.

R325.8.4.2 Horizontal grab bars. Horizontal grab bars shall be provided at the control end, head end, and the back wall within the bathtub area. Grab bars shall be mounted between 33 inches and 36 inches above floor grade. Control end and head end grab bars shall be 24 inches minimum in length. Back wall grab bar shall be 36 inches minimum in length.

R325.8.5 Grab bars at shower stalls. Where shower stalls are provided to meet the requirements for bathing facilities, grab bars shall meet the requirements of R325.8.

EXCEPTION: Shower stalls with permanent built-in seats are not required to have vertical or horizontal grab bars at the seat end wall. A vertical floor to ceiling grab bar shall be installed within 4 inches of the exterior of the shower aligned with the nose of the built-in seat.

R325.8.5.1 Vertical grab bars. Vertical grab bars shall be 18 inches minimum in length and installed at the control end wall and head end wall. Vertical bars shall be mounted within 4 inches of the exterior of the shower stall or within 4 inches inside the shower stall. The bottom end of vertical bars mount between 36 inches and 42 inches above floor grade.

R325.8.5.2 Horizontal grab bars. Horizontal grab bars shall be installed on all sides of the shower stall mounted between 33 inches and 36 inches above the floor grade. Horizontal grab bars shall be a maximum of 6 inches from adjacent walls. Horizontal grab bars shall not interfere with shower control valves.

R325.9 Ramps. All interior and exterior ramps, when provided, shall be constructed in accordance with Section R311.8 with a maximum slope of 1 vertical to 12 horizontal. The exception to R311.8.1 is not allowed for adult family homes. Handrails shall be installed in accordance with R325.9.1.

R325.9.1 Handrails for ramps. Handrails shall be installed on both sides of ramps between the slope of 1 vertical to 12 horizontal and 1 vertical and 20 horizontal in accordance with (~~R311.6.3.1 through R311.6.3.3~~) R311.8.3.1 through R311.8.3.3.

R325.10 Stair treads and risers. Stair treads and risers shall be constructed in accordance with (~~R311.7.4~~) R311.7.5. Handrails shall be installed in accordance with R325.10.1.

R325.10.1 Handrails for treads and risers. Handrails shall be installed on both sides of treads and risers numbering from one riser to multiple risers. Handrails shall be installed in accordance with (~~R311.7.7 through R311.7.7.4~~) R311.7.8.1 through R311.7.8.4.

R325.11 Shower stalls. Where provided to meet the requirements for bathing facilities, the minimum size of shower stalls for an adult family home shall be 30 inches deep by 48 inches long.

ments (COLAS) and ARRA Sunset Impact on Allotments dated August 2, 2013, and USDA SNAP 10-6-WA-SUA dated August 8, 2013, approving the proposed SUA.

Adopted under notice filed as WSR 14-01-113 on December 18, 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 6, 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 6, Repealed 0.

Date Adopted: January 24, 2014.

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 12-18-024, filed 8/27/12, effective 9/27/12)

WAC 388-412-0015 General information about your food assistance allotments. (1) Your monthly allotment under the Washington Basic Food program, food assistance program for legal immigrants (FAP), Washington combined application project (WASHCAP), or the transitional food assistance (TFA) programs is the total dollar value of benefits your assistance unit (AU) receives for a calendar month.

(2) How we determine monthly allotments:

(a) We calculate your monthly allotment for federally funded Basic Food as described under WAC 388-450-0162;

(b) We calculate your monthly allotment for state-funded food assistance as described under WAC 388-400-0050.

(3) Maximum allotment:

(a) The maximum allotment for the number of people in your AU eligible for federally funded Basic Food benefits is described under WAC 388-478-0060.

(b) The maximum allotment for the number of people in your AU eligible for state-funded FAP benefits is set by the legislature in the biennial operating budget as described in WAC 388-400-0050.

(4) Prorated benefits in the first month - If we determine you are eligible for food assistance, your first month's benefits are calculated from the date you applied through the end of the month of your application. This is called proration and is based on a thirty-day month:

(a) If your prorated benefits for the first month are under ten dollars, you will not receive an allotment for the first month.

(b) If there was a delay in processing your application, we determine when your benefits start under WAC 388-406-0055.

WSR 14-04-050

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

((Community Services Division))

[Filed January 27, 2014, 3:19 a.m., effective February 27, 2014]

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

Purpose: The department is amending the following WACs to implement annual adjustments to standards for the Washington Basic Food program: WAC 388-412-0015 General information about your food assistance allotments, 388-450-0185 What income deductions does the department allow when determining if I am eligible for food benefits and the amount of my monthly benefits?, 388-450-0190 How does the department figure my shelter cost income deduction for Basic Food?, 388-450-0195 Does the department use my utility costs when calculating my Basic Food or WASHCAP benefits?, 388-478-0060 What are the income limits and maximum benefit amounts for Basic Food?, and 388-492-0070 How are my WASHCAP food benefits calculated?

Citation of Existing Rules Affected by this Order: Amending WAC 388-412-0015, 388-450-0185, 388-450-0190, 388-450-0195, 388-478-0060, and 388-492-0070.

Statutory Authority for Adoption: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120.

Other Authority: United States Department of Agriculture, Food and Nutrition Service (FNS), per supplemental nutrition assistance program (SNAP) Administrative Notice 13-26: *SNAP - Fiscal Year (FY) 2014 Cost-of-Living Adjust-*

(5) **Combined allotment for first and second month's benefits** - If you apply for benefits on or after the sixteenth of the month, and we determine you are eligible for food assistance, we issue both the first and second months benefits in one allotment if you are eligible for both months.

(6) **Minimum allotment** - Unless it is the first month of your certification period and your benefits are prorated as described in subsection (4) of this section, your monthly allotment will be at least:

(a) (~~Sixteen~~) Fifteen dollars if your AU has one or two members, and at least one person is eligible for federally funded Basic Food.

(b) (~~Eight~~) Eleven dollars if your AU has one or two members, and all members of your AU are eligible for state-funded FAP.

(7) **Use of food assistance benefits** - Your food assistance benefits may only be used to buy eligible food items as described under WAC 388-412-0046. If you use your benefits in any other way, it is an intentional program violation under WAC 388-446-0015 and could result in fines, imprisonment, disqualification from receiving food assistance benefits, or any combination of these penalties.

AMENDATORY SECTION (Amending WSR 12-24-018, filed 11/27/12, effective 12/28/12)

WAC 388-450-0185 What income deductions does the department allow when determining if I am eligible for food benefits and the amount of my monthly benefits? We determine if your assistance unit (AU) is eligible for Basic Food and calculate your monthly benefits according to requirements of the Food and Nutrition Act of 2008 and federal regulations related to the supplemental nutrition assistance program (SNAP).

These federal laws allow us to subtract **only** the following amounts from your AU's total monthly income to determine your countable monthly income under WAC 388-450-0162:

(1) A standard deduction based on the number of eligible people in your AU under WAC 388-408-0035:

Eligible AU members	Standard deduction
1	\$ ((149)) <u>152</u>
2	\$ ((149)) <u>152</u>
3	\$ ((149)) <u>152</u>
4	\$ ((160)) <u>163</u>
5	\$ ((187)) <u>191</u>
6 or more	\$ ((214)) <u>219</u>

(2) Twenty percent of your AU's gross earned income (earned income deduction);

(3) Your AU's expected monthly dependent care expense needed for an AU member to:

- (a) Keep work, look for work, or accept work;
- (b) Attend training or education to prepare for employment; or
- (c) Meet employment and training requirements under chapter 388-444 WAC.

(4) Medical expenses over thirty-five dollars a month owed or anticipated by an elderly or disabled person in your AU as allowed under WAC 388-450-0200.

(5) A portion of your shelter costs as described in WAC 388-450-0190.

AMENDATORY SECTION (Amending WSR 13-11-103, filed 5/20/13, effective 6/20/13)

WAC 388-450-0190 How does the department figure my shelter cost income deduction for Basic Food? The department calculates your shelter cost income deduction as follows:

(1) First, we add up the amounts your assistance unit (AU) must pay each month for shelter. We do not count any overdue amounts, late fees, penalties or mortgage payments you make ahead of time as an allowable cost. We count the following expenses as an allowable shelter cost in the month the expense is due:

- (a) Monthly rent, lease, and mortgage payments;
- (b) Property taxes;
- (c) Homeowner's association or condo fees;
- (d) Homeowner's insurance for the building only;
- (e) Utility allowance your AU is eligible for under WAC 388-450-0195;
- (f) Out-of-pocket repairs for the home if it was substantially damaged or destroyed due to a natural disaster such as a fire or flood;
- (g) Expense of a temporarily unoccupied home because of employment, training away from the home, illness, or abandonment caused by a natural disaster or casualty loss if your:
 - (i) AU intends to return to the home;
 - (ii) AU has current occupants who are not claiming the shelter costs for Basic Food purposes; and
 - (iii) AU's home is not being leased or rented during your AU's absence.

(2) Second, we subtract all deductions your AU is eligible for under WAC 388-450-0185 (1) through (4) from your AU's gross income. The result is your AU's (~~((net))~~) countable income.

(3) Finally, we subtract one-half of your AU's (~~((net))~~) countable income from your AU's total shelter costs. The result is your excess shelter costs. Your AU's shelter cost deduction is the excess shelter costs:

- (a) Up to a maximum of four hundred (~~((sixty-nine))~~) seventy-eight dollars if no one in your AU is elderly or disabled; or
- (b) The entire amount if an eligible person in your AU is elderly or disabled, even if the amount is over four hundred (~~((sixty-nine))~~) seventy-eight dollars.

AMENDATORY SECTION (Amending WSR 11-24-027, filed 12/1/11, effective 1/1/12)

WAC 388-450-0195 Does the department use my utility costs when calculating my Basic Food or WASH-CAP benefits? (1) We use a standard utility allowance (SUA) of (~~((three hundred ninety-four))~~) four hundred nine dollars instead of your actual utility costs when we determine your assistance unit's:

- (a) Monthly benefits under WAC 388-492-0070 if you receive WASHCAP; or
- (b) Shelter cost income deduction under WAC 388-450-0190 for Basic Food.
- (2) We considered the average cost of the following utilities to determine the value of the SUA:
 - (a) Heating and cooling fuel such as electricity, oil, or gas;
 - (b) Electricity;
 - (c) Water and sewer;
 - (d) Well or septic tank installation/maintenance;
 - (e) Garbage/trash collection; and
 - (f) Telephone service.
- (3) The department uses the SUA if you have utility costs separate from your rent or mortgage payment or if you

receive a low income home energy assistance program (LIHEAP) benefit during the year.

AMENDATORY SECTION (Amending WSR 12-24-018, filed 11/27/12, effective 12/28/12)

WAC 388-478-0060 What are the income limits and maximum benefit amounts for Basic Food? If your assistance unit (AU) meets all other eligibility requirements for Basic Food, your AU must have income at or below the limits in column B and C to get Basic Food, unless you meet one of the exceptions listed below. The maximum monthly food assistance benefit your AU could receive is listed in column D.

EFFECTIVE ((10-1-2012)) 11-1-2013				
Column A Number of Eligible AU Members	Column B Maximum Gross Monthly Income	Column C Maximum Net Monthly Income	Column D Maximum Allotment	Column E 165% of Poverty Level
1	\$((1,211)) <u>1,245</u>	\$((931)) <u>958</u>	\$((200)) <u>189</u>	\$((1,536)) <u>1,580</u>
2	((1,640)) <u>1,681</u>	((1,261)) <u>1,293</u>	((367)) <u>347</u>	((2,081)) <u>2,133</u>
3	((2,069)) <u>2,116</u>	((1,591)) <u>1,628</u>	((526)) <u>497</u>	((2,625)) <u>2,686</u>
4	((2,498)) <u>2,552</u>	((1,921)) <u>1,963</u>	((668)) <u>632</u>	((3,170)) <u>3,239</u>
5	((2,927)) <u>2,987</u>	((2,251)) <u>2,298</u>	((793)) <u>750</u>	((3,714)) <u>3,791</u>
6	((3,356)) <u>3,423</u>	((2,581)) <u>2,633</u>	((952)) <u>900</u>	((4,259)) <u>4,344</u>
7	((3,785)) <u>3,858</u>	((2,911)) <u>2,968</u>	((1,052)) <u>995</u>	((4,803)) <u>4,897</u>
8	((4,214)) <u>4,294</u>	((3,241)) <u>3,303</u>	((1,202)) <u>1,137</u>	((5,348)) <u>5,450</u>
9	((4,643)) <u>4,730</u>	((3,571)) <u>3,638</u>	((1,352)) <u>1,279</u>	((5,893)) <u>6,003</u>
10	((5,072)) <u>5,166</u>	((3,901)) <u>3,973</u>	((1,502)) <u>1,421</u>	((6,438)) <u>6,556</u>
Each Additional Member	+((429)) <u>436</u>	+((330)) <u>335</u>	+((150)) <u>142</u>	+((545)) <u>553</u>

Exceptions:

- (1) If your AU is categorically eligible as under WAC 388-414-0001, your AU does not have to meet the gross or net income standards in columns B and C. We do budget your AU's income to decide the amount of Basic Food your AU will receive.
- (2) If your AU includes a member who is sixty years of age or older or has a disability, your income must be at or below the limit in column C only.
- (3) If you are sixty years of age or older and cannot buy and cook your own meals because of a permanent disability, we will use column E to decide if you can be a separate AU.
- (4) If your AU has zero income, your benefits are the maximum allotment in column D, based on the number of eligible members in your AU.

AMENDATORY SECTION (Amending WSR 11-13-028, filed 6/7/11, effective 7/1/11)

WAC 388-492-0070 How are my WASHCAP food benefits calculated? We calculate your food benefits as follows:

- (1) We begin with your gross income.

(2) We subtract the current standard deduction for one person under WAC 388-450-0185 from your gross income to get your countable income.

(3) We figure your shelter cost based on information we receive from the Social Security Administration (SSA), unless you report a change as described under WAC 388-492-0080. If you pay:

(a) Three hundred dollars or more a month for shelter, we use (~~(three hundred eighty)~~) four hundred dollars as your shelter cost; or

(b) Less than three hundred dollars for shelter, we use (~~(one hundred ninety five)~~) two hundred and ten dollars as your shelter cost; and

(c) We add the current standard utility allowance under WAC 388-450-0195 to determine your total shelter cost.

(4) We figure your shelter deduction by subtracting one half of your countable income from your shelter cost.

(5) We figure your net income by subtracting your shelter deduction from your countable income and rounding the resulting figure up from fifty cents and down from forty-nine cents to the nearest whole dollar.

(6) We figure your WASHCAP food benefits (allotment) by:

(a) Multiplying your net income by thirty percent and rounding up to the next whole dollar; and

(b) Subtracting the result from the maximum allotment under WAC 388-478-0060.

(c) If you are eligible for WASHCAP, you will get at least the minimum monthly benefit for Basic Food under WAC 388-412-0015.

WSR 14-04-073

PERMANENT RULES

EMPLOYMENT SECURITY SECURITY DEPARTMENT

[Filed January 30, 2014, 12:55 p.m., effective March 2, 2014]

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

Purpose: The rules define the term "equity and good conscience" as it applies to negotiated settlements between the department and employers for unemployment taxes, interest, or penalties owed by an employer. Existing rules are amended to implement statutory changes and clarify policies regarding "equity and good conscience" related to waivers and negotiated settlements of benefit overpayments.

Citation of Existing Rules Affected by this Order: Amending WAC 192-220-030, 192-230-110, 192-230-130.

Statutory Authority for Adoption: RCW 50.12.010 and 50.12.040.

Adopted under notice filed as WSR 13-24-100 on December 3, 2013.

A final cost-benefit analysis is available by contacting Juanita Myers, P.O. Box 9046, phone (360) 902-9665, fax (360) 902-0911, e-mail jmyers@esd.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 2, Amended 3, 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 2, Amended 3, Repealed 0.

Date Adopted: January 24, 2014.

Nan Thomas
Deputy Commissioner

NEW SECTION

WAC 192-100-015 Equity and good conscience defined. (1) For the purposes of chapters 192-230 and 192-330 WAC, "equity and good conscience" means fairness as applied to a given set of circumstances.

(2) When deciding if paying the full amount owing is against equity and good conscience the department may consider, but is not limited to, the following circumstances:

(a) General health, including disability, competency, and mental or physical impairment;

(b) Education level, including literacy;

(c) Whether there is current income from work or a business;

(d) History of unemployment;

(e) Future earnings potential;

(f) Business structure, if appropriate;

(g) Marital status and number of dependents, including whether other household members are employed;

(h) The costs of collection compared to the amount of the outstanding debt. The department may consider such factors as the age and amount of the outstanding debt, whether there were previous good faith efforts to pay the debt, the tools available to enforce collections and other information relevant to ability to pay;

(i) Whether there were previous negotiated settlements or negotiated settlement attempts on a debt with the department;

(j) Factors indicating that collection of the full amount would cause undue economic, physical, or mental hardship making the debtor unable to provide for basic necessities. Unless there are unusual circumstances which would argue otherwise, the department will presume repayment would leave you unable to provide basic necessities if your total household resources in relation to household size do not exceed seventy percent of the Lower Living Standard Income Level (LLSIL) and circumstances are not expected to change within the next ninety days; and

(k) Other factors that bear a direct relationship to the ability to pay the debt. The decision to grant or deny a negotiated settlement will be based on the totality of circumstances rather than the presence of a single factor listed in this section.

AMENDATORY SECTION (Amending WSR 08-21-056, filed 10/9/08, effective 11/9/08)

WAC 192-220-030 What does equity and good conscience mean in regard to overpayment waiver decisions?—RCW 50.20.190(2). (1) "Equity and good conscience" means fairness as applied to a given set of circumstances.

(2) It will be against equity and good conscience to deny waiver when repayment of the overpayment would deprive you of income required to provide for basic necessities including food, shelter, medicine, utilities, and related expenses. Unless there are unusual circumstances which would argue against waiver, the department will presume repayment would leave you unable to provide basic necessities if your total household resources in relation to household size do not exceed seventy percent of the Lower Living Standard Income Level (LLSIL) and circumstances are not expected to change within the next ninety days.

(3) The department may also consider, but is not limited to, the following factors in determining whether waiver should be granted for reasons of equity and good conscience:

- (a) Your general health, including disability, competency, and mental or physical impairment;
- (b) Your education level, including literacy;
- (c) Whether you are currently employed and your history of unemployment;
- (d) Your future earnings potential based on your occupation, skills, and the local labor market;
- (e) Your marital status and number of dependents, including whether other household members are employed;
- (f) Whether an error by department staff contributed to the overpayment;
- (g) ~~((Whether the employer contributed to the overpayment by providing inaccurate information or failing to respond to the department's request for information within a reasonable period of time;~~
- ~~((h))~~ Whether you refused or were ineligible for other government benefits because you received unemployment benefits; and
- ~~((i))~~ (h) Other factors indicating that repayment of the full amount would cause you undue economic, physical, or mental hardship.

(4) When determining whether a waiver of benefit overpayments may be granted based on equity and good conscience, the department must consider whether the employer or employer's agent failed to respond timely or adequately without good cause to the department's written request for claim information. This subsection does not apply to negotiated settlements.

(5) The decision to grant or deny waiver will be based on the totality of circumstances rather than the presence of a single factor listed in subsections (2) ~~((and))~~, (3), and (4).

AMENDATORY SECTION (Amending WSR 08-21-056, filed 10/9/08, effective 11/9/08)

WAC 192-230-110 May I negotiate with the department to repay less than the full amount of my benefit overpayment?—RCW 50.24.020. (1) Yes. State law permits the department to accept an offer in compromise for less than the full amount owed. For purposes of this chapter, an offer in compromise is referred to as a negotiated settlement.

(2) Except as provided in subsection ~~((3))~~ (4) of this section, a negotiated settlement of the overpayment for less than the full amount owed will be considered ~~((under subsection (2)(a).))~~ Settlement offers may also be made by authorized department staff.

(a) ~~The department will consider a settlement offer when it would be against equity and good conscience to require you to repay the full amount. The department may consider, but is not limited to, the following factors in making this decision:~~

- ~~(i) Your general health, including disability, competency, and mental or physical impairment;~~
- ~~(ii) Your education level, including literacy;~~
- ~~(iii) Whether you are currently employed and your history of unemployment;~~
- ~~(iv) Your future earnings potential based on your occupation, skills, and the local labor market;~~
- ~~(v) Your marital status and number of dependents, including whether other household members are employed; and~~

~~(vi) Other factors indicating that collection of the full amount would cause you undue economic, physical, or mental hardship and you are unable to provide for basic necessities as described in WAC 192-220-030(2).~~

~~((b))~~ when to require you to repay the full amount would be against equity and good conscience as defined in WAC 192-100-015.

(3) In considering settlement offers, the emphasis will be on what is financially advantageous to the department. The department will consider the costs of collection compared to the amount of the overpayment. In doing so, the department may consider such factors as the age and amount of the overpayment, the number of prior contacts with you, whether you previously made good faith efforts to pay the debt, the tools available to enforce collection, and other information relevant to your ability to repay.

~~((e) If you previously applied for a waiver and were denied and your circumstances have significantly changed, such as catastrophic illness or loss of income, you may ask to negotiate a settlement for less than the full amount of the overpayment.~~

~~((3))~~ (4) A negotiated settlement for less than the full amount owed will not be considered when:

(a) ~~((The overpayment is the result of a discharge for misconduct or gross misconduct (see RCW 50.20.066(5));~~

~~((b))~~ The overpayment decision was issued by a state other than Washington; or

~~((e))~~ (b) The overpayment is for disaster unemployment assistance benefits paid under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

~~((4))~~ (5) The department's decision to accept or reject a settlement offer is ~~((final))~~ not subject to appeal. However, if the settlement offer is rejected, you are permitted to make another offer at a later date if circumstances change.

AMENDATORY SECTION (Amending WSR 08-21-056, filed 10/9/08, effective 11/9/08)

WAC 192-230-130 How do I make a negotiated settlement offer? (1) You may contact the department's unemployment benefits collection unit in writing or by telephone and make an offer to settle the debt for less than the full amount owing. Specify the amount you are offering to repay and be prepared to provide financial and other information in support of your offer. The department may request a credit report to verify the information you provide. The department will notify you of its decision to accept or decline your offer.

(2) Settlement offers may also be made by authorized department staff.

NEW SECTION

WAC 192-330-120 May I negotiate with the department to repay less than the full amount of my contributions, interest and penalties?—RCW 50.24.020. (1) Yes. State law permits the department to accept an offer in compromise for less than the full amount owed. For purposes of this chapter, an offer in compromise is referred to as a negotiated settlement.

(2) A negotiated settlement of contributions, interest, or penalties due and owing for less than the full amount owed

will be considered when to require you to repay the full amount would be against equity and good conscience as defined in WAC 192-100-015.

(3) In considering negotiated settlement offers, the emphasis will be on what is financially advantageous to the department. The department will consider the costs of collection compared to the amount of the debt, the number of prior contacts with you, whether you previously made good faith efforts to pay the debt, the tools available to enforce collection, and other information relevant to your ability to repay.

(4) Settlement offers may also be made by authorized department staff.

(5) You may contact the department's unemployment tax collection unit in writing or by telephone and make an offer to settle the debt for less than the full amount owing. Specify the amount you are offering to repay and be prepared to provide financial and other information in support of your offer. The department may request a credit report to verify the information you provide. The department will notify you of its decision to accept or decline your offer.

(6) The department's decision to accept or reject a negotiated settlement offer is not subject to appeal. However, if the settlement offer is rejected, you are permitted to make another offer at a later date if circumstances change.

WSR 14-04-074

PERMANENT RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed January 30, 2014, 1:09 p.m., effective March 2, 2014]

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

Purpose: A rule is amended to provide that the department, in common with other interested parties, may file a petition for review of a decision issued by the office of administrative hearings. An amended rule specifies how notice of eligibility changes will be provided to individuals who file a claim for unemployment benefits on the internet. Two rules are amended to clarify mailing procedures for the required notice to employer.

Citation of Existing Rules Affected by this Order: Repealing WAC 192-04-175; and amending WAC 192-04-060, 192-120-035, 192-130-050, and 192-130-065.

Statutory Authority for Adoption: RCW 50.12.010 and 50.12.040.

Adopted under notice filed as WSR 13-24-079 on December 2, 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 4, Repealed 1.

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 4, Repealed 1.

Date Adopted: January 24, 2014.

Nan Thomas
Deputy Commissioner

AMENDATORY SECTION (Amending WSR 10-20-082, filed 9/29/10, effective 10/30/10)

WAC 192-04-060 Appeals—Petitions for hearing—Petitions for review—Time limitation. (1) **Appeals and petitions for hearing.** Any interested party who is aggrieved by any decision of the department set forth in WAC 192-04-050 or for which the department has provided notice of appeal or petition for hearing rights may file a written appeal or petition for hearing by mailing it or sending it by fax to the address or fax number indicated on the determination notice or other appealable document.

The appeal or petition for hearing must be filed within thirty days of the date the decision is delivered or mailed, whichever is the earlier. The appeal and/or petition for hearing shall be filed in accordance with the provisions of RCW 50.32.025.

(2) **Petitions for review.** Any interested party (~~other than the department~~) who is aggrieved by a decision of the office of administrative hearings, other than an order approving a withdrawal of appeal, an order approving a withdrawal of a petition for hearing, a consent order, or an interim order, may file a written petition for review in accordance with the provisions of WAC 192-04-170. The petition for review must be filed within thirty days of the date of delivery or mailing of the decision of the office of administrative hearings, whichever is the earlier. The petition for review shall be filed in accordance with the provisions of RCW 50.32.025.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 192-04-175 Advisement order.

AMENDATORY SECTION (Amending WSR 99-08-073, filed 4/5/99, effective 5/6/99)

WAC 192-120-035 How will adequate notice be provided? (1) ~~((A written notice will be mailed to your most recent address in our files; or~~

~~((2)))~~ When you file your weekly claim for benefits by telephone, you will receive a verbal notice if there is a question about your eligibility for benefits. When you file your weekly claim for benefits by internet, a statement will be printed online that there is a question about your eligibility for benefits.

(2) If you do not ~~((reply))~~ contact the department by the last working day of the week in which your claim was filed, a written notice will be mailed to ~~((you))~~ your most recent address in our files. The date by which you must reply to this

written notice will be no earlier than reasonable mailing time plus five working days, starting from the date your weekly claim for benefits was filed.

AMENDATORY SECTION (Amending WSR 98-14-068, filed 6/30/98, effective 7/31/98)

WAC 192-130-050 Notice of filing of application—RCW 50.20.150. ~~((+))~~ Whenever an individual files an initial application for unemployment benefits, or reopens a claim after subsequent employment, a notice will be mailed to the applicant's most recent employer as stated by the applicant. Any employer who receives such a notice and has information which might make the applicant ineligible for benefits shall report this information to the employment security department at the address indicated on the notice within ten days of the date the notice was mailed. If the employer does not reply within ten days, the department may allow benefits to the individual, if he or she is otherwise eligible.

~~((2)) If an employer reports information which it claims makes an individual ineligible for benefits, the department will issue a written decision regarding the individual's eligibility and mail a copy to the employer.))~~

AMENDATORY SECTION (Amending WSR 10-11-046, filed 5/12/10, effective 6/12/10)

WAC 192-130-065 Mailing addresses for notice to employer. The department will mail notices to employers required by RCW 50.20.150 and WAC 192-130-060 as follows:

(1) The department will mail the notice to the last employer of the claimant ~~((as follows))~~ in the following order:

(a) If the employer requests that the department mail correspondence related to unemployment benefits to a specific address, the department will mail the notice to the last employer directly to that address; or

(b) If the employer has notified the department that the employer is represented for unemployment insurance purposes by an employer representative or cost control firm, the department will mail the notice to the last employer directly to that firm; or

~~((b))~~ (c) If an employer has provided the department with a mailing address for tax purposes, the department will mail the notice to the last employer directly to that address; or

~~((c))~~ (d) If the employer has not provided the department with a mailing address, the department will mail the notice to the last employer to the address provided by the claimant.

(2) The department will mail the notice to any base year employer who has reported wages to the department to the employer's mailing address of record provided by the employer for tax purposes.

(3) The notice to any other employer from whom the claimant has a potentially disqualifying separation (without sufficient subsequent employment to purge a separation disqualification) will be mailed ~~((to the address provided by the claimant))~~ in the order specified in subsection (1) of this section.

WSR 14-04-086

PERMANENT RULES

BOARD OF ACCOUNTANCY

[Filed February 3, 2014, 5:07 p.m., effective March 6, 2014]

Effective Date of Rule: March 6, 2014.

Purpose: 1. WAC 4-30-038, remove the wording "computer diskette."

2. WAC 4-30-134, changes references of "4 CPE" to "four CPE."

Citation of Existing Rules Affected by this Order: Amending WAC 4-30-080 [4-30-038 and 4-30-134].

Statutory Authority for Adoption: RCW 18.04.065, 18.04.215(5).

Adopted under notice filed as WSR 13-21-105 on October 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 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: December 27, 2013.

Richard C. Sweeney, CPA
Executive Director

AMENDATORY SECTION (Amending WSR 10-24-009, filed 11/18/10, effective 12/19/10)

WAC 4-30-038 Fees. RCW 18.04.065 provides that the board shall set fees related to licensure at a level adequate to pay the costs of administering chapter 18.04 RCW. The board has established the following fee schedule:

- (1) Initial application for individual license, individual license through reciprocity, CPA firm license (sole proprietorships with no employees are exempt from the fee), or registration as a resident nonlicensee firm owner \$330
- (2) Renewal of individual license, CPA-Inactive certificate, CPA firm license (sole proprietorships with no employees are exempt from the fee), or registration as a resident nonlicensee firm owner \$230
- (3) Application for CPA-Inactive certificate holder to convert to a license \$0

- (4) Application for reinstatement of license, CPA-Inactive certificate, or registration as a resident nonlicensee owner \$480
- (5) Quality assurance review (QAR) program fee (includes monitoring reviews for up to two years)
 - Firm submits reports for review \$400
 - Firm submits a peer review report for review \$60
 - Firm is exempted from the QAR program because the firm did not issue attest reports . . . \$0
- (6) Late fee * \$100
- (7) Amendment to firm license except for a change of firm address (there is no fee for filing a change of address) \$35
- (8) Copies of records, per page exceeding fifty pages \$0.15
- (9) (~~Computer diskette~~) Listing of licensees, CPA-Inactive certificate holders, or registered resident nonlicensee firm owners \$75
- (10) Replacement CPA wall document \$50
- (11) Dishonored check fee (including, but not limited to, insufficient funds or closed accounts) \$35
- (12) CPA examination. Exam fees are comprised of section fees plus administrative fees. **The total fee is contingent upon which section(s) is/are being applied for and the number of sections being applied for at the same time.** The total fee is the section fee(s) for each section(s) applied for added to the administrative fee for the number of section(s) applied for.
 - (a) Section fees: Section fees for the computerized uniform CPA examination are set by third-party providers for the development and delivery of the exam. These fees are collected and retained by the third-party provider.
 - (b) Administrative fees: Administrative fees for the qualification and application processes are set by a third-party provider. These fees are collected and retained by the third-party provider.

* The board may waive late filing fees for individual hardship including, but not limited to, financial hardship, critical illness, or active military deployment.

AMENDATORY SECTION (Amending WSR 13-17-094, filed 8/20/13, effective 1/1/14)

WAC 4-30-134 What are the continuing professional education (CPE) requirements for individuals? (1) Qualifying continuing professional education (CPE) must:

- (a) Contribute to the professional competency in the individual's area(s) of professional practice or relative to the individual's current work place job functions;
- (b) Maintain knowledge of current ethical and other regulatory requirements; and
- (c) Be completed by individuals during any board specified CPE reporting period. A CPE reporting period is a calendar year time period beginning in the calendar year a credential is first issued by this board and ending on December 31st of the subsequent third calendar year; for example, if your license was issued any time during calendar year one (2013), the CPE reporting period ends on December 31st of calendar year three (2015).

(2) General CPE requirements for renewal of valid credentials:

- (a) A licensee must complete a total of 120 CPE hours, including ~~((4))~~ four CPE credit hours in ethics meeting the requirements of subsection (6) of this section. The total 120 CPE hour(s) requirement is limited to no more than 24 CPE credit hours in nontechnical subject areas.
- (b) A CPA-Inactive certificate holder or a resident nonlicensee firm owner must complete ~~((4))~~ four CPE credit hours in ethics meeting the requirements of subsection (6) of this section.
- (c) Individuals eligible to exercise practice privileges are exempt from the CPE requirements of this section.

(3) Exceptions to the general CPE requirements: CPE requirements for the initial CPE renewal period **after conversion of a CPA-Inactive certificate to a Washington state license:**

- (a) If your license was issued during the first calendar year of your CPE reporting period, you must have completed 80 CPE credit hours which is limited to 16 CPE credit hours in nontechnical subject areas and must include ~~((4))~~ four CPE credit hours in ethics meeting the requirements of subsection (6) of this section prior to December 31st of the calendar year following the calendar year in which your license was initially issued.
- (b) If your license was issued during the second calendar year of your CPE reporting period, you must have completed 40 CPE credit hours which is limited to 8 CPE credit hours in nontechnical subject areas and must include ~~((4))~~ four CPE credit hours in ethics meeting the requirements of subsection (6) of this section.
- (c) If your license was issued during the third calendar year of your CPE reporting period, you must have completed ~~((4))~~ four CPE credit hours in ethics meeting the requirements of subsection (6) of this section.

(4) For the following circumstances, you must have completed the requirements of subsection (2)(a) of this section within the thirty-six-month period immediately preceding the date an application is submitted to the board; however, the ~~((4))~~ four CPE hours in ethics meeting the requirements of subsection (6) of this section must be completed within the six-month period immediately preceding the date your application and the CPE documentation is submitted to the board:

- (a) You are applying to reactivate a license out of retirement; or

(b) You are a CPA-Inactive certificate holder applying for a license; or

(c) You want to return to your previously held status as a licensee; or

(d) You are applying for reinstatement of a lapsed, suspended, or revoked license.

(5) For the following circumstances, you must have completed the ((4)) four CPE hours in ethics meeting the requirements of subsection (6) of this section within the six-month period immediately preceding the date your application and the CPE documentation is submitted to the board:

(a) You are applying to reactivate a CPA-Inactive certificate out of retirement; or

(b) You are applying to reinstate a lapsed, suspended, or revoked CPA-Inactive certificate, or registration as a resident nonlicensee firm owner.

(6) CPE in ethics and regulation:

(a) During each CPE reporting period **after initial licensing** all individuals licensed in this state, including non-resident and individuals from foreign countries who received initial Washington state licenses by reciprocity, CPA-Inactive certificate holders, and individuals initially recognized as resident nonlicensee firm owners are required to complete ((4)) four qualifying CPE credit hours in approved ethics and regulations in Washington state.

(b) The content of the course must be specific to the laws and rules applicable to the regulatory framework in Washington state including the administrative requirements for an individual's initial and continued use of restricted titles in this state.

(c) All CPE authors must submit course materials for this course to the executive director of the board for approval prior to delivery of the content for credit.

(d) The ethics and regulations course materials must cover all of the following topics, and instructors of approved courses must substantially address these topics in their presentations:

(i) General level information on the AICPA Code of Conduct.

(ii) General level information on the Public Accountancy Act, the board's rules, policies, including recent or pending changes therein, and the rule-making process.

(iii) Emphasis must be placed on key differences between Washington state law (chapter 18.04 RCW), this board's rules (Title 4 WAC), and the AICPA Code of Conduct.

(iv) Detailed information on the following:

(A) WAC 4-30-026 How can I contact the board?

(B) WAC 4-30-032 Do I need to notify the board if I change my address?

(C) WAC 4-30-034 Must I respond to inquiries from the board?

(D) WAC 4-30-040 through 4-30-058 Ethics and prohibited practices, including related board policies, if any.

(E) WAC 4-30-130 Series—Continuing competency, including related board policies, if any.

(F) WAC 4-30-142 What are the bases for the board to impose discipline?

(G) Other topics or information as defined by board policy.

(e) The course must also include case study scenarios demonstrating how to comply with the relevant provisions of the AICPA Code of Conduct and the board's statutory or regulatory framework when faced with ethical situations that might occur when offering or performing a specific type of professional service in the practice of public accounting or as a professionally regulated person not in the practice of public accounting.

(f) At least sixty percent of the course material content, presentation time, and commentary must include general level information on the Public Accountancy Act, the board's rules and policies, including recent or pending changes thereto, variances of key differences between Washington state law (chapter 18.04 RCW), the board's rules (Title 4 WAC), and the AICPA Code of Conduct, and scenarios demonstrating the different compliance outcomes that might result because the board's rules prevail when the board's rules vary from the AICPA Code of Professional Conduct and/or related official AICPA interpretations.

(7) CPE extension requests:

(a) In order to renew your license, CPA-Inactive certificate, or registration as a resident nonlicensee firm owner, you must complete the required CPE by December 31st of the calendar year preceding the calendar year of your renewal unless you can demonstrate your failure to meet the CPE requirements was due to reasonable cause.

(b) The board may provide limited extensions to the CPE requirements for reasons of individual hardship including, but not limited to, financial hardship, critical illness, or active military deployment. You must request such an extension in writing by December 31st of the calendar year preceding the calendar year of your renewal. The request must include justification for the request and identify the specific CPE you plan to obtain to correct your CPE deficiency.

(c) A form useful for this purpose is available from the board's web site or will be provided to you upon request.

(8) Self-reported deficiencies:

(a) If you fail to file a timely request for extension but you self-report a CPE deficiency to the board during the renewal period January 1st through June 30th of the renewal year, you will be permitted to continue to use the restricted title during the renewal period provided you:

(i) Submit to the board, in writing, the specific CPE plan to obtain to correct the CPE deficiency on or before June 30th of the renewal year;

(ii) Timely complete the CPE sufficient to correct the deficiency;

(iii) Timely submit certificates of completion for the subject CPE taken to the board; and

(iv) Pay the fee for reinstatement of a lapsed credential on or before June 30th of the renewal year.

(b) CPE deficiencies taken by June 30th of the renewal year under this subsection will be carried back to the reporting period ending on December 31st of the preceding calendar year and be subject to CPE audit in the next renewal period to ensure that inadvertent double counting does not occur.

WSR 14-04-092
PERMANENT RULES
DEPARTMENT OF HEALTH

[Filed February 4, 2014, 8:07 a.m., effective March 7, 2014]

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

Purpose: WAC 246-491-149 adds the legal date of marriage to marriage certificates for same-sex couples whose Washington state registered domestic partnerships (DP) are converted into marriage on June 30, 2014. It also includes the option of adding it by request to an existing marriage certificate for couples previously in a Washington state registered DP who choose to marry before June 30, 2014. The legal date of marriage is defined in RCW 26.60.100.

Citation of Existing Rules Affected by this Order: Amending WAC 246-491-149.

Statutory Authority for Adoption: RCW 43.70.150.

Other Authority: RCW 26.60.100.

Adopted under notice filed as WSR 13-21-038 on October 9, 2013.

Changes Other than Editing from Proposed to Adopted Version: The rule was amended to clarify that couples who have a previous state-registered DP will be able to obtain an amended marriage certificate with the legal date of marriage upon request and to clarify that the legal date of marriage will be added to the marriage certificate for couples whose DP converts to a marriage under RCW 26.60.100 when the certificate is issued.

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 1, Repealed 0.

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

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

Date Adopted: December 31, 2013.

John Wiesman, DrPH, MPH
 Secretary

AMENDATORY SECTION (Amending WSR 13-01-004, filed 12/6/12, effective 12/6/12)

WAC 246-491-149 Information collected on the legal or public section of certificates; modifications to the United States standard certificates and report forms. (1) Effective January 1, 2003, the department shall use the 2003 revisions of the United States standard forms for live birth and fetal death.

(2) Effective January 1, 2004, the department shall use the 2003 standard form for death.

(3) Effective January 1, 1992, the department shall use the 1988 revisions of the United States standard forms for

marriage and certificate of divorce, dissolution of marriage or annulment.

(4) These forms are developed by the United States Department of Health and Human Services, National Center for Health Statistics. Copies of these forms may be obtained by contacting the department's center for vital statistics.

(5) With the exception of the confidential section, the department may modify any part of these forms.

(a) Table 3 identifies the modifications to the United States standard form for live birth.

(b) Table 4 identifies the modifications to the United States standard form for fetal death.

(c) Table 5 identifies the modifications to the United States standard form for death.

(d) Table 6 identifies modifications to the United States standard form for marriage.

(e) Table 7 identifies modifications to the United States standard form for certificate of divorce, dissolution of marriage, or annulment.

(6) Table 8 lists items to be collected on the certificate of dissolution of Washington state domestic partnership. This is a Washington state form not addressed in the United States standard forms.

(7) Modification to the United States standard form for marriage for parties who previously had a state-registered domestic partnership. Parties who previously had a state-registered domestic partnership and become married in Washington may obtain an amended marriage certificate from the state registrar that includes the legal date of marriage. Marriage certificates issued to parties who have a state-registered domestic partnership and who are deemed married under RCW 26.60.100 shall include the legal date of marriage of the parties. The legal date of marriage is defined in RCW 26.60.100(4) as the date of the original state-registered domestic partnership.

U.S. STANDARD CERTIFICATE OF LIVE BIRTH

Table 3:
Legal or Public Birth Certificate Items

Item Number	Item Name	Difference from U.S. Standard, if any
1	Child's name	
2	Child's date of birth	
3	Time of birth	
4	Type of birthplace	Add "En route," Add "Planned birthplace if different"
5	Child's sex	
6	Name of facility	
7	City, town or location of birth	
8	County of birth	
9	Mother's name before first marriage	

U.S. STANDARD CERTIFICATE OF LIVE BIRTH

U.S. STANDARD REPORT OF FETAL DEATH

**Table 3:
Legal or Public Birth Certificate Items**

**Table 4:
Legal or Public Fetal Death Certificate Items**

Item Number	Item Name	Difference from U.S. Standard, if any
10	Mother's date of birth	
11	Mother's birthplace	
12	Mother's Social Security number	
13	Mother's current legal last name	
14	Social Security number requested for child?	
16a	Mother's residence - Number, street, and Apt. No.	
16b	Mother's residence - City or town	
16c	Mother's residence - County	
16d	Tribal reservation name (if applicable)	Added
16e	Mother's residence - State or foreign country	
16f	Mother's residence - Zip code + 4	
16g	Mother's residence - Inside city limits?	
17	Telephone number	Added
18	How long at current residence?	Added
19	Mother's mailing address, if different	
25	Father's current legal name	
26	Father's date of birth	
27	Father's birthplace	
28	Father's Social Security number	
66	Certifier name and title	Delete check boxes
67	Date certified	
68	Attendant name and title	Delete check boxes
69	NPI of person delivering the baby	
—	Date filed by registrar	Deleted

Item Number	Item Name	Difference from U.S. Standard, if any
1	Name of fetus	
2	Sex	
3	Date of delivery	
4	Time of delivery	
5	Type of birthplace	Add "En route," Add "Planned birthplace if different"
6	Name of facility	
7	Facility ID (NPI)	
8	City, town or location of birth	
9	Zip code of delivery	
10	County of birth	
11	Mother's name before first marriage	
12	Mother's date of birth	
13	Mother's current legal last name	
14	Mother's birthplace	
15a	Mother's residence - Number, street, and Apt. No.	
15b	Mother's residence - City or town	
15c	Mother's residence - County	
15d	Tribal reservation name (if applicable)	Added
15e	Mother's residence - State or foreign country	
15f	Mother's residence - Zip code + 4	
15g	Mother's residence - Inside city limits?	
16	How long at current residence?	Added
17	Father's current legal name	
18	Father's date of birth	
19	Father's birthplace	

U.S. STANDARD REPORT OF FETAL DEATH

U.S. STANDARD CERTIFICATE OF DEATH

**Table 4:
Legal or Public Fetal Death Certificate Items**

**Table 5:
Death Certificate Items**

Item Number	Item Name	Difference from U.S. Standard, if any
20	Name and title of person completing the report	
21	Date report completed	
22	Attendant name and title	Delete check boxes
23	NPI of person delivering the baby	
24	Method of disposition	
25	Date of disposition	
26	Place of disposition	Added
27	Location of disposition - City/town and state	Added
28	Name and complete address of funeral facility	Added
29	Funeral director signature	Added
30	Initiating cause/condition (cause of death)	
31	Other significant causes or conditions	
32	Estimated time of fetal death	
33	Was an autopsy performed?	
34	Was a histological placental examination performed?	
35	Were autopsy or histological placental examination results used in determining the cause of death?	
36	Registrar signature	Added
37	Date received	

Item Number	Item Name	Difference from U.S. Standard, if any
2	Death date	
3	Sex	
4a	Age - Years	
4b	Age - Under 1 year	
4c	Age - Under 1 day	
5	Social Security number	
6	County of death	
7	Birth date	
8a	Birth place - City, town or county	
8b	Birth place - State or foreign country	
9	Decedent's education	Add "Specify": next to box for "8th Grade or less"
10	Decedent's Hispanic origin	
11	Decedent's race	
12	Was decedent ever in U.S. Armed Forces?	
13a	Residence - Number and street	
13b	Residence - City or town	
13c	Residence - County	
13d	Tribal reservation name (if applicable)	Added
13e	Residence - State or foreign country	
13f	Residence - Zip code	
13g	Inside city limits?	
14	Estimated length of time at residence	Added
15	Marital status at time of death	
16	Surviving spouse's name	
17	Occupation	
18	Kind of business/industry	
19	Father's name	
20	Mother's name before first marriage	

U.S. STANDARD CERTIFICATE OF DEATH

**Table 5:
Death Certificate Items**

Item Number	Item Name	Difference from U.S. Standard, if any
1	Legal name (include a.k.a.((s)) if any)	

U.S. STANDARD CERTIFICATE OF DEATH

**Table 5:
Death Certificate Items**

Item Number	Item Name	Difference from U.S. Standard, if any
21	Informant - Name	
22	Informant - Relationship to decedent	
23	Informant - Address	
24	Place of death	
25	Facility name (if not a facility, give number and street)	
26a	City, town, or location of death	
26b	State of death	
27	Zip code of death	
28	Method of disposition	
29	Place of disposition (name of cemetery, crematory, other place)	
30	Disposition - City/town, and state	
31	Name and complete address of funeral facility	
32	Date of disposition	Added
33	Funeral director signature	
34	Causes of death and intervals between onset and death	
35	Other significant conditions contributing to death	
36	Autopsy?	
37	Were autopsy findings available to complete the cause of death?	
38	Manner of death	
39	Pregnancy status	
40	Did tobacco use contribute to death?	
41	Date of injury	
42	Hour of injury	
43	Place of injury	
44	Injury at work?	
45	Injury location - Street, city, county, state, zip	County Added

U.S. STANDARD CERTIFICATE OF DEATH

**Table 5:
Death Certificate Items**

Item Number	Item Name	Difference from U.S. Standard, if any
46	Describe how injury occurred	
47	Transport injury type	
48a	Certifying physician signature	
48b	Medical examiner/coroner signature	
49	Name and address of certifier	
50	Hour of death	
51	Name and title of attending physician if other than certifier	Added
52	Date certified	
53	Title of certifier	
54	License number of certifier	
55	ME/coroner file number	Added
56	Was case referred to medical examiner?	
57	County registrar signature	Added
58	County date received	Added
59	Record amendment	Added
—	License number of funeral director	Deleted
—	Date pronounced dead	Deleted
—	Time pronounced dead	Deleted
—	Signature of person pronouncing death	Deleted
—	License number of person pronouncing death	Deleted
—	Date person pronouncing death signed	Deleted

U.S. STANDARD LICENSE AND CERTIFICATE OF MARRIAGE

**Table 6:
Certificate of Marriage**

Item Number	Item Name	Difference from U.S. Standard, if any
	Certificate name	Modified
1	County of license	Added

U.S. STANDARD LICENSE AND CERTIFICATE OF MARRIAGE

U.S. STANDARD LICENSE AND CERTIFICATE OF MARRIAGE

**Table 6:
Certificate of Marriage**

**Table 6:
Certificate of Marriage**

Item Number	Item Name	Difference from U.S. Standard, if any
2	Date valid	
3	Not valid after (date)	
4	County auditor signature	
5	Date received (by county auditor)	
6a	Person A - Bride/groom/spouse	Added
6b	Legal name before marriage	Modified
6c	Birth name, if different	Added
6d	Sex - Male/female	Added
6e	Current residence (street, city/town)	
6f	County of residence	
6g	State of residence	
6h	Date of birth	
6i	Birth state (if not USA, provide country)	
6j	Mother/parent birth name	Modified
6k	Father/parent birth name	Modified
6l	Mother/parent birth state (or country)	Modified
6m	Father/parent birth state (or country)	Modified
7a	Person B - Bride/groom/spouse	Added
7b	Legal name before marriage	
7c	Birth name, if different	Modified
7d	Sex - Male/female	Added
7e	Current residence (street, city/town)	
7f	County of residence	
7g	State of residence	
7h	Date of birth	
7i	Birth state (if not USA, provide country)	
7j	Mother/parent birth name	Modified
7k	Father/parent birth name	Modified
7l	Mother/parent birth state (or country)	Modified

Item Number	Item Name	Difference from U.S. Standard, if any
7m	Father/parent birth state (or country)	Modified
8	Date of marriage	
9	County of ceremony	
10	Type of ceremony	Added
11	Date signed (by officiant)	Added
12	Officiant's address	
13	Officiant's daytime phone	Added
14	Officiant's name	
15	Officiant's signature	
16	Witness signature	
17	Witness signature	
18	Person A signature	Modified
19	Date signed (by person A)	Added
20	Person B signature	Modified
21	Date signed (by person B)	Added
22	Person A - Social Security number	Added
23	Person A - Name	Added
24	Person B - Social Security number	Added
25	Person B - Name	Added
26	Person A signature - Declaration in absence of a Social Security number	Added
27	Person A date - Declaration in absence of a Social Security number	Added
28	Person B signature - Declaration in absence of a Social Security number	Added
29	Person B date - Declaration in absence of a Social Security number	Added
	(Groom's) age last birthday	Deleted
	(Bride's) age last birthday	Deleted
	Signature of (license) issuing official	Deleted
	Title of (license) issuing official	Deleted

U.S. STANDARD LICENSE AND CERTIFICATE OF MARRIAGE

**Table 6:
Certificate of Marriage**

Item Number	Item Name	Difference from U.S. Standard, if any
	Where married - City, town or location	Deleted
	Title (of officiant)	Deleted
	Confidential information	Deleted

U.S. STANDARD CERTIFICATE OF DIVORCE, DISSOLUTION OF MARRIAGE, OR ANNULMENT

**TABLE 7:
Certification of Dissolution, Declaration of Invalidity of Marriage, or Legal Separation**

Item Number	Item Name	Difference from U.S. Standard, if any
	Certificate name	Modified
1	Court file number	Added
2	Type of decree	
3	Date of decree	
4	County where decree filed	
5	Signature of superior court clerk	
6a	Spouse A - Name	Added
6b	Birth name, if different	Added
6c	Date of birth	
6d	Place of birth (state or country)	
6e	Residence - Street	Added
6f	Residence - City	
6g	Residence - County	
6h	Residence - State	
7a	Spouse B - Name	Added
7b	Birth name, if different	Modify
7c	Date of birth	
7d	Place of birth (state or country)	
7e	Residence - Street	Added
7f	Residence - City	
7g	Residence - County	
7h	Residence - State	
8	Place of marriage -County	
9	Place of marriage - State	

U.S. STANDARD CERTIFICATE OF DIVORCE, DISSOLUTION OF MARRIAGE, OR ANNULMENT

**TABLE 7:
Certification of Dissolution, Declaration of Invalidity of Marriage, or Legal Separation**

Item Number	Item Name	Difference from U.S. Standard, if any
10	Date of marriage	
11	Number of children born alive of this marriage	Added
12	Petitioner	
13	Name of petitioner's attorney or pro se	
14	Petitioner's attorney's address	
15	Spouse A Social Security number	Added
16	Spouse B Social Security number	Added
	Date (decree) recorded	Deleted
	Number of children under 18 whose physical custody was awarded to (husband, wife, joint, other)	Deleted
	Number of children under 18 in household	Deleted
	Title of court	Deleted
	Title of certifying official	Deleted
	Date (certifying official) signed	Deleted
	Date couple last resided in same household	Deleted
	Confidential items	Deleted

**TABLE 8:
Certification of Dissolution of Washington State Domestic Partnership**

Item Number	Item Name
	Certificate name
	Court file number
1	Type of decree
2	Date of decree
3	County where decree filed
4	Signature of superior court clerk
5a	First partner's name
5b	First partner's name at birth

TABLE 8:
Certification of Dissolution of Washington State Domestic Partnership

Item Number	Item Name
6	First partner's date of birth
7	First partner's place of birth
8	First partner's residence - Street
9	First partner's residence - City
10	First partner's residence - Inside city limits
11	First partner's residence - County
12	First partner's residence - State
13a	Second partner's name
13b	Second partner's name at birth
14	Second partner's date of birth
15	Second partner's place of birth
16	Second partner's residence - Street
17	Second partner's residence - City
18	Second partner's residence - Inside city limits
19	Second partner's residence - County
20	Second partner's residence - State
21	Date of this partnership
22	Domestic partnership certificate number
23	Petitioner
24	Name of petitioner's attorney/pro se
25	Petitioner's address

WSR 14-04-097**PERMANENT RULES
DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Aging and Long-Term Support Administration)

[Filed February 4, 2014, 8:33 a.m., effective March 7, 2014]

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

Purpose: The department is amending and clarifying rules to revise the assessment process for allocating personal care hours, initiated as a result of the Washington state supreme court decision in *Samantha A. v. Department of Social and Health Services*.

The following changes are being made to WAC 388-106-0130:

- To make changes to how personal care services are calculated for children and to clarify the role that responsible adults are expected to play in the lives of children with disabilities.
- To replace irrebuttable presumptions regarding age and informal supports with individual determina-

tions of those facts guided by rebuttable presumptions.

- To incorporate changes in what the department considers to be age appropriate functioning for normally developing children, and to clarify language around those developmental milestones.
- To provide better notice to the public regarding the definition of informal supports by separately addressing the situation where the benefit of a personal care task is shared among members of a household, which is not a change in practice but previously had been subsumed within the broader concept of informal supports.
- To make changes to how living environment factors are considered in determining personal care services.
- To update outdated WAC references.
- To otherwise update and clarify elements of the CARE tool.

This CR-103P supersedes the emergency rule filing as WSR 14-04-008 on January 23, 2014.

Citation of Existing Rules Affected by this Order: Amending WAC 388-106-0010 and 388-106-0130.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520.

Adopted under notice filed as WSR 13-16-101 on August 7, 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 2, 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 2, Repealed 0.

Date Adopted: January 29, 2014.

Katherine I. Vasquez
Rules Coordinator

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 14-05 issue of the Register.

WSR 14-04-120**PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 14-26—Filed February 4, 2014, 4:43 p.m., effective March 7, 2014]

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

Purpose: Amends sportfishing rules to provide maximum recreational fishing opportunity while conserving resources in response to data and public input. Technical changes are made to update, reorganize, and clarify rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-619; and amending WAC 220-56-282.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.013, 77.04.055, and 77.12.047.

Adopted under notice filed as WSR 13-21-091 on October 18, 2013.

Changes Other than Editing from Proposed to Adopted Version:

These changes clarified wording and organization as well as making technical edits and corrections. No substantive changes were made after the CR-102 filing.

WAC 220-310-175 General.

Specified kokanee/sockeye definition by area (i.e. Lake Washington and Wenatchee Lake) and clarified wording.

WAC 220-310-180 Coast.

1. Moved information listed under Quilcene River to Big Quilcene River.
2. Removed Canon River entry because it was already referenced in the Palix River section
3. Renumbered river and lake subsections.
4. Clarified barbless hook language for Chehalis River.
5. Added the word "the" for Chehalis River entry.
6. Specified "trout" limit for Hoh River entry.
7. Changed location of entries for Middle Nemah River, North Nemah River, North Naselle River, and South Naselle River. Previously, these rivers were incorrectly listed as Nemah River, Middle Fork; Nemah River, North Fork; Naselle River, North Fork; and Naselle River, South Fork.
8. Corrected spelling area in Palix River entry.
9. Quinault River barbless hook working [wording] clarified.
10. Rocky Brook was incorrectly listed as "Rocky Brook Creek."
11. "Middle Fork Satsop River" was corrected to "Satsop River Middle Fork."
12. "West Fork Satsop River" was corrected to "Satsop River West Fork."
13. Added missing regulations to Bear River (Pacific County). These regulations were listed under this river in the eastside section.

WAC 220-310-200 Columbia.

1. Removed sturgeon area distinction for below and above the Wauna power lines because there is no need to distinguish these areas as long as it is unlawful to retain sturgeon in the lower Columbia River, (2)(b)(vii).
2. Corrected a typo - sturgeon minimum length should be "forklength 43 inches" and not "length 73 inches," (2)(d)(viii)(A).
3. Clarified season dates (2)(g)(iii) and (iv).
4. Put species in alphabetical order (2)(h)(v) through (viii).
5. Provided a specific geographic reference (2)(m)(ii)(B).

6. Added Camas Slough because the Columbia River section is defined as including sloughs.

WAC 220-310-195 Eastside.

1. The word "Creek" was removed from Amon Waste-way name.
 2. Clarified language for Asotin Creek.
 3. Removed redundant language from Grande Ronde entry.
 4. Added Horsethief Lake because was incorrectly listed in another document.
 5. Removed Keechelus Lake because the closed area referred to is for Gold Creek and this is already described.
 6. Klickitat River antisnagging rule language clarified.
 7. Moved Nunnally Lake and Oak Creek because were not listed in alphabetical order previously.
 8. Added Rowland Lakes because was incorrectly listed in another document.
 9. Sarg Hubbard Park Pond spelling corrected.
 10. Added Spearfish Lake because was incorrectly listed in another document.
 11. Added Trout Lake because was incorrectly listed in another document.
 12. Tucannon River County corrected.
 13. Walla Walla River trout entry clarified.
 14. Added Wheeler Creek because was incorrectly listed in another document.
 15. Removed Bear River (Pacific County) because it was in the wrong section.
 16. Removed Monte Cristo Lake (Snohomish County) because it was in the wrong section and was already listed correctly in Puget Sound.
 17. Removed Little Washougal River (Clark County) because it was in the wrong section and was already listed in the southwest section.
 18. Removed Owens Pond (Pacific County) because it was in the wrong section and was already listed correctly in the coast section.
 19. Removed "only" for salmon opening in the White Salmon River (Klickitat/Skamania counties) because there is also a trout opening for the same dates. Also reorganized the outline structure for clarification.
- #### **WAC 220-310-190 Puget Sound.**
1. Added "Also see Nisqually River" for clarification to Alder Lake reference.
 2. Added Big Soos Creek. Was mistakenly listed as Soos Creek.
 3. Renumbered river and lake subsections.
 4. Buck Creek and Clear Creek. Removed "to the source" because redundant.
 5. Dates added to Carbon River night closure and antisnagging rules for clarification.
 6. Chambers Creek season clarified to be for gamefish and salmon.
 7. Chambers Creek season date error corrected.
 8. Chilliwack River spelling error corrected.
 9. Clarks Creek street name corrected.
 10. Fishtrap Creek street name spelling error corrected.
 11. Grovers Creek name corrected.

12. Removed LaGrande Powerhouse entry because it is an error. This was a remnant from the Nisqually River.
13. McMurray Lake redundancy fixed.
14. Mill Pond Free Fishing Weekend language clarified.
15. Nooksack River information reorganized.
16. Puyallup River gamefish season wording changed to be consistent with Chambers Creek.
17. Puyallup River salmon season corrected.
18. Skykomish River season from the mouth of the Wallace River to the forks clarified.
19. Snoqualmie River rule language clarified.
20. Soos Creek entry removed.
21. Tahuya River coho limit clarified.
22. Tenmile Creek spelling corrected.
23. Voight Creek fishing area clarified.
24. Washington, Lake, including that portion of the Sammamish River entry punctuation corrected.
25. Removed Radar Ponds (Pacific County) because was in the wrong section and was already listed correctly in the coast section.

WAC 220-310-185 Southwest.

1. Camas Slough organization corrected.
2. Cedar Creek fixed where it incorrectly stated "fish" but should have said "trout."
3. Cowlitz Falls Reservoir clarified to say "Lewis County" PUD.
4. Grays River fixed where it incorrectly said "above" but should have stated "below."
5. Green River fixed where it incorrectly stated "trout" but should have said "fish."
6. Horsethief Lake removed because it is in the wrong document.
7. Renumbered river and lake subsections.
8. Lewis River, North Fork incorrectly stated hatchery in three locations and so "hatchery" was removed.
9. Rock Creek season was corrected.
10. Rowland Lakes removed because it was in the wrong document.
11. Salmon Creek road name clarified.
12. Spearfish Lake removed because it is in the wrong document.
13. Trout Lake removed because it was in the wrong document.
14. Removed Camas Slough and moved it to the Columbia River section.

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 1, Repealed 1.

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: January 10, 2014.

Miranda Wecker
Commission Chair

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

WAC 220-56-282 Sturgeon—Areas, seasons, limits and unlawful acts.

(1) It is unlawful to retain green sturgeon.

(2) ~~((It is permissible to retain white sturgeon in Puget Sound and all Puget Sound tributaries from June 1 through June 30, 2013, and September 1 through October 15, 2013, except in Union River white sturgeon may only be retained from June 1 through June 30, 2013.~~

~~(3))~~ It is permissible to catch and release white sturgeon in saltwater waterways year-round. However, for freshwater waterways, including freshwater Puget Sound tributaries, it is permissible to catch and release white sturgeon only when the season is open for salmon or game fish, unless otherwise provided.

~~((4))~~ (3) It is permissible to catch and release, but unlawful to retain, white sturgeon in the following areas:

(a) Coastal waters and tributaries of coastal waters; and

(b) Puget Sound waters and tributaries of Puget Sound.

(4) It is permissible to catch and release, but unlawful to retain, white sturgeon year-round in the following waters, unless otherwise provided by department rule:

(a) The Columbia River and its tributaries below Bonneville Dam;

(b) The mainstem Columbia River and its tributaries downstream from where the river forms the boundary between Oregon and Washington;

~~((b))~~ (c) The mainstem Columbia and its tributaries from Priest Rapids Dam to Chief Joseph Dam; and

~~((c))~~ (d) The Snake River and tributaries from Lower Granite Dam upstream.

(5) It is unlawful to fish for sturgeon in the Columbia River and tributaries upstream of Chief Joseph Dam.

~~((Effective January 1, 2014, it is unlawful to retain white sturgeon in the following areas:~~

~~(a) The Columbia River and its tributaries below Bonneville Dam;~~

~~(b) Coastal waters and tributaries of coastal waters; and~~

~~(c) Puget Sound waters and tributaries of Puget Sound.~~

~~(7))~~ The following limits and requirements apply in areas where it is permissible to retain sturgeon:

(a) The daily limit is one white sturgeon.

(b) The possession limit is two daily limits of fresh, frozen, or processed white sturgeon.

(c) The annual personal-use limit for white sturgeon from April 1 through March 31 is two fish, regardless of where the angler takes the sturgeon.

(d) The maximum fork-length is 54 inches.

(e) The minimum fork-length is 38 inches, except the minimum fork-length is 43 inches ~~((n))~~ in:

(i) The mainstem Columbia and its tributaries from The Dalles Dam to Priest Rapids Dam; and

(ii) The Snake River from the Snake River Confluence Protection Area to Lower Granite Dam.

(f) It is unlawful to fail to release undersize or oversize sturgeon immediately.

(g) Once an angler reaches his or her annual limit of white sturgeon, he or she may continue to fish for white sturgeon in the mainstem Columbia River downstream from where the river forms the common boundary between Oregon and Washington, unless otherwise provided by department rule, so long as the angler releases all subsequent sturgeon immediately.

(h) It is unlawful to fish for sturgeon with terminal gear other than bait and one single-point barbless hook.

(i) It is permissible to use artificial scent with bait when fishing for white sturgeon.

(j) It is unlawful to use a gaff or other body-penetrating device while restraining, handling, or landing a sturgeon.

(k) It is unlawful to fish for or possess sturgeon from freshwater, except the Chehalis River, from one hour after official sunset to one hour before official sunrise.

(l) It is unlawful to possess sturgeon eggs in the field without retaining the intact carcass of the fish from which the eggs have been removed.

~~((8))~~ (7) A violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested sturgeon. If the person has harvested sturgeon, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the sturgeon are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

~~((9))~~ (8) It is unlawful to possess sturgeon taken with gear in violation of the provisions of this section. Possession of sturgeon while using gear in violation of the provisions of this section is a rebuttable presumption that the sturgeon were taken with such gear. Possession of such sturgeon is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the sturgeon are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

Chapter 220-310 WAC

PERSONAL-USE FISHERIES

NEW SECTION

WAC 220-310-175 Freshwater exceptions to state-wide rules—General rules. The following provisions and definitions apply to this section through WAC 220-310-200.

(1) It is unlawful to fish for, take, or possess salmon from freshwater streams and lakes that are not specifically listed as open for salmon fishing.

(2) Waters listed as open during a specific date range that do not reference a 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 specifically listed as open.

(4) All limits 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 as the stream, except as otherwise provided.

(6) A "float" or "bobber" means 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 not part of the bait, lure, or fly) off the bottom of the stream or lake and visually signal (from the surface of the water) a fish's strike at the hook(s).

(7) "Lead jig" means a lure consisting of a hook permanently or temporarily attached directly to a lead weight by any method.

(8) "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.

(9) "Unmarked salmon" means salmon without either a clipped ventral fin or a clipped adipose fin as evidenced by a healed scar.

(10) Kokanee/sockeye definitions:

(a) For Lake Washington and the Lake Washington Ship Canal in King County, kokanee and sockeye less than fifteen inches in length are considered kokanee and kokanee and sockeye fifteen inches and over in length are considered sockeye salmon.

(b) For Wenatchee Lake (Chelan County), kokanee and sockeye under sixteen inches are considered kokanee and kokanee and sockeye sixteen inches and over are considered sockeye salmon.

(11)(a) A violation of this section through WAC 220-310-200 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:

(i) Terminal gear restrictions apply to all species, including salmon, unless otherwise provided.

(ii) 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, punishable under RCW 77.15.160.

(iii) It is unlawful to possess fish taken with gear in violation of the freshwater terminal gear restrictions. Possession of fish while using gear in violation of the freshwater terminal gear restrictions is a rebuttable presumption that the fish were taken with such gear. Possession of such fish is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—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.

NEW SECTION**WAC 220-310-180 Freshwater exceptions to state-wide rules—Coast. (1) Aberdeen Lake (Grays Harbor County):**

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

(b) Trout: No more than 2 trout over 15 inches in length may be retained.

(2) Alder Creek (Pacific County) (Naselle River tributary):

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

(b) Selective gear rules apply.

(3) **Aldwell Lake (Clallam County):** Closed.

(4) **Anderson Lake (Jefferson County):**

(a) Open the fourth Saturday in April through October 31; fishing from a floating device equipped with an internal combustion motor prohibited.

(b) Open September 1 through October 31:

(i) Selective gear rules apply.

(ii) Trout: Catch and release only.

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

(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.

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

(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.

(7) **Bear River (Pacific County):**

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

(b) August 16 through November 30: Night closure in effect.

(i) From the mouth (Highway 101 Bridge) to Lime Quarry Road (approximately two river miles):

(A) August 16 through November 30:

(I) Barbless hooks required.

(II) Anti-snagging rule applies.

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

(C) Salmon:

(I) Open September 1 through November 30.

(II) Limit 6 fish, of which no more than 2 may be adults and no more than one wild adult coho.

(III) Release chum and wild Chinook.

(ii) From the Lime Quarry Road upstream to the Longview Fiber Bridge:

(A) Selective gear rules apply.

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

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

(a) From the mouth upstream to Beaver Falls:

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

(ii) Selective gear rules apply.

(iii) 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 Beaver Falls upstream to Beaver Lake: Open the first Saturday in June through October 31.

(9) Beaver Lake (Clallam County):

(a) Selective gear rules apply.

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

(c) Trout: Maximum length 12 inches.

(10) Big Creek (Grays Harbor County):

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

(b) Selective gear rules apply.

(11) Big Quilcene River (Jefferson County):

(a) From the mouth to Rodgers Street:

(i) Open the first Saturday in June through August 15.

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(b) From Rodgers Street to the Highway 101 Bridge:

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

(ii) Catch and release only.

(iii) From the first Saturday in June through August 15:

(A) Selective gear rules apply.

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

(iv) August 16 through October 31:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(v) Salmon:

(A) Open August 16 through October 31.

(B) Limit 4 coho only; only coho hooked inside the mouth may be retained.

(c) From the electric weir at Quilcene National Fish Hatchery to the upper boundary of Falls View campground:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(d) From the upper boundary of Falls View campground upstream: Open the Saturday before Memorial Day through October 31.

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

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

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

(ii) Release kokanee.

(13) Black Creek (Grays Harbor County) (Wynoochee River tributary):

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

(b) Selective gear rules apply.

(14) **Black Lake (Pacific County):** Open the fourth Saturday in April through October 31.

(15) **Black River (Grays Harbor/Thurston counties):**

(a) From the mouth to State Highway 12:

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

(ii) Selective gear rules apply.

(iii) 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 Highway 12 to bridge on 128th Ave. S.W.:

(i) Anti-snagging rule applies.

(ii) Night closure in effect.

(iii) Barbless hooks are required.

(iv) 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.

(v) Salmon open October 1 through January 31:

(A) From October 1 through November 30:

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

(II) Release Chinook and chum.

(B) From December 1 through January 31:

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

(II) Release Chinook and chum.

(c) From bridge on 128th Avenue S.W. (west of Litterock) to Black Lake:

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

(ii) Selective gear rules apply.

(16) **Bogachiel River (Clallam County):**

(a) From the mouth to Highway 101 Bridge:

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

(ii) Trout:

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

(D) February 16 through April 30: It is permissible to retain wild steelhead.

(iii) Salmon open July 1 through November 30:

(A) From July 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) From September 1 through November 30: Limit 6; two salmon may be adults, plus 2 additional adult hatchery coho may be retained.

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

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

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

(iii) Selective gear rules apply.

(iv) 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.

(17) **Bone River (Pacific County):**

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

(b) Selective gear rules apply.

(18) **Bunker Creek (Lewis County) (Chehalis River tributary):**

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

(b) Selective gear rules apply.

(19) **Butte Creek (Pacific County) (Smith River tributary):**

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

(b) Selective gear rules apply.

(20) **Calawah River (Clallam County):**

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

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

(ii) Trout:

(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: The limit may include one additional hatchery steelhead.

(D) From February 16 through April 30: It is permissible to retain wild steelhead.

(iii) Salmon open July 1 through November 30:

(A) From July 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) From September 1 through November 30: Limit 6; up to two salmon may be adults, plus up to 2 additional adult hatchery coho may be retained.

(b) From the Highway 101 Bridge to Forks:

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

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

(iii) Selective gear rules apply.

(iv) 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.

(21) **Calawah River, North Fork (Clallam County):**

(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.

(22) **Calawah River, South Fork (Clallam County):**

(a) Open the first Saturday in June through the last day in February from the mouth to the Olympic National Park boundary.

(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.

(23) **Cases Pond (Pacific County):**

(a) Open the fourth Saturday in April through November 30 to juvenile anglers only.

(b) Landlocked salmon rules apply.

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

(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.

(25) Cedar Creek (Grays Harbor/Thurston counties) (Chehalis River tributary):

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

(b) Selective gear rules apply.

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

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

(27) Cedar River (Pacific County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

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

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

(i) Open August 16 through November 30: Barbless hooks are required.

(ii) 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.

(iii) Salmon:

(A) May 1 through June 30:

(I) Open from the mouth to the confluence with the Skookumchuck River only.

(II) Limit one salmon.

(B) September 1 through September 30:

(I) Open from the mouth to Porter Bridge only.

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

(III) Release adult Chinook.

(C) September 1 through November 30:

(I) Open from Porter Bridge to the confluence with the Skookumchuck River.

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

(III) Release chum and adult Chinook.

(D) October 1 through November 30:

(I) Open from the mouth to Porter Bridge only:

(II) 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.

(E) September 16 through November 30:

(I) 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).

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

(III) Release chum and adult Chinook.

(F) December 1 through January 31:

(I) Open from the mouth to the high bridge on Weyerhaeuser 1000 line approximately 400 yards downstream of Roger Creek (south of Pe Ell).

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

(III) Release chum and Chinook.

(G) Sturgeon: It is unlawful to retain sturgeon (catch and release only); no night closure is in effect.

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

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

(ii) Selective gear rules apply.

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

(29) Chehalis River, South Fork (Lewis County):

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

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

(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) From the County Highway Bridge near Boistfort School, upstream:

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

(ii) Selective gear rules apply.

(30) Chehalis River Potholes (adjacent to the Chehalis River south of Highway 12 in Grays Harbor County, not including sloughs or beaver ponds): Open the fourth Saturday in April through October 31.

(31) Chenois Creek (Grays Harbor County):

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

(b) Selective gear rules apply.

(32) Chester Creek (Grays Harbor County):

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

(b) Selective gear rules apply.

(33) Chimacum Creek (Jefferson County):

(a) From the mouth to Ness's Corner Road:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) Catch and release only.

(b) From Ness's Corner Road to headwaters:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(34) Clallam River (Clallam County):

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

(b) Selective gear rules apply from the first Saturday in June through October 31.

(c) From the first Saturday in June through October 31: Catch and release only.

(d) Trout: Minimum length 14 inches.

(35) Clearwater River (Jefferson County):

(a) From the mouth to Snahapish River:

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

(A) From February 16 through April 15: It is permissible to retain wild steelhead.

(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.

- (ii) Salmon:
 - (A) Open September 1 through November 30.
 - (B) Limit 6; no more than 2 may be adults.
- (b) From Snahapish River upstream:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
 - (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iv) 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.
- (36) Cloquallum Creek (Grays Harbor County):**
 - (a) From the mouth to the outlet at Stump Lake:
 - (i) Open the first Saturday in June through the last day in February.
 - (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) From the outlet at Stump Lake upstream:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
- (37) Coal Creek (Clallam County) tributary to Ozette River:**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (c) Trout:
 - (i) 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) Release kokanee.
- (38) Connor Creek (Grays Harbor County):**
 - (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.
- (39) Cook Creek (Grays Harbor County), from the Quinault Indian Reservation boundary upstream:**
 - (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.
- (40) Copalis River (Grays Harbor County):**
 - (a) General river rules:
 - (i) From the first Saturday in June through last day in February: Open for game fish.
 - (ii) It is permissible to retain hatchery steelhead with a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.
 - (b) Rules by river section:
 - (i) From the mouth to Carlisle Bridge:
 - (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) Salmon:
 - (I) Open September 1 through January 31.
 - (II) Limit 6; no more than 2 adult salmon may be retained.
 - (III) Release adult Chinook and chum.

(ii) 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.

(41) Crim Creek (Lewis County) (Chehalis River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(42) Crocker Lake (Jefferson County): Closed.

(43) Crooked Creek (Clallam County) and tributaries that are outside of Olympic National Park:

- (a) Open the first Saturday in June through October 15.
- (b) Selective gear rules apply.

(c) Trout:

(i) 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) Release kokanee.

(44) Damon Lake (Grays Harbor County): Open the first Saturday in June through October 31.

(45) Deep Creek (Clallam County):

(a) Open December 1 through January 31.

(b) Selective gear rules apply.

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

(46) Deep Creek (Grays Harbor County):

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

(b) Selective gear rules apply.

(47) Delezene Creek (Grays Harbor County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(48) Dickey River (Clallam County):

(a) From Olympic National Park boundary upstream to the confluence of the East and West Forks:

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

(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.

(iii) February 16 through April 30: It is permissible to retain wild steelhead.

(iv) Salmon open July 1 through November 30:

(A) From July 1 through August 31:

(I) Limit 6; no more than 2 adult salmon may be retained.

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

(B) From September 1 through November 30: Limit 6; two salmon may be adults, plus 2 additional adult hatchery coho may be retained.

(b) From the confluence of the East and West Forks upstream (for both forks):

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

(ii) Selective gear rules apply.

(iii) 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.

(49) Donkey Creek (Grays Harbor County):

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

(b) Selective gear rules apply.

(50) **Duck Lake (Grays Harbor County):** Crappie limit 10; minimum length 9 inches.

(51) **Dungeness River (Clallam County):**

(a) From the mouth to the forks at Dungeness Campground:

(i) Open October 8 through January 31.

(ii) Trout: Minimum length 14 inches.

(iii) Salmon:

(A) Open only from the mouth to the hatchery intake pipe at river mile 11.3 from October 8 through December 31.

(B) Limit 4 coho only.

(b) From Gold Creek upstream: Open the Saturday before Memorial Day through October 31.

(52) **East Twin River (Clallam County):**

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

(b) Selective gear rules apply.

(c) Catch and release only.

(53) **Eight Creek (Lewis County) (tributary to Elk Creek, which is a Chehalis River tributary):**

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

(b) Selective gear rules apply.

(54) **Elk Creek (Clallam County), outside of Olympic National Park:**

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

(b) Selective gear rules apply.

(c) Trout:

(i) 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) Release kokanee.

(55) **Elk Creek (Lewis County) (Chehalis River tributary):**

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

(b) Selective gear rules apply.

(56) **Elk Lake (Clallam County):**

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

(b) Selective gear rules apply.

(c) Trout:

(i) 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) Release all kokanee.

(57) **Elk River (Grays Harbor County):**

(a) From the mouth (Highway 105 Bridge) to the confluence of east and middle branches:

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

(ii) From August 16 through November 30: Barbless hooks are required.

(iii) 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.

(iv) Salmon open October 1 through November 30:

(A) Limit 2; only one wild coho may be retained.

(B) Release chum and Chinook.

(b) From confluence of east and middle branches upstream:

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

(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.

(58) **Elkhorn Creek (Pacific County) (Smith River tributary):**

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

(b) Selective gear rules apply.

(59) **Ellis Creek (Pacific County) (Willapa River tributary):**

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

(b) Selective gear rules apply.

(60) **Ellsworth Creek (Pacific County) (Naselle River tributary):**

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

(b) Selective gear rules apply.

(61) **Elwha River (Clallam County):** Closed.

(62) **Failor Lake (Grays Harbor County):**

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

(b) Trout: It is unlawful to retain more than two trout over 15 inches in length per day.

(63) **Fairchild Creek (Pacific County) (Wilson Creek tributary, which is a Willapa River tributary):**

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

(b) Selective gear rules apply.

(64) **Fall River and all forks (Pacific County) (North River tributary):**

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

(b) Selective gear rules apply.

(65) **Falls Creek (Pacific County) (Willapa River tributary):**

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

(b) Selective gear rules apply.

(66) **Fern Creek (Pacific County) (Willapa River tributary):**

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

(b) Selective gear rules apply.

(67) **Finn Creek (Pacific County) (North Nemah River tributary):** Open the first Saturday in June through October 31.

(68) **Fork Creek (Pacific County) (Willapa River tributary):**

(a) From Forks Creek Hatchery rack upstream 500 feet at fishing boundary sign:

(i) Open only for anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card.

(ii) Night closure in effect October 1 through November 30.

(iii) Barbless hooks are required.

(iv) Stationary gear restriction applies.

(v) Open the first Saturday in June through July 15 and October 1 through March 31: Release all fish, except anglers may retain up to 2 hatchery steelhead.

(vi) Salmon: Open October 1 through January 31.

(A) From October 1 through November 30:

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

(II) Release wild Chinook and chum.

(B) From December 1 through January 31:

(I) Limit 6; no more than 2 may be adults and only one adult may be a wild coho.

(II) Release wild Chinook and chum.

(b) From the fishing boundary sign 500 feet above Forks Creek Hatchery rack upstream to the source:

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

(ii) Selective gear rules apply.

(69) Garrard Creek (Grays Harbor County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(70) Gibbs Lake (Jefferson County):

(a) Selective gear rules apply.

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

(c) Trout: Catch and release only.

(71) Goodman Creek (Jefferson County), outside Olympic National Park:

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

(72) Grass Creek (Grays Harbor County):

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

(b) Selective gear rules apply.

(73) Gray Wolf River (Clallam County): From the bridge at river mile 1.0, upstream:

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

(b) Selective gear rules apply.

(c) Catch and release only.

(74) Halfmoon Creek (Pacific County) (Willapa River tributary):

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

(b) Selective gear rules apply.

(75) Halfway Creek (Lewis County) (tributary of Stillman Creek, which is a Chehalis River tributary):

(a) Open the first Saturday in June through October 31 from the mouth to the second bridge crossing on Pe Ell McDonald Road.

(b) Selective gear rules apply.

(76) Hanaford Creek (Lewis County) (Skookumchuck River tributary):

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

(b) Selective gear rules apply.

(77) Harris Creek (Grays Harbor County) (Chehalis River tributary):

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

(b) Trout: Selective gear rules apply.

(78) Hoh River (Jefferson County):
(a) From the Olympic National Park boundary upstream to the DNR Oxbow Campground Boat Launch:

(i) Open May 16 through April 15.

(ii) From February 16 through April 15: It is permissible to retain wild steelhead.

(iii) From May 16 through the Friday before the first Saturday in June:

(A) Open Wednesdays through Sundays only.

(B) Release game fish, except anglers may retain up to 2 hatchery steelhead.

(iv) From the first Saturday in June through April 15:

(A) 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) April 1 through April 15: Trout minimum length 14 inches.

(C) From November 1 through February 15: The trout limit may include one additional hatchery steelhead.

(v) Salmon open May 16 through November 30:

(A) From May 16 through August 31:

(I) Open Wednesday through Sunday only.

(II) Limit 6; no more than one adult may be retained.

(III) Release wild Chinook.

(B) From September 1 through November 30: Limit 6; no more than 2 adults may be retained.

(b) From the DNR Oxbow Campground Boat Launch to Willoughby Creek:

(i) Open May 16 through April 15.

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

(B) Selective gear rules apply May 16 through October 15 and December 1 through April 15.

(ii) From May 16 through the Friday before the first Saturday in June:

(A) Open Wednesdays through Sundays only.

(B) Release game fish, except anglers may retain up to 2 hatchery steelhead.

(iii) 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.

(iv) Salmon:

(A) Open May 16 through August 31:

(I) Open Wednesdays through Sundays only.

(II) Limit 6; no more than one adult may be retained.

(III) Release wild Chinook.

(B) Open October 16 through November 30: Limit 6; no more than 2 adults may be retained.

(c) From Willoughby Creek to Morgan's Crossing Boat Launch site:

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

(ii) Selective gear rules apply from the first Saturday in June through October 15 and December 1 through April 15.

(iii) 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.

(iv) Salmon:

(A) Open October 16 through November 30.

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

(d) From Morgan's Crossing Boat Launch upstream to the Olympic National Park boundary below mouth of South Fork Hoh River:

(i) Selective gear rules apply.

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

(iii) 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.

(79) Hoh River, South Fork (Jefferson County), outside the Olympic National Park boundary:

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

(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.

(80) Hoko River (Clallam County):

(a) From the mouth to the upper Hoko Bridge:

(i) It is 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.

(ii) Open the first Saturday in June through March 15. Open to fly fishing only September 1 through October 31.

(iii) Trout: Minimum length fourteen inches.

(b) From the upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5):

(i) Open the first Saturday in June through March 31 to fly fishing only.

(ii) Release all fish except anglers may retain up to two hatchery steelhead.

(81) Hoquiam River, including West Fork (Grays Harbor County):

(a) From the mouth to Dekay Road Bridge (West Fork):

(i) August 16 through November 30: Barbless hooks are required.

(ii) 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.

(iii) Salmon:

(A) Open October 1 through November 30.

(B) Limit 6; no more than 2 adults may be retained, and only one may be an adult wild coho.

(C) Release Chinook and chum.

(b) From Dekay Road Bridge upstream:

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

(ii) Selective gear rules apply.

(iii) 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.

(82) Hoquiam River, East Fork (Grays Harbor County):

(a) From the mouth to the confluence of Berryman Creek:

(i) August 16 through November 30: Barbless hooks are required.

(ii) 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.

(iii) Salmon:

(A) Open October 1 through November 30.

(B) Limit 6; no more than 2 adults may be retained, and only one may be an adult wild coho.

(C) Release Chinook and chum.

(b) From the confluence of Berryman Creek upstream to Youman's Road Bridge:

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

(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.

(83) Hoquiam River, Middle Fork (Grays Harbor County): From the mouth upstream:

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

(b) Selective gear rules apply.

(84) Horseshoe Lake (Jefferson County):

(a) Open the fourth Saturday in April 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: Limit one.

(85) Howe Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(86) Humptulips River (Grays Harbor County):

(a) From the mouth (Jessie Slough) to Ocean Beach Road near Copalis Crossing, including all channels, sloughs, and interconnected waterways:

(i) From August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) 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.

(iii) Salmon open September 1 through January 31:

(A) From September 1 through November 30:

(I) Limit 6; no more than 3 adults may be retained.

(II) Only one adult Chinook and one adult wild coho may be retained.

(B) From December 1 through January 31:

(I) Limit 6; anglers may retain no more than 2 adults.

(II) Only one adult Chinook may be retained.

(III) Release chum and wild coho.

(b) From Ocean Beach Road near Copalis Crossing to the Highway 101 Bridge:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) 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.

(iii) Salmon open September 1 through January 31:

(A) From September 1 through November 30:

(I) Limit 6; no more than 3 adults may be retained.

(II) Only one adult Chinook and only one adult wild coho may be retained.

(B) From December 1 through January 31:

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

- (II) Only one adult may be Chinook.
- (III) Release chum and wild coho.
- (c) From the Highway 101 Bridge to the confluence of the East and West Forks:
 - (i) From September 1 through March 31: It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (ii) From August 16 through November 30:
 - (A) Night closure in effect.
 - (B) Single-point barbless hooks are required.
 - (iii) Open the first Saturday in June through March 31:
 - (A) 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.
 - (B) From March 1 through March 31:
 - (I) Release all fish, except anglers may retain up to 2 hatchery steelhead.
 - (II) Selective gear rules apply.
 - (iv) Salmon open September 1 through January 31:
 - (A) From September 1 through November 30:
 - (I) Limit 6; no more than 3 adults may be retained.
 - (II) Only one adult Chinook and only one adult wild coho may be retained.
 - (B) From December 1 through January 31:
 - (I) Limit 6; no more than 2 adults may be retained, and only one may be an adult Chinook.
 - (II) Release chum and wild coho.
- (87) **Humptulips River, East Fork (Grays Harbor County):**
 - (a) From the mouth to the concrete bridge on Forest Service Road 220:
 - (i) August 16 through October 31: Anti-snagging rule applies and night closure in effect.
 - (ii) 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) From the concrete bridge on Forest Service Road 220 upstream:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
- (88) **Humptulips River, West Fork (Grays Harbor County):**
 - (a) From the mouth to Donkey Creek:
 - (i) August 16 through November 30: Anti-snagging rule applies and night closure in effect.
 - (ii) Open the first Saturday in June through March 31:
 - (A) 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.
 - (B) From March 1 through March 31:
 - (I) Selective gear rules apply.
 - (II) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (III) Release all fish, except anglers may retain up to 2 hatchery steelhead.

- (b) From Donkey Creek upstream:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
- (89) **Independence Creek (Grays Harbor County) (Chehalis River tributary):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
- (90) **Jimmy-Come-Lately Creek (Clallam County):**
 - (a) From the mouth to confluence with East Fork:
 - (i) Open the first Saturday in June through August 31.
 - (ii) Selective gear rules apply.
 - (iii) Catch and release only.
 - (b) From confluence with East Fork upstream, including East Fork: Open the first Saturday in June through October 31.
 - (91) **Joe Creek (Grays Harbor County):**
 - (a) From the mouth to Ocean Beach Road Bridge:
 - (i) August 16 through November 30: Single-point barbless hooks are required.
 - (ii) 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.
 - (iii) Salmon open September 1 through November 30:
 - (A) Limit 6; no more than 2 adults may be retained.
 - (B) Release adult Chinook and chum.
 - (b) From Ocean Beach Road Bridge upstream:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
 - (iii) 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.
 - (92) **Johns River (Grays Harbor County):**
 - (a) From the mouth (Highway 105 Bridge) to Ballon Creek:
 - (i) August 16 through November 30: It is unlawful to use anything other than single-point barbless hooks.
 - (ii) 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.
 - (iii) Salmon open October 1 through November 30:
 - (A) Limit 2; only one wild coho may be retained.
 - (B) Release chum and Chinook.
 - (b) From Ballon Creek upstream, including North and South Forks:
 - (i) Open the first Saturday in June through September 30 and December 1 through the last day in February.
 - (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.
 - (93) **Jones Creek (Lewis County) (Chehalis River tributary):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (94) **Kalaloch Creek (Jefferson County), outside Olympic National Park:**
 - (a) Closed within the section posted as the Olympic National Park water supply.

(b) Open the first Saturday in June through the last day in February:

(i) Selective gear rules apply.

(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.

(95) Leland Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(96) Leland Lake (Jefferson County): No more than two trout over 14 inches in length may be retained.

(97) Lena Lake, Lower (Jefferson County): The inlet stream is closed from the mouth upstream to the footbridge (about 100 feet).

(98) Lincoln Creek, including South Fork (Lewis County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(99) Lincoln Pond (Clallam County): Open to juvenile anglers only.

(100) Little Hoko River (Clallam County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(101) Little Hoquiam River (Grays Harbor County):

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

(b) Selective gear rules apply.

(102) Little North River and all forks (Grays Harbor County) (North River tributary):

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

(b) Selective gear rules apply.

(103) Little Quilcene River (Jefferson County):

(a) From the mouth to the Little Quilcene River Bridge on Penny Creek Road:

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

(ii) From the mouth to Highway 101 Bridge: Closed September 1 through October 31.

(iii) Selective gear rules apply.

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

(v) Catch and release only.

(b) From Little Quilcene River Bridge on Penny Creek Road upstream: Open the first Saturday in June through October 31.

(104) Long Beach Peninsula waterways and lakes (Pacific County): Open the fourth Saturday in April through October 31.

(105) Loomis Lake (Pacific County): Open the fourth Saturday in April through October 31.

(106) Loomis Pond (Grays Harbor County): Closed.

(107) Lower Salmon Creek and all forks (Grays Harbor/Pacific counties) (North River tributary):

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

(b) Selective gear rules apply.

(108) Lucas Creek (Lewis County) (tributary to the Newaukum River North Fork):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(109) Ludlow Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(110) Ludlow Lake (Jefferson County):

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

(b) Trout: It is unlawful to retain more than two trout over 14 inches in length.

(111) Lyre River (Clallam County):

(a) From the mouth to falls near river mile 3:

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

(ii) Trout: Minimum length 14 inches.

(b) From the falls to the Olympic National Park boundary:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(112) Matheny Creek (Jefferson County) (Queets River tributary), outside Olympic National Park:

(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.

(113) McDonald Creek (Clallam County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(114) Middle Nemah River (Pacific County):

(a) From the mouth upstream to the department of natural resources bridge on the Middle Nemah A-Line Road:

(i) Open the first Saturday in June through March 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(ii) August 1 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(iii) Salmon:

(A) Open September 1 through January 31.

(B) Limit 6; anglers may not retain more than 2 adults.

(C) Release wild Chinook, wild coho, and chum.

(b) From the department of natural resources bridge on the Middle Nemah A-Line Road upstream:

(i) Open the first Saturday in June through March 31:

(A) Selective gear rules apply.

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

(ii) August 16 through November 30: Anti-snagging rule applies and night closure in effect.

(115) Mill Creek (Pacific County) (Willapa River tributary):

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

(b) Selective gear rules apply.

(116) Mill Creek Pond (Grays Harbor County): Open to juvenile anglers only.

(117) Mitchell Creek (Lewis County) (tributary to the Newaukum River North Fork):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(118) Moclips River (Grays Harbor County):

(a) Open from the mouth to the Quinault Indian Reservation boundary from the first Saturday in June through the last day in February.

(b) Trout:

(i) 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) 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.

(119) Morse Creek (Clallam County):

(a) From the mouth to Port Angeles Dam:

(i) Open from December 1 through January 31.

(ii) Trout: Minimum length 14 inches.

(b) From Port Angeles Dam upstream: Open the first Saturday in June through October 31.

(120) Mosquito Creek (Jefferson County):

(a) Open outside Olympic National Park upstream to the Goodman 3000 Mainline Bridge from the first Saturday in June through the last day in 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.

(121) Mox Chehalis Creek (Grays Harbor County) (Chehalis River tributary): Open the first Saturday in June through October 31: Selective gear rules apply.

(122) Naselle River (Pacific/Wahkiakum counties):

(a) From the Highway 101 Bridge to the Highway 4 Bridge:

(i) August 1 through November 15:

(A) Night closure in effect.

(B) Anti-snagging rule applies.

(C) Barbless hooks are required.

(D) From the South Fork upstream to the Highway 4 Bridge: Stationary gear restriction applies.

(E) It is unlawful to fish from a floating device equipped with an internal combustion motor in the lower Naselle River from the Highway 4 Bridge to Crown Mainline (Salme) Bridge.

(ii) From Highway 101 Bridge upstream to Highway 401: Anglers may fish with a two-pole endorsement August 1 through January 31.

(iii) Open the first Saturday in June through April 15: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iv) Salmon open August 1 through January 31:

(A) From August 1 through November 15:

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

(II) Release wild Chinook and chum.

(B) From November 16 through January 31:

(I) Limit 6; no more than 3 adults may be retained, and no more than one adult may be a wild coho.

(II) Release Chinook and chum.

(v) Sturgeon: It is unlawful to retain sturgeon (catch and release only).

(b) From the Highway 4 Bridge to the Crown Mainline (Salme) Bridge:

(i) The following areas are closed:

(A) From the falls in Sec. 6, T10N, R8W (Wahkiakum County) downstream 400 feet.

(B) From the upstream entrance of the hatchery attraction channel downstream 400 feet.

(ii) From Highway 4 upstream to the full spanning concrete diversion structure at the Naselle Hatchery: Closed August 1 through October 15.

(iii) From August 1 through November 15:

(A) Night closure in effect.

(B) Anti-snagging rule applies.

(C) Barbless hooks are required.

(D) Stationary gear rules in effect.

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

(iv) Open the first Saturday in June through April 15: Release all fish except anglers may retain up to 2 hatchery steelhead.

(v) Salmon open August 1 through January 31:

(A) From August 1 through November 15:

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

(II) Release wild Chinook and chum.

(B) From November 16 through January 31:

(I) Limit 6; no more than 3 adults may be retained, and no more than one adult may be a wild coho.

(II) Release Chinook and chum.

(c) From the Crown Mainline (Salme) Bridge to the mouth of the North Fork:

(i) Open the first Saturday in June through April 15: Release all fish except anglers may retain up to 2 hatchery steelhead.

(ii) August 16 through November 30: Night closure and anti-snagging rule in effect.

(d) Upstream from the mouth of the North Fork:

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

(ii) Selective gear rules apply.

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

(123) North Naselle River (Pacific County):

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

(b) Selective gear rules apply.

(124) South Naselle River (Pacific County):

(a) From the mouth to Bean Creek: Open the first Saturday in June through the last day in February.

(b) From the first Saturday in June through August 15: Selective gear rules apply.

(c) August 16 through November 30: Anti-snagging rule applies and night closure in effect.

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

(e) Sturgeon: It is unlawful to retain sturgeon (catch and release only).

(125) Neil Creek (Grays Harbor County) (Wynoochee River tributary):

(a) Open from the mouth to USFS 22 Road from the first Saturday in June through October 31.

(b) Selective gear rules apply.

(126) Newaukum River, including South Fork (Lewis County):

(a) From the mouth to Leonard Road near Onalaska:

(i) 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.

(ii) Salmon open October 1 through the last day in February:

(A) From October 1 through November 30:

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

(II) Release Chinook and chum.

(B) From December 1 through the last day in February:

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

(II) Release Chinook and chum.

(iii) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(b) From Leonard Road near Onalaska to Highway 508 Bridge near Kearny Creek:

(i) 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.

(ii) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(c) From Highway 508 Bridge upstream:

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

(ii) Selective gear rules apply.

(iii) Trout: Catch and release only.

(iv) August 16 through October 31:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(127) Newaukum River, Middle Fork (Lewis County), from the mouth to Tauscher Road Bridge:

(a) Open the first Saturday in June to March 31.

(b) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length.

(128) Newaukum River, North Fork (Lewis County), from the mouth to 400 feet below the Chehalis city water intake:

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

(b) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length.

(129) Newman Creek (Grays Harbor County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(130) Newskah Creek (Grays Harbor County):

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

(b) Selective gear rules apply.

(131) Niawiakum River (Pacific County): From Highway 101 Bridge to the South Bend/Palix Road Bridge:

(a) August 16 through November 30:

(i) Night closure in effect.

(ii) Single-point barbless hooks are required.

(b) Open the first Saturday in June through November 30.

(c) Salmon:

(i) Open September 1 through November 30.

(ii) Limit 6; of which no more than 2 may be adult salmon.

(iii) Release chum, wild coho, and wild Chinook.

(132) North Nemah River (Pacific County):

(a) From Highway 101 Bridge upstream to the bridge on Nemah Valley Road:

(i) Open the first Saturday in June through March 31.

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

(iii) August 1 through November 30:

(A) Night closure in effect.

(B) Stationary gear restriction applies.

(C) Single-point barbless hooks are required.

(iv) Salmon:

(A) Open August 1 through November 30.

(I) Limit 6; of which only 3 may be adult salmon and of the three adults, only two may be wild coho.

(II) Release chum and wild Chinook.

(B) Open December 1 through January 31.

(I) Limit 6; of which only two may be adult salmon and of the two adults, only one may be a wild coho.

(II) Release chum and wild Chinook.

(b) From the bridge on Nemah Valley Road upstream to Cruiser Creek:

(i) The bridge on Nemah Valley Road upstream to Nemah Hatchery: Closed August 1 through November 15.

(ii) Open the first Saturday in June through March 31.

(iii) Release all game fish except anglers may retain up to 2 hatchery steelhead.

(iv) August 16 through November 30: Anti-snagging rule applies and night closure in effect.

(v) December 1 through March 31: Selective gear rules apply.

(133) North River (Grays Harbor/Pacific counties):

(a) From the Highway 105 Bridge to Salmon Creek (located approximately 2 miles upstream from Highway 101):

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon open September 1 through December 31:

(A) From September 1 through November 30:

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

(II) Release wild Chinook and chum.

(B) From December 1 through December 31:

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

(II) Release wild Chinook and chum.

(iv) Sturgeon: It is unlawful to retain sturgeon (catch and release only).

(b) From Salmon Creek (located approximately 2 miles upstream from Highway 101) to Fall River:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Anti-snagging rule applies.

(C) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon open October 1 through December 31:

(A) From October 1 through November 30:

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

(II) Release wild Chinook and chum.

(B) From December 1 through December 31:

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

(II) Release wild Chinook and chum.

(c) From Fall River to Raimie Creek:

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

(ii) Selective gear rules apply.

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

(134) **Owens Pond (Pacific County):** The first Saturday in June through October 31 season.

(135) **Palix River, including all forks (Pacific County):**

(a) From the Highway 101 Bridge to the mouth of the Middle Fork:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through March 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon:

(A) Open September 1 through November 30.

(B) Limit 6; no more than 2 adults of which only one adult may be wild coho.

(C) Release chum and wild Chinook.

(iv) Sturgeon: It is unlawful to retain sturgeon (catch and release only).

(b) From the confluence with the Middle Fork upstream and all forks, including South Fork Palix and Canon rivers:

(i) August 16 through October 15:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(ii) From the first Saturday in June through August 15, and from December 16 through March 31: Selective gear rules apply.

(iii) Open the first Saturday in June through October 15, and from December 16 through March 31.

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

(136) **Palmquist Creek (Clallam County), outside of Olympic National Park:**

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

(b) Selective gear rules apply.

(c) Trout:

(i) 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) Release kokanee.

(137) **Peabody Creek (Clallam County):** Open the first Saturday in June through October 31 to juvenile anglers only.

(138) **Penny Creek (Jefferson County):** Open the first Saturday in June through October 31.

(139) **Petroleum Creek (Clallam County):** From the Olympic National Park boundary upstream:

(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.

(140) **Pheasant Lake (Jefferson County):** Open the fourth Saturday in April through October 31.

(141) **Pilchuck Creek (Clallam County) (Sooes River tributary):**

(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.

(142) **Pioneer Creek (Grays Harbor County) (North River tributary):**

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

(b) Selective gear rules apply.

(143) **Pleasant Lake (Clallam County):** Trout: Kokanee minimum length 6 inches, maximum length 18 inches.

(144) **Porter Creek (Grays Harbor County) (Chehalis River tributary):**

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

(b) Selective gear rules apply.

(145) **Promised Land Pond (Grays Harbor County):** Open the first Saturday in June through October 31.

(146) **Pysht River (Clallam County):**

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

(b) Selective gear rules apply.

(c) From the first Saturday in June through October 31: Catch and release only.

(d) From November 1 through January 31: Trout minimum length 14 inches.

(147) **Rock Creek (Lewis County) (Chehalis River tributary):**

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

(b) Selective gear rules apply.

(148) **Stearns Creek (Lewis County) (Chehalis River tributary):**

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

(b) Selective gear rules apply.

(149) **Stillman River (Lewis County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31 from the mouth to water supply pipeline at Mill Creek.

(b) Selective gear rules apply.

(150) **Stowe Creek (Lewis County) (Chehalis River tributary):**

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

(b) Selective gear rules apply.

(151) Quigg Lake (Grays Harbor County):

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

(b) Trout: Minimum length 14 inches.

(c) Salmon:

(i) Open October 1 through January 31.

(ii) Limit 6 hatchery coho salmon, of which no more than 4 may be adult hatchery coho.

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

(a) Open May 1 through the Friday before the first Saturday in June: Release all fish except anglers may retain up to 2 hatchery steelhead.

(b) Open the first Saturday in June through April 30:

(i) 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) April 1 through April 30: Trout minimum length 14 inches.

(iii) November 1 through the last day in February: Anglers may retain one additional hatchery steelhead as part of the limit.

(iv) February 16 through April 30: It is permissible to retain wild steelhead.

(c) Salmon:

(i) Open 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) Open September 1 through November 30: Limit 6; two may be adults, plus anglers may retain 2 additional adult hatchery coho.

(153) Quinault River (Grays Harbor County): From the mouth at the upper end of Quinault Lake upstream to the Olympic National Park boundary:

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

(i) February 16 through April 15: It is permissible to retain one wild steelhead per day.

(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 open July 1 through November 30:

(i) From July 1 through September 30:

(A) Limit 6 jack salmon only.

(B) Single-point barbless hooks are required.

(ii) From October 1 through November 30:

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

(B) Release sockeye and chum.

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

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

(b) Selective gear rules apply.

(c) Trout:

(i) 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) Release kokanee.

(155) Radar Ponds (Pacific County): Salmon: Land-locked salmon rules apply.

(156) Raimie Creek and all forks (Pacific County) (North River tributary):

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

(b) Selective gear rules apply.

(157) Ripley Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(158) Rock Creek (Grays Harbor County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(159) Rocky Brook (Jefferson County) (Dosewallips River tributary): From the falls 1000 feet upstream of the mouth: Open the first Saturday in June through October 31.

(160) Rue Creek, including West Fork (Pacific County) (South Fork Willapa tributary):

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

(b) Selective gear rules apply.

(161) Salmon Creek and all forks (Grays Harbor County) (North River tributary):

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

(b) Selective gear rules apply.

(162) Salmon Creek (Pacific County) (tributary of Naselle River):

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

(b) Selective gear rules apply.

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

(163) Salmon River (Jefferson County), outside Olympic National Park and the Quinault Indian Reservation:

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

(i) 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) 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.

(b) Salmon open September 1 through November 30: Limit 6; no more than 3 adults may be retained, and no more than 2 adults may be Chinook.

(164) Salt Creek (Clallam County): From the mouth to the bridge on Highway 112:

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

(b) Selective gear rules apply.

(c) First Saturday in June through October 31: Catch and release only.

(d) November 1 through January 31: Anglers may retain up to 2 hatchery steelhead.

(165) Sand Creek (Grays Harbor County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(166) Sandysore Lake (Jefferson County):

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

(b) Trout: No more than two over 14 inches in length may be retained.

(167) **Satsop Lakes (Grays Harbor County):** Open the fourth Saturday in April through October 31.

(168) **Satsop River and East Fork (Grays Harbor County):**

(a) From the mouth to the bridge at Schafer State Park:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) 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.

(iii) Salmon open September 16 through November 30, and December 1 through January 31:

(A) From September 16 through November 30:

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

(II) Release wild adult Chinook.

(B) From December 1 through January 31:

(I) Limit 6; no more than 2 adults may be retained, and only one may be an adult wild coho.

(II) Release Chinook and chum.

(b) From the bridge at Schafer State Park upstream to 400 feet below Bingham Creek Hatchery barrier dam:

(i) 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.

(ii) Open August 16 through October 31:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(c) From 400 feet downstream of the Bingham Creek Hatchery barrier dam upstream to the dam:

(i) Closed, except open within posted markers to anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card.

(ii) Night closure in effect.

(iii) From August 16 through October 31: Single-point barbless hooks are required.

(iv) 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.

(v) Salmon open September 16 through January 31:

(A) From September 16 through November 30:

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

(II) Release wild adult Chinook.

(B) From December 1 through January 31:

(I) Limit 6; no more than 2 adults may be retained, and only one may be an adult wild coho.

(II) Release Chinook and chum.

(d) From the Bingham Creek Hatchery dam upstream:

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

(ii) Selective gear rules apply.

(iii) August 16 through October 31:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(169) **Satsop River, Middle Fork (Turnow Branch):**

(a) From the mouth to Cougar Smith Road:

(i) From August 16 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(ii) 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.

(b) From Cougar Smith Road upstream:

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

(ii) Selective gear rules apply.

(iii) August 16 through October 31:

(A) Night closure in effect.

(B) Anti-snagging rule applies.

(170) **Satsop River, West Fork:**

(a) From the mouth to Cougar Smith Road:

(i) August 16 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(ii) 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.

(b) From Cougar Smith Road to USFS 2260 Road Bridge at Spoon Creek:

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

(ii) Selective gear rules apply.

(iii) August 16 through October 31: Night closure in effect.

(c) From USFS 2260 Road Bridge at Spoon Creek upstream:

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

(ii) Selective gear rules apply.

(iii) Eastern brook trout: Limit 5; no minimum size.

(171) **Schafer Creek (Grays Harbor County) (Wynoochee River tributary):**

(a) From the mouth to USFS 22 Road:

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

(c) Selective gear rules apply.

(172) **Sekiu River (Clallam County):**

(a) From the mouth to the forks:

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

(ii) From the first Saturday in June through October 31: Selective gear rules apply.

(iii) November 1 through January 31: Catch and release only.

(iv) Trout: Minimum length 14 inches.

(b) From the forks upstream:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(173) **Shine Creek (Jefferson County):**

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

(b) Selective gear rules apply.

(c) Catch and release only.

(174) **Shye Lake (Grays Harbor County):** Open the first Saturday in June through October 31.

(175) **Siebert Creek (Clallam County):**

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

(b) Selective gear rules apply.

(c) Catch and release only.

(176) Silent Lake (Jefferson County):

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

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

(c) Trout: It is unlawful to retain more than two over 14 inches in length.

(177) Sitkum River (Clallam County) (Calawah River tributary):

(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.

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

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

(b) Selective gear rules apply.

(c) Trout:

(i) 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) Release all kokanee.

(179) Skookumchuck River (Thurston County):

(a) 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:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) 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.

(iii) Salmon open October 1 through the last day in February:

(A) From October 1 through November 30:

(I) Limit 6; no more than 3 adults may be retained and only 2 may be wild adult coho.

(II) Release Chinook and chum.

(B) From December 1 through the last day in February:

(I) Limit 6; no more than 2 adults may be retained and only one may be a wild adult coho.

(II) Release Chinook and chum.

(b) From Skookumchuck Reservoir upstream, selective gear rules apply.

(180) Smith Creek (near North River) (Pacific County):

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

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.

(ii) Salmon open September 1 through December 31:

(A) From September 1 through November 30:

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

(II) Release wild Chinook and chum.

(B) From December 1 through December 31:

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

(II) Release wild Chinook and chum.

(iv) Sturgeon: It is unlawful to retain sturgeon (catch and release only).

(b) From the Highway 101 Bridge upstream:

(i) Selective gear rules apply.

(ii) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.

(181) Smith Creek (Pacific County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(182) Snahapish River (Jefferson County) (Clearwater River tributary):

(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.

(183) Sol Duc River (Clallam County):

(a) Open year-round from the mouth to the concrete pump station at the Sol Duc Hatchery:

(i) May 1 through the Friday before the first Saturday in June: Release all fish except anglers may retain up to 2 hatchery steelhead.

(ii) From the first Saturday in June through April 30:

(A) 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) April 1 through April 30: Trout minimum length 14 inches.

(C) November 1 through the last day in February: Anglers may retain one additional hatchery steelhead as part of the trout limit.

(D) February 16 through April 30: It is permissible to retain wild steelhead.

(ii) Salmon open February 1 through November 30:

(A) From 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) From September 1 through November 30: Limit 6; two adult salmon, plus 2 additional adult hatchery coho may be retained as part of the limit.

(b) From the concrete pump station at Sol Duc Hatchery to the Highway 101 Bridge upstream of Klahowya Campground:

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

(ii) Selective gear rules apply.

(iii) 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) From the Highway 101 Bridge upstream of Klawowya Campground to the Olympic National Park boundary:

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

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

(iii) Selective gear rules apply.

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

(184) Solberg Creek (Clallam County) (Big River tributary):

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

(b) Selective gear rules apply.

(c) Trout:

(i) 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) Release kokanee.

(185) Solleks River (Jefferson County) (Clearwater River tributary):

(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.

(186) Sooes River (Tsoo-Yess River) (Clallam County), outside of Makah Indian Reservation:

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

(b) From the first Saturday in June through October 31:

(i) Selective gear rules apply.

(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.

(c) 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.

(187) South Bend Mill Pond (Pacific County): Open to juvenile anglers only.

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

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

(b) Selective gear rules apply.

(c) Trout:

(i) 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) Release all kokanee.

(189) South Nemah River (Pacific County):

(a) From the mouth (Lynn Point, 117 degrees true to opposite shore) to the confluence with Middle Nemah River:

(i) September 1 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through March 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon:

(A) Open September 1 through January 31.

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

(C) Release wild Chinook, wild coho, and chum.

(b) From the confluence with the Middle Nemah River upstream to the second Highway 101 Bridge crossing:

(i) Open the first Saturday in June through March 31.

(ii) Selective gear rules apply.

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

(190) Stevens Creek (Grays Harbor County):

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

(i) Closed from the WDFW hatchery outlet downstream 400 feet.

(ii) Open the first Saturday in June through September 30 and December 1 through the last day in February.

(iii) 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 the Highway 101 Bridge upstream to the Newbury Creek Road Bridge:

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

(ii) Selective gear rules apply.

(191) Sutherland Lake (Clallam County):

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

(b) Trout: Minimum length 6 inches and maximum length 18 inches.

(192) Sylvia Creek (Grays Harbor County) (Wynoochee River tributary):

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

(b) Selective gear rules apply.

(193) Sylvia Lake (Grays Harbor County): It is unlawful to retain more than 2 trout over 15 inches in length.

(194) Tarboo Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(195) Tarboo Lake (Jefferson County):

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

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

(c) Trout: It is unlawful to retain more than two over 14 inches in length.

(196) Teal Lake (Jefferson County):

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

(b) Selective gear rules apply.

(c) Trout: Limit one.

(197) Thorndyke Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(198) Thunder Creek (Clallam County) (Tributary to East Fork Dickey River):

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

(b) From D2400 Road upstream: Closed from November 1 through April 30.

(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.

(199) Trap Creek (Pacific County) (Willapa River tributary):

- (a) Open the first Saturday in June through October 15.
- (b) Selective gear rules apply.

(200) Trout Creek (Clallam County) (Big River tributary):

- (a) Open the first Saturday in June through October 15.
- (b) Selective gear rules apply.
- (c) Trout:
 - (i) 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) Release all kokanee.

(201) Twin Lake (Jefferson County): Open the fourth Saturday in April through October 31.**(202) Umbrella Creek (Clallam County), outside Olympic National Park, including tributaries:**

- (a) Open the first Saturday in June through October 15.
- (b) Selective gear rules apply.
- (c) Trout:
 - (i) 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) Release all kokanee.

(203) Valley Creek (Clallam County): Open the first Saturday in June through October 31 to juvenile anglers only.**(204) Vance Creek (Grays Harbor County) (Chehalis River tributary):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(205) Vance Creek/Elma Ponds (Grays Harbor County), Pond One (Bowers Lake) and Pond Two (Lake Ines):

(a) Pond One/Bowers Lake is open only to juvenile anglers, seniors, and anglers with a disability who possess a designated harvester companion card.

(b) Open the fourth Saturday in April through November 30:

- (i) Anglers may not retain more than 2 trout over 15 inches in length.
- (ii) Landlocked salmon rules apply.

(206) Van Winkle Creek (Grays Harbor County):

(a) August 16 through November 30:

- (i) Night closure in effect.
- (ii) Anti-snagging rule applies.

(b) From the mouth to 400 feet below the outlet of Lake Aberdeen Hatchery:

(i) Open 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.

(ii) Salmon open September 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 chum and Chinook.

(c) From Lake Aberdeen upstream:

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

(ii) Selective gear rules apply.

(207) Vesta Creek and all forks (Grays Harbor County) (North River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(208) Ward Creek (Pacific County) (Willapa River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(209) **Wentworth Lake (Clallam County):** It is unlawful to fish from a floating device equipped with an internal combustion motor.

(210) West Twin River (Clallam County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.

(211) Wildcat Creek (Grays Harbor County) (Cloquallum Creek tributary):

(a) Open from the mouth to the confluence of the Middle and East Forks from the first Saturday in June through October 31.

(b) Selective gear rules apply.

(212) Wildcat Creek, East Fork (Grays Harbor County) (Cloquallum Creek tributary):

(a) Open from the mouth to the Highway 108 Bridge (Simpson Avenue, in the town of McCleary) from the first Saturday in June through October 31.

(b) Selective gear rules apply.

(213) Willapa River (Pacific County):

(a) From the mouth (city of South Bend boat launch) to the Highway 6 Bridge approximately 2 miles below the mouth of Trap Creek:

(i) From August 1 through November 30:

(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).

(B) Night closure in effect.

(C) Single-point barbless hooks are required.

(D) Stationary gear restriction applies, except from the mouth of the Willapa River to the WDFW access site at the mouth of Ward/Wilson creeks.

(ii) Open the first Saturday in June through March 31; release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon open August 1 through January 31:

(A) From August 1 through November 30:

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

(II) Release wild Chinook and chum.

(B) From December 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 wild Chinook and chum.

(iv) Sturgeon: It is unlawful to retain sturgeon (catch and release only).

(b) From Highway 6 Bridge to Fork Creek:

(i) From October 1 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(C) Stationary gear restriction applies.

(ii) 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.

(iii) Salmon open October 1 through January 31:

(A) From October 1 through November 30:

(I) Limit 6; no more than 3 adults may be retained and only 2 adults may be a wild coho.

(II) Release wild Chinook and chum.

(B) From December 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 wild Chinook and chum.

(c) From Fork Creek upstream:

(i) From August 16 through October 31:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through October 31:

Release all fish except anglers may retain up to 2 hatchery steelhead.

(214) Willapa River, South Fork (Pacific County):

From the mouth to the bridge on Pehl Road:

(a) From the falls/fish ladder downstream 400 feet in Section 6, Township 13 North, and Range 8 West: Closed.

(b) Selective gear rules apply from the first Saturday in June through July 31.

(c) August 1 through November 30:

(i) Night closure in effect.

(ii) Anti-snagging rule.

(iii) Barbless hooks are required.

(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.

(f) From Pehl Road upstream:

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

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

(215) Williams Creek (Pacific County) (North Nemah River tributary):

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

(b) Release all fish except anglers may retain up to two hatchery steelhead.

(216) Wilson Creek (Pacific County) (Willapa River tributary):

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

(b) Selective gear rules apply.

(217) Wilson Creek, North Fork (Pacific County):

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

(b) Selective gear rules apply.

(218) Wishkah River (Grays Harbor County):

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

(b) From the mouth to West Fork:

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

(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.

(iii) Salmon open October 1 through January 31:

(A) From October 1 through November 30:

(I) Limit 6; no more than 2 adults may be retained and only one adult may be a wild coho.

(II) Release Chinook and chum.

(B) From December 1 through January 31:

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

(II) Release Chinook, wild coho, and chum.

(c) From the mouth of West Fork to 200 feet below the weir at the Wishkah Rearing Ponds:

(i) From 150 feet upstream to 150 feet downstream of the Wishkah adult attraction channel/outfall structure (within the posted fishing boundary): Open only to anglers with disabilities who permanently use a wheelchair and have a designated harvester companion card.

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

(iii) 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.

(iv) Salmon open October 1 through December 31:

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

(B) Release chum, Chinook, and wild coho.

(d) From the weir upstream:

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

(ii) Selective gear rules apply.

(219) Wishkah River, East and West forks (Grays Harbor County):

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

(b) Selective gear rules apply.

(220) Wynoochee River (Grays Harbor County):

(a) From the mouth to the WDFW White Bridge Access Site:

(i) From August 16 through November 30: Single-point barbless hooks are required.

(ii) 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.

(iii) Salmon:

(A) Open September 16 through November 30.

(B) Limit 6; no more than 2 adults may be retained and only one adult may be a wild coho.

(C) Release Chinook.

(b) From the WDFW White Bridge Access Site to the 7400 line bridge:

(i) From August 16 through November 30: Single-point barbless hooks are required.

(ii) From September 16 through November 30: It is unlawful to use bait.

(iii) 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) From the 7400 line bridge to 400 feet below Wynoochee Dam, including the confluence of the reservoir upstream to Wynoochee Falls:

(i) Closed from 400 feet downstream of Wynoochee Dam and from the barrier dam near Grisdale.

(ii) Open the first Saturday in June through October 31 and from December 1 through March 31:

(A) 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.

(B) From December 1 through March 31:

(I) Selective gear rules apply.

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

(d) From Wynoochee Falls upstream:

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

(ii) Selective gear rules apply.

(iii) Eastern brook trout limit 5. 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.

(221) Wynoochee Reservoir (Grays Harbor County):

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

(b) Trout: Minimum length 12 inches.

(c) Landlocked salmon rules apply.

NEW SECTION

WAC 220-310-185 Freshwater exceptions to state-wide rules—Southwest. (1) Abernathy Creek (Cowlitz County):

(a) From the mouth to a point 500 feet downstream from the salmon hatchery:

(i) Barbless hooks are required for steelhead.

(ii) Open the first Saturday in June through August 31 and November 1 through March 15.

(iii) Trout: Release all fish except anglers may retain up to 2 hatchery steelhead.

(b) From Abernathy Falls to posted markers 500 feet downstream from salmon hatchery: Closed.

(2) **Alder Creek (Cowlitz County):** Closed.

(3) **Battle Ground Lake (Clark County):**

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

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

(c) Trout: It is unlawful to retain more than 2 fish twenty inches or greater in length.

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

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

(a) Closed from posted sign above rearing pond outlet to Spencer Road.

(b) Anti-snagging rule applies.

(c) Night closure in effect.

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

(i) Limit 5; minimum length 12 inches; it is unlawful to retain more than 2 trout over 20 inches.

(ii) Release wild cutthroat.

(iii) Barbless hooks are required for steelhead.

(6) **Blue Lake (Cowlitz County):**

(a) Open the fourth Saturday in April 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.

(7) **Butter Creek (Lewis County):**

(a) Selective gear rules apply.

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

(c) Trout: Minimum length 10 inches.

(8) **Canyon Creek (Clark County):**

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

(b) Trout: Limit 5.

(9) **Carlisle Lake (Lewis County):**

(a) Open the fourth Saturday in April through last day in February.

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

(c) Landlocked salmon rules apply.

(10) **Castle Lake (Cowlitz County):**

(a) Selective gear rules apply.

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

(c) Trout: Limit one; minimum length 16 inches.

(11) **Cedar Creek (tributary of N.F. Lewis) (Clark County):**

(a) From the mouth to Grist Mill Bridge:

(i) Open the first Saturday in June through August 31 and November 1 through March 15.

(ii) Barbless hooks are required for steelhead.

(iii) Release all trout except anglers may retain up to 2 hatchery steelhead.

(b) From the Grist Mill Bridge to 100 feet upstream of the falls: Closed.

(c) From 100 feet upstream of the falls upstream:

(i) Open the first Saturday in June through August 31.

(ii) Barbless hooks are required for steelhead.

(iii) Release all trout except anglers may retain up to 2 hatchery steelhead.

(12) **Cispus River (Lewis County):**

(a) Barbless hooks are required for salmon and steelhead.

(b) From the mouth to the North Fork:

(i) Open the first Saturday in June through October 31; release cutthroat.

(ii) Open from November 1 through the Friday before the first Saturday in June. Release all trout except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon:

(A) Open year-round.

(B) Limit 6; minimum size 8 inches.

(C) Release wild coho and wild Chinook.

(D) From January 1 through July 31, anglers may retain up to 2 adults as part of the limit.

(E) From August 1 through December 31, up to 2 of the limit may be adult Chinook.

(13) Cispus River, North Fork (Lewis County):

(a) Selective gear rules apply.

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

(c) Trout:

(i) It is unlawful to retain more than one trout over twelve inches in length.

(ii) Release cutthroat.

(14) Coal Creek (Cowlitz County):

(a) From the mouth to 400 feet below the falls:

(b) Open the first Saturday in June through August 31 and November 1 through last day in February.

(c) Barbless hooks are required for steelhead.

(d) Trout: Release all fish except anglers may retain up to 2 hatchery steelhead.

(15) Coldwater Lake (Cowlitz County):

(a) The Coldwater Lake inlet and outlet streams are closed.

(b) Selective gear rules apply.

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

(d) Trout: Limit one; minimum length 16 inches.

(16) Connelly Creek and tributaries (Lewis County):

Closed from 400 feet below the city of Morton Dam to the source.

(17) Cougar Creek (tributary to Yale Reservoir) (Cowlitz County): Open the first Saturday in June through August 31.

(18) Coweeman River (Cowlitz County):

(a) From the mouth to Baird Creek:

(i) Open the first Saturday in June through August 31 and November 1 through March 15.

(ii) Release all trout, except anglers may retain up to 2 hatchery steelhead.

(iii) Barbless hooks are required for steelhead.

(b) From Baird Creek upstream to the source:

(i) Open the first Saturday in June through August 31.

(ii) Release all trout, except anglers may retain up to 2 hatchery steelhead.

(iii) Barbless hooks are required for steelhead.

(19) Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County):

(a) The upstream boundary of the reservoir in the Cowlitz arm is at the posted Lewis County PUD sign on Peters Road.

(b) The upstream boundary of the reservoir in the Cispus arm is at the posted markers at the Lewis County PUD kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus arms.

(c) Barbless hooks are required for salmon and steelhead.

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

(e) Trout:

(i) Minimum length 8 inches.

(ii) Release cutthroat.

(ii) Release rainbow trout, except those with a clipped adipose fin with a healed scar at the site of the clipped fin.

(iv) From September 1 through the last day in February: Limit 10.

(f) Salmon open year-round:

(i) Limit 6; minimum length 8 inches.

(ii) Release wild Chinook and wild coho.

(iii) From January 1 through July 31: No more than 2 adult salmon may be retained.

(iv) From August 1 through December 31: No more than 2 adult hatchery Chinook may be retained.

(20) Cowlitz River (Lewis County):

(a) From the boundary markers at the mouth to Mayfield Dam:

(i) The following areas are closed:

(A) 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.

(B) From 400 feet below the Mayfield powerhouse upstream to Mayfield Dam.

(C) Within a 100 foot radius of the new Cowlitz Trout Hatchery outfall structure, except open to anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card within posted markers when adjacent waters are open.

(ii) Barbless hooks are required for salmon, steelhead, and cutthroat trout.

(iii) From Lexington Bridge Drive in Kelso upstream to the Highway 505 Bridge in Toledo, fishing 2 poles is permissible so long as the angler possesses a two-pole endorsement.

(iv) From the mouth of Mill Creek to the Cowlitz Salmon Hatchery barrier dam:

(A) April 1 through November 30:

(I) Anti-snagging rule applies. Anglers may only retain fish hooked in the mouth when the anti-snagging rule applies.

(II) Night closure in effect.

(B) It is unlawful to fish from a floating device.

(C) May 1 through June 15: It is unlawful to fish from the south side of the river.

(v) Open the first Saturday in June through March 31:

(A) Trout:

(I) Limit 5; minimum length 12 inches.

(II) Up to two trout over 20 inches may be retained.

(B) Release wild cutthroat.

(vi) Open April 1 through the Friday before the first Saturday in June: Release all fish, except anglers may retain up to 2 hatchery steelhead.

(vii) Salmon:

(A) Open January 1 through July 31:

(I) Limit 6; up to 2 hatchery adults may be retained.

(II) Only hatchery Chinook and hatchery coho may be retained.

(B) Open August 1 through December 31:

(I) Limit 6; up to 2 adult hatchery Chinook may be retained.

(II) Only hatchery Chinook and hatchery coho may be retained.

(viii) Sturgeon: Catch and release only.

(b) From the posted PUD sign on Peters Road to the mouth of Ohanapecosh River and the mouth of Muddy Fork:

(i) Barbless hooks are required for salmon and steelhead.

(ii) September 1 through October 31: Anti-snagging rule applies and night closure in effect. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(iii) Open the first Saturday in June through October 31: Release cutthroat.

(iv) Open November 1 through the Friday before the first Saturday in June: Release trout except anglers may retain up to 2 hatchery steelhead.

(v) Salmon:

(A) Open January 1 through July 31:

(I) Limit 6; up to 2 adult salmon may be retained.

(II) Release wild coho and wild Chinook.

(B) Open August 1 through December 31:

(I) Limit 6; up to 2 adult hatchery Chinook may be retained.

(II) Release wild coho and wild Chinook.

(21) Cowlitz River, Clear and Muddy Forks (Lewis County):

(a) Selective gear rules apply.

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

(c) Release cutthroat.

(22) Davis Lake (Lewis County): Open the fourth Saturday in April to last day in February.

(23) Deep River (Wahkiakum County):

(a) Game fish: Open year-round.

(b) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.

(c) Sturgeon: Catch and release only.

(d) Salmon:

(i) From the mouth to town bridge: Open year-round.

(ii) January 1 through July 31:

(A) Limit 6, of which no more than 2 may be adult salmon.

(B) Release wild Chinook and wild coho.

(iii) August 1 through December 31:

(A) Limit 6, of which no more than 2 may be adult Chinook.

(B) Release chum and wild coho.

(24) Delemeter Creek (Cowlitz County): Closed from 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek.

(25) Drano Lake: In the waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of the Highway 14 Bridge:

(a) Barbless hooks are required for salmon and steelhead.

(b) Closed on Wednesdays beginning the second Wednesday in April through June 30.

(c) Closed from 6 p.m. Tuesdays through 6 p.m. Wednesdays during the month of October.

(d) March 16 through June 30: Night closure in effect.

(e) August 1 through December 31: Anti-snagging rule applies.

(f) 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.

(g) The area west of a line projected from the eastern-most 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.

(h) Game fish other than trout: Open May 1 through March 31.

(i) Trout: Open August 1 through March 15; release trout, except anglers may retain up to 2 hatchery steelhead.

(j) Salmon and steelhead:

(i) Open March 16 through July 31.

(ii) Limit 2 hatchery steelhead or 2 hatchery Chinook, or one of each.

(iii) Salmon:

(A) Open August 1 through December 31.

(B) Limit 6; no more than 2 adult salmon may be retained.

(26) Elochoman River (Wahkiakum County):

(a) The following areas are closed:

(i) The waters from 100 feet above the upper hatchery rack downstream to the Elochoman Hatchery Bridge located 400 feet below the upper hatchery rack.

(ii) The 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.

(iii) From 200 feet above the department of fish and wildlife temporary weir downstream to Foster (Risk) Road Bridge while the weir is installed in the river.

(iv) The mainstem waters from the confluence of the West Fork to the source.

(b) From the mouth to West Fork:

(i) Open the first Saturday in June through March 15.

(ii) August 1 through October 31: Anti-snagging rule, night closure, and stationary gear restriction apply.

(iii) Barbless hooks are required for salmon and steelhead.

(iv) Trout: Release all fish except anglers may retain up to 2 hatchery steelhead.

(v) Salmon:

(A) Open the first Saturday in June through December 31.

(B) From the first Saturday in June through July 31: Limit 6 hatchery Chinook, of which no more than 2 may be adults.

(C) From August 1 through December 31:

(I) Limit 6 fish, of which no more than 2 may be adult Chinook.

(II) Release chum, wild coho, and wild Chinook.

(27) 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.

(28) Franz Lake (Skamania County): Closed.

(29) Germany Creek (Cowlitz County): From the mouth to the end of Germany Creek Road (approximately five miles):

(a) Open the first Saturday in June through August 31 and November 1 through March 15.

(b) Barbless hooks are required for steelhead.

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

(30) Gobar Creek (tributary to Kalama River) (Cowlitz County):

(a) Open the first Saturday in June through March 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.

(31) Grays River (Wahkiakum County): From the mouth to South Fork:

(a) Barbless hooks are required for salmon and steelhead.

(b) Open the first Saturday in June through March 15, except closed from Highway 4 Bridge to mouth of South Fork from October 16 through November 30.

(c) Closed from 400 feet below to 200 feet above the temporary weir while the weir is installed in the river.

(d) Anti-snagging rule, night closure and stationary gear restriction apply:

(i) From the mouth to the Highway 4 Bridge August 1 through November 15.

(ii) From the Highway 4 Bridge to the mouth of South Fork August 1 through October 15.

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

(f) Salmon:

(i) From the mouth to the Highway 4 Bridge:

(A) Open the first Saturday in June through December 31.

(B) From the first Saturday in June through July 31: Limit 6 hatchery Chinook, of which no more than 2 may be adults.

(C) From August 1 through December 31:

(I) Limit 6, of which no more than 2 may be adult Chinook.

(II) Release chum, wild coho, and unmarked Chinook.

(ii) From the Highway 4 Bridge to the South Fork:

(A) Open the first Saturday in June through October 15 and December 1 through December 31.

(B) From the first Saturday in June through July 31: Limit 6 hatchery Chinook, of which no more than 2 may be adults.

(C) From August 1 through October 15 and December 1 through December 31:

(I) Limit 6 fish, of which no more than 2 may be adult Chinook.

(II) Release chum, wild coho, and unmarked Chinook.

(32) Grays River, East Fork (Wahkiakum County):

(a) Selective gear rules apply.

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

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

(33) Grays River, West Fork (Wahkiakum County): Downstream from the hatchery intake/footbridge:

(a) Barbless hooks are required for salmon and steelhead.

(b) Open the first Saturday in June through March 15, except closed October 16 through November 30 from the posted markers approximately 300 yards below the hatchery road bridge downstream to the mouth.

(c) August 1 through November 15: Anti-snagging rule, night closure and stationary gear restriction apply.

(d) October 16 through March 15: Release all fish except anglers may retain up to 2 hatchery steelhead.

(e) Salmon: Open from first Saturday in June through December 31.

(i) From the first Saturday in June through July 31: Limit 6 hatchery Chinook, of which no more than 2 may be adults.

(ii) From August 1 through December 31:

(A) Limit 6, of which not more than 2 may be adult Chinook.

(B) Release chum, wild coho, and unmarked Chinook.

(34) Green River (Cowlitz County):

(a) From the mouth to Miner's Creek:

(i) Barbless hooks are required for salmon and steelhead.

(ii) The following areas are closed:

(A) All tributaries.

(B) 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.

(C) 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.

(D) From the 2800 Bridge to Miner's Creek.

(ii) September 1 through October 31: Anti-snagging rule applies and night closure in effect 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.

(iv) Open the last Saturday in May through November 30:

(A) From the last Saturday in May through the Friday before the first Saturday in June in the waters from the mouth to 400 feet below the Toutle Hatchery water intake:

(I) Selective gear rules apply.

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

(B) From the first Saturday in June through November 30: Release all fish, except anglers may retain up to 2 hatchery steelhead.

(v) Salmon:

(A) Open August 1 through November 30.

(B) Limit 6, no more than 2 adult Chinook may be retained.

(C) Release chum, wild coho, and wild Chinook.

(b) From Miner's Creek upstream to the source:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

- (35) **Grizzly Lake (Skamania County):** Closed.
- (36) **Hamilton Creek (Skamania County):**
- (a) Barbless hooks are required for steelhead.
- (b) Trout: Release all fish except anglers may retain up to 2 hatchery steelhead.
- (c) All tributaries downstream from the Highway 14 Bridge: Closed.
- (37) **Hemlock Lake (Trout Creek Reservoir) (Skamania County):** Closed.
- (38) **Horseshoe Lake (Clark/Cowlitz counties):**
- (a) Trout: It is unlawful to retain more than 2 trout 20 inches or more in length.
- (b) Landlocked salmon rules apply.
- (39) **Icehouse Lake (Skamania County):** It is unlawful to retain more than 2 trout 20 inches or greater in length.
- (40) **Indian Heaven Wilderness Lakes (Skamania County):** Trout limit 3.
- (41) **Johnson Creek (Lewis County) (Cowlitz River tributary):**
- (a) Selective gear rules apply.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) Trout: Minimum length 10 inches.
- (42) **Kalama River (Cowlitz County):**
- (a) From boundary markers at the mouth upstream to 1,000 feet above the fishway at the upper salmon hatchery:
- (i) Open year-round, except the following areas are closed:
- (A) From 1,000 feet below to 1,000 feet above the fishway at upper salmon hatchery.
- (B) From Modrow Bridge downstream to the markers 1,500 feet below the temporary rack when the rack is installed below Modrow Bridge.
- (ii) Barbless hooks are required for salmon and steelhead.
- (iii) Release all fish, except anglers may retain up to 2 hatchery steelhead.
- (iv) April 1 through October 31: Anti-snagging rule applies and night closure in effect 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.
- (v) It is unlawful to fish from a floating device equipped with an internal combustion motor upstream of Modrow Bridge.
- (vi) Open September 1 through October 31 for fly fishing only from the natural gas pipeline crossing to the posted deadline at the intake to the lower salmon hatchery.
- (vii) Salmon:
- (A) Open January 1 through April 30:
- (I) Limit 6 hatchery Chinook.
- (II) No more than one adult hatchery Chinook may be retained.
- (B) Open August 1 through December 31:
- (I) Limit 6; no more than 2 adult hatchery Chinook may be retained.
- (II) Release all salmon other than hatchery Chinook and hatchery coho.
- (b) From 1,000 feet above the fishway at the upper salmon hatchery, upstream to Summers Creek:
- (i) Open year-round.
- (ii) It is unlawful to fish from a floating device equipped with a motor.
- (iii) Selective gear rules apply.
- (iv) Release all fish, except anglers may retain up to 2 hatchery steelhead.
- (c) From Summers Creek upstream to Kalama Falls:
- (i) Closed from the 6420 Road (approximately one mile above the gate at the end of the county road) to Kalama Falls.
- (ii) Open the first Saturday in June through March 31 for fly fishing only.
- (iii) It is unlawful to fish from a floating device equipped with a motor.
- (iv) Release all fish, except anglers may retain up to 2 hatchery steelhead.
- (43) **Kidney Lake (Skamania County):** Open the fourth Saturday in April through last day in February.
- (44) **Klineline Ponds (Clark County):**
- (a) Closed the Monday before Thanksgiving Day through Thanksgiving Day.
- (b) It is unlawful to retain more than 2 trout 20 inches or more in length.
- (45) **Kress Lake (Cowlitz County):**
- (a) Closed the Monday before Thanksgiving Day through Thanksgiving Day.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) It is unlawful to retain more than 2 trout 20 inches or more in length.
- (d) Landlocked salmon rules apply.
- (46) **Lacamas Creek (Clark County):**
- (a) From the mouth to the footbridge at the lower falls: Open the first Saturday in June through August 31.
- (b) From the footbridge at the lower falls upstream to the source: It is permissible to fish up to the base of Lacamas Lake Dam.
- (47) **Lacamas Creek, tributary of Cowlitz River (Lewis County):**
- (a) Barbless hooks are required for steelhead.
- (b) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.
- (48) **Lewis River (Clark County):**
- (a) Open year-round from the mouth to the mouth of East Fork.
- (b) Barbless hooks are required for salmon and steelhead.
- (c) Fishing 2 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.
- (d) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.
- (e) Salmon:
- (i) Open January 1 through April 30: Limit 6 hatchery Chinook; no more than one may be an adult.
- (ii) Open August 1 through September 30:
- (A) Limit 6 hatchery salmon; no more than 2 may be adult hatchery Chinook.
- (B) Release all salmon except hatchery Chinook and hatchery coho.
- (iii) Open October 1 through December 31:

- (A) Limit 6; no more than 2 may be adult Chinook.
- (B) Release all salmon except Chinook and hatchery coho.
- (f) Sturgeon: Catch and release only.
- (49) Lewis River, East Fork (Clark/Skamania counties):**
- (a) The following areas are closed:
- (i) From the posted markers at the lower end of Big Eddy to 100 feet above Lucia Falls.
- (ii) From 400 feet below to 400 feet above Molton Falls.
- (iii) From 400 feet below Horseshoe Falls upstream, including all tributaries above Horseshoe Falls.
- (b) From the mouth to 400 feet below Horseshoe Falls:
- (i) Open the first Saturday in June through March 15.
- (ii) Barbless hooks are required for steelhead.
- (iii) Release all trout except anglers may retain up to 2 hatchery steelhead.
- (c) From the mouth to the top boat ramp at Lewisville Park:
- (i) Additional opening from April 16 through the Friday before the first Saturday in June.
- (ii) Selective gear rules apply.
- (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iv) Release all fish except anglers may retain up to 2 hatchery steelhead.
- (50) Lewis River, North Fork (Clark/Skamania counties):**
- (a) From the mouth to Colvin Creek:
- (i) Open year-round except the following areas are closed:
- (A) From Johnson Creek upstream May 1 through May 31.
- (B) Those waters shoreward of the cable buoy and cork-line at the mouth of the Lewis River Salmon Hatchery fish ladder.
- (ii) Barbless hooks are required for salmon and steelhead.
- (iii) Fishing 2 poles is permissible from the mouth to Johnson Creek, so long as the angler possesses a two-pole endorsement.
- (iv) Anti-snagging rule applies and night closure in effect June 1 through November 30 and April 1 through April 30 from Johnson Creek to Colvin Creek. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.
- (v) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.
- (vi) Salmon:
- (A) Open August 1 through April 30.
- (B) From August 1 through September 30: Limit 6 hatchery Chinook or hatchery coho, of which no more than 2 may be adult hatchery Chinook.
- (C) From October 1 through December 31: Limit 6 Chinook or hatchery coho, of which no more than 2 adult Chinook may be retained.
- (D) From January 1 through April 30: Limit 6 hatchery Chinook of which only 1 may be an adult salmon. Release all other salmon.
- (vii) Sturgeon: Catch and release only.
- (b) From the mouth of Colvin Creek to the overhead powerlines at Merwin Dam:
- (i) Barbless hooks are required for salmon and steelhead.
- (ii) Open June 1 through October 15 and December 16 through April 30.
- (iii) Anti-snagging rule applies and night closure in effect April 1 through April 30 and June 1 through October 15. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.
- (iv) Trout: Release all fish except anglers may retain up to 2 hatchery steelhead.
- (v) Salmon:
- (A) Open August 1 through October 15 and December 16 through April 30.
- (B) From January 1 through April 30: Limit 6 hatchery Chinook of which only one may be an adult salmon.
- (C) From August 1 through September 30: Limit 6 hatchery salmon, of which no more than 2 may be adult hatchery Chinook. Release all salmon except hatchery Chinook and hatchery coho.
- (D) From October 1 through October 15 and December 16 through December 31: Limit 6 salmon, of which no more than 2 may be adult Chinook. Release all salmon except Chinook and hatchery coho.
- (vi) Sturgeon: Catch and release only.
- (c) From the overhead powerlines below Merwin Dam to Merwin Dam: Closed.
- (d) From the cable crossing 1,300 feet below Yale Dam to Yale Dam: Closed.
- (e) From the old Lewis River streambed between Swift No. 1 Powerhouse and Swift No. 2 Powerhouse and Lewis River Power Canal upstream to fishing pier: Closed.
- (f) Within Lewis River Power Canal from the fishing pier to the access road at Swift Dam:
- (i) Open the fourth Saturday in April through October 31.
- (ii) It is unlawful to fish from a floating device.
- (iii) Trout: Limit 5; no minimum size.
- (g) From Eagle Cliff Bridge to the lower falls, including all tributaries:
- (i) Selective gear rules apply.
- (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iii) Catch and release only.
- (51) Little Ash Lake (Skamania County):** It is unlawful to retain more than 2 trout 20 inches or more in length.
- (52) Little Washougal River (Clark County):** Barbless hooks are required for steelhead.
- (53) Little White Salmon River (Skamania County):**
- (a) Open the Saturday before Memorial Day through October 31, except closed 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.
- (b) Trout: Limit 5.
- (54) Love Lake (Clark County):** Closed.
- (55) Mayfield Lake (Reservoir) (Lewis County):**
- (a) Open from the Mayfield Dam to Mossyrock Dam.
- (b) From the Tacoma Power safety signs at Onion Rock Bridge to Mossyrock Dam: Closed.
- (c) Trout:

- (i) Minimum length 8 inches.
- (ii) Release cutthroat and rainbow trout, except it is permissible to retain rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin.
- (d) Salmon open September 1 through December 31:
 - (i) Minimum length 8 inches.
 - (ii) Limit 6, no more than 2 may be adult salmon.
 - (iii) Release wild coho and wild Chinook.
- (56) **Merrill Lake (Cowlitz County):**
 - (a) Open for fly fishing only.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) Catch and release only.
- (57) **Merwin Lake (Reservoir) (Clark/Cowlitz counties):**
 - (a) Landlocked salmon rules apply.
 - (b) Kokanee: Limit 10; kokanee do not count as part of the trout limit.
- (58) **Mill Creek (Cowlitz County):**
 - (a) Open the first Saturday in June through August 31 and November 1 through March 15.
 - (b) Barbless hooks are required for steelhead.
 - (c) Release all trout except anglers may retain up to 2 hatchery steelhead.
- (59) **Mill Creek (Lewis County):**
 - (a) Barbless hooks are required for steelhead.
 - (b) Open the first Saturday in June through October 31.
 - (c) Open December 1 through December 31 from the mouth to hatchery road crossing culvert:
 - (i) Anti-snagging rule applies and night closure in effect.
 - (ii) Release all fish except anglers may retain up to 2 hatchery steelhead.
- (60) **Mineral Lake (Lewis County):** Open the fourth Saturday in April through September 30.
- (61) **Ohanapecosh Creek (tributary to Cowlitz River) (Lewis/Pierce counties):**
 - (a) Selective gear rules apply.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) Trout: Minimum length 12 inches.
- (62) **Olequa Creek (Lewis/Cowlitz counties):**
 - (a) Closed from 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek.
 - (b) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.
 - (c) Barbless hooks are required for steelhead.
- (63) **Packwood Lake (Lewis County):**
 - (a) Closed: All inlet streams and the outlet from the log boom to the dam.
 - (b) Open the fourth Saturday in April 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) Trout: Minimum length 10 inches.
- (64) **Panther Creek (tributary to Wind River) (Skamania County):** Closed.
- (65) **Plummer Lake (Lewis County):** Open the fourth Saturday in April through the last day in February.
- (66) **Rainey Creek (Lewis County):**
 - (a) Open from the mouth to Highway 12.
 - (b) Trout limit 5; release cutthroat and rainbow trout, except it is permissible to retain rainbow trout that have a clipped adipose fin and a healed scar at the location of the clipped fin.
- (67) **Riffe Lake (Reservoir) (Lewis County):**
 - (a) Open from Mossyrock Dam to Cowlitz Falls Dam, except closed from Cowlitz Falls Dam downstream to the Lewis County PUD safety signs located approximately 800 feet below the dam.
 - (b) It is permissible to fish up to the base of Swofford Pond Dam.
 - (c) Landlocked salmon rules apply.
- (68) **Rock Creek (Skamania County):**
 - (a) Open from the mouth to the falls at approximately river mile one.
 - (i) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.
 - (ii) Barbless hooks are required for steelhead.
 - (b) From the falls upstream to source/headwaters:
 - (i) Open the first Saturday in June through March 15.
 - (ii) Barbless hooks are required for steelhead.
- (69) **Salmon Creek (Clark County):**
 - (a) From the mouth to 72nd Avenue N.E. Bridge:
 - (i) Open the first Saturday in June through March 15.
 - (ii) Trout: Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (iii) Barbless hooks are required for steelhead.
 - (b) From 72nd Avenue N.E. Bridge upstream: Closed.
- (70) **Salmon Creek (Lewis County):** Closed from 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek.
- (71) **Silver Lake (Cowlitz County):** Crappie limit 10; minimum length 9 inches.
- (72) **Silver Creek (tributary to Cowlitz River) (Lewis County):**
 - (a) Open from the mouth to USFS Road 4778.
 - (b) Selective gear rules apply.
 - (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (d) Trout: Minimum length 14 inches.
- (73) **Skamokawa Creek (Wahkiakum County):**
 - (a) Open June 1 through October 31 from the mouth to the forks just below Oatfield and Middle Valley Road.
 - (b) Release all trout except anglers may retain up to 2 hatchery steelhead.
 - (c) Barbless hooks are required for steelhead.
- (74) **Skate Creek (tributary to Cowlitz River) (Lewis County):** Release all cutthroat.
- (75) **South Lewis County Park Pond (Lewis County):** Closed the Monday before Thanksgiving Day through Thanksgiving Day.
- (76) **Spirit Lake (Skamania County):** Closed.
- (77) **Swift Reservoir (Skamania County):**
 - (a) Open the first Saturday in June through November 30.
 - (b) From the posted markers approximately 3/8 mile below Eagle Cliff Bridge to the bridge: Selective gear rules apply.

(c) From the dam to the markers approximately 3/8 mile below Eagle Cliff Bridge: Trout limit 10 from September 1 through November 30.

(d) Salmon:

(i) Open the first Saturday in June through November 30.

(ii) Landlocked salmon rules apply.

(iii) Maximum length 15 inches.

(78) **Swofford Pond (Lewis County):** It is unlawful to fish from a floating device equipped with an internal combustion motor.

(79) **Tilton River (Lewis County):**

(a) Open the first Saturday in June through March 31 from the mouth to the West Fork.

(b) Barbless hooks are required for steelhead.

(c) September 1 through October 31: Anti-snagging rule applies and night closure in effect. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(d) Release all cutthroat.

(e) Salmon open August 1 through December 31:

(i) Minimum length 8 inches.

(ii) Limit 6; no more than 2 adult Chinook may be retained.

(iii) Release wild coho and wild Chinook.

(80) **Tilton River, East, North, South and West Forks (Lewis County):**

(a) Selective gear rules apply.

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

(c) Trout: Minimum length 12 inches.

(81) **Toutle River (Cowlitz County):**

(a) From the mouth to the forks, and the North Fork from the mouth to the posted deadline below the fish collection facility:

(i) Open the first Saturday in June through November 30.

(ii) September 1 through October 15: Anti-snagging rule applies and night closure in effect on the North Fork from the confluence with the South Fork to the mouth of Green River.

(iii) Barbless hooks are required for salmon and steelhead.

(iv) Gamefish: Release all fish except anglers may retain up to 2 hatchery steelhead.

(v) Salmon open August 1 through November 30:

(A) Limit 6, no more than 2 may be adult Chinook.

(B) Release chum, wild coho, and wild Chinook.

(b) From the posted deadline below the fish collection facility upstream to the headwaters, including all tributaries except Castle and Coldwater lakes: Closed.

(82) **Toutle River, South Fork (Cowlitz County):**

(a) All tributaries are closed.

(b) During all open times, release all fish except anglers may retain up to 2 hatchery steelhead. Barbless hooks are required for steelhead.

(c) From the mouth to 4700 Road Bridge:

(i) Open the last Saturday in May to the Friday before the first Saturday in June.

(ii) Selective gear rules apply.

(d) From the mouth to the 4100 Road Bridge:

(i) Open the first Saturday in June through March 15.

(ii) December 1 through March 15:

(A) Selective gear rules apply.

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

(e) From 4100 Road Bridge upstream to source: Open the first Saturday in June through November 30.

(83) **Trout Creek (tributary to Wind River) (Skamania County):** Closed.

(84) **Tunnel Lake (Skamania County):** It is unlawful to retain more than 2 trout 20 inches or more in length.

(85) **Vancouver Lake and all other waters west of Burlington Northern Railroad from the Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County):**

(a) Vancouver Lake flushing channel and the lake shoreline 400 feet east and west of the channel exit: Closed April 1 through May 31.

(b) Chumming is permissible.

(c) Trout: Limit 2; minimum length 12 inches.

(d) Sturgeon: Catch and release only.

(86) **Walupt Lake (Lewis County):**

(a) All inlet streams are closed.

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

(c) Selective gear rules apply.

(d) Trout: Minimum length 10 inches.

(87) **Washougal River (Clark County):**

(a) From the mouth to the bridge at Salmon Falls:

(i) Closed from 200 feet (or posted markers) below to 200 feet above the temporary weir when the weir is installed in the river.

(ii) Open the first Saturday in June through March 15.

(iii) Barbless hooks are required for salmon and steelhead.

(iv) Night closure in effect:

(A) Year-round from the mouth to Mount Norway Bridge.

(B) September 1 through October 31 from Mount Norway Bridge upstream.

(v) Anti-snagging rule applies:

(A) July 1 through October 31 from the mouth to Mount Norway Bridge; and

(B) September 1 through October 31 from Mount Norway Bridge upstream.

(C) When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(vi) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.

(vii) Open from the mouth to Mount Norway Bridge 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) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.

(viii) Salmon:

(A) Open August 1 through December 31.

(B) Limit 6; no more than 2 adults may be hatchery Chinook.

(C) Release chum, wild coho, and wild Chinook.

(b) From the bridge at Salmon Falls to the source, including tributaries: Closed.

(88) Washougal River, West (North) Fork (Clark/Skamania counties):

(a) From the mouth to the water intake at the department hatchery: Closed.

(b) From the intake at the department hatchery to the source:

(i) Open the first Saturday in June through March 15.

(ii) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.

(iii) Barbless hooks are required for steelhead.

(89) Willame Lake (Lewis County):

(a) Open the fourth Saturday in April 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: Limit 2; minimum length 15 inches.

(90) Wind River (Skamania County):

(a) Barbless hooks are required for salmon and steelhead.

(b) From the mouth to 100 feet above Shipherd Falls:

(i) Closed from 400 feet below to 100 feet above Shipherd Falls fish ladder, including all tributaries.

(ii) March 16 through June 30: Night closure in effect.

(iii) August 1 through October 31: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(iv) May 1 through June 30: Anti-snagging rule applies from Burlington Northern Railroad Bridge upstream. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(v) Open for game fish, except trout: July 1 through March 15.

(vi) Trout:

(A) Open August 1 through March 15.

(B) Minimum length 14 inches.

(vii) Salmon and steelhead:

(A) Open March 16 through July 31:

(I) Limit one salmon or one hatchery steelhead, or one of each.

(II) Release wild Chinook.

(B) Open August 1 through October 31 for salmon only:

(I) 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.

(II) Limit 6; up to 2 adults may be retained.

(III) Release wild coho and wild Chinook.

(c) From 100 feet above Shipherd Falls to Moore Bridge:

(i) The following areas are closed:

(A) All tributaries.

(B) From 400 feet below to 100 feet above the Coffey Dam.

(ii) Open September 16 through November 30:

(A) Catch and release only.

(B) Selective gear rules apply.

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

(d) From Moore Bridge upstream to the river source, including all tributaries: Closed.

(91) Winston Creek (tributary to Cowlitz River) (Lewis County):

(a) Selective gear rules apply.

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

(c) Trout: Minimum length 10 inches.

(92) Yale Reservoir (Cowlitz County):

(a) Kokanee: Limit 16; kokanee do not count toward the trout limit.

(b) Landlocked salmon rules apply.

(93) Yellowjacket Creek (tributary to Cispus River) (Lewis County):

(a) Selective gear rules apply.

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

(c) Trout: Minimum length 12 inches.

NEW SECTION

WAC 220-310-190 Freshwater exceptions to state-wide rules—Puget Sound. (1) Beaver ponds located within or adjacent to streams that drain into Puget Sound listed as open to trout and other game fish follow the same rules as the adjacent stream.

(2) County-wide freshwater exceptions to statewide rules:

(a) Beaver ponds in Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3):

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

(ii) Trout: No minimum length.

(b) Beaver ponds in Kitsap County and Mason County east of Belfair-Bremerton Highway (S.R. 3):

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

(ii) Trout: No minimum length.

(3) **Alder Lake (Thurston County):** Kokanee limit 10; kokanee do not count toward the trout daily limit. See also Nisqually River.

(4) Aldrich Lake (Mason County):

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(5) **Alexander Lake (Kitsap County):** Closed.

(6) All Creek (Skagit County) (Suitttle River tributary):

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

(b) Selective gear rules apply.

(7) Alma Creek (Skagit County):

(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 two hatchery steelhead.

(8) American Lake (Pierce County):

(a) Chumming is permissible.

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length except there are no size restrictions for kokanee.

(9) Anderson Creek (Kitsap County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.

(10) Anderson Creek (Whatcom County) (Nooksack River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(11) Armstrong Lake (Snohomish County): Open the fourth Saturday in April through October 31.

(12) Bacon Creek (Skagit County):

- (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.

(13) Bacus Creek (Skagit County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(14) Bainbridge Island - All streams (Kitsap County):

- (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (c) Trout: Minimum size 14 inches.
- (15) Baker Lake (Whatcom County):**
- (a) Chumming is permissible.
 - (b) Closed waters within a two hundred foot radius around the pump discharge at the south end of the lake.
 - (c) Open the fourth Saturday in April through October 31:
 - (d) Trout: Minimum length 6 inches and maximum length 18 inches.

(e) Salmon: Open July 10 through September 2.

(i) Sockeye: Limit 2; minimum length 18 inches.

(ii) Each angler aboard a vessel may deploy salmon angling gear until the limit for all licensed and juvenile anglers aboard is reached.

(16) Baker River (Skagit County):

(a) From the mouth to Highway 20 Bridge:

(i) Open September 1 through October 31.

(ii) Night closure in effect.

(iii) Anti-snagging rule applies.

(iv) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(b) From the Highway 20 Bridge to the Baker River fish barrier dam: Closed.

(c) From the Baker River fish barrier dam to the headwaters to Shannon and Baker lakes, including tributaries and their tributaries, except Channel Creek: Open the first Saturday in June through October 31.

(17) Barnaby Slough (Skagit County): Closed.

(18) Bay Lake (Pierce County): Open the fourth Saturday in April through October 31.

(19) Beaver Creek (Pierce County) (South Prairie Creek tributary): Open the first Saturday in June through October 31.

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

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

(b) Selective gear rules apply.

(c) Night closure in effect.

(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.

(21) Beaver Lake (King County): Trout: No more than 2 over 15 inches in length.

(22) Benson Lake (Mason County):

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

(b) Trout: It is unlawful to retain more than 2 over 14 inches in length.

(23) Bertrand Creek (Whatcom County) (Nooksack River tributary):

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

(b) Selective gear rules apply.

(24) Big Bear Creek (tributary of Sammamish River) (Snohomish/King counties): Open the first Saturday in June through August 31 to juvenile anglers only.

(25) 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:

(a) Open July 1 through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(26) Big Beef Creek (Kitsap County):

(a) From Seabeck Highway Bridge to Lake Symington:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(v) August 1 through August 31: Closed within 100 feet of the Seabeck Highway N.W. Bridge.

(b) From Lake Symington upstream:

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

(ii) Selective gear rules apply.

(iii) Trout: Catch and release only.

(27) Big Creek (Skagit County) (Suitttle River tributary):

(a) From TeePee Falls to the source: Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(28) Big Lake (Skagit County):

(a) Crappie: Limit 10; minimum length 9 inches.

(b) Salmon: Landlocked salmon rules apply.

(29) Big Mission Creek (Mason County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(30) Big Scandia Creek (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(31) Big Soos Creek (King County): From the mouth to the hatchery rack:

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

(b) Trout: Minimum length 14 inches.

(32) Bingham Creek (Mason County) (Satsop River tributary):

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

(b) Selective gear rules apply.

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

(34) Black Lake (Thurston County):

(a) Crappie: Limit 10; minimum length 9 inches.

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(35) Black Lake Ditch (Thurston County):

(a) Open the first Saturday in June through October 31 from the confluence with Percival Creek upstream to Black Lake.

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(36) Blackjack Creek (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

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

(38) Blooms Ditch (Thurston County) (Black River tributary): From the mouth to I-5:

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

(b) Selective gear rules apply.

(c) Night closure in effect.

(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.

(39) Boise Creek (King County) (White River tributary): Open the first Saturday in June through October 31 upstream of the Highway 410 crossing.

(40) Bosworth Lake (Snohomish County): Open the fourth Saturday in April through October 31.

(41) Boulder Creek (Skagit County) (Cascade River tributary):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(42) Boulder River (Snohomish County) (N.F. Stillaguamish River tributary):

(a) From the mouth to Boulder Falls:

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

(ii) Selective gear rules apply.

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

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

(43) Boxley Creek (North Bend, King County) (Tributary to the South Fork Snoqualmie River): Open the Saturday before Memorial Day through October 31 upstream from the falls located approximately at river mile 0.9.

(44) Boyle Lake (King County):

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

(b) The inlet and outlet streams to Boyle Lake are closed.

(45) Bradley Lake (Pierce County):

(a) Open May 15 through the last day of free fishing weekend, as defined in WAC 220-55-160, to juvenile anglers only.

(b) Salmon: Landlocked salmon rules apply.

(46) Bridges Lake (King County):

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

(b) The inlet and outlet streams to Bridges Lake are closed.

(47) Buck Creek (Skagit County) (Suitttle River tributary):

(a) Open the first Saturday in June through October 31 from the upstream boundary of Buck Creek campground.

(b) Selective gear rules apply.

(48) Buck Lake (Kitsap County):

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(49) Burley Creek (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(50) Cadet Creek (Snohomish County) (Sauk River tributary):

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

(b) Selective gear rules apply.

(51) Cady Lake (Mason County):

(a) Open to fly fishing only.

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

(c) Catch and release only.

(52) Cain Lake (Whatcom County): Open the fourth Saturday in April through October 31.

(53) California Creek (Whatcom County):

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

(b) Selective gear rules apply.

(54) Calligan Lake (King County):

(a) Open June 1 through October 31.

(b) All tributary streams and the upper third of the outlet are closed.

(c) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(55) Camp Creek (Snohomish County) (Whitechuck River tributary):

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

(b) Selective gear rules apply.

(56) Campbell Creek (Mason County):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(57) Campbell Lake (Skagit County): Crappie limit ten; minimum length 9 inches.

(58) Canyon Creek (Snohomish County) (Suitttle River tributary):

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

(b) Selective gear rules apply.

(59) Canyon Creek (Snohomish County) (S.F. Stillaguamish River):

(a) Open the first Saturday in June through January 31 from the mouth to the forks.

(b) Selective gear rules apply.

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

(60) Canyon Creek (Whatcom County) (North Fork Nooksack River):

(a) Open the Saturday before Memorial Day through October 31 from Canyon Creek Road Bridge upstream, including tributaries.

(b) Selective gear rules apply.

(61) Capitol Lake (Thurston County): Closed.**(62) Carbon River (Pierce County):**

(a) From the mouth to Voight Creek:

(i) Open September 1 through January 15.

(ii) From September 1 through November 30: Night closure in effect and anti-snagging rule applies.

(iii) Trout:

(A) September 1 through November 30: Minimum length 14 inches.

(B) From December 1 through January 15:

(I) Selective gear rules apply.

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

(iv) Salmon:

(A) Open September 1 through November 30.

(B) Limit 6 fish of which no more than 4 may be adult salmon and, of the 4 adults, no more than 2 may be adult hatchery Chinook.

(C) Release chum and wild adult Chinook salmon.

(b) From Voight Creek to the Highway 162 Bridge:

(i) Open from November 1 through January 15.

(ii) Selective gear rules apply.

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

(63) Carney Lake (Pierce County):

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

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

(c) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(d) Salmon: Landlocked salmon rules apply.

(64) **Carson Lake (Mason County):** Open the fourth Saturday in April through October 31.

(65) Cascade Creek (San Juan County):

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

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain up to 10 eastern brook trout.

(66) **Cascade Lake (San Juan County):** Open the fourth Saturday in April through October 31.

(67) Cascade River (Skagit County):

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

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

(A) Anti-snagging rule applies and night closure in effect June 1 through July 15 and September 16 through November 30.

(B) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(ii) Salmon:

(A) Open June 1 through July 15:

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

(II) Release all other salmon.

(B) Open September 16 through November 30:

(I) Up to 4 coho may be retained.

(II) Release all other salmon.

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

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

(ii) Selective gear rules apply.

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

(68) **Cassidy Lake (Snohomish County):** Crappie limit 10; minimum length 9 inches.

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

(70) **Cavanaugh Lake (Skagit County):** Chumming is permissible.

(71) **Cayada Creek (Pierce County) (Carbon River tributary):** Open the first Saturday in June through October 31.

(72) **Cedar Creek (Mason County):** Open the first Saturday in June through October 31.

(73) Cedar River (King County):

(a) Open the first Saturday in June through August 31 from the mouth to Landsburg Road.

(b) Selective gear rules apply and night closure.

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

(d) Trout: Catch and release only.

(74) Chambers Creek (Pierce County):

(a) From the mouth (Burlington Northern Bridge) to the markers 400 feet below the Boise-Cascade Dam (Pierce County):

(i) Open July 1 through November 15 for game fish and salmon.

(ii) Night closure in effect and anti-snagging rule applies.

(iii) Trout: Minimum length 14 inches.

(iv) Salmon:

(A) Limit 6 fish of which no more than 2 may be adult salmon.

(B) Release wild coho.

(b) From Boise-Cascade Dam to Steilacoom Lake:

(i) Open July 1 through October 31.

(ii) Night closure in effect and selective gear rules apply.

(iii) Trout: Minimum size 14 inches.

(75) **Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County):**

(a) Selective gear rules apply.

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

(c) Trout: Catch and release only.

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

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

(78) Chaplain Lake (Snohomish County): Closed.

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

(80) Chilliwack River (Whatcom County): Open the first Saturday in June through October 31, including all tributaries and their tributaries.

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

(82) Clara Lake (also known as "Don Lake") (Mason County):

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

(b) Trout: It is unlawful to retain more than 2 over 14 inches in length.

(83) Clarks Creek (Pierce County):

(a) Open the first Saturday in June through August 15 from the mouth to 12th Avenue S.W.

(b) Selective gear rules apply.

(c) Trout: Limit 2; minimum length 14 inches.

(84) Clear Creek (Snohomish County) (Sauk River tributary): Open the first Saturday in June through October 31 from Asbestos Creek Falls.

(85) Clear Lake (Pierce County):

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

(b) Chumming is permissible.

(c) Trout: It is unlawful to retain more than 2 trout over 14 inches in length, except there are no size restrictions for kokanee.

(d) Salmon: Landlocked salmon rules apply.

(86) Clear Lake (Thurston County):

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

(b) Trout: It is unlawful to retain more than 2 over 14 inches in length, except there are no size restrictions for kokanee.

(87) Clearwater River (Pierce County):

(a) Open July 1 through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(88) Clover Creek (Pierce County):

(a) Open July 1 through October 31 upstream of Steila-coom Lake, including all tributaries.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(89) Coal Creek (tributary of Lake Washington) (King County): Open the first Saturday in June through August 31 to juvenile anglers only.

(90) Coal Creek (near Snoqualmie) (King County):

(a) From the mouth to Highway I-90:

(i) Open the fourth Saturday in April through October 31 to juvenile anglers only.

(ii) Trout: No minimum length.

(b) From Highway I-90 upstream: Open the Saturday before Memorial Day through October 31.

(91) Collins Lake (Mason County): Open the fourth Saturday in April through October 31.

(92) Copper Creek (Snohomish County) (Clear Creek tributary, a tributary of Sauk River): Open the first Saturday in June through October 31.

(93) Cottage Lake (King County): Open the fourth Saturday in April through October 31.

(94) Coulter Creek (Kitsap/Mason counties):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(95) County Line Ponds (Skagit County): Closed.

(96) Crabapple Lake (Snohomish County): Open the fourth Saturday in April through October 31.

(97) Cranberry Creek (Mason County):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(98) Crescent Creek (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(99) Crescent Lake (Pierce County):

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(100) Cumberland Creek (Whatcom County): Open the Saturday before Memorial Day through October 31 upstream from the USFS 17 Road Bridge located 0.7 lineal miles from its confluence with the Skagit River, including all tributaries.

(101) Dakota Creek (Whatcom County):

(a) Open the first Saturday in June through December 31 from the mouth to Giles Road Bridge.

(b) Selective gear rules apply.

(c) Salmon:

(i) Open October 1 through December 31.

(ii) Limit 2 salmon.

(iii) Release wild Chinook.

(102) Dan's Creek (Snohomish County) (Sauk River tributary):

(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.

(103) De Coursey Pond (Pierce County):

(a) Open the fourth Saturday in April through November 30 to juvenile anglers only.

(b) Salmon: Landlocked salmon rules apply.

(104) Decker Creek (Mason County) (Satsop River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(105) Deep Lake (Thurston County):

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(106) Deer Creek (Mason County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Catch and release only.

(107) **Deer Lake (Island County):** Open the fourth Saturday in April through October 31.

(108) **Deer Lake (Mason County):** Open the fourth Saturday in April through October 31.

(109) Dempsey Creek (Thurston County) (Black River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(110) Deschutes River (Thurston County):

(a) From Old Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park:

(i) Selective gear rules apply, except bait is allowed September 1 through October 15.

(ii) Trout: Open year-round; catch and release only.

(iii) All other game fish: Open the first Saturday in June through October 15.

(iv) Salmon:

(A) Open July 1 through October 15.

(B) Limit 6; no more than 2 adult salmon may be retained.

(C) Release coho.

(b) From Henderson Boulevard Bridge upstream:

(i) Open year-round.

(ii) Selective gear rules apply.

(iii) Trout: Catch and release only.

(iv) Salmon:

(A) Open July 1 through October 15.

(B) Limit 6; no more than 2 adult salmon may be retained.

(C) Release coho.

(111) Devereaux Lake (Mason County):

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length, except there are no size restrictions for kokanee.

(112) Dewatto River (Mason County):

(a) From the mouth to Dewatto-Holly Road Bridge:

(i) Open the first Saturday in June through August 15 and October 1 through October 31.

(ii) Selective gear rules apply.

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

(iv) October 1 through October 31: Night closure in effect.

(v) Game fish: Catch and release only.

(vi) Salmon:

(A) Open October 1 through October 31.

(B) Limit 2 coho.

(b) From Dewatto-Holly Road Bridge upstream:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(113) Diobsud Creek (Skagit County):

(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.

(114) Dogfish Creek (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(115) Downey Creek (Snohomish County) (Suittle River tributary):

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

(b) Selective gear rules apply.

(116) Duckabush River (Jefferson County):

(a) From the mouth to Mason County PUD #1 overhead distribution line:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

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

(iv) Release all game fish.

(v) Salmon:

(A) Open November 1 through December 15.

(B) Limit 2 chum only.

(b) From Mason County PUD #1 overhead distribution line to the Olympic National Park boundary:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(117) Dyes Inlet (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(118) Eaton Creek (Thurston County) (Lake St. Clair tributary):

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

(b) Selective gear rules apply.

(119) **Echo Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(120) Eglon Creek (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(121) Elliot Creek (Snohomish County) (Sauk River tributary):

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

(b) Selective gear rules apply.

(122) **Erie Lake (Skagit County):** Open the fourth Saturday in April through October 31.

(123) **Evans Creek (Pierce County) (Carbon River tributary):** Open the first Saturday in June through October 31 from Carbon River Fairfax Road upstream.

(124) **Falls Creek (Snohomish County) (Sauk River tributary):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(125) **Fazon Lake (Whatcom County):**

(a) It is unlawful to fish from any floating device from the first Friday in October through January 27.

- (b) Channel catfish: Limit 2.

(126) **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, so long as those anglers follow all applicable rules of the adjoining waters of Marine Area 12.

(127) **Fisher Slough (Snohomish County):**

(a) Open the first Saturday in June through October 31 from the mouth to the I-5 Bridge.

- (b) Trout: Minimum length 14 inches.

(128) **Fishtrap Creek (Whatcom County):** Open from Kok Road to Bender Road from the first Saturday in June through October 31 for juvenile anglers only.

(129) **Fiske Creek (Pierce County) (Puyallup River tributary):** Open upstream from Fiske Road from the first Saturday in June through October 31.

(130) **Fortson Mill Pond #2 (Snohomish County):** Open the fourth Saturday in April through October 31 for juvenile anglers only.

(131) **Found Creek (Skagit County) (Cascade River tributary):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.

(132) **Fox Creek (Pierce County) (Puyallup River tributary):** Open upstream from Fiske Road from the first Saturday in June through October 31.

(133) **Friday Creek (Whatcom County) (Samish River tributary):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(134) **Fulton Creek (Mason County):**

(a) From the mouth to falls at river mile 0.8:

- (i) Open the first Saturday in June through October 31.
- (ii) Selective gear rules apply.
- (iii) Catch and release only.

(b) From the falls at river mile 0.8 upstream: Open the first Saturday in June through October 31.

(135) **Gale Creek (Pierce County) (South Prairie Creek tributary):** Open upstream of the confluence with Wilkeson Creek from the first Saturday in June through October 31.

(136) **Gamble Creek (Kitsap County):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.

(137) **Geneva Lake (King County):** Open the fourth Saturday in April through October 31.

(138) **Gissberg Pond, North (Snohomish County):** Open for juvenile anglers only.

(139) **Gissberg Ponds (Snohomish County):** Channel catfish limit 2; no minimum size.

(140) **Goldsborough Creek (Mason County):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Catch and release only.

(141) **Goodell Creek (Skagit County):**

(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.

(142) **Goodwin Lake (Snohomish County):** Chumming is permissible.

(143) **Goss Lake (Island County):** Open the fourth Saturday in April through October 31.

(144) **Grade Creek (Snohomish County) (Suittale River tributary):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(145) **Granite Lakes (near Marblemount) (Skagit County):** Grayling: Catch and release only.

(146) **Grass Lake (Mason County):** Open the fourth Saturday in April through October 31.

(147) **Green (Duwamish) River (King County):**

(a) From the First Avenue South Bridge to Tukwila International Boulevard/Old Highway 99:

- (i) September 1 through November 30:

- (A) Anti-snagging rule applies.
- (B) Night closure in effect.

(ii) November 1 through January 15: It is unlawful to fish from any floating device.

(iii) Open the first Saturday in June through July 31 and September 1 through January 15: Trout minimum length 14 inches.

(iv) In years ending in odd numbers, open for game fish and salmon August 23 through August 31:

- (A) Anti-snagging rule applies.
- (B) Night closure in effect.
- (C) It is unlawful to use bait.
- (D) It is unlawful to use anything other than one single-point hook measuring 1/2 inch or less from point to shank.

(E) Trout: Minimum length 14 inches.

(v) Salmon:

- (A) In years ending in odd numbers:
 - (I) Open August 23 through December 31.
 - (II) Limit 6 salmon of which no more than 3 may be any combination of adult coho and adult chum.
- (III) Release Chinook.

(B) In years ending in even numbers:

- (I) Open September 1 through December 31.
- (II) Limit 6; no more than 3 adults may be retained.
- (III) Release Chinook.

(b) From Tukwila International Boulevard/Old Highway 99 to the Interstate 405 Bridge:

- (i) September 1 through November 30:

- (A) Anti-snagging rule applies.
- (B) Night closure in effect.

(ii) November 1 through January 15: It is unlawful to fish from any floating device.

(iii) Open the first Saturday in June through July 31 and September 1 through January 15; trout minimum length 14 inches.

(iv) Salmon open September 1 through December 31:

(A) In years ending in odd numbers:

(I) Limit 6 salmon; no more than 3 may be any combination of adult coho and adult chum.

(II) Release Chinook.

(B) In years ending in even numbers:

(I) Limit 6 salmon; no more than 3 adults may be retained.

(II) Release Chinook.

(c) From the Interstate 405 Bridge to South 277th Street Bridge in Auburn:

(i) October 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(ii) November 1 through January 15: It is unlawful to fish from any floating device.

(iii) Open the first Saturday in June through July 31 and October 1 through January 15: Trout minimum length 14 inches.

(iv) In years ending in odd numbers, open for game fish and salmon September 1 through September 30:

(A) Night closure in effect.

(B) Anti-snagging rule applies.

(C) It is unlawful to use bait.

(D) It is unlawful to use anything other than one single-point hook measuring 1/2 inch or less from point to shank.

(E) Trout: Minimum length 14 inches.

(v) Salmon:

(A) In years ending in odd numbers:

(I) Open September 1 through December 31.

(II) Limit 6; no more than 3 may be any combination of adult coho and adult chum.

(III) Release Chinook.

(B) In years ending in even numbers:

(I) Open October 1 through December 31.

(II) Limit 6; no more than 3 adults may be retained.

(III) Release Chinook.

(d) From the 277th Street Bridge to Auburn-Black Diamond Road Bridge:

(i) October 16 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(ii) November 1 through January 31: It is unlawful to fish from a floating device.

(iii) Open the first Saturday in June through August 15 and October 16 through January 31; trout minimum length 14 inches.

(iv) In years ending in odd numbers, open for game fish and salmon September 16 through October 15:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) It is unlawful to use bait.

(D) It is unlawful to use anything other than one single-point hook measuring 1/2 inch or less from point to shank.

(E) Trout: Minimum length 14 inches.

(v) Salmon:

(A) In years ending in odd numbers:

(I) Open September 16 through December 31.

(II) Limit 6; no more than 3 may be any combination of adult coho and adult chum.

(III) Release Chinook.

(B) In years ending in even numbers:

(I) Open October 16 through December 31.

(II) Limit 6; no more than 3 adults may be retained.

(III) Release Chinook.

(e) From the Auburn-Black Diamond Road Bridge to the mouth of Cristy Creek at Flaming Geyser State Park:

(i) Closed waters within 150 feet of the mouth of Keta (Crisp) Creek.

(ii) August 1 through September 15 and November 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Open the first Saturday in June through September 15 and November 1 through January 31; trout minimum length 14 inches.

(iv) Salmon open November 1 through December 31.

(A) In years ending in odd numbers:

(I) Limit 6; no more than 3 may be any combination of adult coho and adult chum.

(II) Release Chinook.

(B) In years ending in even numbers:

(I) Limit 6; no more than 3 adults may be retained.

(II) Release Chinook.

(f) From the mouth of Cristy Creek at Flaming Geyser State Park to the water pipeline walk bridge (1/2 mile downstream of Tacoma Headworks Dam):

(i) Closed waters within 150 feet of the Palmer Pond outlet rack.

(ii) August 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Open the first Saturday in June through January 31: Trout minimum length 14 inches.

(iv) Salmon open November 1 through December 31:

(A) In years ending in odd numbers:

(I) Limit 6; no more than 3 may be any combination of adult coho and adult chum.

(II) Release Chinook.

(B) In years ending in even numbers:

(I) Limit 6; no more than 3 adults may be retained.

(II) Release Chinook.

(g) From Friday Creek upstream, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

(148) **Greenwater River (King County):**

(a) From the mouth to Greenwater Lakes:

(i) Open November 1 through January 31.

(ii) Release all fish except whitefish.

(iii) Whitefish gear rules apply.

(b) From Greenwater Lakes upstream: Open the first Saturday in June through October 31.

(149) **Grovers Creek (Kitsap County):**

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

(b) Selective gear rules apply.

- (c) Trout: Minimum size 14 inches.
- (150) Hamma Hamma River (Mason County):**
- (a) From the mouth to 400 feet below the falls:
- (i) Open the first Saturday in June through August 31.
- (ii) Selective gear rules apply.
- (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iv) Catch and release only.
- (b) From the falls upstream: Open the first Saturday in June through October 31.
- (151) Hancock Lake (King County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) All tributary streams and the upper third of the outlet are closed.
- (c) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
- (152) Hansen Creek (Skagit County):** Including all tributaries and their tributaries:
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (153) Harrison Slough (Skagit County):** Open the first Saturday in June through October 31.
- (154) Hatchery Lake (Mason County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.
- (155) Haven Lake (Mason County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Trout: It is unlawful to retain more than 2 over 14 inches in length.
- (156) Heart Lake (near Anacortes) (Skagit County):** Open the fourth Saturday in April through October 31.
- (157) Heins Lake (Kitsap County):** Closed.
- (158) Hicks Lake (Thurston County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Trout: It is unlawful to retain more than 2 over 14 inches in length, except there are no size restrictions for kokanee.
- (159) Hilt Creek (Skagit County) (Sauk River tributary):**
- (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.
- (160) Horseshoe Lake (Kitsap County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.
- (c) Salmon: Landlocked salmon rules apply.
- (161) Howard Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 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, including all tributaries.
- (162) **Howard Lake (Snohomish County):** Open the fourth Saturday in April through October 31.
- (163) Howell Lake (Mason County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.
- (164) Hozomeen Lake (Whatcom County):**
- (a) Open July 1 through October 31.
- (b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
- (165) Hylebos Creek (Pierce County):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Minimum length 14 inches.
- (166) Illabot Creek (Skagit County):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (167) Illahee Creek (Kitsap County):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Minimum size 14 inches.
- (168) Isabella Lake (Mason County):** It is unlawful to retain more than 2 trout over 14 inches in length.
- (169) Island Lake (Kitsap County):** It is unlawful to retain more than 2 trout over 14 inches in length.
- (170) Island Lake (Mason County):** It is unlawful to retain more than 2 trout over 14 inches in length.
- (171) Issaquah Creek (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.
- (172) Jackman Creek (Skagit County):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (173) Jackson Lake (Pierce County):** Open the fourth Saturday in April through October 31.
- (174) Jefferson Creek (Mason County):** Open the Saturday before Memorial Day through October 31.
- (175) Jennings Park Pond (Snohomish County):** Open the fourth Saturday in April through October 31 for juvenile anglers only.
- (176) Johns Creek (Mason County):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Catch and release only.
- (177) Johnson Creek (Thurston County) (Skookumchuck River tributary):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (178) Johnson Creek (Whatcom County):** Open the first Saturday in June through October 31 from the Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas for juvenile anglers only.
- (179) Jones Creek (Skagit County):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (180) Jordan Creek (Skagit County) (Cascade River tributary):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(181) Jorsted Creek (Mason County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.

(182) Kapowsin Lake (Pierce County): It is unlawful to retain more than 2 trout over 14 inches in length.

(183) Kelsey Creek (tributary of Lake Washington) (King County): Open the first Saturday in June through August 31 for juvenile anglers only.

(184) Kendall Creek (Whatcom County) (N.F. Nooksack tributary):

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

- (b) Selective gear rules apply.

(185) Kennedy Creek (Mason County):

- (a) From the mouth to 400 feet below the falls:

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

(ii) From Highway 101 Bridge to 400 feet below the falls: Selective gear rules apply January 1 through September 30.

- (iii) October 1 through December 31:

- (A) Anti-snagging rule applies.
- (B) Night closure in effect.

- (iv) Trout: Minimum length 14 inches.

- (v) Salmon:

(A) Open October 1 through November 30 from the mouth to the northbound Highway 101 Bridge.

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

- (C) Release wild coho.

- (b) From the falls upstream, including all tributaries:

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

(ii) Selective gear rules apply within the mainstem of Kennedy Creek.

(186) Kennedy Creek Pond (Thurston County): Open the fourth Saturday in April through October 31.

(187) Ki Lake (Snohomish County): Open the fourth Saturday in April through October 31.

(188) Kimball Creek (near Snoqualmie) (King County):

(a) Open the fourth Saturday in April through October 31 for juvenile anglers only.

- (b) Trout: No minimum length.

(189) Kindy Creek (Skagit County) (Cascade River tributary):

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

- (b) Selective gear rules apply.

- (c) Catch and release only.

(190) King's Creek (Pierce County) (Puyallup River tributary): Open the first Saturday in June through October 31.

(191) Kings Lake Bog (King County): Closed.

(192) Kitsap Lake (Kitsap County): It is unlawful to retain more than 2 trout over 14 inches in length.

(193) Klaus Lake (King County):

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

(b) The inlet and outlet to first Weyerhaeuser spur are closed.

(194) Koeneman Lake (Fern Lake) (Kitsap County):

(a) Open the fourth Saturday in April 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.

(195) Kokanee Lake (Mason County): It is unlawful to retain more than 2 trout over 14 inches in length, except there are no size restrictions for kokanee.

(196) Ladder Creek (Skagit County):

- (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.

(197) Langlois Lake (King County): Open the fourth Saturday in April through October 31.

(198) Lawrence Lake (Thurston County): It is unlawful to retain more than 2 trout over 14 inches in length.

(199) LeBar Creek (Mason County): Open the first Saturday in June through October 31 from the falls at river mile one upstream.

(200) Lena Creek (Mason County): Open the first Saturday in June through October 31.

(201) Lilliwaup River (Mason County):

- (a) From the mouth to 200 feet below the falls:

- (i) Open the first Saturday in June through August 31.

- (ii) Selective gear rules apply.

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

- (iv) Catch and release only.

(b) From the falls upstream: Open the first Saturday in June through October 31.

(202) Lime Creek (Snohomish County) (Suiattle River tributary):

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

- (b) Selective gear rules apply.

(203) Limerick Lake (Mason County): Open the fourth Saturday in April through October 31.

(204) Little Bear Creek (tributary of Sammamish River) (Snohomish/King counties): Open the first Saturday in June through August 31 for juvenile anglers only.

(205) Little Mission Creek (Mason County) from falls upstream:

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

- (b) Selective gear rules apply.

- (c) Catch and release only.

(206) Little Nisqually River (Lewis County):

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

- (b) Trout: Minimum length 14 inches.

(207) Little Scandia Creek (Kitsap County):

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

- (b) Selective gear rules apply.

- (c) Trout: Minimum size 14 inches.

(208) Lone Lake (Island County):

- (a) Selective gear rules apply.

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

- (c) Trout: Limit 1; minimum length 18 inches.

(209) **Long Lake (Thurston County):** It is unlawful to retain more than 2 trout over 14 inches in length.

(210) **Long's Pond (Thurston County):** Open for juvenile anglers only.

(211) **Lost Lake (Mason County):** It is unlawful to retain more than 2 trout over 14 inches in length, except there are no size restrictions for kokanee.

(212) **Lyle Creek (King County) (White River tributary):** Open the first Saturday in June through October 31.

(213) **Maggie Lake (Mason County):**

(a) Open the fourth Saturday in April through November 30.

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(214) **Malaney Creek (Mason County):**

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(215) **Maple Creek (Whatcom County) (N.F. Nooksack tributary):**

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

(b) Selective gear rules apply.

(216) **Marble Creek (Skagit County) (Cascade River tributary):**

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

(b) Selective gear rules apply.

(c) Catch and release only.

(217) **Margaret Lake (King County):** Open the fourth Saturday in April through October 31.

(218) **Marsh Creek (Snohomish County) (Sultan River tributary):** Open the Saturday before Memorial Day through October 31 above the falls, including tributaries and beaver ponds.

(219) **Martha Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(220) **May Creek (tributary of Lake Washington) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.

(221) **McAllister Creek (Thurston County):**

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

(b) It is unlawful to use anything other than barbless hooks.

(c) Selective gear rules apply.

(d) Trout: Minimum length 14 inches.

(e) Salmon:

(i) Open July 1 through November 30.

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

(222) **McIntosh Lake (Thurston County):**

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

(b) Trout: It is unlawful to retain more than 2 over 14 inches in length.

(223) **McLane Creek (Thurston County):**

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

(b) Selective gear rules apply.

(c) August 1 through October 31: Night closure in effect.

(d) Trout: Minimum length 14 inches.

(224) **McLane Creek Ponds (Thurston County):** Open the fourth Saturday in April through October 31.

(225) **McMurray Lake (Skagit County):**

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

(b) Landlocked salmon rules apply.

(226) **Melbourne Lake (Mason County):** Open the fourth Saturday in April through October 31.

(227) **Mercer Slough (tributary of Lake Washington) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.

(228) **Milk Creek (Snohomish County) (Suiattle River tributary):**

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

(b) Selective gear rules apply.

(229) **Mill Creek (Mason County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(230) **Mill Pond (Auburn) (King County):** Open the fourth Saturday in April through October 31 for juvenile anglers only, except open for all anglers during free fishing weekend, as defined by department rule.

(231) **Mima Creek (Thurston County) (Black River tributary):**

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

(b) Selective gear rules apply.

(232) **Mineral Creek (tributary to Nisqually River), and Mineral Creek, North Fork (Lewis County):** Trout minimum length 14 inches.

(233) **Minter Creek (Pierce/Kitsap counties):** From the mouth to the hatchery rack:

(a) Open for trout only the first Saturday in June through October 31:

(i) Selective gear rules apply.

(ii) Minimum length 14 inches.

(b) Open for salmon November 1 through December 31 from the mouth to the fishing boundary markers approximately 50 feet downstream of the hatchery rack:

(i) Night closure in effect.

(ii) Limit 4 chum; release all other salmon.

(234) **Mission Lake (Kitsap County):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(235) **Monte Cristo Lake (Snohomish County):**

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

(b) Selective gear rules apply.

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

(236) **Mountain Lake (San Juan County):** It is unlawful to retain more than one trout over 18 inches in length.

(237) **Mud Lake (Mason County):** Open the fourth Saturday in April through October 31.

(238) **Munn Lake (Thurston County):**

(a) Selective gear rules apply.

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

(c) Catch and release only.

(239) **Nahwatzel Lake (Mason County):** It is unlawful to retain more than 2 trout over 14 inches in length.

(240) **New Pond Creek (Pierce County) (South Prairie Creek tributary):** Open the first Saturday in June through October 31.

(241) **Newhalem Ponds (Whatcom County):** Closed.

(242) **Nisqually River (Pierce County):**

(a) From the mouth to Military Tank Crossing Bridge:

(i) August 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) It is unlawful to use anything other than barbless hooks.

(ii) It is unlawful to fish from any floating device 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.

(iii) Open July 1 through January 31:

(A) From July 1 through November 30: Trout minimum length 14 inches.

(B) From December 1 through January 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iv) Salmon open July 1 through January 31.

(A) In years ending in even numbers, from July 1 through October 31:

(I) Limit 6; no more than 3 adults may be retained, and only 2 adults may be any combination of chum and coho.

(II) Release wild Chinook.

(B) In years ending in odd numbers, from July 1 through October 31:

(I) Limit 6; no more than 4 adults may be retained of which only 2 adults may be any combination of Chinook, chum, and coho.

(II) Release wild Chinook.

(C) From November 1 through January 31:

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

(II) Release wild Chinook.

(b) From Military Tank Crossing Bridge to 400 feet below La Grande Powerhouse:

(i) Open July 1 through October 31.

(ii) Selective gear rules apply.

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

(iv) 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.

(243) **Nookachamps Creek (Skagit County):**

(a) Open the first Saturday in June through October 31, including all tributaries and their tributaries.

(b) Selective gear rules apply.

(244) **Nooksack River (Whatcom County):**

(a) From the Lummi Indian Reservation boundary to the yellow marker at the FFA High School barn at Deming:

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

(ii) From the first Saturday in June through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(iv) Salmon:

(A) Open September 1 through December 31:

(I) Limit 2, plus 2 additional coho.

(II) Release wild Chinook September 1 through September 30.

(B) Open July 16 through August 31 from Lummi Indian Reservation boundary to Highway 544 Bridge at Everson during odd-numbered years:

(I) Limit 4 pink salmon.

(II) It is unlawful to use bait.

(III) It is unlawful to use anything other than single-point hooks measuring 1/2 inch or less from point to shank.

(b) From the yellow marker at the FFA High School barn in Deming to the confluence of the forks:

(i) Open from October 1 through January 31.

(ii) October 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(iv) Salmon open October 1 through December 31: Limit 2, plus anglers may retain 2 additional coho.

(245) **Nooksack River, North Fork (Whatcom County):**

(a) From the mouth to Maple Creek:

(i) Open the first Saturday in June through February 15.

(ii) From the first Saturday in June through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) November 1 through February 15: It is unlawful to fish from a floating device equipped with a motor.

(iv) Trout minimum length 14 inches.

(v) Salmon open October 1 through November 30: Limit 2 salmon, plus anglers may retain 2 additional coho.

(b) From Maple Creek to Nooksack Falls:

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

(ii) Selective gear rules apply.

(iii) November 1 through January 31: It is unlawful to fish from a floating device equipped with a motor.

(iv) Trout: Minimum length 14 inches.

(c) The waters above Nooksack Falls, including all tributaries and their tributaries are open the Saturday before Memorial Day through October 31.

(246) **Nooksack River, Middle Fork (Whatcom County):**

(a) From the mouth to the city of Bellingham diversion dam:

(i) November 1 through January 31: It is unlawful to use motors.

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

(iii) Selective gear rules apply.

(iv) Trout: Minimum size 14 inches.

(b) The waters above the diversion dam, including all tributaries and their tributaries are open the Saturday before Memorial Day through October 31.

(247) **Nooksack River, South Fork (Skagit/Whatcom counties):**

(a) From the mouth to Skookum Creek:

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

(ii) Selective gear rules apply.

(iii) From the first Saturday in June through November 30: Night closure in effect.

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

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

(vi) Salmon open October 1 through December 31:

(A) Limit 2; plus anglers may retain 2 additional coho.

(B) Release chum.

(C) In years ending in odd numbers, release pink salmon.

(b) Upstream from and including Wanlick Creek, including all tributaries:

(i) Open the Saturday before Memorial Day through October 31 for fly fishing only.

(ii) Catch and release only.

(248) **North Creek (Snohomish/King counties) (tributary of Sammamish River):** Open the first Saturday in June through August 31 for juvenile anglers only.

(249) **North Lake (King County):** Open the fourth Saturday in April through October 31.

(250) **Northern State Hospital Pond (Skagit County):** Open the fourth Saturday in April through October 31 for juvenile anglers only.

(251) **Ohop Creek (Pierce County):**

(a) Open July 1 through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(252) **Ohop Lake (Pierce County):** It is unlawful to retain more than 2 trout over 14 inches in length, except there are no size restrictions for kokanee.

(253) **Olalla Creek (Kitsap County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(254) **Old Fishing Hole Pond (Kent, King County):** Open the fourth Saturday in April through October 31 for juvenile anglers only.

(255) **Olney Creek (Snohomish County) (Wallace River tributary):** The waters upstream of Olney Falls, including tributaries and beaver ponds are open the Saturday before Memorial Day through October 31.

(256) **Olson Creek (Skagit County):**

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

(b) Selective gear rules apply.

(257) **Osborne Lake (Mason County):** Open the fourth Saturday in April through October 31.

(258) **O'Toole (Marietta) Creek (Whatcom County):** The waters upstream from Marietta Falls, located 0.3 lineal miles from the Skagit River, are open the Saturday before Memorial Day through October 31.

(259) **Outlet Creek (Mason County) (Satsop River tributary):**

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

(b) Selective gear rules apply.

(260) **Owl Creek (Snohomish County) (Whitechuck River tributary):**

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

(b) Selective gear rules apply.

(261) **Padden Lake (Whatcom County):**

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

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

(262) **Panhandle Lake (Mason County):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(263) **Panther Lake (Kitsap/Mason counties):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(264) **Pass Lake (Skagit County):**

(a) Open to fly fishing only.

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

(c) Catch and release only.

(265) **Pattison Lake (Thurston County):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(266) **Percival Creek (Thurston County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(267) **Perry Creek (Thurston County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(268) **Phillips Lake (Mason County):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(269) **Pilchuck Creek (Snohomish County):**

(a) From the mouth to the Highway 9 Bridge:

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

(ii) From the first Saturday in June through November 30: Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(b) From the Highway 9 Bridge to Pilchuck Falls:

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

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(c) 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.

(270) **Pilchuck River (Snohomish County):**

(a) Open from December 1 through January 31 from the mouth to 500 feet downstream from the Snohomish City diversion dam.

(b) It is unlawful to fish from any floating device.

(c) Trout: Minimum length 14 inches.

(271) **Pine Creek (Mason County):** Open the first Saturday in June through October 31.

(272) **Pine Lake (King County):** Open the fourth Saturday in April through October 31.

(273) **Pine Lake (Mason County):** Open the fourth Saturday in April through October 31.

(274) **Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County):** Closed.

(275) **Plumbago Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 upstream from the Sierra Pacific 140 road bridge located 0.5 lineal miles upstream from the South Fork Nooksack River, including all tributaries.

(276) **Pratt River (tributary to Middle Fork Snoqualmie River) (King County):**

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

(b) Selective gear rules apply.

(c) Catch and release only.

(277) **Pressentin Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 upstream from the waterfall located 0.3 miles from the Skagit River, including all tributaries.

(278) **Prices Lake (Mason County):**

(a) Selective gear rules apply.

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

(c) Catch and release only.

(279) **Pugh Creek (Snohomish County) (Whitechuck River tributary):**

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

(b) Selective gear rules apply.

(280) **Puyallup River (Pierce County):**

(a) From the mouth to the mouth of the White River: Closed.

(b) From the mouth of White River to Carbon River:

(i) Open for game fish and salmon August 1 through December 31.

(ii) August 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure is in effect.

(C) Barbless hooks are required.

(iii) Trout: Minimum length 14 inches.

(iv) Salmon:

(A) In years ending in even numbers:

(I) Limit 6; of which no more than 2 may be adult salmon.

(II) Release wild adult Chinook.

(B) In years ending in odd numbers:

(I) Limit 6; no more than 4 adult salmon may be retained with a limit of two adult salmon (Chinook, coho, or chum), plus two pink.

(II) Release wild adult Chinook.

(c) From Carbon River upstream:

(i) Open September 1 through January 15.

(ii) Selective gear rules apply.

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

(281) **Pyramid Creek (King County) upstream of Forest Service Road 7000:** Open the first Saturday in June through October 31.

(282) **Racehorse Creek (Whatcom County) (N.F. Nooksack tributary):**

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

(b) Selective gear rules apply.

(283) **Raging River (King County):**

(a) From the mouth to the Highway 18 Bridge:

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

(ii) Trout: Minimum length 14 inches.

(b) From Highway 18 Bridge upstream: Open the first Saturday in June through October 31.

(284) **Rapjohn Lake (Pierce County):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(285) **Rattlesnake Lake (King County):**

(a) Selective gear rules apply.

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

(c) Catch and release only.

(286) **Ravensdale Lake (King County):**

(a) Open the fourth Saturday in April 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: Limit 2; minimum length 12 inches.

(287) **Red Creek (King County) (White River tributary):** Open the first Saturday in June through October 31.

(288) **Rendsland Creek (Mason County):**

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

(b) Selective gear rules apply.

(c) Catch and release only.

(289) **Riley Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(290) **Roaring Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 upstream from the confluence with Deer Creek, including all tributaries.

(291) **Robbins Lake (Mason County):**

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

(b) Trout: It is unlawful to retain more than 2 over 14 inches in length.

(292) **Rocky Creek (Mason County):**

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(293) **Rocky Creek (Skagit County):**

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

(b) Selective gear rules apply.

(294) **Roesiger Lake (Snohomish County):** Crappie limit 10; minimum length 9 inches.

(295) **Rose Lake (Mason County):** Open the fourth Saturday in April through October 31.

(296) **Ross Lake (Reservoir) (Whatcom County):**

(a) Open July 1 through October 31:

(b) Selective gear rules apply.

(c) Trout: Limit 3; minimum length 13 inches.

(297) Ross Lake tributary streams, and their tributaries, except Big Beaver Creek and Ruby Creek (Whatcom County):

(a) From one mile above the mouths to the headwaters: Open July 1 through October 31.

(b) Tributaries to Ruby Creek: Open July 1 through October 31.

(298) **Saint Clair Lake (Thurston County):** It is unlawful to retain more than 2 trout over 14 inches in length.

(299) Salmon Creek (Thurston County) (Black River tributary):

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

(b) Selective gear rules apply.

(c) Night closure in effect.

(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.

(300) Salmonberry Creek (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(301) Samish Lake (Whatcom County): Cutthroat trout limit 2; minimum length 14 inches.

(302) Samish River (Skagit County):

(a) From the mouth to the I-5 Bridge:

(i) Open the first Saturday in June through September 8 and December 1 through December 31.

(ii) From the first Saturday in June through September 8 and December 1 through December 31: Trout minimum length 14 inches.

(iii) From August 1 through September 8:

(A) Night closure in effect.

(B) It is unlawful to use anything other than one single-point hook.

(iv) From December 1 through December 31:

(A) Selective gear rules apply.

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

(v) Salmon:

(A) Open August 1 through September 8.

(B) Limit 2; anglers may only retain fish hooked inside the mouth.

(b) From the I-5 Bridge to the Hickson Bridge:

(i) Closed from the Old Highway 99 Bridge to the WDFW salmon rack.

(ii) Closed from the I-5 Bridge to the Old Highway 99 Bridge September 1 through November 30.

(iii) Open the first Saturday in June through November 30:

(A) Selective gear rules apply.

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

(c) From the Hickson Bridge upstream:

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

(ii) Selective gear rules apply.

(303) Sammamish Lake (King County):

(a) Closed to fishing within 100 yards of the mouth of Issaquah Creek August 16 through November 30.

(b) January 1 through April 30: It is unlawful to use anything other than single-point barbless hooks.

(c) Kokanee: Catch and release only.

(d) December 1 through June 30: Release all steelhead and rainbow trout over 20 inches in length.

(e) Salmon:

(i) Open August 16 through November 30.

(ii) Limit 4; anglers may only retain 2 Chinook.

(iii) Release all sockeye.

(304) Sammamish River (Slough) (King County): From the 68th Avenue N.E. Bridge to Lake Sammamish:

(a) Open from January 1 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) Trout: Catch and release only.

(305) Sauk River (Skagit/Snohomish counties):

(a) Selective gear rules apply.

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

(c) From the mouth to the mouth of the White Chuck River:

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

(ii) From the mouth to Darrington Bridge: It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) 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.

(e) In the South Fork upstream from Elliot Creek: Open the first Saturday in June through August 31.

(306) Sawyer, Lake (King County):

(a) Chumming is permissible.

(b) Crappie: Limit 10; minimum length 9 inches.

(307) Scatter Creek (King County) (White River tributary): Open the first Saturday in June through October 31.

(308) Scatter Creek (Thurston County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(309) Schneider Creek (Thurston County): From the mouth to the falls:

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(310) Serene Lake (Snohomish County): Open the fourth Saturday in April through October 31.

(311) Shady Lake (King County):

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

(b) Trout: It is unlawful to retain more than one trout over 14 inches in length.

(312) Shannon, Lake (Skagit County):

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

(b) Chumming is permissible.

(c) Trout: Minimum length 6 inches and maximum length 18 inches.

(313) Shelton Creek (Mason County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Catch and release only.

(314) Sherman Creek (Thurston County) (Chehalis River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(315) Sherwood Creek (Mason County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Catch and release only.

(316) Sherwood Creek Mill Pond (Mason County):

- (a) Open the first Saturday in June through October 31.
- (b) Trout: Limit 2; minimum length 14 inches.

(317) Shoe Lake (Mason County): Open the fourth Saturday in April through October 31.**(318) Silesia Creek (Chiliwack River tributary) (Whatcom County):** Open the first Saturday in June through October 31.**(319) Silver Creek (Skagit County) (Samish River tributary):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(320) Silver Creek (Whatcom County) (Nooksack River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(321) Silver Lake (Pierce County):**(a)** Open the fourth Saturday in April through October 31.

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(322) Silver Lake (Whatcom County): Open the fourth Saturday in April through October 31.**(323) Sixteen Lake (Skagit County):** Open the fourth Saturday in April through October 31.**(324) Skagit River (Skagit/Whatcom counties):**

(a) From the mouth to Cascade River Road: Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull Trout with a minimum length of 20 inches as part of the trout limit.

(b) From the mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon):

(i) Open March 1 through May 31 for trout only; release all other fish.

(A) Selective gear rules apply.

(B) From March 1 through May 31, it is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.

(ii) Open June 1 through January 31. From July 1 through July 31, it is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.

(iii) Salmon:

(A) Open September 1 through December 31 in years ending in even numbers.

(B) Open August 1 through December 31 in years ending in odd numbers.

(C) Limit 4; anglers may retain up to 2 wild coho as part of the limit.

(D) Release Chinook and chum.

(c) From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek:

(i) Open June 1 through January 31.

(ii) July 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) July 1 through July 31: It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.

(iv) Salmon:

(A) Open September 1 through December 31 in years ending in even numbers.

(B) Open August 1 through December 31 in years ending in odd numbers.

(C) Limit 4 salmon; anglers may retain up to 2 wild coho as part of the limit.

(D) Release Chinook and chum.

(d) From Gilligan Creek to The Dalles Bridge at Concrete:

(i) Open June 1 through January 31.

(ii) July 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) From June 1 through August 15: It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.

(iv) Salmon:

(A) Open September 16 through December 31 in years ending in even numbers.

(B) Open August 16 through December 31 in years ending in odd numbers.

(C) Limit 4 salmon; anglers may retain up to 2 wild coho as part of the limit.

(D) Release Chinook and chum.

(e) From The Dalles Bridge at Concrete to the Highway 530 Bridge at Rockport:

(i) Open June 1 through January 31.

(ii) June 1 through August 31: Closed between a line projected across the thread of the river 200 feet above the east bank of the Baker River to a line projected across the thread of the river 200 feet below the west bank of the Baker River.

(iii) July 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iv) June 1 through August 31: It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.

(v) Salmon:

(A) Open September 16 through December 31 in years ending in even numbers.

(B) Open September 1 through December 31 in years ending in odd numbers.

(C) Limit 4 salmon; anglers may retain up to 2 wild coho as part of the limit.

(D) Release Chinook and chum.

(f) From the Highway 530 Bridge at Rockport to the Cascade River Road:

(i) Open June 1 through February 15.

(ii) June 1 through November 30:

- (A) Anti-snagging rule applies.
- (B) Night closure in effect.
- (iii) July 16 through August 31: It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.
 - (iv) Salmon:
 - (A) Open June 1 through July 15:
 - (I) Limit 4 hatchery Chinook only.
 - (II) Only 2 adult hatchery Chinook may be retained as part of the limit.
 - (B) Open September 16 through December 31 in years ending in even numbers and September 1 through December 31 in years ending in odd numbers.
 - (I) Limit 4 salmon; anglers may retain up to 2 wild coho as part of the limit.
 - (II) Release Chinook and chum.
 - (g) From Cascade River Road to the Gorge Powerhouse:
 - (i) Open June 1 through January 31.
 - (ii) Selective gear rules apply.
 - (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iv) Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (h) Gorge and Diablo lakes' tributary streams and their tributaries, except Stetattle Creek: Open the first Saturday in June through October 31.
- (325) **Skokomish River (Mason County):**
 - (a) From the mouth to the Bonneville power lines (upstream of Highway 101, approximately 47°18.188'N, 123°11.26'W): Closed.
 - (b) From the Bonneville power lines (upstream of Highway 101, approximately 47°18.188'N, 123°11.26'W) to the forks:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
 - (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iv) Catch and release only.
- (326) **Skokomish River, North Fork (Mason County):**
 - (a) Selective gear rules apply.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) Catch and release only.
 - (d) From the mouth to the lower dam: Open the first Saturday in June through October 31.
 - (e) Above Lake Cushman, from the mouth to Olympic National Park boundary: Open the first Saturday in June through August 31.
- (327) **Skokomish River, South Fork (Mason County):**
 - (a) From the mouth to the mouth of LeBar Creek:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
 - (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iv) Catch and release only.
 - (b) From the mouth of Rule Creek to the headwaters:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
 - (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

- (iv) Trout: Minimum length 12 inches.
- (328) **Skookum Creek (Mason County):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (c) Trout: Catch and release only.
- (329) **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.
- (330) **Skookumchuck Reservoir (Thurston County):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Trout: Daily limit 2; minimum length 12 inches.
- (331) **Skykomish River (Snohomish County):**
 - (a) From the mouth to the mouth of Wallace River:
 - (i) Open June 1 through January 31.
 - (ii) Anti-snagging rule applies and night closure in effect:
 - (A) August 1 through November 30 from the mouth to Lewis Street Bridge in Monroe; and
 - (B) June 1 through November 30 from Lewis Street Bridge in Monroe to Wallace River.
 - (iii) November 1 through January 31: It is unlawful to fish from any floating device from the boat ramp below Lewis Street Bridge at Monroe downstream 2,500 feet.
 - (iv) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of twenty inches as part of the trout limit.
 - (v) Salmon:
 - (A) Open June 1 through July 31: Limit 4 hatchery Chinook; no more than 2 of which may be adults.
 - (B) For years ending in even numbers:
 - (I) Open September 1 through December 31.
 - (II) Limit three; release Chinook and pink salmon.
 - (C) For years ending in odd numbers:
 - (I) Open August 16 through December 31 from the mouth to Lewis Street Bridge in Monroe.
 - (II) Open September 1 through December 31 from the Lewis Street Bridge to Wallace River.
 - (III) Limit 3 salmon plus 1 additional pink; release Chinook and chum.
 - (b) From the mouth of the Wallace River to the forks:
 - (i) Open June 1 through January 31.
 - (ii) From the Highway 2 Bridge at the Gold Bar/Big Eddy Access to the confluence of the North and South Forks: Also open February 1 through February 15.
 - (iii) August 1 through November 30: Anti-snagging rule applies and night closure in effect.
 - (iv) June 1 through February 15: It is unlawful to fish from any floating device in the area 1,500 feet upstream and 1,000 feet downstream of the outlet at Reiter Ponds.
 - (v) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.
 - (vi) Salmon:
 - (A) Open September 1 through December 31.
 - (B) For years ending in even numbers: Limit three; release Chinook and pink.
 - (C) For years ending in odd numbers: Limit 3 salmon plus 1 additional pink; release Chinook and chum.

(332) Skykomish River, North Fork (Snohomish County):

(a) From the mouth to 1,000 feet downstream of Bear Creek Falls:

- (i) Open the first Saturday in June through January 31.
- (ii) Selective gear rules apply.
- (iii) Release all fish except anglers may retain up to 2 hatchery steelhead.

(b) 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.

(333) Skykomish River, South Fork (King/Snohomish counties):

(a) From the mouth to 600 feet downstream from the Sunset Falls fishway:

- (i) Open the first Saturday in June through January 31.
- (ii) August 1 through November 30:
- (A) Anti-snagging rule applies.
- (B) Night closure in effect.
- (iii) Trout: Minimum length 14 inches.

(b) From Sunset Falls to the source, including all tributaries and their tributaries:

- (i) Open the first Saturday in June through November 30.
- (ii) Selective gear rules apply.
- (iii) Trout: Minimum length 14 inches.
- (iv) December 1 through the last day in February:
- (A) All tributaries of this river section are closed.
- (B) Open for whitefish only; release all other fish.

(334) Sloan Creek (Snohomish County) (Sauk River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.

(335) Smith Creek (Whatcom County) (Nooksack River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(336) Snohomish River (Snohomish County):

(a) From the Burlington-Northern Railroad bridges to Highway 9 Bridge, including all channels, sloughs, and interconnected waterways, but excluding all tributaries:

- (i) Open the first Saturday in June through January 31.
- (ii) August 1 through November 30:
- (A) Anti-snagging rule applies.
- (B) Night closure in effect.

(iii) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

- (iv) Salmon:
- (A) For years ending in even numbers:
- (I) Open September 1 through December 31.
- (II) Limit 3 salmon; release Chinook and pink.
- (B) For years ending in odd numbers:
- (I) Open August 1 through December 31.
- (II) Limit 3 salmon plus 1 additional pink; release Chinook and chum.

(b) From the Highway 9 Bridge to the confluence of the Skykomish and Snoqualmie rivers (all channels):

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

(ii) August 1 through November 30:

- (A) Anti-snagging rule applies.
- (B) Night closure in effect.

(iii) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(iv) Salmon:

- (A) For years ending in even numbers:
- (I) Open September 1 through December 31.
- (II) Limit 3; release Chinook and pink.

(B) For years ending in odd numbers:

- (I) Open August 16 through December 31.
- (II) Limit 3 plus 1 additional pink; release Chinook and

chum.

(337) Snoqualmie River (King County):

(a) From the mouth to Snoqualmie Falls:

(i) 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).

(ii) From the first Saturday in June through November 30: Selective gear rules apply.

(iii) September 1 through November 30: Night closure in effect.

(iv) From the mouth to the boat ramp at the Plum access: Open the first Saturday in June through January 31.

(v) From the boat ramp at the Plum access to the falls: Open the first Saturday in June through February 15.

(vi) From November 1 through February 15: It is unlawful to fish from any floating device in the waters from the boat ramp at the Plum access to the mouth of Tokul Creek (about 1/4 mile).

(vii) Trout: Minimum length 14 inches.

(viii) Salmon open September 1 through December 31.

(A) For years ending in even numbers: Limit 3 salmon; release all Chinook and pink.

(B) For years ending in odd numbers: Limit 3 salmon plus 1 additional pink; release Chinook and chum.

(b) From Snoqualmie Falls upstream, including the North and South Forks:

(i) Selective gear rules apply.

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

(iii) Open the Saturday before Memorial Day through October 31: Trout minimum length 10 inches.

(iv) Open November 1 through the Friday before the first Saturday in June: Catch and release only.

(c) Snoqualmie River tributaries upstream of the falls, and the tributaries of the North and South Forks (except Tate, Sunday and Phillapa creeks): Open the Saturday before Memorial Day through October 31.

(d) In the Snoqualmie River Middle Fork from the mouth to the source, including all tributaries except Pratt and Taylor rivers:

(i) Open year-round.

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(338) **South Prairie Creek (Pierce County):** Open the Saturday before Memorial Day through October 31 from the city of Buckley diversion dam upstream.

(339) **Spada Lake (Reservoir) (Snohomish County):**

(a) Open the fourth Saturday in April 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 12 inches.

(340) **Spada Lake (Reservoir) tributaries (Snohomish County):** Closed.

(341) **Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County):**

(a) Open year-round.

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(342) **Spencer Lake (Mason County):** It is unlawful to retain more than 2 trout over 14 inches in length.

(343) **Squalicum Creek (Whatcom County):**

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

(b) Selective gear rules apply.

(344) **Squalicum Lake (Whatcom County):**

(a) Open for fly fishing only.

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

(c) Trout: Limit 2.

(345) **Squire Creek (Snohomish County) (N.F. Stillaguamish River tributary):**

(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.

(346) **Steel Lake (King County):** Open the fourth Saturday in April through October 31.

(347) **Steilacoom Lake (Pierce County):** It is unlawful to retain more than 2 trout over 14 inches in length.

(348) **Stetattle Creek (Whatcom County):** Open the first Saturday in June through October 31 above the mouth of Bucket Creek (approximately 1.5 miles upstream).

(349) **Stevens, Lake (Snohomish County):**

(a) Chumming is permissible.

(b) Kokanee: Limit 10; kokanee do not count toward the trout limit.

(350) **Steves Lake (Mason County):** Open the fourth Saturday in April through October 31.

(351) **Stickney Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(352) **Stillaguamish River (Snohomish County):**

(a) From the mouth to Marine Drive, including all sloughs:

(i) Open year-round.

(ii) August 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(iv) Salmon open September 1 through December 31.

(A) Release Chinook and chum.

(B) For years ending in even numbers: Limit 2 coho only.

(C) For years ending in odd numbers: Limit 2 plus 2 additional pink.

(b) From Marine Drive to the forks:

(i) From the barrier dam (downstream of I-5) downstream 200 feet: Closed.

(ii) Open the first Saturday in June through November 30.

(A) Selective gear rules apply.

(B) Night closure in effect from August 1 through November 30.

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

(iii) Open December 1 through January 31:

(A) Trout: Minimum length 14 inches.

(B) Salmon open September 1 through December 31.

(I) For years ending in even numbers: Limit 2 coho only.

(II) For years ending in odd numbers: Limit 2 plus 2 additional pink; release Chinook and chum.

(353) **Stillaguamish River, North Fork (Snohomish County):**

(a) From the North Fork mouth to the mouth of French Creek:

(i) August 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(ii) It is unlawful to fish from any floating device upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge).

(iii) It is unlawful to fish from any floating device equipped with a motor downstream from the Highway 530 Bridge.

(iv) Open the first Saturday in June through January 31:

(A) From the first Saturday in June through November 30:

(I) Fly fishing only.

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

(B) From December 1 through January 31: Trout minimum length 14 inches.

(b) From the mouth of French Creek to Swede Heaven Bridge:

(i) August 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(ii) Open the first Saturday in June through February 15:

(A) From the first Saturday in June through November 30:

(I) Fly fishing only.

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

(B) December 1 through February 15: Trout minimum length 14 inches.

(c) From Swede Heaven Bridge to the falls approximately one mile upstream of Cascade Creek:

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

(ii) Selective gear rules apply.

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

(d) Upstream of the falls, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

(354) Stillaguamish River, South Fork (Snohomish County):

(a) From the mouth to 400 feet downstream of the outlet to Granite Falls fishway:

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

(ii) August 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(b) From the Mountain Loop Highway Bridge above Granite Falls upstream to the source:

(i) Open the first Saturday in June through November 30.

(ii) Selective gear rules apply.

(iii) August 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(355) Stimson Creek (Mason County):

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

(b) Selective gear rules apply

(c) Catch and release only.

(356) Storm Lake (Snohomish County): Open the fourth Saturday in April through October 31.

(357) Straight Creek (Snohomish County) (Suiattle River tributary):

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

(b) Selective gear rules apply.

(358) Stump Lake (Mason County):

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

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

(c) Trout: It is unlawful to retain more than 2 trout over 15 inches in length.

(359) Suiattle River (Skagit County):

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

(b) Selective gear rules apply.

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

(360) Sulphur Creek (Snohomish County) (Suiattle River tributary):

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

(b) Selective gear rules apply.

(361) Sultan River (Snohomish County):

(a) From the mouth to a point 400 feet downstream from the diversion dam at river mile 9.7:

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

(ii) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(b) Upstream of the diversion dam to Culmback Dam: Open the first Saturday in June through October 31.

(362) Sumas River (Whatcom County): Open the first Saturday in June through October 31, including all tributaries except Johnson Creek.

(363) Summit Lake (Thurston County):

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

(b) Trout: It is unlawful to retain more than 2 over 14 inches in length, except there are no size restrictions for kokanee.

(364) Susan Lake (Thurston County):

(a) Selective gear rules apply.

(b) Catch and release only.

(365) Swamp Creek (tributary to Sammamish River) (Snohomish/King counties): Open the first Saturday in June through August 31 for juvenile anglers only.

(366) Swan's Mill Pond (Stossel Creek) (King County): Open the first Saturday in June through October 31.

(367) Symington Lake (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(368) Tahuya River (Mason County):

(a) From the mouth to the steel bridge approximately 1 mile upstream of North Shore Road Bridge:

(i) Open the first Saturday in June through August 15 and October 1 through October 31.

(ii) Selective gear rules apply.

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

(iv) October 1 through October 31: Night closure in effect.

(v) Release all gamefish.

(vi) Salmon open October 1 through October 31: Limit 2 coho only.

(b) From the steel bridge approximately one mile upstream of North Shore Road Bridge upstream:

(i) Open the first Saturday in June through August 15 and October 1 through October 31.

(ii) Selective gear rules apply.

(iii) October 1 through October 31: Night closure in effect.

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

(v) Catch and release only.

(369) Tanwax Creek (Thurston County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(370) Tanwax Lake (Pierce County):

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

(b) Crappie: Limit 10; minimum length 9 inches.

(c) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(371) Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within four hundred feet of the screen at Dingle Basin: Open year-round.

(372) Taylor River (tributary to the Middle Fork Snoqualmie) (King County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(373) **Tee Lake (Mason County):** It is unlawful to retain more than 2 trout over 14 inches in length.

(374) **Tenmile Creek (Whatcom County) (Nooksack River tributary):**

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

(b) Selective gear rules apply.

(375) **Tenas Creek (Skagit County) (Suitttle River tributary):**

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

(b) Selective gear rules apply.

(376) **Tenas Lake (Mason County):** Open the fourth Saturday in April through October 31.

(377) **Tennant Lake (Whatcom County):** It is unlawful to fish from any floating device from the first Friday in October through January 27.

(378) **Terrell Creek (Whatcom County):**

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

(b) Selective gear rules apply.

(379) **Terrell, Lake (Whatcom County):** It is unlawful to fish from any floating device from the first Saturday after Labor Day through the following Friday and from October 1 through January 31, except fishing from a floating dock is permissible.

(380) **Thomas Creek (Skagit County) (Samish River tributary):**

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

(b) Selective gear rules apply.

(381) **Thompson Creek (Thurston County) (Skookumchuck River tributary):**

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

(b) Selective gear rules apply.

(382) **Thornton Creek (tributary to Lake Washington) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.

(383) **Thornton Creek (Skagit County):**

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

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

(384) **Tibbetts Creek (tributary to Lake Sammamish) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.

(385) **Tiger Lake (Kitsap/Mason counties):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(386) **Toad Lake (Whatcom County):** Open the fourth Saturday in April through October 31.

(387) **Tokol Creek (King County) (Snoqualmie River tributary):**

(a) From the mouth to the Fish Hatchery Road Bridge:

(i) Open December 1 through February 15, except closed to fishing from 5:00 p.m. to 7:00 a.m.

(ii) Anti-snagging rule applies.

(iii) Trout: Minimum length 14 inches.

(b) From Fish Hatchery Road Bridge to the posted cable boundary marker located approximately 400 feet downstream of the hatchery intake:

(i) Open January 15 through February 15, except closed to fishing from 5:00 p.m. to 7:00 a.m.

(ii) Anti-snagging rule applies.

(iii) Trout: Minimum length 14 inches.

(c) From Tokul Road S.E. upstream, including all tributaries and beaver ponds: Open the Saturday before Memorial Day through October 31.

(388) **Tolt River (King County):**

(a) From the mouth to the USGS trolley cable near the confluence of the North and South Forks:

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

(ii) From the first Saturday in June through November 30: Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(b) From the falls upstream, on the North Fork, including all tributaries:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(c) On the South Fork, from the dam upstream:

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

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 10 inches.

(389) **Trail's End Lake (Mason County):** It is unlawful to retain more than 2 trout over 14 inches in length.

(390) **Twin Lake (Mason County):** It is unlawful to retain more than 2 trout over 14 inches in length.

(391) **Tye River (King County):**

(a) From Foss River to Alpine Falls:

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

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(iv) Open November 1 through the last day in February for whitefish only; release all other fish.

(b) From Alpine falls upstream, and all tributaries to the Tye River, including their tributaries: Open the first Saturday in June through October 31.

(392) **U Lake (Mason County):** Open the fourth Saturday in April through October 31.

(393) **Uncle John Creek (Mason County):**

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(394) **Union River (Mason County):**

(a) From the mouth to the North Shore Road Bridge:

(i) Open the first Saturday in June through August 15.

(ii) Catch and release only.

(b) From the North Shore Road Bridge to the lower bridge on Old Belfair Highway:

(i) Open the first Saturday in June through August 15.

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(c) From the lower bridge on Old Belfair Highway upstream:

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

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(395) Vogler Lake (Skagit County):

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

(b) Fly fishing only.

(c) Catch and release only.

(396) Voight Creek (Pierce County): Open the Saturday before Memorial Day through October 31 from the falls, approximately 4.0 river miles upstream of the mouth and under the power lines, upstream.

(397) Waddell Creek (Thurston County) (Black River tributary):

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

(b) Selective gear rules apply.

(398) Wagners Lake (Snohomish County): Open the fourth Saturday in April through October 31.

(399) Walker Lake (King County): Open the fourth Saturday in April through October 31.

(400) Wallace River (Snohomish County):

(a) From the mouth to 363rd Ave. S.E./Reece Rd:

(i) Open from the first Saturday in June through February 15.

(ii) From June 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) From November 1 through February 15: It is unlawful to fish from any floating device.

(iv) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(v) Salmon:

(A) In years ending in even numbers:

(I) Open September 16 through November 30.

(II) Limit 3 coho; release all other salmon.

(B) In years ending in odd numbers:

(I) Open September 16 through November 30.

(II) Limit 3 salmon plus 1 additional pink.

(III) Release Chinook and chum.

(b) From 363rd Avenue S.E./Reece Road to 200 feet upstream of the water intake of the salmon hatchery:

(i) Open September 16 through February 15.

(ii) September 16 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) November 1 through February 15: It is unlawful to fish from any floating device.

(iv) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(v) Salmon:

(A) In years ending in even numbers:

(I) Open September 16 through November 30.

(II) Limit 3 coho only.

(B) In years ending in odd numbers:

(I) Open September 16 through November 30.

(II) Limit 3 salmon plus 1 additional pink.

(III) Release Chinook and chum.

(c) From 200 feet upstream of the water intake of the salmon hatchery to Wallace Falls:

(i) Open November 1 through January 31.

(ii) It is unlawful to fish from any floating device.

(iii) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(d) From Wallace Falls upstream, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

(401) Wapato Lake (Pierce County): Open to juvenile anglers only.

(402) Ward Lake (Thurston County):

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length, except there are no size restrictions for kokanee.

(403) Washington Creek (Mason County): Open the first Saturday in June through October 31.

(404) Washington, Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream (King County):

(a) Open year-round.

(b) It is unlawful to fish from a floating device within 100 yards of either side of the floating bridges.

(c) Chumming is permissible.

(d) Trout:

(i) December 1 through the last day in February: Release steelhead and rainbow trout over 20 inches in length.

(ii) March 1 through June 30:

(A) Minimum length 12 inches.

(B) Release steelhead and rainbow trout over 20 inches in length.

(e) Salmon:

(i) Open September 16 through October 31 north of Highway 520 Bridge and east of Montlake Bridge.

(ii) Limit 4 coho only.

(405) 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):

(a) West of the Fremont Bridge: It is unlawful to fish from a floating device.

(b) East of the Fremont Bridge: Chumming is permissible.

(c) From the west boundary to a north-south line 400 feet east of the eastern end of the northern wing wall of Chittenden Locks: Closed.

(d) From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary:

(i) Open year-round for game fish.

(ii) Trout:

(A) Open December 1 through the last day in February: No minimum length.

(B) Open March 1 through June 30: Minimum length 12 inches.

(C) Open July 1 through November 30: No minimum length.

(D) Release steelhead and rainbow trout over 20 inches in length.

(406) **Waughop Lake (Pierce County):** Landlocked salmon rules apply.

(407) **Whatcom Creek (Whatcom County):**

(a) From the mouth to the markers below the footbridge below Dupont Street in Bellingham:

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

(ii) August 1 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(iv) Salmon: Open August 1 through December 30.

(A) Limit 6; anglers may retain up to 2 adult salmon.

(B) 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.

(b) From the footbridge below Dupont Street in Bellingham to Woburn Street Bridge:

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

(ii) August 1 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(c) From the stone bridge at Whatcom Falls Park upstream to Lake Whatcom:

(i) Open the fourth Saturday in April through October 31 for juvenile anglers only.

(ii) August 1 through October 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: No minimum length.

(408) **Whatcom, Lake (Whatcom County):**

(a) Open the fourth Saturday in April through October 31, except the waters between the Electric Avenue Bridge and the outlet dam are closed.

(b) Cutthroat trout: Catch and release only.

(409) **Whatcom, Lake, tributaries (Whatcom County):** Closed.

(410) **White Creek (Skagit County) (Sauk River tributary):**

(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.

(411) **White (Stuck) River (Pierce County):**

(a) From the mouth to R Street Bridge in Auburn:

(i) Open October 1 through October 31:

(A) Fly fishing only.

(B) Catch and release only.

(ii) Open November 1 through January 15: Trout minimum length 14 inches.

(iii) October 1 through January 15:

(A) Selective gear rules apply.

(B) Night closure in effect.

(b) From R Street Bridge to the Highway 410 Bridge at Buckley:

(i) Open October 1 through October 31, except closed in the Puget Power canal, including the screen bypass channel above the screen at Dingle Basin.

(ii) Selective gear rules apply.

(iii) Night closure in effect.

(iv) Trout: Minimum length 14 inches.

(c) From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) upstream to the source:

(i) Open July 1 through October 31.

(A) October 1 through October 31: Night closure in effect.

(B) Selective gear rules apply.

(C) Catch and release only.

(ii) Open for whitefish only November 1 through January 31; whitefish gear rules apply.

(412) **Whitechuck River (Snohomish County):**

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

(b) Selective gear rules apply.

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

(413) **Wildberry Lake (Mason County):** Open the fourth Saturday in April through October 31.

(414) **Wildcat Lake (Kitsap County):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(415) **Wilderness Lake (King County):**

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

(b) Landlocked salmon rules apply.

(416) **Wilkeson Creek (Pierce County) (South Prairie Creek tributary) upstream of confluence with Gale Creek:** Open the first Saturday in June through October 31.

(417) **Woodard Creek (Thurston County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(418) **Wood Lake (Mason County):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(419) **Woodland Creek (Thurston County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(420) **Woods Creek, East Fork (Snohomish County) (Skykomish River tributary):** Open the first Saturday before Memorial Day through October 31 upstream of Old Pipeline Road above Woods Creek Falls, including tributaries and beaver ponds.

(421) **Wooten Lake (Mason County):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(422) Wye Lake (Kitsap County):

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

(b) Trout: It is unlawful to retain more than 2 trout over 14 inches in length.

(423) Youngs Creek (Snohomish County) (Skykomish River tributary) (Elwell Creek tributary, Skykomish River tributary near town of Sultan): Open the Saturday before Memorial Day through October 31 above Potson Road (299th Avenue S.E. Bridge) including all tributaries and beaver ponds.

NEW SECTION

WAC 220-310-195 Freshwater exceptions to statewide rules—Eastside. (1) County-wide 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): It is permissible to fish up to the base of all dams.

(c) Ferry and Lincoln counties:

(i) Unless otherwise provided in this section, all tributaries to Lake Roosevelt between Grand Coulee Dam and the State Highway 25 Bridge at Northport except Barnaby and Nancy creeks are open the Saturday before Memorial Day through October 31.

(ii) Trout: Limit 5, no minimum length.

(2) Aeneas Lake (Okanogan County):

(a) Open the fourth Saturday in April through October 31 for fly fishing only.

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

(c) Trout: Limit one.

(3) Ahtanum Creek, including North and Middle Forks (Yakima County):

(a) Selective gear rules apply.

(b) In the North Fork from Grey Rock Trailhead Bridge crossing to Shellneck Creek and the Middle Fork from the A2000 Road Bridge at Tree Phones Campground downstream to the A2000 Spur Road Bridge in NE Section 34: Closed.

(4) Alkali Lake (Grant County):

(a) Bluegill: It is unlawful to retain more than five greater than six inches in length.

(b) Crappie: It is unlawful to retain more than five greater than eight inches in length.

(5) **Alta Lake (Okanogan County):** Open the fourth Saturday in April through September 30.

(6) Amber Lake (Spokane County):

(a) Selective gear rules apply.

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

(c) Open March 1 through November 30.

(i) From March 1 through the Friday before fourth Saturday in April, and October 1 through November 30: Catch and release only.

(ii) From the fourth Saturday in April through September 30:

(A) Trout: Limit two; minimum length fourteen inches.

(B) Release rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin.

(7) American River (Yakima County):

(a) Selective gear rules apply.

(b) From the 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: Closed.

(8) **Amon Wasteway (Benton County):** Selective gear rules apply.

(9) Asotin Creek, mainstem and forks (Asotin County):

(a) It is unlawful to fish for steelhead.

(b) From SR 129 Bridge upstream to the forks: It is permissible to fish up to the base of Headgate Dam.

(c) North Fork from the mouth upstream to the USFS boundary:

(i) Selective gear rules apply.

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

(d) North Fork from the USFS boundary upstream and all other tributaries: Closed.

(e) South Fork and tributaries: Closed.

(10) **B.C. Mill Pond (Stevens County):** Open the fourth Saturday in April through October 31.

(11) **Badger Lake (Spokane County):** Open the fourth Saturday in April through September 30.

(12) Banks Lake (Grant County):

(a) Chumming is permissible.

(b) Crappie: Limit 10; minimum size 9 inches.

(c) Perch: Limit twenty-five.

(13) Bayley Lake (Stevens County):

(a) Inlet stream: Closed.

(b) Fly fishing only.

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

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

(i) From the fourth Saturday in April through July 4: Trout limit one; minimum length 14 inches.

(ii) From July 5 through October 31: Catch and release only.

(14) **Bear Creek (Yakima County)(tributary to South Fork Tieton River):** Closed from the mouth to the falls (approximately 3/4 mile).

(15) **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.

(16) Beaver Lake (Columbia County):

(a) Open March 1 through October 31.

(b) It is unlawful to fish from any floating device.

(17) Beda Lake (Grant County):

(a) Selective gear rules apply.

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

(c) Trout: Limit one.

- (18) **Beehive (Lake) Reservoir (Chelan County):**
 (a) Open the fourth Saturday in April through October 31.
 (b) From July 5 through October 31:
 (i) Selective gear rules apply.
 (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (iii) Catch and release only.
- (19) **Bennington Lake (Mill Creek Reservoir) (Walla Walla County):**
 (a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (b) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.
- (20) **Big Four Lake (Columbia County):**
 (a) Open March 1 through October 31 for fly fishing only.
 (b) It is unlawful to fish from any floating device.
 (c) Trout: Limit two.
- (21) **Big Meadow Lake (Pend Oreille County):**
 (a) Open the fourth Saturday in April through October 31.
 (b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
- (22) **Big Tiffany Lake (Okanogan County):**
 (a) Eastern brook trout limit ten; eastern brook trout do not count toward the daily trout limit.
 (b) Release all cutthroat.
- (23) **Big Twin Lake (Okanogan County):**
 (a) Open the fourth Saturday in April 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: Limit one.
- (24) **Bird Creek (Klickitat County):**
 (a) Open the Saturday before Memorial Day through October 31.
 (b) Trout: Limit 5.
- (25) **Blackbird Island Pond (Chelan County):** Open July 1 through September 30 for juvenile anglers only.
- (26) **Black Lake (Okanogan County):**
 (a) Selective gear rules apply.
 (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (27) **Black Lake (Stevens County):** Open the fourth Saturday in April through October 31.
- (28) **Blockhouse Creek (Klickitat County):** Trout limit five.
- (29) **Bloodgood Creek (Klickitat County):** Trout limit five.
- (30) **Blue Lake (Columbia County):**
 (a) Open March 1 through October 31.
 (b) It is unlawful to fish from any floating device.
 (c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.
- (31) **Blue Lake (Grant County):** Open the fourth Saturday in April through September 30.
- (32) **Blue Lake (near Sinlahekin) (Okanogan County):**
 (a) Open the fourth Saturday in April 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) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
 (e) Trout: Limit one.
- (33) **Blue Lake (near Wannacut Lake) (Okanogan County):**
 (a) Open the Fourth Saturday in April 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: Limit one.
- (34) **Bobcat Creek and Ponds (Adams County):** Open April 1 through September 30.
- (35) **Bonaparte Creek (Okanogan County):**
 (a) From the mouth to the falls one mile upstream: Closed.
 (b) From the falls upstream, including all tributaries not otherwise provided for in this section:
 (i) Open the Saturday before Memorial Day through October 31.
 (ii) Bass: No limit and no size restrictions.
 (iii) Channel catfish: No limit.
 (iv) Walleye: No limit and no size restrictions.
- (36) **Bonaparte Lake (Okanogan County):**
 (a) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
 (b) Trout: It is unlawful to retain more than one trout over twenty inches in length.
- (37) **Boulder Creek and tributaries (Okanogan County):**
 (a) Open the Saturday before Memorial Day through October 31, including tributaries not otherwise provided for in this section.
 (b) Eastern brook trout: Limit 10; eastern brook trout do not count toward the trout limit.
 (c) Release all cutthroat.
- (38) **Bowman Creek (Klickitat County):** Trout limit five.
- (39) **Box Canyon Creek (Kittitas County):**
 (a) From the mouth to the waterfall approximately 2 miles upstream, including the portion flowing through the dry lakebed: Closed.
 (b) From the waterfall approximately 2 miles upstream of the mouth to the USFS Road #4930 Bridge: Selective gear rules apply.
- (40) **Brookies Lake (Grant County):**
 (a) Selective gear rules apply.
 (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (c) Trout: Limit one.
- (41) **Browns Creek (Pend Oreille County):**
 (a) Open the Saturday before Memorial Day until October 31.

- (b) Fly fishing only.
- (42) Browns Lake (Pend Oreille County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Fly fishing only.
- (c) It is unlawful to fish from a floating device equipped with a motor.
- (d) Trout: It is unlawful to retain more than one trout greater than 11 inches in length.
- (43) Buckskin Creek and tributaries (Yakima County):** Closed from the mouth to the west boundary of Suntuies Golf Course.
- (44) Bumping Lake (Reservoir) (Yakima County):**
- (a) Chumming is permissible.
- (b) Kokanee: Limit sixteen; kokanee do not count towards the trout limit.
- (45) Bumping River (Yakima County):**
- (a) It is permissible to fish up to the base of Bumping Dam.
- (b) From the mouth to Bumping Reservoir:
- (i) Selective gear rules apply.
- (ii) Open December 1 through March 31 for whitefish only; whitefish gear rules apply.
- (c) From Bumping Lake upstream: Open the Saturday before Memorial Day through October 31.
- (46) 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.
- (47) Burke Lake (Grant County):** Open March 1 through July 31.
- (48) Buttermilk Creek (Okanogan County):** Closed from the mouth to the confluence of East and West Forks.
- (49) Buzzard Lake (Okanogan County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Limit one.
- (50) Caldwell Lake (Pend Oreille County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) Trout: Limit two; minimum length twelve inches.
- (51) Caliche Lakes, Lower, Upper, and West (Grant County):** Open March 1 through July 31.
- (52) Calispell Creek (Calispell River) (Pend Oreille County):**
- (a) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.
- (b) From the mouth to Calispell Lake: Open year-round.
- (c) From Calispell Lake upstream to the source:
- (i) Selective gear rules apply.
- (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iii) Open the Saturday before Memorial Day through October 31.
- (53) Calispell Creek tributaries (Pend Oreille County):**
- (a) Open the Saturday before Memorial Day through October 31.
- (b) Selective gear rules apply.
- (c) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.
- (54) Campbell Lake (Okanogan County):**
- (a) Open year-round.
- (b) April 1 through August 31.
- (i) Selective gear rules apply.
- (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iii) Catch and release only.
- (55) Carl's Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (56) Cascade Lake (Grant County):** Open March 1 through July 31.
- (57) Cattail Lake (Grant County):** Open April 1 through September 30.
- (58) Cedar Creek (Okanogan County):** Closed from the mouth to Cedar Falls.
- (59) Cedar Creek and tributaries (Pend Oreille County):**
- (a) Open the Saturday before Memorial Day through October 31.
- (b) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.
- (60) Cedar Lake (Stevens County):** Open the fourth Saturday in April through October 31.
- (61) Chain Lake (Pend Oreille County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Release all kokanee.
- (62) Chapman Lake (Spokane County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Chumming is permissible.
- (c) Kokanee: Limit ten; kokanee do not count toward the trout limit.
- (63) Chelan Hatchery Creek (Chelan County):** Closed.
- (64) Chelan Lake (Chelan County):**
- (a) South of a line from Purple Point at Stehekin and Painted Rocks:
- (i) Within 400 feet of all tributaries: Closed.
- (ii) Trout:
- (A) Release wild cutthroat.
- (B) Kokanee and lake trout do not count toward the trout limit.
- (iii) Kokanee: Limit 10; no minimum size.
- (iv) Lake trout: No limit; no minimum size.
- (v) Salmon open year round: Daily limit 1; no minimum size.
- (b) North of a line between Purple Point at Stehekin and Painted Rocks:
- (i) Lake trout open year-round: No limit.

(ii) Salmon open year-round: Limit 1; minimum length 15 inches.

(iii) From August 1 through March 31:

(A) Trout:

(I) Release wild cutthroat.

(II) Kokanee and lake trout do not count toward the trout limit.

(B) Kokanee: Limit 10.

(65) Chelan Lake tributaries (Chelan County):

(a) Open August 1 through September 30 from the mouths upstream one mile, except Stehekin River.

(b) Selective gear rules apply.

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

(d) Trout: Release wild cutthroat.

(66) Chelan River (Chelan County):

(a) From the railroad bridge to the Chelan P.U.D. safety barrier below the power house:

(i) Open May 15 through August 31.

(ii) Barbless hooks are required for salmon and steelhead.

(iii) September 1 through October 15: Anti-snagging rule and night closure in effect.

(b) Trout: Catch and release only.

(c) Salmon: Open September 1 through October 15:

(i) Limit 6; no more than 2 adult hatchery Chinook.

(ii) Release all wild salmon.

(67) Chewuch River (Chewack River) (Okanogan County):

(a) From the mouth to Eight Mile Creek:

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

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(b) From Eight Mile Creek to Pasayten Wilderness boundary: Closed the first Saturday in June through October 31.

(c) From the mouth to Pasayten Wilderness boundary: Open December 1 through March 31 for whitefish only; whitefish gear rules apply.

(68) Chikamin Creek (Chelan County):

(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.

(69) Chiwaukum Creek (Chelan County): Closed from the mouth to Fool Hen Creek.

(70) Chiwawa River (Chelan County): Closed from the mouth to Buck Creek.

(71) Chopaka Lake (Okanogan County):

(a) Open the fourth Saturday in April through October 31 for fly fishing only.

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

(c) Trout: Limit one.

(72) Clear Creek (Chelan County): Closed.

(73) Clear Lake (Chelan County):

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

(b) From July 5 through October 31:

(i) Selective gear rules apply.

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

(c) Catch and release only.

(74) Clear Lake (Spokane County): Open the fourth Saturday in April through October 31.

(75) Cle Elum Lake (Reservoir) (Kittitas County):

(a) Trout (except kokanee): Limit two; minimum length twelve inches.

(b) Kokanee: Limit sixteen, no minimum size; kokanee do not count toward the daily trout limit.

(76) Cle Elum River (Kittitas County):

(a) From the mouth to Cle Elum Dam:

(i) Open year-round.

(ii) Selective gear rules apply.

(iii) Trout: Catch and release only.

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

(v) December 1 through March 31: Whitefish gear rules apply.

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

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

(ii) Selective gear rules apply.

(c) All tributaries to Cle Elum River above Cle Elum Lake to outlet of Hyas Lake not otherwise provided for in this section: Open the Saturday before Memorial Day through October 31.

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

(78) Coffee Pot Lake (Lincoln County):

(a) Open March 1 through September 30.

(b) Selective gear rules apply.

(c) Crappie: Limit ten; minimum length nine inches.

(d) Trout: Limit one; minimum length eighteen inches.

(79) Columbia Basin Hatchery Creek (Grant County):

(a) Open April 1 through September 30 from the hatchery outflow to the confluence with Rocky Coulee Wasteway.

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

(c) Trout: Limit 3; no minimum size.

(80) Columbia Park Pond (Benton County):

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

(b) All species: Limit 5 fish combined.

(81) Colville River (Stevens County):

(a) From the mouth to the bridge at town of Valley:

(i) Open year-round.

(ii) Trout:

(A) Limit 5.

(B) From October 1 through November 30, no more than 2 brown trout may be retained.

(iii) Walleye: Daily limit 16 fish; no size restrictions.

(iv) Sturgeon: It is unlawful to fish for or retain sturgeon.

(b) 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.

(c) From the bridge at the town of Valley upstream, including tributaries:

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

(ii) Selective gear rules apply.

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

(82) **Conconully Lake (Okanogan County):** Open the fourth Saturday in April through October 31.

(83) **Conconully Reservoir (Okanogan County):** Open the fourth Saturday in April through October 31.

(84) **Conger Pond (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(85) **Conner Lake (Okanogan County):** Open the fourth Saturday in April through October 31.

(86) **Cooper River (Kittitas County):**

(a) Open the Saturday before Memorial Day through October 31 from the mouth to Cooper Lake.

(b) Selective gear rules apply.

(87) **Coot Lake (Grant County):** Open April 1 through September 30.

(88) **Corral Canyon Creek (Benton County):** Selective gear rules apply.

(89) **Cottonwood Creek (Lincoln County):** Open year-round.

(90) **Cottonwood Creek (Walla Walla County):** Closed.

(91) **Cougar Lake (Pasayten Wilderness) (Okanogan County):**

(a) Selective gear rules apply.

(b) It is permissible to fish two poles so long as the angler possesses a two-pole endorsement.

(92) **Cougar Lake (near Winthrop) (Okanogan County):**

(a) Open year-round.

(b) From April 1 through August 31:

(i) Catch and release only.

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

(93) **Cowiche Creek (Yakima County):** Selective gear rules apply.

(94) **Coyote Creek and Ponds (Adams County):** Open April 1 through September 30.

(95) **Crab Creek (Adams/Grant counties):**

(a) From the mouth to Morgan Lake Road in Section 36: Open April 1 through September 30.

(b) From Morgan Lake Road in Section 36 to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed.

(96) **Crab Creek (Lincoln/Grant counties) and tributaries:**

(a) Open year-round.

(b) From March 1 through May 31: It is unlawful to use terminal gear other than a single hook measuring 3/4 inch or less point to shank.

(c) From Grant County Road 7 to the fountain buoy and shoreline markers or 150 feet downstream of the Alder Street fill: Limits and size restrictions are the same as Moses Lake.

(d) From Moses Lake downstream to the confluence of the outlet streams: Limit and size restrictions are the same as in the Potholes Reservoir.

(97) **Crawfish Lake (Okanogan County):**

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

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

(98) **Crescent Lake (Pend Oreille County):** Open the Fourth Saturday in April through October 31.

(99) **Crystal Lake (Grant County):** Open March 1 through July 31.

(100) **Cup Lake (Grant County):** Open March 1 through July 31.

(101) **Curl Lake (Columbia County):**

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

(b) It is unlawful to fish from any floating device.

(c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(102) **Dalton Lake (Franklin County):** Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(103) **Davis Lake (Ferry County):** Open the fourth Saturday in April through October 31.

(104) **Davis Lake (Okanogan County):**

(a) Open year-round.

(b) April 1 through August 31:

(i) Selective gear rules apply.

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

(iii) Catch and release only.

(105) **Davis Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(106) **Dayton Pond (Columbia County):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(107) **Deadman Lake (Adams County):** Open April 1 through September 30.

(108) **Deep Creek (tributary to Bumping Lake) (Yakima County):**

(a) 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.

(b) From the second bridge crossing upstream: Open the Saturday before Memorial Day through October 31.

(109) **Deep Lake (Grant County):** Open the fourth Saturday in April through September 30.

(110) **Deep Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(111) **Deer Lake (Columbia County):**

(a) Open March 1 through October 31.

(b) It is unlawful to fish from any floating device.

(c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(112) **Deer (Deer Springs) Lake (Lincoln County):** Open the fourth Saturday in April through September 30.

(113) **Deer Lake (Stevens County):**

(a) Open March 1 through October 31.

(b) Trout: It is unlawful to retain more than two trout over thirty inches in length.

(114) De Roux Creek (Kittitas County):

(a) From the mouth to the USFS Trail #1392 (De Roux Cr. Trail) stream crossing (approximately one river mile): Closed.

(b) Upstream of the USFS Trail #1392 stream crossing: Selective gear rules apply.

(115) Diamond Lake (Pend Oreille County): Open the fourth Saturday in April through October 31.

(116) Dillacort Creek (Klickitat County): Release all trout.

(117) Dog Lake (Yakima County): It is unlawful to retain more than 1 trout over 14 inches in length.

(118) Dot Lake (Grant County): Open March 1 through July 31.

(119) Downs Lake (Lincoln/Spokane counties):

(a) Open March 1 through September 30.

(b) Crappie: Limit ten; minimum length nine inches.

(120) Dry Creek (Walla Walla County): Closed upstream from the middle Waitsburg Road.

(121) Dry Falls Lake (Grant County):

(a) Open April 1 through November 30.

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(122) Dune Lake (Grant County):

(a) Selective gear rules apply.

(b) Trout: Limit one.

(123) Dusty Lake (Grant County):

(a) Open March 1 through November 30.

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(124) Early Winters Creek (Okanogan County):

Closed.

(125) East Little Walla Walla River (Walla Walla County): Closed.

(126) Easton Lake (Kittitas County):

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

(b) Trout: It is unlawful to retain more than 2 trout other than eastern brook trout as part of the limit.

(127) Eightmile Lake (Chelan County): It is unlawful to retain more than two mackinaw as part of the trout limit.

(128) Elbow Lake (Stevens County): Open the fourth Saturday in April through October 31.

(129) Ell Lake (Okanogan County):

(a) Open the fourth Saturday in April 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: Limit one.

(130) Ellen Lake (Ferry County):

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

(b) Release all fish, except anglers may retain up to five rainbow trout.

(131) Eloika Lake (Spokane County): Crappie limit ten; minimum length nine inches.

(132) Entiat River (Chelan County):

(a) From the mouth (Highway 97 Bridge) to Entiat Falls:

(i) Open December 1 through March 31 for whitefish only.

(ii) Whitefish gear rules apply.

(b) Above Entiat Falls:

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

(ii) Selective gear rules apply.

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

(iv) Trout:

(A) Limit 5; it is unlawful to retain more than one trout greater than 12 inches in length.

(B) 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 for trout.

(133) Ephrata Lake (Grant County): Closed.

(134) Empire Lake (Ferry County): Open the fourth Saturday in April through October 31.

(135) Fan Lake (Pend Oreille County):

(a) Open the fourth Saturday in April through September 30.

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

(136) Ferry Lake (Ferry County): It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(137) Fio Rito Lakes (Kittitas County): It is unlawful to fish from a floating device equipped with an internal combustion motor.

(138) Fish Lake (Chelan County):

(a) Perch: Daily limit 25.

(b) Trout: It is unlawful to retain more than 2 trout over 15 inches in length.

(139) Fish Lake (Ferry County): Open the fourth Saturday in April through October 31.

(140) Fish Lake (Okanogan County): Open the fourth Saturday in April through October 31.

(141) Fish Lake (Spokane County):

(a) Open the fourth Saturday in April through September 30.

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

(142) Fishhook Pond (Walla Walla County):

(a) Open March 1 through October 31.

(b) It is unlawful to fish from a floating device.

(c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(143) Fishtrap Lake (Lincoln/Spokane counties): Open the fourth Saturday in April through September 30.

(144) Forde Lake (Okanogan County): Open the fourth Saturday in April through October 31.

- (145) **Fourth of July Lake (Adams/Lincoln counties):**
 (a) Open December 1 through March 31.
 (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (c) Trout: It is unlawful to retain more than two trout over fourteen inches in length.
- (146) **Frater Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (147) **Frenchman Hills Lake (Grant County):** Open February 1 through September 30.
- (148) **Gadwall Lake (Grant County):** Open April 1 through September 30.
- (149) **Garfield Juvenile Pond (Whitman County):** Open to juvenile anglers only.
- (150) **George Lake (Grant County):** Open March 1 through July 31.
- (151) **Gillette Lake (Stevens County):** Open the fourth Saturday in April through October 31.
- (152) **Goat Creek (Okanogan County):** Closed.
- (153) **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.
- (154) **Gold Creek (Okanogan County):** Closed from the mouth to the confluence with North Fork Gold Creek.
- (155) **Golf Course Pond (Asotin County):** It is unlawful to retain more than 2 trout over 13 inches in length.
- (156) **Goose Creek (Lincoln County), within the city limits of Wilbur:** Open year-round to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.
- (157) **Goose Lake, Lower (Grant County):**
 (a) Bluegill: It is unlawful to retain more than five fish over six inches in length.
 (b) Crappie: Limit ten; minimum length nine inches.
- (158) **Grande Ronde River (Asotin County):**
 (a) General river rules:
 (i) For all portions of the Grande Ronde River and its tributaries that are open to game fish angling:
 (A) Bass: No limit.
 (B) Channel catfish: No limit.
 (C) Walleye: No limit and no size restrictions.
 (ii) From September 15 through March 15: It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (b) Rules by river section:
 (i) From the mouth to County Road Bridge, about 2.5 miles upstream:
 (A) Open year-round.
 (B) September 1 through May 31: Selective gear rules apply.
 (C) Trout: Minimum length 10 inches, maximum length 20 inches.
 (ii) From County Road Bridge upstream to the Oregon state line and all tributaries, except Wenaha River tributaries:
 (A) Open the first Saturday in June through October 31: Anglers may retain up to 3 hatchery steelhead.
 (B) From the first Saturday in June through August 31: Selective gear rules apply.

- (C) September 1 through April 15: It is unlawful to use anything other than barbless hooks.
- (D) Open from November 1 through April 15, except the tributaries are closed. Release all fish except anglers may retain up to 15 whitefish and 3 hatchery steelhead.
- (159) **Granite Creek and tributaries (Pend Oreille County):** Closed.
- (160) **Green Lake (Okanogan County):**
 (a) Open year-round.
 (b) April 1 through November 30:
 (i) Selective gear rules apply.
 (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (iii) Catch and release only.
- (161) **Green Lake (Lower) (Okanogan County):**
 (a) Open year-round.
 (b) April 1 through November 30:
 (i) Selective gear rules apply.
 (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (iii) Catch and release only.
- (162) **Grimes Lake (Douglas County):**
 (a) Open June 1 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) Trout: Limit one.
- (163) **Halfmoon Lake (Adams County):** Open April 1 through September 30.
- (164) **Halfmoon Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (165) **Hampton Lakes, Lower and Upper (Grant County):**
 (a) Open April 1 through September 30.
 (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (166) **Harris Lake (Grant County):**
 (a) Selective gear rules apply.
 (b) Trout: Limit one.
- (167) **Harvey Creek (tributary to Sullivan Lake) (Pend Oreille County):**
 (a) From the mouth to Bridge 4830 on county road (about 1 1/2 miles): Closed.
 (b) From Bridge 4830 upstream:
 (i) Selective gear rules apply.
 (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (168) **Hatch Lake (Stevens County):**
 (a) Open December 1 through March 31.
 (b) Release all fish, except up to five rainbow trout may be retained.
- (169) **Hawk Creek and tributaries (Lincoln County):** Open year-round.
- (170) **Hays Creek and Ponds (Adams County):** Open April 1 through September 30.
- (171) **Headgate Pond (Asotin County):** Open the fourth Saturday in April through October 31 to juvenile anglers, seniors, and anglers with a disability who possess a designated harvester companion card only.

(172) **Hen Lake (Grant County):** Open April 1 through September 30.

(173) **Heritage Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(174) **Herman Lake (Adams County):** Open April 1 through September 30.

(175) **Hog Canyon Creek (Spokane County):** Open year-round from the Hog Canyon Dam to Scroggie Road.

(176) **Hog Canyon Lake (Spokane County):**

(a) Open December 1 through March 31.

(b) Trout: It is unlawful to retain more than two trout over fourteen inches in length.

(177) **Homestead Lake (Grant County):**

(a) Selective gear rules apply.

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

(c) Trout: Limit one.

(178) **Horseshoe Lake (Pend Oreille County):**

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

(b) Kokanee: Limit ten; kokanee do not count toward the trout limit.

(179) **Horsethief Lake (Klickitat County):** Open the fourth Saturday in April through October 31.

(180) **Hourglass Lake (Grant County):** Open April 1 through September 30.

(181) **Huff Lake (Pend Oreille County):** Closed.

(182) **Hutchinson Lake (Adams County):**

(a) Open April 1 through September 30.

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

(183) **I-82 Ponds, 1 through 7 (Yakima County):** It is unlawful to fish from a floating device equipped with an internal combustion motor.

(184) **Icicle River (Creek) (Chelan County):**

(a) From the mouth to the Leavenworth National Fish Hatchery rack: Closed.

(b) From the Leavenworth National Fish Hatchery rack upstream to Leland Creek:

(i) Open the Saturday before Memorial Day through September 30.

(ii) Selective gear rules apply.

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

(185) **Indian Creek and tributaries (Pend Oreille County):**

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

(b) Eastern brook trout: Limit 10. Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken and the angler must cease fishing for trout.

(186) **Indian Creek (Yakima County):**

(a) From the mouth to the waterfall approximately 6 miles upstream, including the portion of the creek that flows through the dry lakebed: Closed.

(b) Upstream of the waterfall approximately 6 miles upstream from the mouth:

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

(ii) Eastern brook trout:

(A) No limit and no length restrictions.

(B) Eastern brook trout do not count toward the trout limit.

(187) **Ingall's Creek (Chelan County):** Closed from the mouth to the Wilderness boundary.

(188) **Jameson Lake (Douglas County):** Open the fourth Saturday in April through July 4 and October 1 through October 31.

(189) **Jasmine Creek (Okanogan County):** Open year-round to juvenile anglers only.

(190) **Jefferson Park Pond (Walla Walla County):**

(a) Open to juvenile fishers only.

(b) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(191) **Jewitt Creek (Klickitat County):**

(a) Open to juvenile fishers only.

(b) Trout: Limit five; no minimum length.

(192) **Jolanda, Lake (Chelan County):** Closed.

(193) **Jump-Off Joe Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(194) **Kachess Lake (Reservoir) (Kittitas County):**

(a) Chumming is permissible.

(b) Kokanee: Limit sixteen; kokanee do not count toward the daily trout limit.

(c) Trout: Limit two, minimum length twelve inches.

(195) **Kachess River (Kittitas County):**

(a) From Kachess Lake (Reservoir) upstream to the waterfall approximately one-half mile above Mineral Creek: Closed.

(b) It is permissible to fish up to the base of Kachess Dam.

(c) Selective gear rules apply.

(196) **Kalispell Creek and tributaries (Pend Oreille County):**

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

(b) Selective gear rules apply.

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

(197) **Keechelus Lake (Reservoir) (Kittitas County):**

(a) Chumming is permissible.

(b) Trout: Limit two; minimum length twelve inches.

(c) Kokanee: Limit sixteen; kokanee do not count toward the daily trout limit.

(198) **Kettle River (Stevens County):**

(a) The tributaries from the mouth to Barstow Bridge: Open from the Saturday before Memorial Day through October 31.

(b) From Barstow Bridge upstream:

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

(ii) Selective gear rules apply, except for juvenile anglers, from the Canadian border upstream to Highway 21 Bridge at Curlew.

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

(iv) Sturgeon: It is unlawful to fish for or retain sturgeon.

(v) Trout: Minimum length 12 inches.

(vi) Open November 1 through May 31 for whitefish only. Whitefish gear rules apply.

(c) Tributaries to Kettle River, from Barstow Bridge upstream: Open from the Saturday before Memorial Day through October 31.

(199) **Kings Lake and tributaries (Pend Oreille County):** Closed.

(200) **Kiwanis Pond (Kittitas County):** Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.

(201) **Klickitat River (Klickitat County):**

(a) From the mouth to Fisher Hill Bridge:

(i) Open April 1 through January 31.

(ii) It is unlawful to fish for salmon and steelhead using anything other than barbless hooks.

(iii) Anti-snagging rule in effect and night closure applies 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.

(iv) Game fish: Closed December 1 through January 31.

(v) April 1 through May 31: Release all fish except anglers may retain hatchery steelhead.

(vi) Salmon: Open June 1 through January 31.

(vii) Trout: Minimum length twelve inches.

(A) June 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild Chinook.

(B) August 1 through January 31, daily limit 6 fish of which no more than 2 may be adult Chinook.

(viii) Steelhead and salmon:

(A) Open April 1 through May 31 on Sundays, Mondays, Wednesdays and Saturdays only.

(B) Limit 2 hatchery steelhead or 2 salmon, or 1 of each.

(C) Release wild Chinook.

(b) From Fisher Hill Bridge to 400 feet above #5 fishway: Closed.

(c) From 400 feet above #5 fishway to the Yakama Indian Reservation boundary:

(i) The waters from the boundary markers above Klickitat Salmon Hatchery to the boundary markers below the hatchery are closed.

(ii) Barbless hooks are required for salmon and steelhead.

(iii) Open June 1 through November 30: Trout minimum length twelve inches.

(iv) Open December 1 through March 31: Whitefish gear rules apply.

(v) Salmon:

(A) Open only June 1 through November 30 from 400 feet above #5 fishway to boundary markers below Klickitat Salmon Hatchery.

(B) June 1 through July 31: Limit 6 salmon; release adult salmon and release wild Chinook.

(C) August 1 through October 31: Limit 6 fish; no more than 2 may be adult Chinook.

(D) November 1 through November 30: Limit 6 fish; release Chinook.

(d) From the Yakama Indian Reservation boundary upstream to source, including all tributaries: Closed.

(202) **Lake Creek (Okanogan County):**

(a) From the mouth to Black Lake: Closed.

(b) From Black Lake to Three Prong Creek: Closed.

(203) **Latah (Hangman) Creek (Spokane County):** Open year-round.

(204) **Le Clerc Creek and tributaries (Pend Oreille County):**

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

(b) Eastern brook trout: Limit 10. Once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.

(205) **Ledbetter Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(206) **Ledking Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(207) **Leech Lake (Yakima County):**

(a) Open for fly fishing only.

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

(c) Trout: It is unlawful to retain more than one trout over 14 inches in length.

(208) **Lemna Lake (Grant County):** Open April 1 through September 30.

(209) **Lenice Lake (Grant County):**

(a) Open March 1 through November 30.

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(210) **Lenore Lake (Grant County):**

(a) The waters within a 200 yard radius of the trash rack leading to the irrigation pumping station (on the south end of the lake) and the area approximately 100 yards beyond the mouth of inlet stream to State Highway 17: Closed.

(b) Selective gear rules apply.

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

(d) Open from March 1 through November 30:

(i) From March 1 through May 31: Catch and release only.

(ii) June 1 through November 30: Trout limit one.

(211) **Leo Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(212) **Liberty Lake (Spokane County):** Open March 1 through October 31.

(213) **Lilly Lake (Chelan County):**

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

(b) July 5 through October 31:

(i) Selective gear rules apply.

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

(iii) Catch and release only.

(214) **Lions Park Pond (Walla Walla County):**

(a) Open to juvenile anglers only.

(b) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(215) **Little Klickitat River (Klickitat County):**

(a) Within Goldendale city limits:

(b) Open the fourth Saturday in April through October 31 to juvenile fishers only.

(c) Trout: Limit five; no minimum length.

(216) **Little Lost Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(217) **Little Naches River (Yakima County), including tributaries:** Selective gear rules apply.

(218) **Little Pend Oreille River (Stevens County):**

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

(b) From the Little Pend Oreille wildlife refuge boundary approximately one mile downstream from the refuge headquarters office, to Crystal Falls:

(i) Selective gear rules apply.

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

(iii) Release all fish except anglers may retain up to 5 eastern brook trout.

(c) All tributaries to the Little Pend Oreille River are open the Saturday before Memorial Day through October 31.

(219) **Little Spokane River (Spokane County):**

(a) Open year-round from the mouth to the SR 291 Bridge.

(b) From the SR 291 Bridge upstream to the West Branch:

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

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

(c) From the West Branch upstream:

(i) Closed from the inlet of Chain Lake upstream one-quarter mile to the railroad crossing culvert.

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

(iii) Kokanee: It is unlawful to retain kokanee taken upstream from the bridge at Fridegar Road, including Chain Lake.

(d) Unless otherwise provided in this section, all tributaries to the Little Spokane River are open the Saturday before Memorial Day through October 31.

(220) **Little Twin Lake (Okanogan County):**

(a) Open the fourth Saturday in April 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: Limit one.

(221) **Little Twin Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(222) **Little Wenatchee River (Chelan County):** Closed from Lake Wenatchee to the falls below U.S. Forest Service Road 6700 Bridge at Riverside Campground.

(223) **Long Lake (Ferry County):**

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

(b) Fly fishing only.

(c) It is unlawful to use flies containing lead.

(d) It is unlawful to fish from a floating device equipped with a motor.

(224) **Long Lake (Okanogan County):** Open the fourth Saturday in April through September 30.

(225) **Loon Lake (Stevens County):**

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

(b) Kokanee: Limit ten; kokanee do not count toward the trout limit.

(c) Trout (except kokanee): Limit five, except it is unlawful to retain more than two trout over twenty inches in length.

(226) **Lost Lake (Kittitas County):** It is unlawful to retain more than one trout over 14 inches in length.

(227) **Lost Lake (Okanogan County):**

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

(b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(228) **Lost River (Okanogan County):**

(a) From the mouth to the mouth of Monument Creek: Closed.

(b) From the mouth of Monument Creek to the outlet of Cougar Lake:

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

(ii) Selective gear rules apply.

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

(iv) Trout: Minimum length 14 inches; it is permissible to retain Dolly Varden/Bull Trout with a minimum length of 14 inches as part of the trout limit.

(229) **Lucky Duck Pond (Stevens County):** Open to juvenile anglers only.

(230) **Lyle Lake (Adams County):** Open April 1 through September 30.

(231) **Mad River (Chelan County):** Closed from the mouth upstream to Jimmy Creek.

(232) **Manastash Creek (Kittitas County), including tributaries:** Selective gear rules apply.

(233) **Marshall Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(234) **Martha Lake (Grant County):** Open March 1 through July 31.

(235) **Mattoon Lake (Kittitas County):** It is unlawful to fish from a floating device equipped with an internal combustion motor.

(236) **McCabe Pond (Kittitas County):**

(a) It is unlawful to fish from any floating device.

(b) Five fish limit for all game fish species combined.

(237) **McDowell Lake (Stevens County):**

(a) Open the fourth Saturday in April through October 31 for fly fishing only.

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

(c) Catch and release only.

(238) **McManaman Lake (Adams County):** Open April 1 through September 30.

(239) **Medical Lake (Spokane County):**

(a) Open March 1 through October 31.

(b) Selective gear rules apply.

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

(d) Trout: Limit two; minimum length fourteen inches.

(240) **Medical Lake, West (Spokane County):** Open the fourth Saturday in April through September 30.

(241) **Mercer Creek (Kittitas County):** Open to juvenile anglers only within the Ellensburg city limits.

(242) **Merritt Lake (Chelan County):** Trout limit sixteen.

(243) **Merry Lake (Grant County):**

(a) Open March 1 through November 30.

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(244) **Methow River (Okanogan County):**

(a) From the mouth to County Road 1535 (Burma Road) Bridge: Closed.

(b) From County Road 1535 (Burma Road) Bridge to Gold Creek:

(i) Open the Saturday before Memorial Day through September 15.

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(c) From Gold Creek to Foghorn Dam:

(i) Open the Saturday before Memorial Day through September 30.

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(d) From Foghorn Dam to Weeman Bridge:

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

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(e) From Weeman Bridge to the falls above Brush Creek: Closed from the first Saturday in June through October 31.

(f) From Gold Creek to the falls above Brush Creek:

(i) Open December 1 through March 31 for whitefish only.

(ii) Whitefish gear rules apply.

(g) Methow River tributaries not otherwise provided for in this section:

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

(ii) Selective gear rules apply.

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

(iv) Trout: Maximum length 20 inches.

(245) **Mill Creek (Chelan County):** Closed.

(246) **Mill Creek and tributaries (Pend Oreille County):**

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

(b) Eastern brook trout: Limit 10.

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

(247) **Mill Creek (Walla Walla County):**

(a) From the mouth to Bennington Dam, including tributaries: Closed waters.

(b) From Bennington Dam upstream: All tributaries: Closed waters.

(c) Selective gear rules apply.

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

(e) Release all steelhead.

(248) **Mill Pond (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(249) **Mineral Creek (tributary to upper Kachess River) (Kittitas County):** From the mouth to Wilderness Boundary: Closed.

(250) **Mirror Lake (Grant County):** Open the fourth Saturday in April through September 30.

(251) **Molson Lake (Okanogan County):** It is unlawful to fish from a floating device equipped with an internal combustion motor.

(252) **Monument Creek (Okanogan County), including tributaries:** Selective gear rules apply.

(253) **Moran Slough (including inlet and outlet streams) (Grant County):** Closed.

(254) **Morgan Lake (Adams County):** Open April 1 through September 30.

(255) **Moses Lake (Grant County):**

(a) Bluegill: Limit five; minimum length eight inches.

(b) Crappie: Limit ten; minimum length nine inches.

(c) Walleye:

(i) Limit eight; minimum length twelve inches.

(ii) It is unlawful to retain more than one walleye over 22 inches in length.

(d) Yellow perch: Limit 25.

(256) **Mud Lake (Yakima County):**

(a) Selective gear rules apply.

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

(c) Trout: Limit one.

(257) **Mudgett Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(258) **Muskegon Lake (Pend Oreille County):**

(a) Open the fourth Saturday in April 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: Limit two.

(259) **Myron Lake (Yakima County):**

(a) Selective gear rules apply.

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

(c) Trout: Limit one.

(260) **Mystic Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(261) **Naches River (Yakima/Kittitas counties):** From the mouth to Little Naches River:

(a) Selective gear rules apply.

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

(c) Trout:

(i) Minimum length twelve inches, maximum length twenty inches.

- (ii) Release trout from the confluence with Tieton River to mouth of Rattlesnake Creek.
- (d) December 1 through March 31:
- (i) Only whitefish may be retained.
- (ii) Whitefish gear rules apply.
- (262) **Naneum Creek (Kittitas County):** Selective gear rules apply.
- (263) **Naneum Pond (Kittitas County):** Open to juvenile anglers only.
- (264) **Napeequa River (Chelan County):** Closed from the mouth to Twin Lakes Creek.
- (265) **Nile Creek (Yakima County), including tributaries:** Selective gear rules apply.
- (266) **Nason Creek (Chelan County):**
- (a) From the mouth upstream to Smith Brook: Closed.
- (b) From Smith Brook to Stevens Creek:
- (i) Open the Saturday before Memorial Day through October 31.
- (ii) Selective gear rules apply.
- (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (267) **Negro Creek (Lincoln County):** Open year-round from the mouth at Sprague Lake to the fish barrier dam at Fishtrap Lake.
- (268) **Negro Creek (Whitman County):** Open the fourth Saturday in April through July 15.
- (269) **Nile Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (270) **No Name Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (271) **North Creek (Okanogan County):** Closed from the mouth to the falls at river mile 0.8.
- (272) **North Elton Pond (Yakima County):**
- (a) Open December 1 through March 31.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) Trout: Limit two.
- (273) **North Potholes Reserve Ponds (Grant County):**
- (a) Open February 1 through the day before waterfowl season begins.
- (b) It is unlawful to fish from any floating device, except it is permissible to fish using float tubes.
- (274) **Nunnally Lake (Grant County):**
- (a) The outlet stream of Nunnally Lake is closed.
- (b) Open March 1 through November 30:
- (i) Selective gear rules apply.
- (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iii) Trout: Limit one.
- (275) **Oak Creek (Yakima County), including tributaries:** Selective gear rules apply.
- (276) **Okanogan River (Okanogan County):**
- (a) Within the mainstem or tributaries open for game fish angling:
- (i) It is unlawful to fish for salmon and steelhead using anything other than barbless hooks.
- (ii) Bass: No limit and no size restrictions.
- (iii) Channel catfish: No limit.
- (iv) Walleye: No limit and no size restrictions.
- (b) From the mouth to Highway 97 Bridge immediately upstream of the mouth:
- (i) Open year-round.
- (ii) July 1 through October 15: Anti-snagging rule applies and night closure in effect.
- (iii) Trout: Catch and release only.
- (iv) Salmon:
- (A) Open July 1 through October 15.
- (B) It is permissible to fish two poles from July 1 through October 15 so long as the angler possesses a two-pole endorsement.
- (C) Limit 6; no more than 2 adult hatchery Chinook.
- (D) Release all wild salmon.
- (c) From Highway 97 Bridge immediately upstream of the mouth to the highway bridge at Malott:
- (i) Open year-round.
- (ii) July 1 through September 15: Anti-snagging rule applies and night closure in effect.
- (iii) Trout: Catch and release only.
- (iv) Salmon:
- (A) Open July 1 through September 15.
- (B) Limit 6; it is unlawful to retain more than 2 adult hatchery Chinook.
- (C) Release all wild salmon.
- (d) From the highway bridge at Malott upstream:
- (i) From Zosel Dam downstream to the first Highway 97 Bridge downstream of the dam: Closed.
- (ii) Open the Saturday before Memorial Day through September 15.
- (iii) July 1 through September 15: Anti-snagging rule applies and night closure in effect.
- (iv) Trout: Catch and release only.
- (v) Salmon:
- (A) Open July 1 through September 15.
- (B) Limit 6; it is unlawful to retain more than 2 adult hatchery Chinook.
- (C) Release all wild salmon.
- (277) **Old Mill Stream (Chelan County):** Closed.
- (278) **Outlet Creek (Klickitat County):**
- (a) Open the Saturday before Memorial Day through October 31.
- (b) Trout: Limit 5.
- (279) **Palouse River (Whitman County):**
- (a) Open year-round from the mouth to the base of Palouse Falls.
- (b) Bass: No limit.
- (c) Channel catfish: No limit.
- (d) Trout: Open June 16 through March 31 only.
- (i) From June 16 through August 31:
- (A) Limit 6; minimum length 10 inches.
- (B) Release all steelhead.
- (ii) From September 1 through March 31:
- (A) Limit 6; minimum length 10 inches.
- (B) Anglers may retain up to 3 hatchery steelhead.
- (C) It is unlawful to fish for steelhead using anything other than barbless hooks.
- (e) Walleye: No limit; no size restrictions.
- (280) **Palouse River mainstem above Palouse Falls and tributaries, except Rock Creek:** Open year-round.
- (281) **Panther Creek (Chelan County):** Closed.

- (282) **Pampa Pond (Whitman County):**
 (a) Open March 1 through September 30.
 (b) It is unlawful to fish from any floating device.
 (c) Trout: It is unlawful to retain more than two over 13 inches in length.
- (283) **Para-Juvenile Lake (Adams/Grant counties):** Open April 1 through September 30 to juvenile anglers only.
- (284) **Park Lake (Grant County):** Open the fourth Saturday in April through September 30.
- (285) **Parker Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (286) **Pataha Creek (Garfield County):**
 (a) Within the city limits of Pomeroy: Open to juvenile anglers only.
 (b) From the city limits of Pomeroy upstream:
 (i) Selective gear rules apply.
 (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (287) **Pearrygin Lake (Okanogan County):** Open the fourth Saturday in April through September 30.
- (288) **Pend Oreille River (Pend Oreille County):**
 (a) In the mainstem:
 (i) Open year-round.
 (ii) All sloughs within the boundaries of the Kalispel Reservation, except Calispell Slough: Closed.
 (iii) Two pole fishing is permissible so long as the angler possesses a two-pole endorsement.
 (b) Pend Oreille River tributaries are open the Saturday before Memorial Day through October 31, unless otherwise provided for in this section.
- (289) **Perch Lake (Grant County):** Open the fourth Saturday in April through September 30.
- (290) **Peshastin Creek (Chelan County):** Closed from the mouth to Ruby Creek.
- (291) **Petit Lake (Pend Oreille County):**
 (a) Open the fourth Saturday in April through October 31.
 (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (292) **Phalon Lake (Stevens County):** Closed.
- (293) **Phelps Creek (Chelan County):**
 (a) Open the Saturday before Memorial Day through October 31 from the mouth to the falls at river mile one.
 (b) Selective gear rules apply.
 (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (294) **Phillips Lake (Stevens County):** Open the fourth Saturday in April through October 31.
- (295) **Pierre Lake (Stevens County):** It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
- (296) **Pillar Lake (Grant County):** Open April 1 through September 30.
- (297) **Ping Pond (Grant County):**
 (a) Open the third Saturday in April through Labor Day to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.
 (b) Limit 5 game fish; no minimum size restrictions.
- (298) **Pit Lake (Douglas County):** Open to juvenile anglers only.
- (299) **Poacher Lake (Grant County):** Open April 1 through September 30.
- (300) **Potholes Reservoir (Grant County):**
 (a) Crappie: Minimum length nine inches.
 (b) Crappie and bluegill: Combined limit of twenty-five fish.
 (c) Perch: Limit twenty-five fish.
 (d) Walleye: Limit 8; minimum size 12 inches. It is unlawful to retain more than 1 walleye greater than 22 inches in length.
- (301) **Potter's Pond (Stevens County):** Open the fourth Saturday in April through October 31.
- (302) **Powerline Lake (Franklin County):** Trout limit 2.
- (303) **Priest Lake tributaries (Pend Oreille County):** Open the Saturday before Memorial Day through October 31, including Upper Priest Lake tributaries, except as otherwise provided in this section.
- (304) **Priest River tributaries (Pend Oreille County):** Open the Saturday before Memorial Day through October 31.
- (305) **Quail Lake (Adams County):**
 (a) Open for fly fishing only.
 (b) It is unlawful to fish from any floating device equipped with a motor.
 (c) Catch and release only.
- (306) **Quarry Pond (Walla Walla County):**
 (a) It is unlawful to fish from any floating device.
 (b) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.
- (307) **Quincy Lake (Grant County):** Open March 1 through July 31.
- (308) **Rainbow Lake (Columbia County):**
 (a) Open March 1 through October 31.
 (b) It is unlawful to fish from any floating device.
 (c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.
- (309) **Rat Lake (Okanogan County):**
 (a) Open year-round.
 (b) From April 1 to November 30:
 (i) Selective gear rules apply.
 (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (iii) Catch and release only.
- (310) **Rattlesnake Creek (Yakima County), and tributaries:**
 (a) Selective gear rules apply.
 (b) Catch and release only in the mainstem.
- (311) **Red Rock Creek (Grant County):** Open April 1 through September 30.
- (312) **Reflection Pond (Okanogan County):** Open the fourth Saturday in April through October 31.
- (313) **Renner Lake (Ferry County):** Open the fourth Saturday in April through October 31.
- (314) **Rigley Lake (Stevens County):**
 (a) Open the fourth Saturday in April 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: Limit two, minimum length twelve inches.

- (315) **Rimrock Lake (Reservoir) (Yakima County):**
 (a) Chumming is permissible.
 (b) Kokanee: Limit sixteen; kokanee do not count toward the trout daily limit.
- (316) **Ringold Springs Creek (Hatchery Creek) (Franklin County):** Closed.
- (317) **Rock Creek (Adams/Whitman counties):**
 (a) From the mouth to Endicott Road: Open year-round.
 (b) From Endicott Road to the bridge on George Knott Road at Revere:
 (i) Open the Saturday before Memorial Day through October 31.
 (ii) Selective gear rules apply.
 (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (iv) Catch and release only.
 (c) From the bridge on George Knott Road upstream: Open year-round.
- (318) **Rock Creek (Chelan County):**
 (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.
- (319) **Rock Creek (Klickitat County):** Open year-round from the mouth to the Army Corps of Engineers Park. Limits, size restrictions and gear restrictions are the same as those in the adjacent portion of the Columbia River.
- (320) **Rocky Ford Creek and Ponds (Grant County):**
 (a) Open to fly fishing and fishing from the bank only (no wading).
 (b) Catch and release only.
- (321) **Rocky Lake (Stevens County):**
 (a) Open the fourth Saturday in April through October 31.
 (b) From June 1 through October 31:
 (i) Selective gear rules apply.
 (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (iii) Catch and release only.
- (322) **Roosevelt Lake (Grant/Ferry/Lincoln/Stevens counties):**
 (a) The following areas are closed:
 (i) 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 before Memorial Day.
 (ii) The Kettle arm upstream to Barstow Bridge from April 1 through the Friday before Memorial Day.
 (b) Carp: It is unlawful to fish for carp with bow and arrow.
 (c) Kokanee: Limit 6; no more than 2 with intact adipose fins may be retained.
 (d) Salmon: Landlocked salmon rules apply.
 (e) Sturgeon: It is unlawful to fish for or retain sturgeon in Roosevelt Lake and its tributaries.
 (f) Trout (except kokanee): Limit 5; it is unlawful to retain more than 2 over 20 inches in length.
 (g) Walleye: No size restrictions; limit 16 fish.
- (323) **Round Lake (Okanogan County):** Open the fourth Saturday in April through September 30.
- (324) **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.
- (325) **Royal Lake (Adams County):** Closed.
- (326) **Royal Slough (including Marsh Unit IV impoundments) (Adams County):** Closed.
- (327) **Ruby Creek and tributaries (Pend Oreille County):**
 (a) Open the Saturday before Memorial Day through October 31.
 (b) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken and the angler must cease fishing for trout.
- (328) **Rufus Woods Lake (Douglas/Okanogan counties):**
 (a) Chumming is permissible.
 (b) Grand Coulee Dam downstream to State Route 155 Bridge: Closed.
 (c) It is unlawful to fish for or retain sturgeon from the lake or its tributaries.
 (d) Trout: Limit 2; only uninjured trout caught using artificial lures or flies with single-point barbless hooks may be released.
 (e) Tributaries to Rufus Woods Lake: Open the Saturday before Memorial Day through October 31.
- (329) **Sacheen Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (330) **Saddle Mountain Lake (Grant County):** Closed.
- (331) **Sago Lake (Grant County):** Open April 1 through September 30.
- (332) **Salmon Creek, mainstem (Okanogan County):** Closed.
- (333) **Salmon Creek, North Fork and West Fork from mouth to South Fork (Okanogan County):**
 (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.
- (334) **San Poil River (Ferry County):**
 (a) 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:
 (i) It is unlawful to fish for or retain sturgeon.
 (ii) Open April 1 through January 31 for kokanee, smallmouth bass, trout, and walleye:
 (A) Kokanee: Limit 2 fish in addition to the trout limit; no minimum size requirement.
 (B) Smallmouth bass: Limit 10; it is unlawful to retain more than one over 14 inches.
 (C) Trout:
 (I) Limit 5; it is unlawful to retain more than 2 trout over 20 inches.

- (II) Release all rainbow trout with adipose fins intact.
- (D) Walleye: Limit 16; no size restrictions.
- (iii) Open year-round for other game fish, salmon, and carp:
- (A) Carp: It is unlawful to fish for carp with bow and arrow.
- (B) Salmon: Landlocked salmon rules apply.
- (b) 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:
- (i) It is unlawful to fish for or retain sturgeon, kokanee, and all other trout.
- (ii) Open April 1 through January 31 for walleye and smallmouth bass:
- (A) Smallmouth bass: Limit 10; it is unlawful to retain more than one over 14 inches.
- (B) Walleye: Limit 16; no size restrictions.
- (iii) Open year-round for other game fish, salmon, and carp:
- (A) Carp: It is unlawful to fish for carp with bow and arrow.
- (B) Salmon: Landlocked salmon rules apply.
- (c) The 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.
- (d) 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.
- (335) **Sarg Hubbard Park Pond (Yakima County):** Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.
- (336) **Schaefer Lake (Chelan County):** Trout limit sixteen.
- (337) **Scootney Reservoir (Franklin County):** Walleye limit 8; minimum size 12 inches. It is unlawful to retain more than one walleye over 22 inches in length.
- (338) **Sedge Lake (Grant County):**
- (a) Selective gear rules apply.
- (b) Trout: Limit one.
- (339) **Shellneck Creek (Yakima County):** Closed.
- (340) **Sherman Creek (Ferry County) and all tributaries:**
- (a) From the hatchery boat dock to 400 feet upstream of hatchery water diversion dam: Closed.
- (b) Open the Saturday before Memorial Day through October 31.
- (341) **Sherry Lake (Stevens County):** Open the fourth Saturday in April through October 31.
- (342) **Shiner Lake (Adams County):**
- (a) Open April 1 through September 30.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (343) **Shoveler Lake (Grant County):** Open April 1 through September 30.

- (344) **Sidley Lake (Okanogan County):** Trout limit two.
- (345) **Silvas Creek (Klickitat County):** Trout: Catch and release only.
- (346) **Silver Lake (Spokane County):** Crappie limit ten; minimum length nine inches.
- (347) **Silver Nail Lake (Okanogan County):** Open to juvenile anglers only.
- (348) **Similkameen River (Okanogan County):**
- (a) Barbless hooks required for salmon and steelhead.
- (b) From the mouth to Enloe Dam:
- (i) Closed from Enloe Dam downstream 400 feet.
- (ii) July 1 through September 15:
- (A) Anti-snagging rule applies.
- (B) Night closure in effect.
- (iii) Salmon:
- (A) Open July 1 through September 15.
- (B) Limit 6; it is unlawful to retain more than 2 adult hatchery Chinook.
- (C) Release all wild salmon.
- (iv) Open December 1 through March 31 for whitefish only; whitefish gear rules apply.
- (c) 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.
- (349) **Sinlahekin Creek (Okanogan County):**
- (a) From Palmer Lake to Cecile Creek Bridge:
- (i) Open the Saturday before Memorial Day through August 31.
- (ii) Selective gear rules apply.
- (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iv) Open December 1 through March 31 for whitefish only; whitefish gear rules apply.
- (b) From Cecile Creek Bridge upstream, including all tributaries: Open the Saturday before Memorial Day through October 31.
- (350) **Skookum Lake, North (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (351) **Skookum Lake, South (Pend Oreille County):** It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
- (352) **Skookumchuck Creek (Klickitat County):** Trout: Catch and release only.
- (353) **Slate Creek and tributaries (Pend Oreille County):**
- (a) Open the Saturday before Memorial Day through October 31.
- (b) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.
- (354) **Snake River:**
- (a) Open year-round, except the following areas are closed:
- (i) Within 400 feet of the base of any dam;
- (ii) Within a 400 foot radius around the fish ladder entrance at Lyons Ferry Hatchery;

(iii) Within a 200 foot radius upstream of the fish ladder exit above Lower Granite Dam; and

(iv) 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.

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

(c) Channel catfish: No limit.

(d) Sturgeon:

(i) From the mouth to Ice Harbor Dam:

(A) Closed to fishing for sturgeon from May 1 through July 31 from the downstream end of Goose Island up to Ice Harbor Dam.

(B) Release all sturgeon from August 1 through January 31.

(ii) From Ice Harbor Dam to the Oregon border: Release all sturgeon in waters upstream from Lower Granite Dam, including all tributaries.

(e) Trout:

(i) Open June 16 through March 31

(ii) April 1 through June 15: Catch and release only.

(iii) Limit 6; minimum length 10 inches.

(iv) It is unlawful to retain more than 3 hatchery steelhead.

(v) Barbless hooks required for steelhead.

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

(355) **Snipe Lake (Grant County):** Open April 1 through September 30.

(356) **Snipes Creek (Benton County):** Selective gear rules apply.

(357) **Snyder Creek (Klickitat County):** Trout: Catch and release only.

(358) **South Salmo River (Pend Oreille County), including tributaries:** Open the Saturday before Memorial Day through October 31.

(359) **Spearfish Lake (Klickitat County):** Open the fourth Saturday in April through last day in February.

(360) **Spectacle Lake (Okanogan County):** Open April 1 through September 30.

(361) **Spokane River (Spokane County):**

(a) From SR 25 Bridge upstream to 400 feet below Little Falls Dam:

(i) It is permissible to fish with two poles so long as the angler possesses a two-pole endorsement.

(ii) Open year-round:

(A) Kokanee:

(I) Limit 6; no minimum size.

(II) It is unlawful to retain more than 2 with intact adipose fins.

(B) Salmon: Landlocked salmon rules apply.

(C) Sturgeon: It is unlawful to fish for or retain sturgeon.

(D) Trout:

(I) Limit 5; no minimum size.

(II) It is unlawful to retain more than 2 trout over 20 inches in length.

(E) Walleye: Limit 16; no size restrictions.

(b) 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: Open year-round.

(i) Landlocked salmon rules apply.

(ii) Sturgeon: It is unlawful to fish for or retain sturgeon.

(iii) Trout: Limit 5; no more than 2 trout over 20 inches in length may be retained.

(c) From the upstream boundary at Plese Flats Day Use Area (Riverside State Park) upstream to the Monroe Street Dam:

(i) Selective gear rules apply.

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

(iii) Open June 1 through March 15:

(A) Salmon: Open June 1 through March 15; landlocked salmon rules apply.

(B) Sturgeon: It is unlawful to fish for or retain sturgeon.

(C) Trout: Limit one; release wild trout (adipose fin intact).

(d) From Monroe Street Dam upstream to Upriver Dam:

(i) Open year-round.

(ii) Landlocked salmon rules apply.

(e) From Upriver Dam upstream to the Idaho/Washington state line:

(i) Selective gear rules apply.

(ii) Open the first Saturday in June through March 15.

(iii) Catch and release only.

(f) Unless otherwise provided in this section, all tributaries to the Spokane River are open the Saturday before Memorial Day through October 31.

(362) **Sprague Lake (Adams/Lincoln counties):**

(a) The following waters are closed:

(i) Cow Creek;

(ii) The marsh at the southwest end of the lake from the lakeside edge of the reeds to Danekas Road;

(iii) The small bay at the southeast end of the lake; and

(iv) Those waters within 50 feet of Harper Island.

(b) All other waters southwest of the southwest tip of Harper Island: Closed from October 1 through April 30.

(c) Crappie: Minimum length nine inches.

(d) Crappie and bluegill: Combined daily limit of twenty-five fish.

(e) Trout: It is unlawful to retain more than two trout over twenty inches in length.

(363) **Spring Creek (Benton County):** Selective gear rules apply.

(364) **Spring Creek (Goldendale Hatchery) (Klickitat County):**

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

(b) Trout: Limit 5.

(365) **Spring Hill Reservoir (Black Lake, Lower Wheeler Reservoir) (Chelan County):**

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

(b) July 5 through October 31: 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.

(366) **Spring Lake (Columbia County):**

(a) Open March 1 through October 31.

(b) It is unlawful to fish from any floating device.

(c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(367) **Spring Lakes (Grant County):** Open March 1 through July 31.

(368) **Stan Coffin Lake (Grant County):** Bass: Catch and release only.

(369) **Starvation Lake (Stevens County):**

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

(b) From June 1 through October 31:

(i) Selective gear rules apply.

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

(iii) Catch and release only.

(370) **Stehekin River (Chelan County):** From the mouth to Agnes Creek:

(a) Selective gear rules apply.

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

(c) Open July 1 through October 31: Trout minimum length fifteen inches; release cutthroat.

(d) Open March 1 through June 30: Catch and release only.

(371) **Stratford/Brook Lake (Grant County):** Open February 1 through September 30.

(372) **Sullivan Creek (Pend Oreille County):**

(a) From the mouth to Mill Pond: Open the Saturday before Memorial Day through October 31.

(b) From Mill Pond upstream and tributaries:

(i) Selective gear rules apply.

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

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

(iv) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken and the angler must cease fishing for trout.

(373) **Sullivan Lake (Pend Oreille County):**

(a) Kokanee: Limit ten; kokanee do not count toward the trout limit.

(b) Trout (except kokanee): Limit two trout.

(374) **Sullivan Lake tributaries (Pend Oreille County), except as otherwise provided in this section:** Open the Saturday before Memorial Day through October 31.

(375) **Summit Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(376) **Swale Creek (Klickitat County):** Trout: Catch and release only.

(377) **Swan Lake (Ferry County):**

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

(b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(378) **Swauk Creek (Kittitas County), including tributaries:** Selective gear rules apply.

(379) **Tacoma Creek and tributaries (Pend Oreille County):**

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

(b) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken and the angler must cease fishing for trout.

(380) **Taneum Creek (Kittitas County), including tributaries:** Selective gear rules apply.

(381) **Teal Lakes (North and South) (Grant/Adams counties):** Open April 1 through September 30.

(382) **Teanaway River (Kittitas County), and tributaries:** Selective gear rules apply.

(383) **Teanaway River, North Fork (Kittitas County):**

(a) From the mouth to Beverly Creek, including all tributaries:

(i) Selective gear rules apply.

(ii) Trout: Catch and release only.

(b) From Beverly Creek to the impassable waterfall at the end of USFS Road 9737: Closed.

(384) **Tern Lake (Grant County):**

(a) Selective gear rules apply.

(b) Trout: Limit one.

(385) **Thomas Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(386) **Thread Lake (Adams County):** Open April 1 through September 30.

(387) **Tieton River (Yakima County):**

(a) It is permissible to fish up to the base of Tieton (Rimrock) Dam.

(b) Selective gear rules apply.

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

(388) **Tieton River, North Fork (Yakima County):**

(a) The following waters are closed:

(i) The Clear Lake spillway channel; and

(ii) Within 400 feet of Clear Lake Dam.

(b) For the mainstem, including that portion of the river that flows through the dry lakebed of Rimrock Reservoir:

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

(ii) Selective gear rules apply for the mainstem and tributaries.

(389) **Tieton River, South Fork (Yakima County):**

(a) From the bridge on USFS Road 1200 to bridge on USFS Rd. 1070 (approximately 12.5 miles): Closed.

(b) From the bridge on USFS Rd. 1070 upstream: Open the Saturday before Memorial Day through October 31.

(390) **Touchet River (Columbia/Walla Walla counties):**

(a) From the mouth to the confluence of North and South Forks, and all tributaries open to game fish angling:

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

(ii) Channel catfish: No limit.

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

(b) From the mouth to the confluence of the North and South Forks from November 1 through April 15:

(i) It is unlawful to use anything other than barbless hooks.

(ii) From November 1 through March 31: Release all fish except hatchery steelhead and brown trout; limit 3 combined.

(iii) From April 1 through April 15: Release all fish except anglers may retain up to 3 hatchery steelhead.

(c) From the confluence of the North and South Forks upstream, including South Fork, North Fork, Robinson and Wolf Forks:

(i) Tributaries other than North Fork, South Fork, Robinson Fork, and Wolf Fork: Closed.

(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.

(d) North Fork, upstream of Spangler Creek:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules and all tributaries are closed.

(e) South Fork, upstream from Griffin Creek: Open the first Saturday in June through August 31.

(f) Wolf Fork, upstream from Coates Creek:

(i) All tributaries are closed.

(ii) Open the first Saturday in June through August 31.

(iii) Selective gear rules apply.

(391) **Trapper Lake (Chelan County):** Trout: Limit two.

(392) **Trout Lake (Ferry County):** Open the fourth Saturday in April through October 31.

(393) **Trout Lake (tributary to Big White Salmon River) (Klickitat County):** Open the first Saturday in June through October 31.

(394) **Tucannon River (Columbia County):**

(a) General River Rules:

(i) Unless otherwise provided in this section, all tributaries are closed, except Pataha Creek.

(ii) For all portions of the Tucannon River open to game fish angling:

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

(B) Channel catfish: No limit.

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

(b) Rules by river section:

(i) From the mouth upstream to Tucannon Hatchery Bridge:

(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.

(D) Open November 1 through March 31:

(I) It is unlawful to use anything other than barbless hooks.

(II) Release all fish, except anglers may retain up to 3 hatchery steelhead and 15 whitefish.

(E) From the Tucannon Hatchery Bridge upstream:

(I) The following waters are closed:

(II) All tributaries and the mainstem from the Tucannon Hatchery Bridge upstream to 500 feet above the Rainbow Lake intake.

(ii) From Cow Camp Bridge upstream.

(A) Selective gear rules apply.

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

(C) Steelhead: Catch and release only.

(395) **Tucquala Lake (Kittitas County):**

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

(b) Eastern brook trout: No limit; eastern brook trout do not count towards the trout limit.

(396) **Twin Lakes (Chelan County) and tributaries and outlet stream to junction with the Napeequa River:** Closed.

(397) **Twisp River (Okanogan County):**

(a) From the mouth to War Creek:

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

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(b) From War Creek to South Fork Twisp River: Closed.

(398) **Umtanum Creek (Kittitas County):** Selective gear rules apply.

(399) **Union Creek (Yakima County):** Closed from the mouth upstream to falls (approximately 1/4 mile).

(400) **Upper Wheeler Reservoir (Chelan County):** Closed.

(401) **Vanes Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(402) **Vic Meyers (Rainbow) Lake (Grant County):** Open the fourth Saturday in April through September 30.

(403) **Wahkiacus Creek (Klickitat County):** Trout: Catch and release only.

(404) **Waitts Lake (Stevens County):** Open the fourth Saturday in April through last day in February.

(405) **Walla Walla River (Walla Walla County):**

(a) In the mainstem and tributaries open to game fish angling:

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

(ii) Channel catfish: No limit.

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

(b) From the mouth to the Touchet River:

(i) Open year-round, except all tributaries other than the Touchet River are closed.

(ii) Trout:

(A) Release trout April 1 through May 31.

(B) Limit 3 hatchery steelhead.

(C) It is unlawful to fish for steelhead using anything other than barbless hooks.

(c) From the Touchet River upstream to the state line:

(i) Open from the first Saturday in June through October 31; trout: Limit 3 hatchery steelhead.

(ii) From November 1 through March 31:

(A) It is unlawful to fish for steelhead using anything other than barbless hooks.

(B) Release all fish, except anglers may retain up to 3 hatchery steelhead.

(iii) All tributaries are closed, except Mill Creek and the Touchet River are open as provided in this section.

(406) **Wannacut Lake (Okanogan County):** Open the fourth Saturday in April through October 31.

(407) **Wapato Lake (Chelan County):**

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

(b) From August 1 through October 31: Selective gear rules apply.

(c) Trout: Catch and release only.

(408) **Ward Lake (Ferry County):** Open the fourth Saturday in April through October 31.

(409) **Warden Lake (Grant County):** Open the fourth Saturday in April through September 30.

(410) **Warden Lake, South (Grant County):** Open the fourth Saturday in April through September 30.

(411) **Washburn Island Pond (Okanogan County):**

(a) Open April 1 through September 30.

(b) 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.

(412) **Washburn Lake (Okanogan County):**

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

(b) Trout: Limit two.

(413) **Watson Lake (Columbia County):**

(a) Open March 1 through October 31.

(b) It is unlawful to fish from any floating device.

(c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(414) **Wenaha River tributaries within Washington:**

(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) Trout: Release all steelhead.

(415) **Wenatchee Lake (Chelan County):**

(a) Selective gear rules apply.

(b) Trout:

(i) Limit two; minimum length twelve inches.

(ii) Release all kokanee.

(iii) Kokanee/sockeye under sixteen inches are considered kokanee while those fish sixteen inches and over are considered sockeye salmon.

(416) **Wenatchee River (Chelan County):**

(a) From the mouth to 400 feet below Dryden Dam:

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

(ii) Salmon:

(A) Open August 1 through September 30.

(B) Selective gear rules apply.

(C) Night closure in effect.

(D) Limit 4; it is unlawful to retain more than 2 adult hatchery Chinook.

(E) Release all wild salmon.

(b) From the mouth of Peshastin Creek (above Dryden Dam) to Highway 2 Bridge at Leavenworth:

(i) Salmon:

(A) Open September 1 through September 30.

(B) Limit 4; it is unlawful to retain more than 2 adult hatchery Chinook.

(C) Release all wild salmon.

(D) Selective gear rules apply and night closure in effect.

(ii) Whitefish: Open December 1 through March 31; whitefish gear rules apply.

(c) Lake Jolanda is closed.

(417) **West Evans Pond (Asotin County):** It is unlawful to retain more than 2 trout over 13 inches in length.

(418) **Wheeler Creek (Klickitat County):** Trout: Catch and release only.

(419) **White River (Chelan County), from mouth upstream to White River Falls:** Closed.

(420) **White Salmon River (Klickitat/Skamanian counties):**

(a) From the mouth to the county road bridge below the powerhouse:

(i) It is unlawful to fish for salmon and steelhead using anything other than barbless hooks.

(ii) From the mouth to the Highway 14 Bridge, the limit follows the most liberal regulations of the adjacent mainstem Columbia River or White Salmon River, when both areas are open concurrently for salmon.

(iii) Bank fishing only downstream from the Highway 14 Bridge.

(iv) Open August 1 through March 31:

(A) August 1 through December 31: Anti-snagging rule applies.

(B) Trout: Minimum length 14 inches.

(v) Salmon and steelhead:

(A) From April 1 through July 31: Limit 2 salmon or 2 hatchery steelhead, or one of each; release wild Chinook.

(B) August 1 through March 31:

(I) Open for salmon.

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

(III) Release wild Chinook and wild coho.

(b) From the county road bridge below the powerhouse upstream to Big Brothers Falls (river mile 16):

(i) From Big Brothers Falls downstream 400 feet: Closed.

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

(iii) Selective gear rules apply.

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

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

(421) **Wide Hollow Creek (Yakima County):** Open to juvenile anglers only.

(422) **Widgeon Lake (Grant County):** Open April 1 through September 30.

(423) **Williams Lake (Spokane County):** Open the fourth Saturday in April through September 30.

(424) **Williams Lake (Stevens County):**

(a) Open December 1 through March 31.

(b) Release all fish except anglers may retain up to five rainbow trout.

(425) **Wilson Creek (two branches within Ellensburg city limits) (Kittitas County):** Open to juvenile anglers only.

(426) **Winchester Wasteway (Grant County) (that portion within the Winchester Game Reserve):** Open February 1 through September 30.

(427) **Wolf Creek, mouth to mouth of south fork (Okanogan County):** Closed.

(428) **Yakima River (Yakima County):**

(a) General river rules:

(i) Release all steelhead in the mainstem and tributaries.

(ii) Downstream of Highway 240 Bridge, Columbia River rules apply.

(iii) In the mainstem and tributaries:

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

(B) Channel catfish: No limit.

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

(b) Rules by river section:

(i) From the mouth to 400 feet below Prosser Dam:

(A) 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: Closed September 1 through October 22.

(B) Open March 1 through October 22.

(C) Chumming is permissible.

(D) Trout: Catch and release only.

(E) Salmon:

(I) Open September 1 through October 22.

(II) Night closure in effect.

(III) It is unlawful to fish for salmon using anything other than barbless hooks.

(IV) Limit 6; it is unlawful to retain more than 2 adults.

(ii) From Prosser Dam to Highway 223 Bridge:

(A) Open May 1 through October 31.

(B) Trout: Catch and release only.

(iii) From Highway 223 Bridge to 400 feet below Sunny-side Dam:

(A) Trout: Minimum length is 12 inches, maximum length is 20 inches.

(B) Open December 1 through the last day in February for whitefish only; whitefish gear rules apply.

(iv) From Sunnyside Dam to 3,500 feet below Roza Dam:

(A) Closed from Yakima Avenue-Terrace Heights Bridge upstream 400 feet.

(B) Selective gear rules apply.

(C) 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.

(D) Trout: Minimum length 12 inches, maximum length 20 inches.

(E) Open December 1 through the last day in February for whitefish only; whitefish gear rules apply.

(v) From 3,500 feet below Roza Dam to 400 feet below Roza Dam:

(A) Open December 1 through the last day in February for whitefish only; whitefish gear rules apply.

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

(vi) From Roza Dam to 400 feet below Easton Dam and from Lake Easton to the base of Keechelus Dam:

(A) Open year-round.

(B) Lawful 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).

(C) Selective gear rules apply.

(D) Trout:

(I) From Roza Dam to 400 feet below Easton Dam: Catch and release only.

(II) From Lake Easton to the base of Keechelus Dam: Catch and release only except anglers may retain eastern brook trout. There is no limit and no minimum size restriction for eastern brook trout.

(E) Whitefish: December 1 through the last day in February; whitefish gear rules apply.

(429) **Yakima Sportsmen's Park Ponds (Yakima County):** Open to juvenile anglers only.

(430) **Yellowhawk Creek (Walla Walla County):** Closed.

(431) **Yocum Lake (Pend Oreille County):**

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

(b) It is unlawful to use lead weights or lead jigs that measure 1.5 inches or less along the longest axis.

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

NEW SECTION

WAC 220-310-200 Freshwater exceptions to state-wide rules—Columbia. The following exceptions to state-wide rules apply to the Columbia River, including impoundments and all connecting sloughs, except Wells Ponds:

(1) General Columbia River rules:

(a) In the concurrent waters of the Columbia River between Washington and Oregon, the license of either state is valid when fishing from a vessel.

(i) Anglers must comply with the fishing regulations of the state in which they are fishing.

(ii) This subsection does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington except as otherwise provided by department rule.

(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) It is unlawful to 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 provided in WAC 220-56-118 apply to the Columbia River, 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 are 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 permissible 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.

(ii) Release all trout, except anglers may retain hatchery steelhead.

(iii) Walleye:

(A) Limit 10; no minimum length.

(B) No more than 5 longer than 18 inches may be retained, and only one walleye may be longer than 24 inches.

(iv) Bass: Limit 5 bass between 12 and 17 inches in length; no more than 3 longer than 15 inches may be retained.

(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 1 through July 31, release adult Chinook and sockeye.

(B) Open August 1 through September 1:

(I) Limit 2 salmon, or 2 hatchery steelhead, or one of each.

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

(III) Chinook minimum length 24 inches; only one Chinook may be retained as part of the limit.

(IV) Coho minimum length 16 inches.

(C) Open September 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: 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 (b)(v) of this subsection).

(I) Anglers may retain up to 2 hatchery cutthroat.

(II) Hatchery cutthroat minimum length 12 inches.

(III) Barbless hooks are required for cutthroat trout.

(ii) Walleye:

(A) Limit 10; no minimum length.

(B) No more than 5 longer than 18 inches may be retained, and only one may be longer than 24 inches.

(iii) Bass: Limit 5 bass between 12 and 17 inches in length; it is unlawful to retain more than 3 longer than 15 inches.

(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 and July 1 through July 31.

(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) Only one adult Chinook may be retained.

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

(C) 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 6 through September 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: It is unlawful to retain sturgeon (catch and release only).

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

(i) The following waters are closed:

(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 the boundary marker on the Oregon shore, downstream to a line between the lower end of Sand Island and the boundary 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) Camas Slough:

(A) It is permissible for an angler licensed in Oregon or Washington to fish from a floating device.

(B) In the 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:

(I) From August 1 through December 31: It is permissible to fish with two poles so long as the angler possesses a valid two-pole endorsement.

(II) Open for salmon when the adjacent mainstem Columbia or Washougal rivers are open for salmon.

(III) The limit for salmon is the same as the most liberal regulation of either area, except anglers may only retain hatchery Chinook and hatchery coho; release all other salmon.

(iii) Release all trout except hatchery steelhead.

(iv) Walleye:

(A) Limit 10; no minimum length.

(B) No more than 5 longer than 18 inches may be retained, and only one walleye may be longer than 24 inches.

(v) Bass: Limit 5 bass between 12 and 17 inches in length; no more than 3 longer than 15 inches may be retained.

(vi) Channel catfish: No limit.

(vii) 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 1 through July 31.

(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) Only one adult Chinook may be retained.

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

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

(viii) Steelhead: Open January 1 through March 31.

(ix) Shad: Open May 16 through March 31.

(x) Sturgeon:

(A) The following waters are 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, westerly to the boundary marker on the Washington shore upstream of Fir Point (navigational marker 82 line), from May 1 through August 31.

(B) It is unlawful to retain sturgeon (catch and release only) in all other areas within this river section.

(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 anglers may retain hatchery steelhead.

(iii) Walleye:

(A) Limit 10; no minimum length.

(B) No more than 5 longer than 18 inches may be retained, and only one may be longer than 24 inches.

(iv) Bass: Limit 5 bass between 12 and 17 inches in length; no more than 3 longer than 15 inches may be retained.

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

(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) Sturgeon: 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) Limit 10; no minimum length.

(B) No more than 5 longer than 18 inches may be retained, and only one walleye may be longer than 24 inches.

(iv) Bass: Limit 5 bass between 12 and 17 inches in length; no more than 3 longer than 15 inches may be retained.

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

(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) Minimum fork length 43 inches.

(B) 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 (395) Bridge.

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

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

(i) Barbless hooks are 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) Release all trout except hatchery steelhead.

(iv) From McNary Dam upstream to Highway 730 at the Oregon/Washington border: Walleye limit 10; no minimum length. No more than 5 walleye longer than 18 inches may be retained, and only one may be longer than 24 inches.

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

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

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

(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) Sturgeon: Catch and release only 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 are 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) Fishing is allowed only from the bank and only on the hatchery side of the river.

(B) Release all trout, except anglers may retain up to 2 hatchery steelhead from April 1 through April 15.

(iv) From June 16 through July 31, for all species except sturgeon: It is permissible to fish with two poles so long as the angler possesses a two-pole endorsement.

(v) Release all steelhead with a radio-tag wire protruding from the mouth, or with a disk or floy tag attached near the dorsal fin.

(vi) Trout:

(A) October 1 through October 31 release all trout, except 2 hatchery steelhead with both the adipose and a ventral fin clipped may be retained.

(B) November 1 through March 31 release all trout, except anglers may retain up to 2 hatchery steelhead.

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

(viii) Channel catfish: No limit.

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

(x) 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.

(B) Open August 1 through October 22: Limit 6; no more than 2 adult salmon may be retained.

(xi) Sturgeon: Catch and release only 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 are required for salmon and steelhead.

(ii) Open February 1 through October 22.

(iii) June 16 through July 31, for all species except sturgeon: It is permissible to fish with two poles so long as the angler possesses a two-pole endorsement.

(iv) Trout: Catch and release only.

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

(vi) Channel catfish: No limit.

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

(viii) 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.

(B) Open August 1 through October 22: Limit 6; no more than 2 adult salmon may be retained.

(ix) Sturgeon: Release sturgeon August 1 through October 22.

(i) From Vernita Bridge (Highway 24) to Priest Rapids Dam:

(i) Barbless hooks are 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 mid-stream Columbia River between boundary markers located 100 feet upstream and 400 feet downstream of the mouth.

(iii) June 16 through July 31, for all species except sturgeon: It is permissible to fish with two poles so long as the angler possesses a two-pole endorsement.

- (iv) Trout: Catch and release only.
- (v) Walleye: No limit and no size restrictions.
- (vi) Bass: No limit and no size restrictions.
- (vii) Channel catfish: No limit.
- (viii) 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.
 - (B) Open August 1 through October 22: Limit 6; no more than 2 adult salmon may be retained.
- (ix) 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) August 1 through January 31: Catch and release only.
 - (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) July 1 through August 31: Fishing two poles is permissible so long as the angler possesses a two-pole endorsement.
 - (iv) Release all trout.
 - (v) Walleye: No limit and no size restrictions.
 - (vi) Bass: No limit and no size restrictions.
 - (vii) Channel catfish: No limit.
 - (viii) Salmon:
 - (A) Open July 1 through August 31:
 - (I) Limit 6; no more than 2 adult hatchery Chinook.
 - (II) Release all wild salmon.
 - (B) Open September 1 through October 22: Limit 6 Chinook; no more than 2 adults may be retained.
 - (ix) Sturgeon: Catch and release only.
 - (k) From Wanapum Dam to Wells Dam:
 - (i) Barbless hooks are 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) July 1 through August 31: Fishing two poles is permissible so long as the angler possesses a two-pole endorsement.
 - (iv) Trout: Catch and release only.
 - (v) Walleye: No limit and no size restrictions.
 - (vi) Bass: No limit and no size restrictions.
 - (vii) Channel catfish: No limit.
 - (viii) Salmon open July 1 through October 15:
 - (A) Limit 6; no more than 2 adult hatchery Chinook.
 - (B) Release all wild salmon.
 - (ix) Sturgeon: Catch and release only.
 - (l) From Wells Dam to Highway 173 Bridge at Brewster:

- (i) Barbless hooks are required for salmon and steelhead.
- (ii) July 16 through August 31: Fishing two poles is permissible so long as the angler possesses a two-pole endorsement.
 - (iii) Release all trout.
 - (iv) Walleye: No limit and no size restrictions.
 - (v) Bass: No limit and no size restrictions.
 - (vi) Channel catfish: No limit.
 - (vii) Salmon open July 16 through August 31:
 - (A) Limit 6; no more than 2 adult hatchery Chinook.
 - (B) Release all wild salmon.
 - (viii) Sturgeon: Catch and release only.
 - (m) From Highway 173 Bridge at Brewster to Chief Joseph Dam:
 - (i) Barbless hooks are 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 from Chief Joseph Dam to the rock jetty at the upstream shoreline of Foster Creek.
 - (iii) July 1 through August 31: Fishing two poles is permissible so long as the angler possesses a two-pole endorsement.
 - (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.
 - (v) Trout: Catch and release only.
 - (vi) Walleye: No limit and no size restrictions.
 - (vii) Bass: No limit and no size restrictions.
 - (viii) Channel catfish: No limit.
 - (ix) Salmon: Open July 1 through October 15:
 - (A) Limit 6; no more than 2 adult hatchery Chinook.
 - (B) Release all wild salmon.
 - (x) Sturgeon: Catch and release only.
 - (n) Above Chief Joseph Dam: See Rufus Woods Lake in WAC 220-310-195.
 - (o) Above Grand Coulee Dam: See Lake Roosevelt in WAC 220-310-195.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-619 Washington food fish and game fish—
Freshwater exceptions to statewide rules.

WSR 14-04-121

PERMANENT RULES

DEPARTMENT OF CORRECTIONS

[Filed February 5, 2014, 7:47 a.m., effective March 8, 2014]

Effective Date of Rule: Thirty-one days after filing.
Purpose: To correct/update references to the department of corrections policy in the rule.
Citation of Existing Rules Affected by this Order:
Amending WAC 137-30-030.

Statutory Authority for Adoption: RCW 72.01.090 and 72.09.130.

Adopted under notice filed as WSR 14-01-020 on December 9, 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 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: February 5, 2014.

Bernard Warner
Secretary

AMENDATORY SECTION (Amending WSR 11-11-018, filed 5/9/11, effective 6/9/11)

WAC 137-30-030 Eligibility. (1) **ERT.** The following offenders may receive ERT:

(a) Offenders convicted of a serious violent offense or a class A felony sex offense, committed after June 30, 1990, and before July 1, 2003, the ERT may not exceed fifteen percent of their sentence.

(b) Offenders convicted of a serious violent offense, or a class A felony sex offense, committed after June 30, 2003, the ERT may not exceed ten percent of their sentence.

(c) Regardless of the date of offense or the date of sentencing, offenders convicted before July 2, 2010, who are classified as moderate or low risk, may earn ERT up to fifty percent of their sentence: Provided, That they have not been convicted of or have a prior conviction of a:

(i) Sex offense;

(ii) Violent offense;

(iii) Crime against a person, including identity theft in the first or second degree, committed on or after June 7, 2006;

(iv) Felony domestic violence;

(v) Residential burglary;

(vi) Violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.401 by manufacture of, delivery of, or possession with intent to deliver, methamphetamine;

(vii) Violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.406 (delivery of a controlled substance to a minor);

(viii) Gross misdemeanor stalking;

(ix) Violation of a domestic violence court order, including gross misdemeanors; or

(x) Any felony committed while under community supervision.

(d) Offenders may earn ERT up to one-third of the sentence in all other cases not identified in this section.

(e) An offender who has transferred from one sentence within a cause number to the next sentence, or from one cause number to the next cause number, may lose ERT associated with the previous sentence or cause. ERT may be taken on a consecutive sentence that is not yet being served.

(f) Offenders found guilty of infractions 557 or 810 (WAC 137-25-030) will lose available ERT and privileges as outlined by (~~DOC Policy 320.150 – Disciplinary Sanctions~~) department policy and will lose their fifty percent eligibility. Offenders found guilty of infraction 813, related to employment or programming while in work release, will also lose available ERT and privileges.

(2) **Good conduct time.**

(a) All offenders will be eligible for good conduct time, except:

(i) Offenders sentenced to death or life without parole; (~~and~~)

(ii) Offenders serving the mandatory or flat time enhancement portion of their sentences;

(iii) Community custody violators sanctioned by the department on or after May 2, 2012; and

(iv) Offenders sanctioned to community custody prison return or community custody inmate termination.

(b) Good conduct time will be applicable to all class A, B, and C felonies, except that: (~~(+)~~) Indeterminate offenders cannot earn good conduct time if their minimum term has expired and they have not been paroled or transferred to a consecutive sentence. (~~(+)~~) Any good conduct time earned or denied will be addressed to the correct sentence after the parole/transfer date is determined.

(c) Offenders may (~~(fail to earn)~~) lose earned and future good conduct time if found guilty of serious infractions listed in WAC 137-25-030 and sanctioned per (~~DOC Policy 320.150 Disciplinary Sanctions~~) department policy.

(d) A sentence reduction based on good conduct time will be established for each offender and computed on a pro rata basis for every thirty-day period served, as allowed by the offender's crime category.

(e) The following offenders may lose their good conduct time if found guilty of a serious infraction:

(i) Indeterminate offenders whose time has not been adopted by the indeterminate sentence review board (ISRB); and

(ii) Determinate offenders.

The amount of time lost will be determined by the disciplinary hearing officer/community hearing officer/ISRB.

(3) **Earned time.**

(a) Offenders who participate in approved programs, including work and school, are eligible for earned time for each calendar month as follows:

(i) Earned time eligible under ten percent rule - One and eleven one-hundredth days;

(ii) Earned time eligible under fifteen percent rule - One and seventy-six one-hundredth days;

(iii) Earned time eligible under thirty-three percent rule - Five days;

(iv) Earned time eligible under fifty percent rule - Ten days.

(b) An offender who disagrees with the risk assessment results has the right to appeal to the superintendent of the facility where the decision was made within forty-eight hours of notification ((per DOC Policy 320.400 Risk Assessment Process)).

high risk nonviolent offenders may earn up to one-third of the sentence.

(c) Offenders are not eligible for earned time if:

(i) They are serving an indeterminate sentence and:

(A) The cause has been extended to the maximum term by the ISRB; or

(B) The ISRB has previously denied future earned time.

(ii) They are not involved in mandatory programming as determined through the classification process and consistent with their custody facility plan. This includes refusing a mandatory work/school/program assignment or being terminated from a mandatory work/school/program assignment for documented negative or substandard performance. An offender who is on a waiting list and then refuses a program assignment will lose earned time for the month in which she or he refused.

- Offenders previously determined qualified to receive fifty percent earned time will participate in programming or activities targeted in the custody facility plan. The offender will not be penalized if programs and activities are not available.

(iii) They refuse any transfer, excluding work release. No earned time, at the appropriate earned time percentage as allowed by crime category, will be granted for each calendar month the offender refuses assignment.

(iv) They serve twenty days or more in one calendar month in administrative segregation/intensive management status or disciplinary segregation. Loss of earned time will be calculated as allowed per crime category. The offender is not eligible to begin earning earned time until the superintendent approves placement in general population. Offenders who are approved for transfer to general population and are scheduled for release to the community within sixty days will not lose earned time unless found guilty of infraction 557 or 810, or of an infraction 813 related to employment or programming while in work release. For other than negative behavior, offenders ((on)) in administrative segregation((intensive management status)) will continue to earn earned time at the rate allowed by crime category, provided they maintain positive behavior throughout the placement.

(v) They are serving the mandatory ((minimum)) or flat time portion of their sentence, except indeterminate offenders sentenced for crimes committed before July 1, 1984.

(vi) At a classification hearing where earned time will be addressed, the offender will receive a written record of his/her earned time at least twenty-four hours prior to the scheduled classification review if earned time is not earned. Action taken by the committee is final and cannot be appealed.

(vii) Earned time not earned as a result of infraction 557 or 810, or of an infraction 813 related to employment or programming while in work release, cannot be restored.

(viii) Offenders will receive a written record of all earned time denials.

(4) Offenders are not eligible for fifty percent earned time if the offender's risk management level is changed to high risk violent or high risk nonviolent; high risk violent or