

WSR 14-10-019
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 14-95—Filed April 25, 2014, 4:50 p.m., effective May 26, 2014]

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

Purpose: **WAC 220-55-040 Recreational license tag, permit and stamp refund and exchanges, 220-55-172 Reduced rate combination deer hunting licenses, and 220-55-174 Reduced rate combination elk hunting licenses.**

Agency reason for adoption: This change clarifies and expands the rationale for refunding, exchanging, and replacing licenses and tags. In addition, the department received several complaints regarding the price of second deer and elk licenses. This change creates discounts for combination licenses and tags.

WAC 232-12-047 Unlawful methods for hunting, 232-12-051 Muzzleloading firearms, 232-12-054 Hunters with disabilities, 232-12-819 Special use permits, 232-12-825 Definition of a person with a disability, and 232-12-828 Hunting of game birds and animals by persons with a disability.

Agency reason for adoption: Several rules (WAC 232-12-047, 232-12-051, and 232-12-054) are amended to delete exceptions for hunters with disabilities from equipment regulations. Exceptions for hunters with disabilities are instead incorporated into a new rule (WAC 232-12-819) and an existing rule (WAC 232-12-828). The change authorizes the department to issue special use permits to provide reasonable accommodations for persons with a disability. This rule change also updates the definition of a hunter with a disability.

WAC 232-12-242 Hunting restrictions.

Agency reason for adoption: This change reinstates restrictions on night hunting and hound hunting during deer and elk seasons which were inadvertently deleted from the small game seasons last year but not placed in a different section as planned.

A reference to WAC 232-28-285 is removed as it is no longer in effect and a reference to WAC 232-12-243 is replaced with reference to the statute that authorizes public safety cougar removals, RCW 77.15.245.

WAC 232-28-248 Special closures and firearm restriction areas.

Agency reason for adoption: Adjustments are made to the boundary of the Columbia River Restricted Hunting Area hunting closure to better reflect conditions on the ground and to prevent trespass on restricted federal lands. This change also provides an exception to allow special permit hunting on the Parker Lake Restricted Hunting Area. In addition, the amendments provide an exception to the modern firearm restriction in the Kittitas firearm restriction area.

WAC 232-28-273 2012-2014 Moose seasons and permit quotas.

Agency reason for adoption: Changes are made to increase the current temporal, geographic, and gender scope of the Master Hunter permits in Region 1. The revision allows for Master Hunt permits for any moose identified by

the Washington department of fish and wildlife (WDFW) as requiring removal; for a season extending from Aug. 1 through the following March 1; and extend to area to include all of GMUs 124, 127, 130, 133, 136, 139, and 142.

WAC 232-28-283 2012-2014 Big game and wild turkey auction, raffle, and special incentive permits.

Agency reason for adoption: Adds GMU 172 to 18 Rocky Mountain Bighorn Sheep Raffle permit, and removes GMU 181.

WAC 232-28-296 Landowner hunting permits.

Agency reason for adoption: This proposal modifies hunt dates and permit levels on properties enrolled in WDFW's Landowner Hunting Permit (LHP) program for the 2014 hunting season. These sites offer special hunting opportunities to the public through WDFW's special permit drawings, raffles, or selection by the landowner.

WAC 232-28-337 Elk area descriptions.

Agency reason for adoption: This change modifies the boundary of an existing Elk Area in Region 5 to better address wildlife conflict through special permit elk hunting. The changes also create an Elk Area in Region 1 to facilitate elk special permit hunting on newly acquired wildlife area lands.

WAC 232-28-342 2012-13, 2013-14, and 2014-15 Small game seasons.

Agency reason for adoption: This change retains general season deer hunting opportunity and balances the hunting opportunity between user groups. In addition, the change increases opportunity when deer populations allow, and reduces opportunity when declining deer numbers warrant a change.

WAC 232-28-357 2012-2014 Deer general seasons and definitions.

Agency reason for adoption: This change retains general season deer hunting opportunity and balances the hunting opportunity between user groups. In addition, the change increases opportunity when deer populations allow, and reduces opportunity when declining deer numbers warrant a change.

WAC 232-28-358 2012-2014 Elk general seasons and definitions.

Agency reason for adoption: This change retains general season deer hunting opportunity and balances the hunting opportunity between user groups. In addition, the change increases opportunity when deer populations allow, and reduces opportunity when declining deer numbers warrant a change.

WAC 232-28-359 2014 Deer special permits.

Agency reason for adoption: The changes to the rule retain special permit deer hunting opportunity for 2014 and balance the hunting opportunity between user groups. In addition, the change increases opportunity when deer populations allow, and reduces opportunity when declining deer numbers warrant a change.

WAC 232-28-360 2014 Elk special permits.

Agency reason for adoption: The changes to the rule retain special permit elk hunting opportunity for 2014 and balance the elk special permit hunting opportunity between user groups. In addition, the change increases elk hunting opportunity when elk populations allow, and reduces the opportunity when declining deer [elk] numbers warrant a change.

WAC 232-28-622 Big horn sheep seasons and permit quotas.

Agency reason for adoption: This change:

- Increases permits in the Asotin herd from zero permits to one permit;
- Increases permits in the Lincoln Cliff herd from one permit to two;
- Decreases permits in the Cleman Mountain herd from ten permits to eight;
- Increases permits in the Umtanum portion of the Umtanum/Selah herd from two permits to three; and
- Initiates a new ewe-only hunt in the Selah portion of the Umtanum/Selah herd, allowing for five permits.

WAC 232-28-623 2012-2014 Mountain goat seasons and permit quotas

Agency reason for adoption: This change:

- Decreases mountain goat permits in the Methow (2-2) goat hunt unit from one permit to zero;
- Increases mountain goat permits in the Naches Pass (3-6) goat hunt unit from one permit to two;
- Increases mountain goat permits in the Bumping River (3-7) goat hunt unit from one permit to two;
- Increases mountain goat permits in the Chowder Ridge (4-3) goat hunt unit from one permit to two; and
- Initiates a new conflict-reduction mountain goat hunt in Region 6, GMU 621, allowing for 6 permits.

WAC 232-28-624 Deer area descriptions

Agency reason for adoption: This change adds a Deer Area in Pend Oreille County that will facilitate some special permit hunting opportunity on the USAF survival training facility where hunting access did not exist before. The change also adds a new Deer Area in Asotin County to facilitate special permit hunting opportunity on newly acquired wildlife area land.

Citation of Existing Rules Affected by this Order: Amending WAC 220-55-040, 232-12-047, 232-12-051, 232-12-054, 232-12-242, 232-12-828, 232-28-248, 232-28-273, 232-28-283, 232-28-296, 232-28-337, 232-28-342, 232-28-357, 232-28-358, 232-28-359, 232-28-360, 232-28-622, 232-28-623, and 232-28-624.

Statutory Authority for Adoption: RCW 77.12.047, 77.12.240, 77.32.070.

Adopted under notice filed as WSR 14-03-135 on January 22, 2014.

Changes Other than Editing from Proposed to Adopted Version: **WAC 220-55-040 Recreational license tag, permit and stamp refund and exchanges, 220-55-172 Reduced rate combination deer hunting licenses, and 220-55-174 Reduced rate combination elk hunting licenses.**

Changes, if any, from the text of the proposed rule and reasons for difference:

[WAC 220-55-040] subsection (2)(e): Insert the words "out of state" after the word "transferred" in the first sentence and delete the words "or otherwise obligated." The sentence will read: "A license purchaser who is transferred out of state by the military or their business and unable to use a license can obtain a refund ..."

Rationale: The change is necessary to clarify the intent of this exception for a refund for those who could not participate in a hunt for which they purchased a license.

WAC 232-12-047 Unlawful methods for hunting, 232-12-051 Muzzleloading firearms, 232-12-054 Hunters with disabilities, 232-12-819 Special use permits, 232-12-825 Definition of a person with a disability, and 232-12-828 Hunting of game birds and animals by persons with a disability.

Changes, if any, from the text of the proposed rule and reasons for difference:

WAC 232-12-819 Special use permits:

- Under subsection (4), deletes the term "accommodation" and replaces with "modification." The term accommodation is related to employment and not to equipment used for hunting. This edit was recommended by the Department of Interior.

WAC 232-12-825 Definition of a person with a disability:

- Changes subsection (1) to read: "'Person with a disability' means a person who has a permanent physical disability or permanent developmental disability which substantially impairs their ability to participate in recreational activities or access department lands; and ...' This language more accurately describes a person of disability in terms of their needs to participate in multiple types of fish and wildlife related recreational activities.
- Adds the words "every time" after the term "assistive device" under the definition of "Lower extremity disability." This change better defines the level of disability that meets this definition.

Modifies the definition of an "Upper extremity disability" as follows: "'Upper extremity disability' means a person who has a permanent upper extremity impairment and is physically limited in their ability to hold and safely operate a legal hunting or harvesting device; or ...' This language better defines the level of impairment qualifying for this disability.

WAC 232-12-828 Hunting of game birds and animals by persons with a disability:

- Under subsection (3) the last sentence was changed to read: "A designated hunter companion must have a valid hunting license issued by Washington state or another state." The term "with a disability" is replaced with "companion." This change corrects a drafting error.

WAC 232-12-242 Hunting restrictions.

Changes, if any, from the text of the proposed rule and reasons for difference: Adds "except rabbits and hares," in subsection (2)(a):

"... It is unlawful to hunt any wildlife at night or wild animals, except rabbits and hares, with dogs (hounds) during the months of September, October, or November in any area open to a modern firearm deer or elk season. ..."

As previously written, the rule prohibited the use [of] dogs to hunt all wild animals during September, October, and November modern firearm deer and elk seasons. Agency staff raised a concern that rabbit and hare harvest[s] often occur incidental to upland bird hunting with dogs and this fact may create the potential for inadvertent or accidental violations. There is a lower risk that rabbit and hare hunting with dogs would conflict with deer and elk hunting or that it may be used as a way to unlawfully pursue big game with dogs than is present with other wild animals.

WAC 232-28-248 Special closures and firearm restriction areas.

Changes, if any, from the text of the proposed rule and reasons for difference:

- Under "Restricted Hunting Areas," deletes subsection [(1)](f) pertaining to the Voice of America Recreation Area in Clallam County. The change is necessary because landowners are no longer allowing any kind of hunting access.
- "Under Firearm Restriction Areas, San Juan County," adds "... and those portions of GMU 410 (Islands) that occur in San Juan County." This change clarifies that most but not all of GMU 410 occurs in the firearm restriction area of San Juan County.

WAC 232-28-337 Elk area descriptions.

Changes, if any, from the text of the proposed rule and reasons for difference:

- Deletes Elk Area 1014. This elk area is no longer needed to implement elk management actions.
- Under the description of Elk Area 5056, after Grays River Valley, adds "... and Eden Valley" This change clarifies that the townships, ranges, and sections spelled out in the new boundary modification occur in both the Grays River Valley and the Eden Valley. This change will help avoid confusion.

WAC 232-28-357 2012-2014 Deer general seasons and definitions.

Changes, if any, from the text of the proposed rule and reasons for difference:

- Under "Early Modern Firearm, Eastern Washington," an exception is added for white-tailed deer, 3 pt. min., Oct. 11-19, after 162 through 186 add (except for Deer Area 1040). This exception allows the department to implement different hunting season structures inside the Deer Area.
- Under "Early Archery, Eastern Washington," white-tailed deer, Sept. 1-26, move GMU 149 from white-tailed deer 3 pt. min., to white-tailed deer 3 pt. min. or antlerless. This change corrects a typographical error.

- Under "Muzzleloader, High Buck Hunt, Sept. 15-25," Mount Baker is added to the list of wilderness areas open to the High Buck Hunt. This change corrects a typographical error.

WAC 232-28-358 2012-2014 Elk general seasons and definitions.

Changes, if any, from the text of the proposed rule and reasons for difference:

- Under 3-point GMUs, adds GMU 448 and deletes GMUs 568, 574, and 578. This change updates the list of 3-point GMU changes that were made several years ago.
- Under Late Archery, Elk Area 1010 and GMU 163, Antlerless only, the end date of the season is changed from January 20 to January 30, 2015. This change corrects a typographical error that was inserted in 2012.
- Under Late Archery, Nov. 26-Dec. 15, 3 pt. min. or antlerless, Elk Area 4601 is added. This change corrects an omission from the original filing.
- Under Early Muzzleloader, Sept. 27-Oct. 10, 3 pt. min. or antlerless, Elk Area 4601 is added. This change corrects an omission from the original filing.

WAC 232-28-359 2014 Deer special permits.

Changes, if any, from the text of the proposed rule and reasons for difference:

- Updates the year to 2014 for deer special permits.
- Under Quality, Modern Firearm:
 - Selkirk, corrects the omission of mule deer buck. This change clarifies the type of hunt offered.
 - 49 Degrees North, corrects the omission of deer. This change clarifies the type of hunt offered.
- Under Quality, Modern Firearm, due to the special permit allocation formula calculating different special permit numbers from the previous year:
 - Slide Ridge, Nov. 1-20 is increased from 10 permits to 11;
 - Desert, Oct. 25-Nov. 2 is decreased from 18 permits to 16;
 - Naneum, Nov. 11-19 is decreased from 15 permits to 14;
 - Quilomene, Nov. 3-19 is increased from 14 permits to 15; and
 - Alkali, Nov. 1-16 was decreased from six permits to five.
- Under Quality, Archery, due to the special permit allocation formula calculating different special permit numbers from the previous year:
 - Chiwawa, Dec. 1-8 is decreased from 12 permits to 11;
 - Desert, Nov. 25-Dec. 8 is increased from 32 permits to 37;
 - Naneum, Nov. 20-Dec. 8 is increased from seven permits to ten;
 - Quilomene, Nov. 20-Dec. 8 is decreased from six permits to five; and

- Teanaway, Nov. 20-Dec. 8 is decreased from 11 permits to seven.
 - Under Quality, Muzzleloader, due to the special permit allocation formula calculating different special permit numbers from the previous year:
 - Desert, Oct. 11-19 is decreased from three permits to two; and
 - Teanaway, Nov. 3-10 is decreased from two permits to one.
 - Under Bucks, Modern Firearm, Watershed, changes the dates from Sept. 27-Oct. 9 to Oct. 4-15. These hunts are coordinated with Oregon Department of Fish and Wildlife. The first dates included in the changes were incorrect.
 - Under Bucks, Archery, due to the special permit allocation formula calculating different special permit numbers from the previous year:
 - Ritzville, Dec. 1-8 is decreased from seven permits to five; and
 - Alkali, Sept. 1-21 is decreased from four permits to three.
 - Under Bucks, Muzzleloader, Alkali, Sept. 21-Oct. 10 is changed from two permits to one due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - Under Bucks, Archery, the following are deleted to facilitate moving opportunity to the Youth, Senior, and Hunters with Disabilities categories:
 - 49 Degrees North hunt, Sept. 1-26 and Nov. 25-Dec. 9, Antlerless, GMU 117; and
 - Huckleberry hunt, Sept. 1-26 and Nov. 25-Dec. 9, Antlerless, GMU 121.
 - Under Bucks, Muzzleloader, the following are deleted to facilitate moving opportunity to the Youth, Senior, and Hunters with Disabilities categories:
 - 49 Degrees North hunt, Sept. 27-Oct. 5, Antlerless, GMU 117; and
 - Huckleberry hunt, Sept. 27-Oct. 5, Antlerless, GMU 121.
 - Under Youth, Modern Firearm, adds a 49 Degrees North hunt, Oct. 11-15, Antlerless, GMU 117, 20 permits.
 - Under Youth, Modern Firearm, adds a Huckleberry hunt, Oct. 11-15, Antlerless, GMU 121, 20 permits.
 - Under Youth, Modern Firearm, changes the number of permits as follows due to fewer deer available for harvest (new permit numbers are intended to reflect reasonable expectations):
 - Chewuch hunt is decreased from 20 permits to 10; and
 - Pearrygin hunt is decreased from 20 permits to 10.
 - Under Youth, Modern Firearm, deletes the Green River hunt, Nov. 9-15, Antlerless. This change is the result of a negotiated agreement between WDFW, Muckleshoot Tribe, and the City of Tacoma. This hunt will alternate every other year with the hunters with disabilities hunt.
 - Under Senior 65+, Modern Firearm, adds:
 - 49 Degrees North hunt, Oct. 11-15, Antlerless, GMU 117, 20 permits; and
 - Huckleberry hunt, Oct. 11-15, Antlerless, GMU 121, 20 permits.
 - Under Hunters with Disabilities, Modern Firearm, adds:
 - 49 Degrees North hunt, Oct. 11-15, Antlerless, GMU 117, 20 permits; and
 - Huckleberry hunt, Oct. 11-15, Antlerless, GMU 121, 20 permits.
- WAC 232-28-360 2014 Elk special permits.**
Changes, if any, from the text of the proposed rule and reasons for difference:
- Updated the year to 2014 for special permits.
 - Under Quality, Eastern Modern Firearm (EF):
 - The number of permits for the Prescott hunt, Oct. 20-Nov. 2, was changed from four to two permits due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Watershed hunt, Oct. 25-Nov. 2, was changed from 45 to 35. Fewer bulls are available for harvest, so it is necessary to reduce the number of permits. This hunt is coordinated with the United States Forest Service, Oregon Dept. of Fish and Wildlife, and the city of Walla Walla.
 - The number of permits for the Tucannon hunt, Oct. 20-Nov. 2, is decreased from 12 to 10 permits due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Wenaha East hunt, Oct. 20-Nov. 2, is increased from 12 to 13 permits due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Mountain View hunt, Oct. 20-Nov. 2, is decreased from 15 to 14 permits due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Lick Creek hunt, Oct. 20-Nov. 2, is decreased from six to five due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Couse hunt, Oct. 20-Nov. 2, is increased from one to three permits due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Colockum hunt, Oct. 20-Nov. 2, is increased from one to six permits. This

change is in response to the March aerial surveys of the Colockum herd.

- Under Quality, Western Modern Firearm (WF), the number of permits for the Toutle hunt, Nov. 1-12, is reduced from 99 to 73 permits due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Under Quality, Eastern Archery (EA):
 - The number of permits for the Prescott hunt, Sept. 1-19, is decreased from two to one permit due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Blue Creek hunt, Sept. 1-19, is reduced from three to two due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Mountain View hunt, Sept. 1-19, is increased from 11 permits to 12 due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Peola hunt, Sept. 1-19, is increased from one to three permits due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Couse hunt, Sept. 1-19, is increased from one to two due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Colockum hunt, Sept. 2-14, is increased from two to five permits. This change is in response to the March aerial surveys of the Colockum herd.
 - The number of permits for the Peaches Ridge hunt, Sept. 2-14, is increased from 106 permits to 134 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Observatory hunt, Sept. 2-14, is increased from 110 permits to 131 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Goose Prairie hunt, Sept. 2-14, is increased from 62 permits to 69 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Bethel hunt, Sept. 2-14, is increased from 35 permits to 37 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Rimrock hunt, Sept. 2-14, is increased from 94 permits to 96 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- The number of permits for the Cowiche hunt, Sept. 2-14, is increased from 24 permits to 32 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Under Quality, Western Archery (WA):
 - The number of permits for the Toutle hunt, Sept. 6-21 and Dec. 1-15, is decreased from 65 permits to 49 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the White River hunt, Sept. 3-15, is reduced from 14 permits to 13 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Under Quality, Eastern Muzzleloader (EM):
 - The number of permits for the Mountain View hunt, Oct. 1-10, is reduced from six permits to four due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Colockum hunt, Oct. 1-10, is increased from one permit to two. This change is in response to the March aerial surveys of the Colockum herd.
 - The number of permits for the Peaches Ridge hunt, Oct. 1-10, is increased from 25 permits to 27 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Observatory hunt, Oct. 1-10, is increased from 19 permits to 22 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Bethel hunt, Oct. 1-10, is increased from 11 permits to 14 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Rimrock hunt, Oct. 1-10, is decreased from 14 permits to 12 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Cowiche hunt, Oct. 1-10, is increased from six permits to nine due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Under Bulls, Eastern Modern Firearm (EF):
 - Ten Forty hunt, Oct. 25-Nov. 2, a clarification was made on the "spike bull only" special restriction.
 - Mission hunt, the date was changed from Oct. 21-Nov. 3 to Oct. 20-Nov. 2, to account for the calendar shift.

- The number of permits for the Teanaway hunt, Dec. 17-31, is increased from 10 permits to 11 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Peaches Ridge hunt, the date was changed from Oct. 21-Nov. 3 to Oct. 20-Nov. 2, to account for calendar shift. The number of permits is increased from 115 permits to 125 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Observatory hunt, the date was changed from Oct. 21-Nov. 3 to Oct. 20-Nov. 2, to account for calendar shift. The number of permits is increased from 66 permits to 72 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Goose Prairie hunt, the date was changed from Oct. 21-Nov. 3 to Oct. 20-Nov. 2, to account for calendar shift. The number of permits is increased from 68 permits to 73 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Bethel hunt, the date was changed from Oct. 21-Nov. 3 to Oct. 20-Nov. 2, to account for calendar shift. The number of permits is increased from 51 permits to 59 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Rimrock hunt, the date was changed from Oct. 21-Nov. 3 to Oct. 20-Nov. 2, to account for calendar shift. The number of permits is increased from 124 permits to 130 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Cowiche hunt, the date was changed from Oct. 21-Nov. 3 to Oct. 20-Nov. 2, to account for calendar shift. The number of permits is increased from 20 permits to 24 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Under Bulls, Western Modern Firearm (WF):
 - Nooksack hunt, Oct. 11-Nov. 18, a clarification was made on the "spike bull only" special restriction.
 - Margaret hunt, Nov. 1-12, the number of permits is decreased from 73 permits to 72 due to the special permit allocation formula calculating different special permit numbers from the previous year.
- Under Bulls, Eastern Archery (EA):
 - Ten Forty hunt, Sept. 4-14, a clarification was made for the "spike bull only" special restriction.
- The number of permits for the Teanaway hunt, Nov. 21-Dec. 8, is increased from eight permits to 10 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Under Bulls, Western Archery (WA):
 - Nooksack hunt, Sept 1-21 and Dec. 1-31, a clarification was made on the "spike bull only" special restriction.
 - Margaret hunt, Sept. 6-21 and Dec. 1-15, the number of permits is reduced from 50 permits to 46 due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - The number of permits for the Olympic hunt, Sept. 3-15, is increased from six permits to nine due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Under Bulls, Eastern Muzzleloader (EM):
 - Ten Forty hunt, Oct. 1-10, a clarification was made on the "spike bull only" special restriction.
 - The number of permits for the Teanaway hunt, Dec. 9-16, is increased from seven permits to 13 due to a change in harvest objective and the special permit allocation formula calculating different special permit numbers from the previous year.
- Under Bulls, Western Muzzleloader (WM):
 - Nooksack hunt, Sept 24-Oct. 5 and Nov. 22-30, a clarification was made on the "spike bull only" special restriction.
 - Margaret hunt, Oct. 4-10, the number of permits is increased from 21 permits to 28 due to the special permit allocation formula calculating different special permit numbers from the previous year.
- Under Bulls, Western Muzzleloader (WM):
 - Olympic hunt, changes the dates from Oct. 5-11 to Oct. 4-10. This change avoids an overlap with modern firearm deer and corrects an oversight in the regional recommendation.
 - Skokomish hunt, changes the dates from Oct. 5-11 to Oct. 4-10. This change avoids an overlap with modern firearm deer and corrects an oversight in the regional recommendation. Also, the number of permits is decreased from three permits to two permits due to the special permit allocation formula calculating different special permit numbers from the previous year.
 - White River hunt, changes the dates from Oct. 5-11 to Oct. 4-10. This change avoids an overlap with modern firearm deer and corrects an oversight in the regional recommendation. Also, the number of permits is increased from four permits to six due to the special permit allocation formula calculating different special permit numbers from the previous year.

- Under Antlerless, Eastern Modern Firearm (EF):
 - Mountain View hunt, Oct. 25-Nov. 2, the number of permits is increased from 10 permits to 25 due to more antlerless elk available for harvest and to maintain population control in this Elk Area.
 - Colockum hunt, Oct. 29-Nov. 2, the number of permits is increased from 190 permits to 425. The Colockum population is well above population objective and antlerless elk harvest is necessary to reduce the population to objective levels.
- Under Antlerless, Western Modern Firearm (WF):
 - North Bend hunt, Nov. 1-12, changes the number of permits from seven to five. This change corrects an omission in the original filing.
 - Deletes the Skagit River hunt, Oct. 11-Nov. 21. This change is a negotiated agreement with the cooperative managers. Damage mitigation will be handled using other strategies.
 - Winston hunt, Nov. 1-12, the number of permits is reduced from 150 permits to 40. The population has been reduced and this change is intended to stabilize the population at its current level.
 - Margaret hunt, Nov. 18-26, the number of permits is decreased from 140 permits to 70. The population has been reduced and this change is intended to stabilize the population at its current level.
 - Ryderwood hunt, Nov. 1-12, the number of permits is reduced from 100 permits to 50. The population has been reduced and this change is intended to stabilize the population at its current level.
 - Coweeman hunt, Nov. 1-12, the number of permits is reduced from 200 permits to 120. The population has been reduced and this change is intended to stabilize the population at its current level.
 - Toutle hunt, Nov. 18-26, the number of permits is decreased from 200 permits to 120. The population has been reduced and this change is intended to stabilize the population at its current level.
 - Raymond hunt, Jan. 1-20, changes the year from 2014 to 2015. This change corrects an oversight in the original filing.
 - Raymond hunt, Feb. 1-28, changes the year from 2014 to 2015. This change corrects an oversight in the original filing.
 - Puyallup hunt, Jan. 1-20, changes the year from 2014 to 2015. This change corrects an oversight in the original filing.
- Under Antlerless, Eastern Archery (EA) for the Colockum hunt, Sept. 2-14, the number of permits is increased from 140 permits to 475. The Colockum population is well above population objective and antlerless elk harvest is necessary to reduce the population to objective levels.
- Under Antlerless, Western Archery (WA):
 - Deletes the Skagit River hunt, Sept. 1-21. This change is a negotiated agreement with the cooperative managers. Damage mitigation will be handled using other strategies.
- Deletes the Skagit River hunt, Nov. 22-Dec. 31. This change is a negotiated agreement with the cooperative managers. Damage mitigation will be handled using other strategies.
- Margaret hunt, Sept. 6-21 and Dec. 1-15, the number of permits is reduced from 70 permits to 35. The population has been reduced and this change is intended to stabilize the population at its current level.
- Toutle hunt, Sept. 6-21 and Dec. 1-15, the number of permits is decreased from 80 permits to 50. The population has been reduced and this change is intended to stabilize the population at its current level.
- Under Antlerless, Eastern Muzzleloader (EM) for the Colockum hunt, Oct. 4-10, the number of permits is increased from 85 permits to 90. The Colockum population is well above population objective and antlerless elk harvest is necessary to reduce the population to objective levels.
- Under Antlerless, Western Muzzleloader (WM):
 - Deletes the Skagit River hunt, Sept. 24-Oct. 10. This change is a negotiated agreement with the cooperative managers. Damage mitigation will be handled using other strategies.
 - Deletes the Skagit River hunt, Nov. 22-Dec. 31. This change is a negotiated agreement with the cooperative managers. Damage mitigation will be handled using other strategies.
 - Green Mt. hunt, Jan. 1-15, 2015, the number of permits is reduced from 30 permits to 5. The population has been reduced and this change is intended to stabilize the population at its current level.
 - Winston hunt, Oct. 4-10, the number of permits is decreased from 90 permits to 40. The population has been reduced and this change is intended to stabilize the population at its current level.
 - Margaret hunt, Oct. 4-10, the number of permits is decreased from 70 permits to 35. The population has been reduced and this change is intended to stabilize the population at its current level.
 - Ryderwood hunt, Oct. 4-10, the number of permits is reduced from 50 permits to 30. The population has been reduced and this change is intended to stabilize the population at its current level.
 - Coweeman hunt, Nov. 26-Dec. 8, the number of permits is decreased from 50 permits to 45. The population has been reduced and this change is intended to stabilize the population at its current level.
 - Toutle hunt, Oct. 4-10, the number of permits is decreased from 80 permits to 50. The population has been reduced and this change is intended to stabilize the population at its current level.
- Under 65+ Senior, Western Modern Firearm (WF):

- Margaret hunt, Nov. 18-26, the number of permits is reduced from 20 permits to 10. The population has been reduced and this change is intended to stabilize the population at its current level.
- For both Centralia Mine hunts, changes the number of permits from four permits to five. This increase results from a negotiated agreement with mine staff acting as hunt coordinators.
- Under Hunters with Disabilities, Western Modern Firearm (WF) for both Centralia Mine hunts, change the number of permits from four permits to five. This increase results from a negotiated agreement with mine staff acting as hunt coordinators.
- Region 1, any elk tag/2nd elk tag, Aug. 1-March 31, 2015, Ferry, Stevens and Pen [Pend] Oreille counties are deleted as boundaries and replaced with Region 1, and the number of permits were changed from 10 to 20^{HC}. This change accommodates the consolidation of the former three Region 1 hunt areas and the increase in permits will be used to help mitigate agricultural damage in Region 1 using Master Hunters.
- Under Master Hunter:
 - Region 4 North, any elk tag/2nd elk tag, Aug. 1-March 31, 2015, the number of permits was changed from 30 to 25^{HC}. This change is a negotiated agreement with the cooperative managers.
 - Green Mt., any elk tag/2nd elk tag, Jan. 16-30, 2015, the number of permits is reduced from 20 permits to five. The population has been reduced and this change is intended to stabilize the population at its current level.

WAC 232-28-624 Deer area descriptions.

Changes, if any, from the text of the proposed rule and reasons for difference:

- Deletes Deer Area 1020. This deer area is no longer needed to implement deer management actions.
- Modifies the boundary of Deer Area 1060 Spokane South to expand the southern boundary slightly south to include Jackson and Elder roads. This expansion allows wildlife management to better address nuisance and wildlife damage issues caused by deer.

WAC 232-28-273 2012-2014 Moose seasons and permit quotas, 232-28-283 2012-2014 Big game and wild turkey auction, raffle, and special incentive permits, 232-28-296 Landowner hunting permits, 232-28-342 2012-13, 2013-14, and 2014-15 Small game seasons, 232-28-622 Big horn sheep seasons and permit quotas, and 232-28-623 2012-2014 Mountain goat seasons and permit quotas.

Changes, if any, from the text of the proposed rules and reasons for difference: Not applicable.

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 4, Amended 19, Repealed 0.

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

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

Date Adopted: April 11, 2014.

Miranda Wecker, Chair
Fish and Wildlife Commission

AMENDATORY SECTION (Amending WSR 11-22-002, filed 10/19/11, effective 11/19/11)

WAC 220-55-040 Recreational license, tag, permit, and stamp refunds, replacements, and exchanges. (1) For purposes of this section:

(a) "Refund" means the return of money received for a license, stamp, tag, or permit purchase. Refunds may be made by license dealers or the Olympia office of the department.

(b) "Replacement" means reissuing the same species and weapon type of transport tag.

(c) "Exchange" means the surrendering of a transport tag (such as archery deer or Eastern Washington elk archery) and the reissuing of a different transport tag (such as muzzle-loader deer or Western Washington muzzleloader elk).

(2) Refunds will be made for the following:

(a) A license purchaser can obtain a refund from a license dealer (~~((for))~~ within sixty minutes after the purchase of the license if a dealer error is made or the dealer issues the wrong license. License dealers can correct dealer errors after sixty minutes, but may not refund license purchases.

(b) A license purchaser can obtain a refund from the Olympia office of the department at any time during the licensing year if an incorrect document has been issued due to a department, a dealer, or licensing system error, as verified by the department.

(c) A license purchaser can obtain a refund from the Olympia office of the department if the ~~((purchase of a second license was made on behalf of the licensee by someone other than the licensee))~~ purchaser received more than one of the same licenses in the same license year.

(d) A license purchaser can obtain a refund from the Olympia office of the department if the licensee qualifies for a reduced fee license, ~~((but))~~ as verified by the department. The refund amount will be the difference between the license purchased and the reduced fee license.

(e) A license purchaser who is ~~((active duty military and is))~~ transferred ~~((or otherwise obligated))~~ out of state by the military or their business and unable to use a license can obtain a refund from the Olympia office of the department after providing verifying documentation, provided that the request for refund is made within the license year.

(f) A license purchaser who is hospitalized or severely injured and provides a physician's statement that the person

was incapable of participating in hunting can obtain a refund or exchange from the Olympia office of the department after providing verifying documentation, provided that the request for refund is made within the license year.

(g) The personal representative of a deceased license purchaser, who dies prior to the opening of the applicable general hunting season, can obtain a refund from Olympia after providing documentation of the death of the purchaser.

(3) Replacement tags will be provided when a hunter has killed an animal that is unfit for human consumption and the department has authorized issuance of a replacement tag.

(4) Except as otherwise provided, refunds will not be made for the following:

(a) The department will not refund any recreational license or permit purchase for which a season or hunt has been scheduled, and the licensee could have participated in the season or hunt, regardless of whether the licensee did in fact participate.

(b) The department will not refund purchases of raffle tickets or special hunt permit applications unless an error has occurred and the error was not caused by the person purchasing the tickets or applications as verified by the department.

~~((4))~~ (5) Transport tag exchanges will be allowed for the following:

(a) The season for which the tag was issued has not opened, and the hunter wishes to exchange the tag for a different area or a different weapon type. In these instances archery tag holders must request a tag exchange before September 1st, muzzleloader tag holders must request a tag exchange before September 20th, and modern firearm tag holders must request a tag exchange before October 10th, as verified by the department.

~~(b) ((The hunter has killed an animal that is unfit for human consumption and the department has authorized issuance of an exchange tag.~~

~~(c))~~ The tag was issued in error and the error was not caused by the person applying for the tag, as verified by the department.

~~((5))~~ (6) Except as otherwise provided, transport tag exchanges will not be allowed for the following: If a special hunt permit application was submitted by the tag holder and that application required a big game transport tag, it is unlawful to exchange the transport tag after the application submission deadline date has passed. However, if the tag holder's request for a tag exchange was made prior to the application submission deadline date, as verified by the department, an exchange can be made. Special permit applications for ghost hunts, regardless of the submission method, are not applicable to this subsection.

~~((6))~~ (7)(a) Except as otherwise provided, it is unlawful to possess a big game transport tag that was exchanged after the opening of the season for which the original tag was valid.

(b) Violation of this subsection is punishable under RCW 77.15.410 Unlawful hunting of big game.

NEW SECTION

WAC 220-55-172 Reduced rate combination deer hunting licenses. (1) There is hereby created combination deer hunting licenses that allow the holder to hunt deer for the

purposes described below. A person purchasing any big game license that includes deer may purchase a reduced rate combination license as follows:

(a) If a hunter is drawn for a multiseason deer permit, consistent with the rules of the commission and conditions of the department, they may purchase a multiseason deer permit. The fee for this combined license is thirty-nine dollars less than the sum of the big game license containing deer and the multiseason deer permit.

(b) If a hunter is drawn for a special deer permit in the second deer category, they may purchase a second deer tag and utilize their special hunting permit authorizing and conditioning the harvest of a second deer. The fee for this combined license is twenty-one dollars less than the sum of the big game license containing deer and the second deer tag.

(c) If a hunter is drawn for a special permit in the master hunter deer category, they must purchase a master hunter deer tag as authorized and conditioned by the commission to harvest a second deer. A master hunter in good standing must also purchase a master hunter deer tag in order to utilize a damage prevention or kill permit authorized and conditioned by the department. The fee for this combined license is forty dollars less than the sum of the big game license containing deer and the master hunter second deer tag.

(d) If a hunter is issued a damage prevention or kill permit authorized by the department, the hunter must purchase a damage deer tag. The fee for this combined license is forty dollars less than the sum of the big game license containing deer and the damage deer second tag.

(2)(a) It is unlawful to possess a multiseason or second deer transport tag except as authorized by this section.

(b) Violation of this subsection is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

NEW SECTION

WAC 220-55-174 Reduced rate combination elk general licenses. (1) There is hereby created combination elk hunting licenses that allow the holder to hunt elk for the purposes described below. A person purchasing any big game license that includes elk may purchase a reduced rate combination as follows:

(a) If a hunter is drawn for a special permit in the master hunter elk category, they must purchase a master hunter elk tag as authorized and conditioned by the commission to harvest a second elk. A master hunter in good standing must also purchase a master hunter elk tag in order to utilize a damage prevention or kill permit authorized and conditioned by the department. The fee for this combined license is forty dollars less than the sum of the big game license containing elk and the master hunter second elk tag.

(b) If a hunter is issued a damage prevention or kill permit authorized and conditioned by the department, the hunter must purchase a damage elk tag. The fee for this combined license is forty dollars less than the sum of the big game license containing elk and the damage elk second tag.

(2)(a) It is unlawful to possess a second elk transport tag except as authorized by this section.

(b) Violation of this subsection is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

AMENDATORY SECTION (Amending WSR 12-11-005, filed 5/2/12, effective 6/2/12)

WAC 232-12-047 Unlawful methods for hunting. (1)

It is unlawful to hunt any big game with:

- (a) A fully automatic firearm.
- (b) A centerfire cartridge less than 22 caliber for cougar.
- (c) A centerfire cartridge less than 24 caliber for any other big game.
- (d) A shotgun, provided that a 20 gauge, or larger shotgun, using shells loaded with slugs or buckshot size #1 or larger, may be used to hunt deer, bear, and cougar.
- (e) A shotgun for any other big game, except that a 12 gauge or 10 gauge shotgun using slugs may be used.
- (f) A handgun during a modern firearm season that does not meet the following criteria: Have a minimum barrel length of four inches, per manufacturer's specification, and fire a centerfire cartridge.
- (g) Any rimfire cartridge.
- (2) It is unlawful to hunt game birds with a shotgun capable of holding more than three shells.
- (3) It is unlawful to hunt game birds or game animals, except bullfrogs, in a manner other than with a firearm, a bow and arrow, or by falconry, except in those designated areas where crossbows are allowed.
- (4) Rules pertaining to crossbows:
 - (a) It is unlawful to hunt big game animals with a crossbow with a draw weight less than 125 pounds and a trigger safety that does not work properly.
 - (b) It is unlawful to hunt big game animals with any arrow or bolt weighing less than 350 grains.
 - (c) It is unlawful to hunt big game animals with any arrow or bolt that does not have a sharp broadhead and the broadhead blade or blades are less than seven-eighths inch wide.
 - (d) It is unlawful to hunt big game animals with a broadhead blade unless the broadhead is unbarbed and completely closed at the back end of the blade or blades by a smooth, unbroken surface starting at maximum blade width and forming a smooth line toward the feather end of the shaft, and such line does not angle toward the point.
 - (e) It is unlawful to hunt big game animals with a retractable broadhead.
- (5) ~~((Hunters with disabilities may also use a crossbow during archery seasons with a special use permit as conditioned in WAC 232-12-054.~~
- ~~((6))~~) It is unlawful to hunt game animals or game birds with a shotgun larger than 10 gauge.
- ~~((7))~~) (6) It is unlawful to hunt game birds with a rifle or handgun, with the exception of blue grouse, spruce grouse and ruffed grouse.
- ~~((8))~~) (7) A violation of this section is punishable under RCW 77.15.400, 77.15.410, or 77.15.430, depending on the species hunted.

AMENDATORY SECTION (Amending WSR 10-10-061, filed 4/30/10, effective 5/31/10)

WAC 232-12-051 Muzzleloading firearms. (1) Definitions.

(a) Muzzleloader: A firearm that is loaded from the muzzle and uses black powder or a black powder substitute as recommended by the manufacturer for use in all muzzleloading firearms.

(b) A muzzleloading firearm shall be considered loaded if a powder charge and a projectile, either shot or single projectile are in the barrel and the barrel or breech is capped or primed.

(2) It is unlawful to hunt wildlife using a muzzleloading firearm that does not meet the following specifications:

(a) A muzzleloading shotgun or rifle must have a single or double barrel, rifled or smooth-bored.

(b) A muzzleloading shotgun or rifle used for deer must be .40 caliber or larger. Buckshot size #1 or larger may be used in a smoothbore of .60 caliber or larger for deer.

(c) A muzzleloading shotgun, rifle, or handgun used for all other big game must be .45 caliber or larger.

(d) Persons lawfully hunting small game with a double barrel, muzzleloading shotgun may keep both barrels loaded.

(e) A muzzleloading handgun must have a single or double barrel of at least eight inches, must be rifled, and must be capable of being loaded with forty-five grains or more of black powder or black powder substitute per the manufacturer's recommendations.

(f) A muzzleloading handgun used for big game must be .45 caliber or larger.

(g) A handgun designed to be used with black powder, including black powder percussion revolvers, can be used to hunt forest grouse, cottontail rabbits, and snowshoe hares.

(3) In addition to the above requirements, it is unlawful to participate (hunt) in a muzzleloading hunting season using a firearm that does not meet the following specifications for a muzzleloader. However, a modern handgun may be carried for personal protection. Modern handguns cannot be used to hunt big game or dispatch wounded big game during a big game hunting season for muzzleloading firearms.

(a) Ignition is to be wheel lock, matchlock, flintlock, or percussion using original style percussion caps that fit on the nipple and are exposed to the weather. "Exposed to the weather" means the percussion cap or the frizzen must be visible and not capable of being enclosed by an integral part of the weapon proper. Primers designed to be used in modern cartridges are not legal.

(b) Sights must be open, peep, or of other open sight design. Fiber optic sights are legal. Telescopic sights or sights containing glass are prohibited.

(c) It is unlawful to have any electrical device or equipment attached to a muzzleloading firearm while hunting.

(d) Those persons lawfully hunting big game with a double barrel muzzleloader may only keep one barrel loaded.

~~((Hunters with disabilities who meet the definition of being visually impaired in WAC 232-12-828 may receive a special use permit that would allow the use of scopes or other visual aids. A disabled hunter permit holder in possession of a special use permit that allows the use of a scope or visual aid may hunt game birds or game animals during muzzleloader seasons.~~

~~((5))~~) Muzzleloading firearms used during a modern firearm season are not required to meet ignition, sight, or double barrel restrictions.

~~((6))~~ (5) A violation of this section is punishable under RCW 77.15.400, 77.15.410, or 77.15.430, depending on the species hunted.

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-12-054 Archery requirements~~((—Archery special-use permits))~~. (1) The following rules apply to all archery hunting seasons:

(a) It is unlawful for any person to carry or have in his possession any firearm while archery hunting in the field during an archery season specified for that area, except for modern handguns carried for personal protection. Modern handguns cannot be used to hunt big game or dispatch wounded big game during an archery big game hunting season.

(b) It is unlawful to have any electrical equipment or electric device(s), except for illuminated nocks, attached to the bow or arrow while hunting.

(c) It is unlawful to discharge a bow or crossbow from a vehicle or from, across, or along the maintained portion of a public highway~~((, except that persons with a disabled hunter permit may shoot from a vehicle if the hunter is in compliance with WAC 232-12-828))~~.

(d) It is unlawful to use any device secured to or supported by the bow for the purpose of maintaining the bow at full draw or in a firing position~~((, except that persons with an archery special use permit may hunt game birds or game animals using a device that stabilizes and holds a long bow, recurve bow, or compound bow at a full draw, and may use a mechanical or electrical release))~~.

(e) It is unlawful to hunt wildlife with a crossbow during an archery season. ~~((However, disabled hunter permittees in possession of a crossbow special use permit may hunt with a crossbow in any season that allows archery equipment.))~~

(f) It is unlawful to hunt big game animals with any arrow or bolt that does not have a sharp broadhead, or with a broadhead blade or blades that are less than seven-eighths of an inch wide.

(g) It is unlawful to hunt big game animals with a broadhead blade unless the broadhead is unbarbed and completely closed at the back end of the blade or blades by a smooth, unbroken surface starting at maximum blade width and forming a smooth line toward the feather end of the shaft. The smooth line must not angle toward the point.

(h) It is unlawful to hunt big game animals with a retractable broadhead.

(i) It is unlawful to hunt wildlife with any bow equipped with a scope. ~~((However, hunters with disabilities who meet the definition of being visually impaired in WAC 232-12-828 may receive a special use permit that would allow the use of scopes or other visual aids. A disabled hunter permit holder in possession of a special use permit that allows the use of a scope or visual aid may hunt game birds or game animals during archery seasons.))~~

(2) The following rules apply to long bow, recurve bow and compound bow archery equipment:

(a) It is unlawful for any person to hunt big game animals with a bow that does not produce a minimum of 40 pounds of pull measured at twenty-eight inches or at full draw.

(b) It is unlawful to hunt big game animals with any arrow measuring less than 20 inches in length or weighing less than 6 grains per pound of draw weight with a minimum arrow weight of 300 grains.

(3) ~~((Archery special-use permits:~~

~~(a) An archery special use permit is available to a person who possesses a valid disabled hunter permit. An archery special use permit application must be signed by a physician stating that the person's disability is permanent and the person has a loss of use of one or both upper extremities, has a significant limitation in the use of an upper extremity, or has a permanent physical limitation, which loss or limitation substantially impairs the ability to safely hold, grasp, or shoot a long bow, recurve bow or compound bow. The loss or limitation may be the result of, but not limited to, amputation, paralysis, diagnosed disease, or birth defect. The approved archery special use permit must be in the physical possession of the person while using adaptive archery equipment as described in subsection (1)(d) of this section to hunt game birds or game animals.~~

~~(b) A crossbow special use permit is available to a person who meets the requirements for an archery special use permit and is unable to use adaptive archery equipment. Adaptive equipment includes, but is not limited to: Cocking devices that hold the bow at full draw; trigger mechanisms that may be released by mouth, or chin, or hand supporting the bow; and devices that assist in supporting the bow. Information describing types of adaptive equipment will be provided to physicians for their assessment of the applicant's ability to utilize adaptive archery equipment. Muscle weakness, impaired range of motion, or unilateral hand weakness disability, of both hands or both arms or both sides of the upper extremity, may result in an inability to use adaptive archery equipment. Standard tests approved by the American Medical Association may be conducted to assess a person's abilities.~~

~~((4))~~ A violation of this section is punishable under RCW 77.15.400, 77.15.410, or 77.15.430, depending on the species hunted.

AMENDATORY SECTION (Amending WSR 13-02-043, filed 12/21/12, effective 1/21/13)

WAC 232-12-242 Hunting restrictions. (1) It is unlawful to hunt wildlife during any modern firearm deer or elk season with any firearm 240 caliber or larger, or containing slugs or buckshot, unless the hunter has a valid license, permits and tags for modern firearm deer or elk seasons are in his or her possession.

~~((2))~~ (a) This ~~((section))~~ subsection does not apply to people hunting bear, cougar, mountain goat, mountain sheep, or turkey.

~~((3))~~ (b) A violation of this ~~((section))~~ subsection is punishable under RCW 77.15.410 or 77.15.430, depending on the circumstances of the violation.

(2)(a) It is unlawful to hunt any wildlife at night or wild animals, except rabbits and hares, with dogs (hounds) during

the months of September, October, or November in any area open to a modern firearm deer or elk season. A violation of this subsection is punishable under RCW 77.15.430, Unlawful hunting of wild animals—Penalty.

(b) It is unlawful to use hounds to hunt black bear, cougar (EXCEPT as pursuant to RCW 77.15.245), coyote, and bobcat year-round. A violation of this subsection is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty, or RCW 77.15.430, depending on the circumstances of the violation.

NEW SECTION

WAC 232-12-819 Special use permits. (1) The director may develop conditions and criteria for administering and issuing special use permits to allow for reasonable accommodations for persons with disabilities.

(2) The hunters and fishers with disabilities advisory committee established in RCW 77.04.150 may assist the department in evaluating requests and criteria for issuing special use permits.

(3) Special use permits must be carried on the person acting under or using devices authorized by the special use permit.

(4) The terms for use granted by a special use permit, when provided as a reasonable modification, supersede department rules that conflict with the terms of the special use permit.

(5) Failure to abide by the conditions of a special use permit is punishable under RCW 77.15.400, 77.15.430, or 77.15.750, depending on the circumstances of the violation.

NEW SECTION

WAC 232-12-825 Definition of a person with a disability. (1) "Person with a disability" means a person who has a permanent physical disability or permanent developmental disability which substantially impairs their ability to participate in recreational activities or access department lands; and

(a) "Lower extremity disability" means a person who has a permanent lower extremity impairment and is not ambulatory over natural terrain without a lower extremity prosthesis or must permanently use a medically prescribed assistive device every time for mobility including, but not limited to, a wheelchair, crutch, walker, or oxygen bottle; or

(b) "Upper extremity disability" means a person who has a permanent upper extremity impairment and is physically limited in their ability to hold and safely operate a legal hunting or harvesting device; or

These definitions include, but are not limited to, persons with a permanent upper or lower extremity impairment who have lost the use of one or both upper or lower extremities, or who have a severe physical limitation in the use of one or both upper or lower extremities, or who have a diagnosed permanent disease or disorder which substantially impairs or severely interferes with mobility or the use of one or both upper or lower extremities.

(2) "Blind" or "visually impaired" means:

(a) Blindness is a central visual acuity that does not exceed 20/200 in the better eye with corrective lenses, or the

widest diameter of the visual field does not exceed twenty degrees; or

(b) Low vision is a severe loss of visual acuity ranging from 20/70 to 20/200 while retaining some visual function; or

(c) Visual impairments may include, but are not limited to: Albinism, aniridia, aphakia, cataracts, glaucoma, macular degeneration, or other similar diagnosed disease or disorder.

(3) "Developmental disability" means a cognitive intellectual disability such as: Cerebral palsy, down syndrome, epilepsy, autism, or another neurological condition of an individual found to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual.

AMENDATORY SECTION (Amending WSR 09-09-083, filed 4/15/09, effective 5/16/09)

WAC 232-12-828 Hunting of game birds and animals by persons with a disability. (1) Definitions:

(a) "Hunter with a disability" means a person with a permanent disability who possesses a disabled hunter permit issued by the department. ~~((A hunter with a disability must have all required licenses, tags, permits, and stamps before hunting.))~~

(b) "Disabled hunter permit" means a permit, card, or endorsement to a license issued by the department to any person with a permanent disability who applies to the department and presents such evidence as the director may require showing that the applicant is a person with a qualifying disability.

(i) Upon approval of the application, the department will issue a vehicle identification placard.

(ii) A designated hunter companion card will be issued to the holder of a disabled hunter permit along with the issuance of a hunting license.

(c) "Designated hunter companion" means a person who assists or acts on behalf of a hunter with a disability in the stalking, shooting, tracking, retrieving, or tagging of game birds and game animals.

(d) "Designated hunter companion card" means an identification card issued by the department to ~~((the))~~ a hunter with a disability for use by another person in assisting or acting on the behalf of the hunter with a disability while engaging in hunting activities.

~~((("Blind or visually impaired" means a central visual acuity that does not exceed 20/200 in the better eye with corrective lenses, or the widest diameter of the visual field does not exceed twenty degrees.~~

~~((("Accompany" means the hunter with a disability and the designated hunter companion are in the physical presence of each other, not to exceed a 1/4-mile separation. While stalking or shooting an animal, the hunter with a disability and the designated hunter companion must have a form of reliable and direct communication.~~

~~((("Special use permit" means a permit issued by the department to a person with a specific permanent disability as a reasonable accommodation. The special use permit allows~~

for a specific act or acts to include, but not be limited to, use of adaptive mechanical, electrical, or specialty equipment or devices that aid the person in hunting.

(h) "Person with a disability" means:

(i) A person who has a permanent disability and is not ambulatory over natural terrain without a lower extremity prosthesis or must permanently use a medically prescribed assistive device for mobility, including, but not limited to, a wheelchair, crutch, cane, walker, or oxygen bottle; or

(ii) A person who has a permanent disability and is physically incapable of holding and safely operating a firearm or other legal hunting device.

This definition includes, but is not limited to, persons with a permanent upper or lower extremity impairment who have lost the use of one or both upper or lower extremities, or who have a severe limitation in the use of one or both upper or lower extremities, or who have a diagnosed permanent disease or disorder which substantially impairs or severely interferes with mobility or the use of one or both upper or lower extremities for holding and safely operating a firearm or other legal hunting device; or

(iii) A person who is blind or visually impaired.

(i) "Public highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel as defined in RCW 46.04.197.)

(2) It is unlawful for a hunter with a disability to fail to obtain all required licenses, tags, or stamps before hunting.

(3) It is unlawful for a designated hunter companion to assist a hunter with a disability unless the designated hunter companion has the designated hunter companion card on his or her person. A designated hunter companion must have a valid hunting license issued by Washington state or another state.

(a) The designated hunter companion must accompany the hunter with a disability when stalking or shooting game on behalf of the hunter with a disability. ~~((The hunter with a disability or the designated hunter companion must immediately cut, notch, or date any required tag. The tag must be affixed to the carcass of the game bird or animal as soon as is reasonably possible after killing the game.~~

~~(3))~~ (b) The designated hunter companion does not need to accompany the hunter with a disability while tracking an animal wounded by either hunter, or while tagging or retrieving a downed animal on behalf of the hunter with a disability.

(4) It is unlawful for ~~((a designated hunter companion to assist a hunter with a disability unless the designated hunter companion has the designated hunter companion identification card on his or her person.~~

~~(5) It is unlawful for a hunter with a disability to shoot from a motor vehicle, unless the vehicle is stopped, the motor is turned off and the vehicle is removed from the maintained portion of a public highway. If the roadway is not paved, and it is impossible for the hunter with a disability to completely remove the vehicle from the roadway, then the hunter may shoot from the vehicle if the vehicle is as far off the roadway as possible. A disabled hunter vehicle identification placard must be displayed.~~

(6) It is unlawful for any person to possess a loaded firearm in or on a motor vehicle, except if the person is a hunter

with a disability and the vehicle is in compliance with subsection (5) of this section)) the hunter with a disability or the designated hunter companion to fail to:

(a) Immediately cut, notch, or date any required tag upon harvesting a game bird or animal; and

(b) Affix the tag to the carcass of the game bird or animal as soon as reasonably possible after killing the game.

(5) A violation of subsection (2), (3), or (4) of this section is punishable under RCW 77.15.400, 77.15.410, 77.15.430, or 77.15.750 or other statutes under chapter 77.15 RCW depending on the circumstances of the violation.

~~((7))~~ (6) Game birds or game animals killed, tagged or retrieved by a designated hunter companion on behalf of a hunter with a disability do not count against the designated hunter companion's bag or possession limit.

~~((8) A designated hunter companion shooting game for or who may be shooting game for a hunter with a disability must have a valid hunting license issued by Washington or another state.~~

~~(9) Special use permits:~~

~~(a) The director may develop conditions and criteria for administering and issuing special use permits.~~

~~(b) The hunters and fishers with disabilities advisory committee established in RCW 77.04.150 may assist the department in evaluating requests and criteria for issuing special use permits.~~

~~(c) Special use permits must be carried on the person acting under or using devices authorized by the permit.~~

~~(d) The terms for use granted by a special use permit, when provided as a reasonable accommodation, shall supersede other hunting or fishing rules and restrictions.)~~

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-248 Special closures and firearm restriction areas. (1) RESTRICTED HUNTING AREAS.

It is unlawful to hunt in the following restricted hunting areas unless otherwise provided:

(a) Parker Lake (GMU 117, Pend Oreille County): All lands south of Ruby Creek Road (USFS Road 2489), north of Tacoma Creek Road (USFS Road 2389), and west of Bonneville Power Administration power lines are designated as "CLOSED AREA" to hunting wild animals and wild birds year-round except for special hunts adopted by the fish and wildlife commission. The Parker Lake closure provides a protected area for the U.S. Air Force Military Survival Training Program.

(b) Columbia River: The Columbia River, all islands except privately owned, in the river, the Benton County shoreline below the high water mark, Central Hanford Department of Energy property, and any peninsula originating on the Benton County shoreline, between Vernita Bridge on Highway 24 downstream to the ~~((old Hanford townsite power line crossing (wooden towers) in Section 24, T 13 N, R 27 E;))~~ Richland city limits are designated as a "CLOSED AREA" to hunting wild animals and wild birds except waterfowl hunting is open below the high water mark between the old Hanford townsite power line crossing (wooden towers) in Section 24, T 13 N, R 27 E, and the Richland city limits.

(c) Green River (GMU 485): Except for special permit hunters, who may also take a black bear and/or cougar with the appropriate license/tag options, all lands within GMU 485 are designated as a "CLOSED AREA" to hunting big game year-round. During the general westside elk season and general and late deer seasons, all lands within GMU 485 year-round are also designated as a "CLOSED AREA" to hunting all wild animals, including wild birds, year-round. The city of Tacoma enforces trespass within GMU 485 year-round on lands owned or controlled by the city.

(d) McNeil Island (part of GMU 652): Closed to hunting all wild animals, including wild birds, year-round.

(e) Loo-wit (GMU 522): Closed to hunting and trapping, except for elk hunting by special permit holders during established seasons and in designated areas.

~~((f) The Voice of America Dungeness Recreation Area County Park (Clallam County): Closed to all hunting except Wednesdays, weekends, and holidays, from the first weekend in October to the end of January.))~~

(2) A violation of subsection (1) of this section is punishable under RCW 77.15.400, 77.15.410, or 77.15.430, depending on the species hunted.

(3) CLOSED BIG GAME HUNTING AREAS.

It is unlawful to hunt big game in the following closed areas, unless otherwise specified:

(a) Clark, Cowlitz, Pacific, and Wahkiakum counties: Closed to hunting for Columbian whitetail deer.

(b) Cathlamet: Except for special permits issued by the department for nonendangered deer and elk, this area is closed to all deer and elk hunting to protect the Columbian whitetail deer. This area's boundaries are described as:

Beginning in the town of Skamokawa; then east along SR 4 to Risk Road; then south and east along Risk Road to Foster Road; then south along the Foster Road to the Elochoman River; then upstream along the Elochoman River to Elochoman Valley Road (old SR 407); then west along the Elochoman Valley Road to SR 4; then east along SR 4 to SR 409; then south along SR 409 to the Cathlamet Channel of the Columbia River; then east along the north shore of the Cathlamet Channel to Cape Horn; then south in the Columbia River to the state line; then west along the state line to a point directly south of the mouth of Skamokawa Creek; then north on Skamokawa Creek to SR 4 and the point of beginning.

(c) Walla Walla Mill Creek Watershed (GMU 157): All lands in the Mill Creek Watershed are designated as a "CLOSED AREA" to hunting all wild animals, including wild birds. The only exception is for deer or elk hunting by holders of GMU-157 special deer or elk permits during the established open season. These permit holders must have a U.S. Forest Service permit to enter the hunt area, and the area is closed to motorized vehicles. No entry into the Mill Creek Watershed is allowed at other times.

(d) Westport: Closed to hunting all big game animals on the part of Westport Peninsula lying north of State Highway 105 from the Elk River Bridge west end and the Schafer Island Road to the ocean beach.

(e) Cottonwood and Howard islands (GMU 564): Closed to all deer hunting.

(4) A violation of subsection (3) of this section is a gross misdemeanor or a class C felony punishable under RCW 77.15.410, depending on the circumstances of the violation.

(5) FIREARM RESTRICTION AREAS.

(a) It is unlawful to hunt wildlife in the following firearm restriction areas with centerfire or rimfire rifles, or to fail to comply with additional firearm restrictions, except as established below:

COUNTY	AREA
Chelan	That portion of GMU 251 (Mission) beginning at the intersection of the Duncan Road and Highway 2; south on Duncan Road to Mountain Home Road; south along Mountain Home Road to the Icicle Irrigation Ditch; south and west along the Icicle Irrigation Ditch to the Snow Lake Trail; west and north along the Snow Lake Trail and across the Icicle River to Icicle River Road; east and north along Icicle River Road to the Wenatchee River; northwest along the Wenatchee River to Highway 2; north and east on Highway 2 to Duncan Road and the point of beginning.
Clallam	That portion of GMU 624 (Coyle) located within Clallam County.
Clark	GMU 564 (Battleground) That portion of GMU 554 in Clark County.
Cowlitz	GMU 554 (Yale) GMU 504 (Stella) That portion of GMU 564 (Battleground) in Cowlitz County.
Grays Harbor	That portion of GMU 658 (North River) beginning at Bay City; then west along Highway 105 to Twin Harbors State Park; then south along Highway 105 to Grayland Grocery; then east on Cranberry Road to Turkey Road; then east and north on Turkey Road to Bayview Logging Road; then north and east along Bayview Logging Road to Mallard Slough; then east and south along the Bayview Road to Andrews Creek; then north along main channel of Andrews Creek to Grays Harbor; then north and west along the main navigation channel to Bay City and point of beginning.
Grays Harbor	The following Chehalis Valley restriction applies only during elk seasons: That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Highway 107 junction near

COUNTY	AREA	COUNTY	AREA
	Montesano; east and south on Highway 12 to Oakville; south on the Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of the South Bank Road to Delzene Road; north along Delzene Road to South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to the Chehalis River; west along the Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 to the point of beginning.	Pacific	GMU 684 (Long Beach) west of Sand Ridge Road. The portion of GMU 658 (North River) south and west of State Highway 105 and Airport Road between Raymond and North River Bridge. GMU 681 between U.S. Highway 101, Chinook Valley Road and the Columbia River from Astoria-Megler bridge to the Wallacut River.
Island	GMUs 421 (Camano) and 420 (Whidbey).	Pierce	GMU 652 (Ketron Island), GMU 655 (Anderson) limited to archery, shotgun, and muzzleloader. McNeil Island closed to hunting. See GMU 652 restriction area outlined for King County.
Jefferson	Indian and Marrowstone islands.		GMU 627 (Kitsap) south of Highway 302 on the Longbranch Peninsula is a firearm restriction area.
King	The area west of Highway 203 (Monroe-Fall City, then Fall City-Preston Road) to Interstate 90 (I-90), I-90 to Highway 18, Highway 18 to Interstate 5 (I-5), I-5 to the Pierce-King County line; and GMU 422 (Vashon-Maury). This area is restricted to archery only: The following portion of GMU 652 (Puyallup): Beginning at the intersection of State Highway 410 and the southeast Mud Mountain Dam Road near the King/Pierce County line north of Buckley; then east along the southeast Mud Mountain Road to 284th Avenue Southeast; then north along 284th Avenue Southeast to State Highway 410; then west along Highway 410 to the point of the beginning.	San Juan	All San Juan County, including GMUs 411 (Orcas), 412 (Shaw), 413 (San Juan), 414 (Lopez), 415 (Blakely), 416 (Decatur), and those portions of GMU 410 (Islands) that occur in San Juan County.
		Snohomish	All areas west of Highway 9, until the intersection of Highway 9 and Highway 2, then east along Highway 2 to Highway 203, then all areas west of Highway 203 to the Snohomish/King County line.
		Skagit	All mainland areas and islands, including GMU 419 (Guemes), in Skagit County west of I-5 and north of the Skagit/Snohomish County line, except Cypress Island. This restriction applies to big game hunting only.
Kitsap	East of State Highway 16 originating at the Tacoma Narrows Bridge to Gorst, and east of Highway 3 to Newbury Hill Road, north of Newbury Hill Road and the Bremerton-Seabeck Highway to Big Beef Creek Bridge; all of Bainbridge Island, and Bangor Military Reservation.	Skamania	That portion of GMU 564 (Battle Ground) in Skamania County.
		Thurston	GMU 666 (Deschutes) north of U.S. Highway 101 and Interstate 5 between Oyster Bay and the mouth of the Nisqually River.
Kittitas	GMU 334 (Ellensburg) Closed to centerfire rifles during deer and elk seasons <u>except for those areas designated in writing by WDFW wildlife conflict staff.</u>	Whatcom	All mainland areas and islands of Whatcom County that are west of I-5. This restriction applies to big game hunting only.
Klickitat	Elk Area 5062 (Trout Lake) closed to centerfire rifles, handguns, and muzzleloaders October 1 to December 15.		(b) Archery tag holders may only hunt during established archery seasons with archery equipment as defined under WAC 232-12-054.
Mason	GMU 633 (Mason Lake) south of Hammersley Inlet; and all of Harstine Island.		(c) Muzzleloader tag holders may only hunt during established muzzleloader seasons with muzzleloader equipment as defined by department rule.
			(d) Modern firearm tag holders may hunt during established modern firearm seasons with bows and arrows; cross-

bows; muzzleloaders; revolver-type handguns; or shotguns, so long as the equipment and ammunition complies with department rules.

(6) A violation of subsection (5) of this section is punishable under RCW 77.15.400, 77.15.410, or 77.15.430, depending on the species hunted.

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-273 2012-2014 Moose seasons, permit quotas, and areas. (1) It is unlawful to fail to comply with the provisions of this section. A violation of this section is

punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) **Moose Permit Hunts**

(a) **Who May Apply:** Anyone EXCEPT those who previously harvested a moose in Washington state may apply for a moose permit. An individual may only harvest one moose during his or her lifetime. However, this restriction is waived for hunters who have previously harvested a moose under an antlerless-only, master-hunter, raffle, or auction permit, as well as for applications for antlerless-only, master-hunter, raffle, or auction permits.

(b) **Bag Limit:** One moose.

(c) **Weapon Restrictions:** Permit holders may use any legal weapon.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Kettle Range/East Okanogan	Oct. 1 - Nov. 30	GMUs 101, 105, 204	Any Moose	10
Selkirk Mtns. A	Oct. 1 - Nov. 30	GMU 113	Any Moose	15
Selkirk Mtns. B ^d	Oct. 1 - Nov. 30	GMU 113	Antlerless Only	2
Mt. Spokane South A	Oct. 1 - Nov. 30	Moose Area 1	Any Moose	8
Mt. Spokane South B	Oct. 1 - Nov. 30	Moose Area 1	Antlerless Only	8
Mt. Spokane North A	Oct. 1 - Nov. 30	Moose Area 2	Any Moose	8
Mt. Spokane North B	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	7
Mt. Spokane North C ^b	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	1
(Mt.) Spokane District ^{HC}	(Dec.) Aug. 1 - Mar. 31	GMUs 124(, 127, and 130 within Spokane County)-142	(Antlerless Only) Any Moose as specifically directed by WDFW	10 ^{HC}
Mt. Spokane South - Youth Only ^a	Oct. 1 - Nov. 30	Moose Area 1	Antlerless Only	8
Mt. Spokane North - Youth Only ^a	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	8
49 Degrees North A	Oct. 1 - Nov. 30	GMU 117	Any Moose	21
49 Degrees North B ^b	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	3
49 Degrees North C ^c	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
49 Degrees North Youth Only ^a	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
Three Forks	Oct. 1 - Nov. 30	GMUs 108, 111	Any Moose	6
Hangman A	Oct. 1 - Nov. 30	GMUs 127, 130	Any Moose	7
Hangman B	Oct. 1 - Nov. 30	GMUs 127, 130	Antlerless Only	7
Huckleberry Range A	Oct. 1 - Nov. 30	GMUs 121, 124 west of Hwy 395	Any Moose	7
Huckleberry Range B ^c	Oct. 1 - Nov. 30	GMUs 121, 124 west of Hwy 395	Antlerless Only	2
Parker Lake A ^e	Sept.1-26	Moose Area 3	Any Moose, Archery Only	2
Parker Lake B ^e	Sept. 27 - Oct. 5	Moose Area 3	Any Moose, Muzzleloader Only	2

^aApplicants must be eligible to purchase a youth moose permit application. An adult must accompany the youth hunter during the hunt.

^bApplicants must possess a Disabled Hunter Permit.

^cApplicants must be eligible to purchase a 65 years of age or older permit application.

^dApplicants must be a certified hunter education instructor who meets program-defined eligibility criteria.

^eThe following special hunt is offered by the USAF Survival School on a trial basis and will be evaluated based on student safety each year for continuation.

^h^cThis is a damage hunt administered by a WDFW designated hunt coordinator. Only master hunters may apply, and any weapon may be used. Successful applicants will be contacted on an as-needed basis to help with specific sites of nuisance moose activity in designated areas. Not all successful applicants will be contacted in any given year.

(3) Moose Areas:

(a) Moose Area 1: South Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, S on Hwy 395 to Spokane River, E on Spokane River to Idaho-Washington state line, N on Idaho-Washington state line to Blanchard Rd and the point of beginning.

(b) Moose Area 2: North Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, N on Hwy 395 to Deer Park-Milan Rd, E on Deer Park-Milan Rd to Hwy 2, N on Hwy 2 to Idaho-Washington state line, S on Idaho-Washington state line to Blanchard Rd and the point of beginning.

(c) Moose Area 3: Parker Lake (GMU 117, Pend Oreille County): All lands south of Ruby Creek Rd (USFS Road 2489), north of Tacoma Creek Rd (USFS Road 2389), and west of Bonneville Power Administration power lines.

AMENDATORY SECTION (Amending WSR 12-22-045, filed 11/2/12, effective 12/3/12)

WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits.

AUCTION PERMITS

(1) BLACK-TAILED DEER AUCTION PERMIT

Season dates: September 1 - December 31
Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to black-tailed deer hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any buck black-tailed deer.

Number of permit hunters selected: 1

(2) MULE DEER AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any buck mule deer.

Number of permit hunters selected: 1

(3) WHITE-TAILED DEER AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any buck white-tailed deer.

Number of permit hunters selected: 1

(4) WESTSIDE ELK AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any bull elk.

Number of permit hunters selected: 1

(5) EASTSIDE ELK AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any bull elk.

Number of permit hunters selected: 1

(6) CALIFORNIA BIGHORN SHEEP AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open sheep unit with two or more ram permits during the respective license year, EXCEPT sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.

Weapon: Any legal weapon.

Bag limit: One California bighorn ram.

Number of permit hunters selected: 1

(7) MOOSE AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open moose unit.

Weapon: Any legal weapon.

Bag limit: One moose of either sex.

Number of permit hunters selected: 1

(8) MOUNTAIN GOAT AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open goat unit with two or more permits during the respective license year.

Weapon: Any legal weapon.

Bag limit: One mountain goat of either sex.

Number of permit hunters selected: 1

RAFFLE PERMITS**(9) BLACK-TAILED DEER RAFFLE PERMIT**

Season dates: September 1 - December 31
 Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission.
 Weapon: Any legal weapon.
 Bag limit: One additional any buck black-tailed deer.
 Number of permit hunters selected: 1

(10) MULE DEER RAFFLE PERMIT

Season dates: September 1 - December 31
 Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.
 Weapon: Any legal weapon.
 Bag limit: One additional any buck mule deer.
 Number of permit hunters selected: 1

(11) WHITE-TAILED DEER RAFFLE PERMIT

Season dates: September 1 - December 31
 Hunt Area: Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.
 Weapon: Any legal weapon.
 Bag limit: One additional any buck white-tailed deer.
 Number of permit hunters selected: 1

(12) WESTSIDE ELK RAFFLE PERMIT

Season dates: September 1 - December 31
 Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not open to branch antlered bull elk hunting by the fish and wildlife commission.
 Weapon: Any legal weapon.
 Bag limit: One additional any bull elk.
 Number of permit hunters selected: 1

(13) EASTSIDE ELK RAFFLE PERMIT

Season dates: September 1 - December 31
 Hunt Area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.
 Weapon: Any legal weapon.
 Bag limit: One additional any bull elk.
 Number of permit hunters selected: 1

(14) CALIFORNIA BIGHORN SHEEP RAFFLE PERMIT

Season dates: September 1 - December 31
 Hunt Area: Any open bighorn sheep unit with two or more ram permits during the respective license year, EXCEPT sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.
 Weapon: Any legal weapon.
 Bag limit: One California bighorn ram.
 Number of permit hunters selected: 1

(15) MOOSE RAFFLE PERMIT

Season dates: September 1 - December 31
 Hunt Area: Any open moose unit.
 Weapon: Any legal weapon.
 Bag limit: One moose of either sex.
 Number of permit hunters selected: 2

(16) MOUNTAIN GOAT RAFFLE PERMIT

Season dates: September 1 - December 31
 Hunt Area: Any open goat unit with two or more permits during the respective license year.
 Weapon: Any legal weapon.
 Bag limit: One mountain goat of either sex.
 Number of permit hunters selected: 1

(17) TURKEY RAFFLE PERMIT

Season dates: April 1 - May 31 and September 1 - December 31
 Hunt Area: Statewide.
 Weapon: Archery or shotgun only.
 Bag limit: Three additional wild turkeys, but not to exceed more than one turkey in Western Washington or two turkeys in Eastern Washington.
 Number of permit hunters selected: 1

(18) ROCKY MOUNTAIN BIGHORN SHEEP RAFFLE PERMIT

Bag limit: One Rocky Mountain bighorn ram.
 Hunt Area: GMUs 113, 172, 175(~~(-181)~~).
 Season dates: September 1 - December 31
 Weapon: Any legal weapon.
 Number of permit hunters selected: 1

(19) THREE-DEER RAFFLE PERMIT

Bag limit: One additional any buck black-tailed deer, one additional any buck mule deer, and one additional any buck white-tailed deer; total harvest not to exceed three animals.
 Hunt Area: For black-tailed deer, those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission. For mule deer, those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission. For white-tailed deer, those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.
 Season dates: September 1 - December 31
 Weapon: Any legal weapon.
 Number of permit hunters selected: 1

(20) NORTHEAST WASHINGTON BIG GAME RAFFLE PERMIT

Bag limit: Permit hunter may harvest three of six possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any bull elk, one any bull moose, one additional any legal cougar, one additional any legal black bear, and one additional any legal turkey (gobbler and turkey with visible beard ONLY); total harvest not to exceed three animals.
 Hunt Area: GMUs 101-124.

Season dates: September 1 - December 31 for white-tailed deer, elk, and moose. April 15 - May 31 and September 1 - December 31 for black bear. September 1 - March 31 for cougar. April 15 - May 31 for turkey
 Weapon: Any legal weapon EXCEPT archery and shotgun only for turkey.
 Number of permit hunters selected: 1

(21) SOUTH-CENTRAL WASHINGTON BIG GAME RAFFLE PERMIT

Bag limit: One additional any bull elk, one additional any buck deer, and one California bighorn sheep ram; total harvest not to exceed three animals.

Hunt Area: For elk, any 300 or 500 series GMU EXCEPT those GMUs closed to elk hunting and those GMUs not open to branch antlered bull elk hunting by the fish and wildlife commission. For deer, any 300 or 500 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For California bighorn sheep, those bighorn sheep hunt areas south of Interstate 90 and west of Interstate 82 open to bighorn sheep hunting by the fish and wildlife commission with two or more permits during the respective license year.

Season dates: September 1 - December 31

Weapon: Any legal weapon.

Number of permit hunters selected: 1

(22) SOUTHEAST WASHINGTON BIG GAME RAFFLE PERMIT

Bag limit: Permit hunter may harvest four of five possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any buck mule deer, one additional any bull elk, one additional any legal cougar, and one additional any legal black bear; total harvest not to exceed four animals.

Hunt Area: GMUs 139-154 and 162-186.

Season dates: September 1 - December 31 for white-tailed deer, mule deer, and elk. April 15 - June 15 and September 1 - December 31 for black bear. September 1 - March 31 for cougar

Weapon: Any legal weapon.

Number of permit hunters selected: 1

(23) NORTH-CENTRAL WASHINGTON BIG GAME RAFFLE PERMIT

Bag limit: Permit hunter may harvest three of five possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any buck mule deer, one any ram California bighorn sheep, one additional any legal cougar, and one additional any legal black bear; total harvest not to exceed three animals.

Hunt Area: For white-tailed deer, mule deer, cougar, and black bear, any 200 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For California bighorn sheep, those bighorn sheep hunt areas in Chelan or Okanogan counties open to bighorn sheep hunting by the fish and wildlife commission with two or more permits during the respective license year.

Season dates: September 1 - December 31 for white-tailed deer, mule deer, and California bighorn sheep. April 15 -

May 15 and September 1 - December 31 for black bear. September 1 - March 31 for cougar

Weapon: Any legal weapon.

Number of permit hunters selected: 1

SPECIAL INCENTIVE PERMITS

(24) WESTERN WASHINGTON ELK INCENTIVE PERMITS

Hunt Area: Western Washington EXCEPT GMUs 418, 485, 522, and those GMUs closed to elk hunting or closed to branch antlered bull elk hunting by the fish and wildlife commission.

Season dates: September 1 - December 31

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One additional elk.

Number of permit hunters selected: 2

(25) EASTERN WASHINGTON ELK INCENTIVE PERMITS

Hunt Area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting or closed to branch antlered bull elk hunting by the fish and wildlife commission.

Season dates: September 1 - December 31

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One additional elk.

Number of permit hunters selected: 2

(26) DEER INCENTIVE PERMITS

Hunt Area: Statewide, for use in any area open to general or permit hunting seasons EXCEPT GMUs 157, 418, 485, 522, and those GMUs closed to deer hunting by the fish and wildlife commission.

Season dates: September 1 - December 31

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons and any legal weapon at other times if there are no firearm restrictions.

Bag limit: One additional any deer.

Number of permit hunters selected: 5

PERMIT ISSUANCE PROCEDURE

(27) Auction permits: The director will select a conservation organization(s) to conduct annual auction(s). Selection of the conservation organizations will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey auctions shall be conducted consistent with WAC 232-28-292.

(28) Raffle permits: Raffle permits will be issued to individuals selected through a Washington department of fish and wildlife drawing or the director may select a conservation organization(s) to conduct annual raffles. Selection of a conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey raffles shall be conducted consistent with WAC 232-28-290.

(29) Special incentive permits: Hunters will be entered into a drawing for special deer and elk incentive permits for prompt

reporting of hunting activity in compliance with WAC 232-28-299.

(30) For permit hunts where the permittee may harvest multiple species, the permittee must select the species he/she wants to hunt within fourteen days of notification of being selected.

QUALIFICATIONS FOR PARTICIPATION AND REQUIREMENTS:

(31) Permittee shall contact the appropriate regional office of the department of fish and wildlife when entering the designated hunt area or entering the region to hunt outside the general season.

(32) The permittee may be accompanied by others; however, only the permittee is allowed to carry a legal weapon or harvest an animal.

(33) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

(34) If requested by the department, the permittee is required to direct department officials to the site of the kill.

(35) The permit is valid during the hunting season dates for the year issued.

(36) The permittee will present the head and carcass of the bighorn sheep killed to any department office within seventy-two hours of date of kill.

(37) The permittee must abide by all local, state, and federal regulations including firearm restriction areas and area closures.

(38) Hunters awarded the special incentive permit will be required to send the appropriate license fee to the department of fish and wildlife headquarters in Olympia. The department will issue the license and transport tag and send it to the special incentive permit winner.

Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless Mule Deer or any White-tailed Deer	Buckrun
Buckrun	30	Sept. 1 - Dec. 31	Any deer	Buckrun
Buckrun Raffle	10	Oct. ((26)) 25 - Dec. 31	Any deer	Buckrun

(c) Buckrun special hunting permits

Hunters must apply to the Washington department of fish and wildlife for Buckrun's special hunting permits. Only hunters possessing a modern firearm deer tag are eligible for these special permits. All hunters must check in and out. Hunts should be scheduled in advance by calling 509-345-2577.

Deer

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless	Buckrun

(4)(a) Silver Dollar Association

The Silver Dollar Association is located in Yakima and Benton counties, on the western edge of the Hanford Reservation. A legal description of the property is in the contract between the Silver Dollar Association and the department.

(b) Silver Dollar Association landowner hunting permits

(39) Permit hunters awarded a cougar permit may only use dogs in GMUs that have a cougar season open to dog use (WAC 232-28-285).

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-296 Landowner hunting permits. (1) A landowner may enter into a contract with the department and establish boundaries and other requirements for hunter access consistent with commission policy.

(2) It is unlawful for hunters to participate in landowner-permit hunts unless the hunters possess both an access permit from the landowner and a hunting permit from the department for the species covered under the landowner's contract. A violation of this section is punishable under RCW 77.15.410.

(3)(a) Buckrun

Buckrun is located in Grant County, near the town of Wilson Creek.

Hunting on Buckrun is managed for a quality experience by scheduling hunt dates and keeping the number of hunters in the field low. Hunters with limited flexibility for hunt dates may experience scheduling problems. Hunters can generally expect one-day hunts during the permit seasons with written authorization from the Buckrun manager. All hunters must check in and out on hunt day. Hunts will be scheduled on a first-come basis by calling 509-345-2577 in advance.

(b) Buckrun landowner hunting permits

Buckrun's manager will distribute Buckrun's landowner hunting permits. Buckrun may charge an access fee for these permits, but not for winning raffle permits. Only hunters possessing a modern firearm deer tag are eligible for permits on Buckrun's properties. Contact the manager at 509-345-2577 for additional information.

The Silver Dollar Association's manager will distribute the association's landowner hunting permits. The association may charge an access fee for these permits.

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Silver Dollar	24	Aug. 1 - March 31	Any Elk	Silver Dollar
Silver Dollar	8	Aug. 1 - March 31	Antlerless	Silver Dollar

(c) Silver Dollar Association special hunting permits

Hunters must apply to the Washington department of fish and wildlife for the Silver Dollar Association's special hunting permits.

Elk

Hunt Name	Permit Number	Weapon/Tag	Permit Season	Special Restrictions	Boundary Description
Silver Dollar	8	((EA ;) EF (EM))	Aug. 1 - March 31	Youth Only, Any Elk	Silver Dollar
Silver Dollar Antlerless Elk	6	((EA ;) EF (EM))	Aug. 1 - March 31	Youth Only, Antlerless Elk Only	Silver Dollar
Silver Dollar Antlerless Elk	2	((EA ;) EF (EM))	Aug. 1 - March 31	Persons of Disability Only, Antlerless Elk Only	Silver Dollar

(5)(a) Blackrock Ranches

Blackrock Ranches is located in Yakima County west of the Hanford Reservation. A legal description of the property is in the contract between Blackrock Ranches and the department.

(b) Blackrock Ranches landowner hunting permits

Blackrock Ranches' manager will distribute the ranches' landowner hunting permits. Blackrock Ranches may charge an access fee for these permits.

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Blackrock Ranches	6	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	2	Aug. 1 - March 31	Antlerless	Blackrock Ranches

(c) Blackrock Ranches special hunting permits

Hunters must apply to the Washington department of fish and wildlife for Blackrock Ranches' special hunting permits. To apply, hunters must have an eastside elk tag.

Elk

Hunt Name	Permit Number	Weapon/Tag	Permit Season	Special Restrictions	Boundary Description
Blackrock Ranches	1	((EA ;) EF (EM))	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	1	((EA ;) EF (EM))	Aug. 1 - March 31	Antlerless Only	Blackrock Ranches
Blackrock Ranches	1	((EA ;) EF (EM))	Aug. 1 - March 31	Youth Only, Any Elk	Blackrock Ranches
Blackrock Ranches	1	((EA ;) EF (EM))	Aug. 1 - March 31	Youth Only, Antlerless Only	Blackrock Ranches

(6)(a) Pine Mountain Ranch

The Pine Mountain Ranch is located in Yakima County 14 miles west of Yakima. A legal description of the property is in the contract between the Pine Mountain Ranch and the department.

(b) Pine Mountain Ranch landowner hunting permits

Pine Mountain Ranch's manager will distribute the ranch's landowner hunting permits. Pine Mountain Ranch may charge an access fee for these permits.

Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	2	Nov. ((4)) <u>3</u> - Dec. 31	Any Buck	Pine Mountain Ranch

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Aug. 1 - Dec. 31	Any Bull	Pine Mountain Ranch
Pine Mountain Ranch	2	((August)) <u>Aug.</u> 1 - Nov. ((3)) <u>2</u>	Antlerless	Pine Mountain Ranch

(c) Pine Mountain Ranch special hunting permits

Hunters must apply to the Washington department of fish and wildlife for Pine Mountain Ranch's special hunting permits.

Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	2	Nov. ((4)) <u>3</u> - Dec. 31	Youth Only, Any Buck	Pine Mountain Ranch

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Aug. 1 - Dec. 31	Youth Only, Any Bull	Pine Mountain Ranch
Pine Mountain Ranch	2	Aug. 1 - Nov. ((3)) <u>2</u>	Antlerless	Pine Mountain Ranch

(7)(a) 4-0 Ranch

The 4-0 Ranch is located in Asotin County (GMU 172), south of Asotin. A legal description of the property is in the contract between the 4-0 Ranch and the department.

(b) 4-0 Ranch landowner hunting permits

The 4-0 Ranch's manager will distribute the ranch's landowner hunting permits. The 4-0 Ranch may charge an access fee for these permits.

Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	4	Oct. ((12-15)) <u>4-7</u>	Mule Deer, 3 pt. min	4-0 Ranch
((4-0 Ranch B))	2	Nov. 11-15	Mule Deer, 3 pt. min	4-0 Ranch))
4-0 Ranch C	1	Nov. ((15-18)) <u>8-12</u>	White-tailed, 3 pt. min	4-0 Ranch

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	((2)) <u>1</u>	Sept. ((16-20)) <u>6-9</u>	Any Bull	4-0 Ranch
4-0 Ranch B	1	((Oct. 21-24)) <u>Sept. 25-28</u>	Any Bull	4-0 Ranch
4-0 Ranch C	((4)) <u>3</u>	Oct. ((26-29)) <u>18-21</u>	Spike Only	4-0 Ranch
4-0 Ranch D	8	((Sept. 26-29)) <u>Nov. 3-7</u>	Antlerless Only	4-0 Ranch
((4-0 Ranch E))	2	Oct. 26-29	Antlerless Only	4-0 Ranch
4-0 Ranch F	6	Nov. 21-24	Antlerless Only	4-0 Ranch))

(c) 4-0 Ranch special hunting permits

Hunters must apply to the Washington department of fish and wildlife for the ranch's special hunting permits. Hunters must have an Eastside Elk tag to apply for 4-0 Ranch's elk permits.

Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	1	Oct. ((16-20)) <u>8-12</u>	Mule Deer, 3 pt. min	4-0 Ranch
4-0 Ranch B	((1)) <u>3</u>	((Nov. 16-20)) <u>Oct. 8-12</u>	<u>Antlerless</u> Mule Deer, ((3-pt. min)) <u>Youth Only</u>	4-0 Ranch
4-0 Ranch C	1	Nov. ((25-Dec. 1)) <u>15-19</u>	Whitetail, 3 pt. min	4-0 Ranch

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	((2)) <u>1</u>	Sept. ((22-26)) <u>10-14</u>	Any Bull	4-0 Ranch
4-0 Ranch B	1	((Oct. 30-Nov. 3)) <u>Sept. 17-21</u>	((Spike Only)) <u>Any Bull</u>	4-0 Ranch
4-0 Ranch C	4	Oct. ((4-7)) <u>22-26</u>	((Antlerless)) <u>Spike Only</u>	4-0 Ranch
4-0 Ranch D	((2)) <u>4</u>	Oct. ((30)) <u>29</u> - Nov. ((3)) <u>2</u>	Antlerless Only	4-0 Ranch
4-0 Ranch E	((2)) <u>4</u>	Nov. ((28-Dec. 1)) <u>22-26</u>	Antlerless Only	4-0 Ranch

(8)(a) ZMI Ranch

ZMI Ranch is located in northern Walla Walla County near Lyons Ferry (GMU 149).

(b) ZMI Ranch landowner hunting permits

ZMI Ranch's manager will distribute the ranch's landowner hunting permits. ZMI Ranch may charge an access fee for these permits.

Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
ZMI A	((2)) <u>3</u>	Oct. ((21-27)) <u>20 - Nov. 4</u>	3 pt. min	ZMI
ZMI B	((4)) <u>3</u>	Nov. ((16-Dec. 8)) <u>15-30</u>	3 pt. min	ZMI

(c) ZMI Ranch special hunting permits

Hunters must apply to the Washington department of fish and wildlife for ZMI Ranch's special hunting permits. Only hunters possessing a modern firearm deer tag are eligible for ZMI special permits. Hunters must call ZMI Ranch's manager to schedule a hunt time. All hunters must check in and out on the day they hunt.

Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
ZMI A	2	((Nov. 1-4)) <u>Dec. 1-7</u>	3 pt. min	ZMI

(9)(a) Columbia Plateau Wildlife Management Association

The Columbia Plateau Wildlife Management Association (CPWMA) landowner hunting permit area is located in Spokane County (GMU 130) near Turnbull National Wildlife Refuge. Landowner permit hunts are primarily damage hunts but are managed for a quality experience by keeping the number of hunters in the field low. A legal description of the property is in the contract between the CPWMA and the department.

(b) Columbia Plateau Wildlife Management Association landowner hunting permits

CPWMA's manager will distribute the association's landowner hunting permits. CPWMA will not charge an access fee for raffle permit winners. Only hunters possessing an elk tag are eligible for permits on CPWMA's properties. All successfully drawn permit applicants must have written authorization from CPWMA's manager and must check in and out at the beginning and ending of the scheduled hunting dates. Successful applicants will receive a packet of information with forms to fill out and a map showing the hunt area. These applicants must fill out the forms and return them before Sept. 30. Applicants should see CPWMA's web site at www.cpwma.org or contact the hunt manager at 509-263-4616.

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA	2	Jan. 1 - Mar. 31	Antlerless	CPWMA
CPWMA Raffle 1	2	Jan. 1-15	Antlerless	CPWMA
CPWMA Raffle 2	2	Jan. 16-31	Antlerless	CPWMA

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA Raffle 3	3	Feb. 1-14	Antlerless	CPWMA
CPWMA Raffle 4	2	Feb. 15-28	Antlerless	CPWMA
CPWMA Raffle 5	2	Mar. 1-15	Antlerless	CPWMA
CPWMA Raffle 6	2	Mar. 16-31	Antlerless	CPWMA
CPWMA Raffle 7	2	Jan. 1-31	Any bull	CPWMA

(c) Columbia Plateau Wildlife Management Association special hunting permits

Hunters must apply to the Washington department of fish and wildlife for CPWMA's special hunting permits. All successfully drawn permit applicants must have written authorization from CPWMA's manager and must check in and out at the beginning and ending of the scheduled hunting dates. Successful applicants will receive a packet of required information with forms to fill out and a map showing the hunt area. These applicants must fill out the forms and return them before Sept. 30. Applicants should see CPWMA's web site at www.cpwma.org or contact the hunt manager at 509-263-4616.

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA 1	3	Jan. 1-15	Antlerless	CPWMA
CPWMA 2	2	Jan. 16-31	Antlerless	CPWMA
CPWMA 3	2	Feb. 1-14	Antlerless	CPWMA
CPWMA 4	3	Feb. 15-28	Antlerless	CPWMA
CPWMA 5	3	Mar. 1-15	Antlerless	CPWMA
CPWMA 6	2	Mar. 16-31	Antlerless	CPWMA
CPWMA 7	1	Jan. 1-31	Any bull	CPWMA

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-337 Elk area descriptions.

The following areas are defined as elk areas:

Elk Area No. 1008 West Wenaha (Columbia County): That part of GMU 169 west of USFS trail 3112 from Tepee Camp (east fork of Butte Creek) to Butte Creek, and west of Butte Creek to the Washington-Oregon state line.

Elk Area No. 1009 East Wenaha (Columbia, Garfield, Asotin counties): That portion of GMU 169 east of USFS trail 3112 from Tepee Camp (east fork Butte Creek) to Butte Creek, and east of Butte Creek to the Washington-Oregon state line.

Elk Area No. 1010 (Columbia County): GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

Elk Area No. 1011 (Columbia County): That part of GMU 162 east of the North Touchet Road, excluding National Forest land.

Elk Area No. 1012 (Columbia County): That part of GMU 162 west of the North Touchet Road, excluding National Forest land and the Rainwater Wildlife Area.

Elk Area No. 1013 (Asotin County): GMU 172, excluding National Forest lands.

~~(Elk Area No. 1014 (Columbia-Garfield counties): That part of GMU 166 Tucannon west of the Tucannon River and USFS Trail No. 3110 (Jelly Spr. Diamond Pk. Trail).)~~

Elk Area No. 1015 Turnbull (Spokane County): Located in GMU 130, designated areas within the boundaries of Turnbull National Wildlife Refuge.

Elk Area No. 1016 (Columbia County): GMU-162 Dayton, excluding the Rainwater Wildlife Area.

Elk Area No. 1040 (Asotin County): That area within GMU 172 designated as the WDFW-owned lands associated with the 4-O Ranch Wildlife Area. Also includes those portions of Section 1, Township 6N, Range 43E, east of Wenatchee (a.k.a. Menatchee) Creek. Excludes those portions of Section 35, Township 7N, Range 43E, west of Wenatchee (a.k.a. Menatchee) Creek.

Elk Area No. 2032 Malaga (Kittitas and Chelan counties): Beginning at the mouth of Davies Canyon on the Columbia River; west along Davies Canyon to the cliffs above (north of) the North Fork Tarpiscan Creek; west and north along the cliffs to the Bonneville Power Line; southwest along the power line to the North Fork Tarpiscan Road in Section 9, Township 20N, Range 21E; north and west along North Fork Tarpiscan Road to Colockum Pass Road (Section 9, Township 20N, Range 21E); south and west on Colockum Pass Road to section line between Sections 8 & 9; north along the section line between Sections 8 and 9 as well as Sections 4 & 5 (T20N, R21E) & Sections 32 & 33 (T21N, R21E) to Moses Carr Road; west and north on Moses Carr Road to Jump Off Road; south and west on Jump Off Road to Shaller Road; north and west on Shaller Road to Upper Basin Loop Road; north and west on Upper Basin Loop Road to Wheeler Ridge Road; north on Wheeler Ridge Road to the Basin Loop Road (pavement) in Section 10 (T21N, R20E); north on Basin

Loop Road to Wenatchee Heights Road; west on Wenatchee Heights Road to Squilchuck Road; south on Squilchuck Road to Beehive Road (USFS Rd 9712); northwest on Beehive Road to USFS Rd 7100 near Beehive Reservoir; north and west on USFS Rd 7100 to Peavine Canyon Road (USFS Rd 7101); north and east on Peavine Canyon Road to Number Two Canyon Road; north on Number Two Canyon Road to Crawford Street in Wenatchee; east on Crawford Street to the Columbia River; south and east along the Columbia River to Davies Canyon and point of beginning. (Naneum Green Dot, Washington Gazetteer, Wenatchee National Forest)

Elk Area No. 2033 Peshastin (Chelan County): Starting at the Division St bridge over the Wenatchee River in the town of Cashmere; S on Aplets Way then Division St to Pioneer St; W on Pioneer St to Mission Creek Rd; S on Mission Creek Rd to Binder Rd; W on Binder Rd to Mission Creek Rd; S on Mission Creek Rd to Tripp Canyon Rd; W on Tripp Canyon Rd to where Tripp Canyon Rd stops following Tripp Creek; W on Tripp Creek to its headwaters; W up the drainage, about 1000 feet, to US Forest Service (USFS) Rd 7200-160; W on USFS Rd 7200-160 to Camas Creek Rd (USFS Rd 7200); W on Camas Creek Rd (USFS 7200 Rd) (excluding Camas Land firearm closure*) to US Hwy 97; N on US Hwy 97 to Mountain Home Rd (USFS 7300 Rd); N on Mountain Home Rd to the Wenatchee River in the town of Leavenworth; S on the Wenatchee River to the Division St bridge in Cashmere and the point of beginning.

Elk Area No. 2051 Tronsen (Chelan County): All of GMU 251 except that portion described as follows: Beginning at the junction of Naneum Ridge Road (WDFW Rd 9) and Ingersol Road (WDFW Rd 1); north and east on Ingersol Road to Colockum Road (WDFW Rd 10); east on Colockum Road and Colockum Creek to the intersection of Colockum Creek and the Columbia River; south on the Columbia River to mouth of Tarpiscan Creek; west up Tarpiscan Creek and Tarpiscan Road (WDFW Rd 14) and North Fork Road (WDFW Rd 10.10) to the intersection of North Fork Road and Colockum Road; southwest on Colockum Road to Naneum Ridge Road; west on Naneum Ridge Road to Ingersol Road and the point of beginning.

Elk Area No. 3681 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Highway 12; northeast on Highway 12 to the Naches River; southeast down the Naches River to Cowiche

Creek; west up Cowiche Creek and South Fork Cowiche Creek to Summitview Avenue; northwest on Summitview Avenue to Cowiche Mill Road; west on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13; southeast along the power line to Ahtanum Creek and the point of beginning.

Elk Area No. 3721 Corral Canyon (Benton and Yakima counties): That part of GMU 372 beginning at the Yakima River Bridge on SR 241 just north of Mabton; north along SR 241 to the Rattlesnake Ridge Road (mile post #19); east on Rattlesnake Ridge Road to the Hanford Reach National Monument's (HRNM) southwest corner boundary; east and south along the HRNM boundary to SR 225; south on SR 225 to the Yakima River Bridge in Benton City; west (upstream) along Yakima River to point of beginning (SR 241 Bridge).

Elk Area No. 3722 Blackrock (Benton and Yakima counties): That part of GMU 372 beginning at southern corner of the Yakima Training Center border on Columbia River, northwest of Priest Rapids Dam; southeast on northern shore of Columbia River (Priest Rapids Lake) to Priest Rapids Dam; east along Columbia River to the Hanford Reach National Monument's (HRNM) western boundary; south along the HRNM boundary to the Rattlesnake Ridge Road; west on Rattlesnake Ridge Road to SR 241; south on SR 241 to the Yakima River Bridge just north of Mabton; west along Yakima River to SR 823 (Harrison Road) south of town of Pomona; east along SR 823 (Harrison Road) to SR 821; southeast on SR 821 to Firing Center Road at I-82; east on Firing Center Road to main gate of Yakima Training Center; south and east along Yakima Training Center boundary to southern corner of Yakima Training Center boundary on Columbia River and point of beginning.

Elk Area No. 3911 Fairview (Kittitas County): Beginning at the intersection of the BPA Power Lines in T20N, R14E, Section 36 and Interstate 90; east along the power lines to Highway 903 (Salmon La Sac Road); northwest along Highway 903 to Pennsylvania Avenue; northeast along Pennsylvania Avenue to No. 6 Canyon Road; northeast along No. 6 Canyon Road to Cle Elum Ridge Road; north along Cle Elum Ridge Road to Carlson Canyon Road; northeast along Carlson Canyon Road to West Fork Teanaway River; east along West Fork Teanaway River to North Fork Teanaway River; north along North Fork Teanaway River to Teanaway Road; southeast on Teanaway Road to Ballard Hill Road; east on Ballard Hill Rd and Swauk Prairie Road to Hwy 970; northeast on Hwy 970 to Hwy 97; south on Hwy 97 to the power lines in T20N, R17E, Section 34; east on the power lines to Naneum Creek; south on Naneum Creek approximately 1/2 mile to power lines in T19N, R19E, Section 20; east along BPA power lines to Colockum Pass Road in T19N, R20E, Section 16; south on Colockum Pass Road to BPA power lines in T18N, R20E, Section 6; east and south along power lines to Parke Creek; north on Parke Creek to Whiskey Jim Creek; east on Whiskey Jim Creek to the Wild Horse Wind Farm Boundary; south and East on Wild Horse Wind Farm boundary to the Vantage Highway; east along the Vantage Highway to the first power line crossing; southwest along the power lines to where they intersect with the second set of BPA power lines in T17N, R21E, Section 18; southeast along

the BPA power lines to I-90; west along I-90 to the Yakima Training Center boundary; south and west along the Yakima Training Center boundary to I-82; north on I-82 to Thrall Road; west on Thrall Road to Wilson Creek; south on Wilson Creek to Yakima River; north on Yakima River to gas pipeline crossing in T17N, R18E, Section 25; south and west on the gas pipeline to Umtanum Creek; west on Umtanum Creek to the Durr Road; north on the Durr Road to Umtanum Road; north on Umtanum Road to South Branch Canal; west on South Branch Canal to Bradshaw/Hanson Road; west on Bradshaw Road to the elk fence; north and west along the elk fence to power line crossing in T19N, R16E, Section 10; west along the power line (south branch) to Big Creek; north on Big Creek to Nelson Siding Road; west and north on Nelson Siding Road to I-90; east on I-90 to point of beginning.

Elk Area No. 3912 Old Naches (Yakima County): Starting at the elk fence and Roza Canal along the south boundary T14N, R19E, Section 8; following the elk fence to the big-horn sheep feeding site in T15N, R16E, Section 36; south on the feeding site access road to the Old Naches Highway; west and south on the Old Naches Highway to State Route 12 and the Naches River; down the Naches River to the Tieton River; up the Tieton River approximately 2 miles to the intersection of the metal footbridge and the elk fence at the south end of the bridge in T14N, R16E, Section 3; south along the elk fence to the top of the cliff/rimrock line; southwest along the top of the cliff/rimrock line to the irrigation canal in T14N, R16E, Section 9; southwest along the irrigation canal to the elk fence in T14N, R16E, Section 8; south along the elk fence to the township line between T12N, R15E and T12N, R16E; south along the township line to the South Fork Ahtanum Creek; downstream along the South Fork Ahtanum Creek and Ahtanum Creek to the Yakima River; upstream along the Yakima River to Roza Canal and point of beginning.

Elk Area No. 4601 North Bend (King County): That portion of GMU 460 beginning at the interchange of State Route (SR) 18 and I-90; W on I-90 to SE 82nd St, Exit 22, at the town of Preston; N on SE 82nd Street to Preston Fall City Rd SE (Old SR 203); N on Preston Fall City Rd SE to SE Fall City Snoqualmie Rd (SR 202) at the town of Fall City; E on SE Fall City Snoqualmie Rd to the crossing of Tokul Creek; N and E up Tokul Creek to its crossing with Tokul Rd SE; S on SE Tokul Rd to SE 53rd Way; E on SE 53rd Way where it turns into 396th Dr SE then S on 396th Dr SE to SE Reinig Rd; E on SE Reinig Rd to 428th Ave SE; N on 428th Ave SE to where it turns into North Fork Rd SE; N and E on North Fork Rd SE to Ernie's Grove Rd; E on Ernie's Grove Rd to SE 70th St; N on SE 70th St to its ends at Fantastic Falls on the North Fork Snoqualmie River; SW down the North Fork Snoqualmie River to Fantastic Falls and the Mt Si Natural Resource Conservation Area boundary then S and E along the southern boundary of the Mt Si NRCA to the "School Bus" turnaround at SE 114th St; S on 480th Ave SE to SE 130th St; S and E on SE 130th St to its end; SSE overland from the end of SE 130th St, over the Middle Fork Snoqualmie River, to the end of 486th Ave SE; S on 486th Ave SE to the intersection with SE Middle Fork Road; Due S, from said intersection, up Grouse Mountain toward its peak,

to the logging road adjacent to Grouse Mountain Peak; S down the logging road to Grouse Ridge Access Rd; W on Grouse Ridge Access Road which becomes SE 146th St; W on SE 146th St to I-90 then east along I-90 to the W boundary of Olallie/Twin Falls State Park then S along the state park western boundary to its most western boundary where it intersects with the boundary of the Iron Horse State Park; W along the boundary of Iron Horse State Park to the boundary of the Rattlesnake Lake Recreation Area; W along the boundary of the Rattlesnake Lake Recreation Area to Cedar Falls Rd SE; N along the Cedar Falls Rd to SE 174th Way; W on SE 174th Way to SE 174th St; W on SE 174th St to SE 173rd St; W on SE 173rd St to SE 170th Pl; W on SE 170th Pl to SE 169th St; W on SE 169th St to 424th Ave SE; N on 424th Ave SE to SE 168th St; W on SE 168th St to 422 Ave SE; N on 422 Ave SE to 426th Way SE; S on 426th Way SE to SE 164th St; E on SE 164th St to Uplands Way SE; W on Uplands Way SE to the crossing with the Power Transmission Lines; W along the Power Transmission Lines to the Winery Rd; NW on the Winery Rd to SE 99th Rd; W and N on SE 99th Rd to the I-90 interchange, at Exit 27; SW on I-90 to the interchange with SR 18 and the point of beginning.

Elk Area No. 4941 Skagit River (Skagit County): That portion of GMU 437 beginning at the intersection of State Route 9 and State Route 20; east on State Route 20 to Concrete-Sauk Valley Road; south on Concrete-Sauk Valley Road over The Dalles Bridge (Skagit River) to the intersection with the South Skagit Highway; west on South Skagit Highway to State Route 9; north on State Route 9 and the point of beginning.

Elk Area No. 5029 Toledo (Lewis and Cowlitz counties): Beginning at the Cowlitz River and State Highway 505 junction; east along the Cowlitz River to the Weyerhaeuser 1800 Road; south along Weyerhaeuser 1800 Road to Cedar Creek Road; east along Cedar Creek Road to Due Road; south on Due Road to Weyerhaeuser 1823 Road; south along Weyerhaeuser 1823 Road to the Weyerhaeuser 1945 Road; south along the Weyerhaeuser 1945 Road to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the North Fork Toutle River; west along the North Fork Toutle River to the Toutle River; west on the Toutle River to the Cowlitz River; North along the Cowlitz River to the junction of State Highway 505 and the point of beginning.

Elk Area No. 5049 Ethel (Lewis County): That part of GMU 505 beginning at the intersection of Jackson Highway and Highway 12; south along Jackson Highway to Buckley Road; south on Buckley Road to Spencer Road; east on Spencer Road to Fuller Road; north on Fuller Road to Highway 12; east on Highway 12 to Stowell Road; north on Stowell Road to Gore Road; west on Gore Road to Larmon Road; west on Larmon Road to Highway 12; west on Highway 12 to Jackson Highway and point of beginning.

Elk Area No. 5050 Newaukum (Lewis County): That part of GMU 505 beginning at the intersection of Interstate 5 and Highway 12; east on Highway 12 to Larmon Road; east on Larmon Road to Leonard Road; north on Leonard Road through the town of Onalaska to Degler Road; north on Degler Road to Middle Fork Road; east on Middle Fork

Road to Beck Road; north on Beck Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Logan Hill Road; south then west on Logan Hill Road to Jackson Highway; south on Jackson Highway to the Newaukum River; west along the Newaukum River to Interstate 5; south on Interstate 5 to Highway 12 and point of beginning.

Elk Area No. 5051 Green Mountain (Cowlitz County): Beginning at the junction of the Cowlitz River and the Toutle River; east along the Toutle River to the North Fork Toutle River; east along the North Fork Toutle River to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the Weyerhaeuser 1910 Road; south along the Weyerhaeuser 1910 Road to the Weyerhaeuser 2410 Road; south along the Weyerhaeuser 2410 Road to the Weyerhaeuser 4553 Road; south along the Weyerhaeuser 4553 Road to the Weyerhaeuser 4500 Road; south along the Weyerhaeuser 4500 Road to the Weyerhaeuser 4400 Road; south along the Weyerhaeuser 4400 Road to the Weyerhaeuser 4100 Road; east along the Weyerhaeuser 4100 Road to the Weyerhaeuser 4700 Road; south along the Weyerhaeuser 4700 Road to the Weyerhaeuser 4720 Road; west along the Weyerhaeuser 4720 Road to the Weyerhaeuser 4730 Road; west along the Weyerhaeuser 4730 Road to the Weyerhaeuser 4732 Road; west along the Weyerhaeuser 4732 Road to the Weyerhaeuser 4790 Road; west along the Weyerhaeuser 4790 Road to the Weyerhaeuser 1390 Road; south along the Weyerhaeuser 1390 Road to the Weyerhaeuser 1600 Road; west along the Weyerhaeuser 1600 Road to the Weyerhaeuser Logging Railroad Tracks at Headquarters; west along the Weyerhaeuser Logging Railroad Track to Ostrander Creek; west along Ostrander Creek to the Cowlitz River; north along the Cowlitz River to the Toutle River and point of beginning.

Elk Area No. 5052 Mossyrock (Lewis County): Beginning at the intersection of Winston Creek Road and State Highway 12; east on State Highway 12 to the Cowlitz River; east on the Cowlitz River to Riffe Lake; southeast along the south shore of Riffe Lake to Swofford Pond outlet creek; south on Swofford Pond outlet creek to Green Mountain Road; west on Green Mountain Road to Perkins Road; west on Perkins Road to Longbell Road; south on Longbell Road to Winston Creek Road; north on Winston Creek Road to State Highway 12 and the point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

Elk Area No. 5053 Randle (Lewis County): Beginning at the town of Randle and the intersection of U.S. Highway 12 and State Route 131 (Forest Service 23 and 25 roads); south on State Route 131 to Forest Service 25 Road; south on Forest Service 25 Road to the Cispus River; west along the Cispus River to the Champion 300 line bridge; south and west on the Champion 300 line to the Champion Haul Road; north along the Champion Haul Road to Kosmos Road; north on Kosmos Road to U.S. Highway 12; east on U.S. Highway 12 to Randle and point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

Elk Area No. 5054 Boistfort (Lewis County): Beginning at the town of Vader; west along State Highway 506 to the

Wildwood Road; north along the Wildwood Road to the Abernathy 500 line gate (Section 20, T11N, R3W, Willamette Meridian); northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; northwest along the 813, 812, 5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Section 15, T12N, R4W); west along the Pe Ell/McDonald Road to the Lost Valley Road; northeast along the Lost Valley Road to the Boistfort Road; north along the Boistfort Road to the King Road; east along the King Road to the town of Winlock and State Highway 603; south along Highway 505 to Interstate 5; south along Interstate 5 to State Hwy 506; west along State Hwy 506 to the town of Vader and the point of beginning.

Elk Area No. 5056 Grays River Valley (Wahkiakum County): That area in GMU 506 on or within ((3/4)) 1.5 miles of agricultural land in the Grays River Valley and Eden Valley within the following sections: ((T10N, R7W, Sections 8, 9, 17, 18 and T10N, R8W, Sections 13, 23, 24, 26)) T11N, R08W, Section 36; T11N, R07W, Sections 31, 32, 33; T10N, R7W, Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30, 31, 32; T10N, R8W, Sections 1, 2, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36; T09N, R08W, Sections 1, 2, 3, 4, 5, 9, 10, 11, 12, 14, 15; T09N, R07W, Sections 5, 6, 7, 8.

Elk Area No. 5057 Carlton (Lewis County): That part of 513 (South Rainier) lying east of Highway 123 and north of Highway 12.

Elk Area No. 5058 West Goat Rocks (Lewis County): Goat Rocks Wilderness west of the Pacific Crest Trail.

Elk Area No. 5059 Mt. Adams Wilderness (Skamania and Yakima counties): The Mt. Adams Wilderness.

Elk Area No. 5060 Merwin (Cowlitz County): Begin at the State Route 503 and the Longview Fibre Road WS-8000 junction; north and west on the Longview Fibre Road WS-8000 to Day Place Road; west on Day Place Road to Dubois Road; south on Dubois Road to State Route 503; east on State Route 503 to the State Route 503 and the Longview Fibre Road WS-8000 junction and point of beginning.

Elk Area No. 5061 Wildwood (Lewis County): Beginning at the junction of the Pacific West Timber (PWT) 600 Road and the Wildwood Road (SE1/4 S29 T11N R3W); southwest on the 600 Road to the 800 Road (NW1/4 S36 T11N R4W); southwest on the 800 Road to the 850 Road (SW1/4 S3 T10N R4W); northwest on the 850 Road to the Weyerhaeuser 4720 Road (S20 T11N R4W); north on the Weyerhaeuser 4720 Road to the Weyerhaeuser 4700 Road (S17 T11N R4W); east on the Weyerhaeuser 4700 Road to the Weyerhaeuser 5822 Road (NW1/4 S16 T11N R4W); east on the Weyerhaeuser 5822 Road to the Weyerhaeuser 5820 Road (NW1/4 S10 T11N R4W); southeast on the Weyerhaeuser 5820 Road to the PWT 574 Road (SE1/4 S10 T11N R4W); south on the PWT 574 Road to the 570 Road (NW1/4 S14 T11N R4W); south on the 570 Road to the 500 Road (NW1/4 S14 T11N R4W); northeast on the 500 Road to the 560 Road (SW1/4 S12 T11N R4W); east on the 560 Road to the 540 Road (SE1/4 S12 T11N R4W); east and south on the 540 Road to the 500 Road (SE1/4 S18 T11N R3W); east on the PWT 500 Road to

the Wildwood Road (N1/2 S20 T11N R3W); south on the Wildwood Road to the point of beginning, the PWT 600 Road junction (SE1/4 S29 T11N R3W).

Elk Area No. 5062 Trout Lake (Klickitat County): Those portions of GMUs 560 (Lewis River) and 578 (West Klickitat) beginning at the intersection of SR 141 and Sunnyside Road; north on Sunnyside Road to Mount Adams Recreational Area Road; north on Mount Adams Recreational Area Road to USFS Road 23; north on USFS Road 23 to DNR T-4300 Road; west on DNR T-4300 Road to Trout Lake Creek Road; south on Trout Lake Creek Road to SR 141; east and south on SR 141 to the intersection of SR 141 and Sunnyside Road to the point of beginning.

Elk Area No. 5063 Pumice Plain (Cowlitz and Skamania counties): That part of GMU 522 beginning at the confluence of the N. Fork Toutle River and Castle Creek; East along the N. Fork Toutle River to USFS trail 207; south along USFS trail 207 to USFS trail 216E; southwest along USFS trail 216E to USFS trail 216; west along USGS trail 216 to USGS 216G; northwest along USFS trail 216G to USGS trail 221; north along USFS 221 to Castle Creek; northwest along Castle Creek to N. Fork Toutle River and point of beginning.

Elk Area No. 5064 Upper Smith Creek (Skamania County): That part of GMU 522 beginning at the U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 (Smith Creek Trail) junction; south on Trail 225 to Ape Canyon Creek; south and west up Ape Canyon Creek to U.S. Forest Service Trail 216 (Loowit Trail); north on Trail 216 to U.S. Forest Service Trail 216D (Abraham Trail); north on Trail 216D to U.S. Forest Service Trail 207 (Truman Trail); north and east on Trail 207 to U.S. Forest Service Rd. 99; north and east on U.S. Forest Service Rd. 99 to the junction of U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 and the point of beginning.

Elk Area No. 5065 Mount Whittier (Skamania County): That part of GMU 522 beginning at the U.S. Forest Service Trail 1 (Boundary Trail) and U.S. Forest Service Trail 214 (Whittier Ridge Trail) junction; west on the U.S. Forest Service Trail 1 to U.S. Forest Service Trail 230 (Coldwater Trail); north on U.S. Forest Service Trail 230 to U.S. Forest Service Trail 211 (Lakes Trail); east on Trail 211 to U.S. Forest Service Trail 214; south on U.S. Forest Service Trail 214 to the junction of U.S. Forest Service Trail 214 and U.S. Forest Service Trail 1 and the point of beginning.

Elk Area No. 5090 JBH (Wahkiakum County): The mainland portion of the Julia Butler Hansen National Wildlife Refuge, as administered by the U.S. Fish and Wildlife Service as described: Beginning at the junction of State Route 4 and Steamboat Island Slough Road, northwest on Steamboat Island Slough Road to Brooks Slough Road, east on Brooks Slough Road to State Route 4, south on State Route 4 to Steamboat Slough Road and point of beginning.

Elk Area No. 5099 Mudflow (Cowlitz County): That part of GMU 522 beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek; SE up the North Fork Toutle River to Deer Creek; SE up Deer Creek to Weyerhaeuser (Weyco) 3020 line; NW along Weyco 3020 line to Weyco 3000 line; E

along Weyco 3000 line to Weyco 3000P line; E on the 3000P line to Weyco 5600 Line to the Mount Saint Helens National Volcanic Monument Boundary; N on the Mount Saint Helens National Volcanic Monument Boundary to SR 504; W on SR 504 to Hoffstadt Creek Bridge on Hoffstadt Creek; S and W down Hoffstadt Creek to the North Fork Toutle River and point of beginning.

Elk Area No. 6010 Mallis (Pacific County): That part of GMUs 506, 672, and 673 within one and one-half mile either side of SR 6 between the east end of Elk Prairie Rd and the Mallis Landing Rd, and all lands within a half mile of Elk Creek Rd bounded on the south by Monohon Landing Rd.

Elk Area No. 6011 Centralia Mine (Lewis County): That portion of GMU 667 within Centralia Mine property boundary.

Elk Area No. 6012 Tri Valley (Grays Harbor and Mason counties): Those portions of GMUs 648 (Wynoochee) and 651 (Satsop) within one mile of Brady-Matlock Road from State Highway 12 north to the junction with Schaefer State Park Road (east Satsop Road) and all lands within one mile of Wynoochee Valley Road from State Highway 12 north to the junction with Cougar Smith Road, and all lands within one mile of Wishkah Valley Road from north Aberdeen city limit to mile post 16 and all lands within 2 miles north of SR 12 between the Satsop River and Schouweiler and Hurd roads and then a line north from the end of Hurd Road to a point 2 miles north of SR 12.

Elk Area No. 6013 (Pierce County): That part of GMU 652 beginning at the intersection of Highway 167 and Highway 410; north on Highway 167 to Highway 18; east on Highway 18 to Highway 164; southeasterly on Highway 164 to Highway 410; westerly on Highway 410 to Highway 167 and the point of beginning.

Elk Area No. 6054 Puyallup River (Pierce County): That portion of GMU 654 beginning at the intersection of Mount Rainier National Park's western boundary and State Route (SR) 706; W on SR 706 to 278th Ave E; N on 278th Ave E to WA Dept of Natural Resources' (DNR) 1300 Rd; NW on DNR 1300 Rd to Scott Turner Rd; NW on Scott Turner Rd to Alder Cutoff Rd; W and NE on Alder Cutoff Rd to Center St SE in the town of Eatonville; NW on Center St SE to SR 161; N and W on SR 161 to Orville Rd E; N on Orville Rd E, past Lake Ohop and Lake Kapowsin, to the bridge crossing the Puyallup River; SE up the Puyallup River to Mount Rainier National Park's western boundary; S on Mount Rainier National Park's western boundary to SR 706 and the point of beginning.

Elk Area No. 6061 Twin Satsop Farms (Mason County): That portion of GMU 651 starting at the junction of the Deckerville Road and the Brady-Matlock Road; southwest to the junction with the West Boundary Road; north on West Boundary Road to the Deckerville Road; east on the Deckerville Road to the junction of Brady-Matlock Road and point of beginning. In addition, the area within a circle with a radius of two miles centered on the junction of State Route 108 and the Eich Road.

Elk Area No. 6062 South Bank (Grays Harbor County): That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Wakefield Road Junction (South Elma); south on Wakefield Road, across the Chehalis River to the South Bank Road; southeast on the South Bank Road to Delezene Road; south on the Delezene Road to a point one mile from the South Bank Road; southeast along a line one mile southwest of the South Bank Road to the Oakville-Brooklyn Road; east on the Oakville-Brooklyn Road to Oakville and Highway 12; northwest on Highway 12 to Wakefield Road to Elma and the point of beginning.

Elk Area No. 6063 (Grays Harbor and Jefferson counties): Private lands within Elk Area 6064 east of Highway 101.

Elk Area No. 6064 Quinault Valley (Grays Harbor and Jefferson counties): That portion of GMU 638 (Quinault) within the Quinault River watershed east of Gaton Creek and Lake Quinault excluding US Forest Service (USFS) Colonel Bob Wilderness Area.

Elk Area No. 6066 Chehalis Valley (Grays Harbor County): That portion of GMU 660 (Minot Peak) beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to Oakville; south on Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of South Bank Road to Delezene Road; north along Delezene Road to South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to Chehalis River; west on Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 and the point of beginning.

Elk Area No. 6067 North Minot (Grays Harbor County): The portion of GMU 660 (Minot Peak) beginning at the junction on State Route 107 and the Melbourne A-line, on the Melbourne A-line to the Vesta F-line; south on Vesta F-line to Vesta H-line (Vesta Creek Road); south on Vesta Creek Road to the North River Road; south and east on North River Road to the Brooklyn Road; east on Brooklyn Road to the Garrard Creek Road; east and north on Garrard Creek Road to the South Bank Road; east on South Bank to South State Street (Oakville); north on South State Street to U.S. 12; northwest and west on U.S. 12 to State Route 107; south and southwest on SR 107 to the Melbourne A-line and the point of beginning.

Elk Area No. 6068 Willapa (Grays Harbor County): That part of GMU 658 south of SR 105 between the intersection of SR 105 and Hammond Road and the SR 105 bridge over Smith Creek; and within one mile north of SR 105 west from Hammond Road and east of the SR 105 bridge over Smith Creek.

Elk Area No. 6069 Hanaford (Lewis and Thurston counties): That part of GMU 667 (Skookumchuck) beginning at the intersection of Salzer Valley Rd and S Pearl St (Centralia); N on S Pearl St to N Pearl St; N on N Pearl St to State Hwy 507; W and N on State Hwy 507 to Skookumchuck Rd; E on Skookumchuck Rd to the first bridge over the Skookumchuck River; E along the Skookumchuck River to the Skookumchuck Rd bridge; E on Skookumchuck Rd to the steel

tower power line; SW along the power line to Big Hanaford Rd; E and S along Big Hanaford Rd to the intersection with the main stem of Hanaford Creek; SE along Hanaford Creek to the range line between Range 1W and Range 1E of Township 14N; S on the range line between Range 1W and Range 1E of Township 14N to Mitchell Creek; SW on Mitchell Creek to the North Fork of the Newaukum River; SW on the North Fork of the Newaukum River to North Fork Rd; W on North Fork Rd to Centralia-Alpha Rd; W on Centralia-Alpha Rd to Salzer Valley Rd and the point of beginning.

Elk Area No. 6071 Dungeness (Clallam County): Portions of GMUs 621 (Olympic) and 624 (Coyle) beginning at the mouth of the Dungeness River; east and south along the coast of the Strait of Juan de Fuca to the mouth of Jimmycomelately Creek on Sequim Bay; south and west up Jimmycomelately Creek to US Hwy 101; east on US Hwy 101 to Chicken Coop Road; east and north on Chicken Coop Road to the Clallam-Jefferson county line; south and west along the Clallam-Jefferson county line to the Olympic National Park boundary; north and west along the Olympic Park boundary to McDonald Creek; north along McDonald Creek to US Hwy 101; east along US Hwy 101 to the Dungeness River; north down the Dungeness River to its mouth and the point of beginning.

Elk Area No. 6072 Sol Duc Valley (Clallam County): That portion of GMU 607 (Sol Duc) between the Sol Duc River and Hwy 101 from a point at the Sol Duc River bridge over Hwy 101 approximately 2 miles north of Forks to the westernmost Sol Duc River bridge over Hwy 101 at a point approximately 1 mile east of Lake Pleasant.

Elk Area No. 6073 Clearwater Valley (Jefferson County): That portion of GMU 615 (Clearwater) within one mile of the Clearwater Road from the Quinault Indian Reservation boundary to a point 4 miles to the north.

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-342 2012-13, 2013-14, 2014-15 Small game and other wildlife seasons and regulations. Hunters must comply with the bag, possession, and season limits described in this section. Failure to do so constitutes a violation of RCW 77.15.245, 77.15.400, or 77.15.430, depending on the species hunted and the circumstances of the violation.

STATEWIDE SEASONS:

(1) FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)

(a) BAG AND POSSESSION LIMITS: 4 grouse per day, straight or mixed bag, with a total of 12 grouse in possession at any time.

(b) SEASON DATES: Sept. 1 - Dec. 31, 2012, 2013, 2014.

(2) BOBCAT

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES: Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.

(c) RESTRICTION: It is unlawful to hunt bobcat with dogs.

(3) RACCOON

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide, EXCEPT closed on Long Island within Willapa National Wildlife Refuge.

(c) SEASON DATES: Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.

(4) FOX

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide, EXCEPT closed within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 407 and 410.

(c) SEASON DATES:

- (i) Sept. 1, 2012 - Mar. 15, 2013;
- (ii) Sept. 1, 2013 - Mar. 15, 2014; and
- (iii) Sept. 1, 2014 - Mar. 15, 2015.

(5) COYOTE

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Year-round.

(d) RESTRICTION: It is unlawful to hunt coyote with dogs.

(6) COTTONTAIL RABBIT AND SNOWSHOE HARE (OR WASHINGTON HARE)

(a) BAG AND POSSESSION LIMITS: 5 cottontails or snowshoe hares per day, with a total of 15 in possession at any time, straight or mixed bag.

(b) SEASON DATES:

- (i) Sept. 1, 2012 - Mar. 15, 2013;
- (ii) Sept. 1, 2013 - Mar. 15, 2014; and
- (iii) Sept. 1, 2014 - Mar. 15, 2015.

(7) CROWS

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES:

- (i) Sept. 1, 2012 - Dec. 31, 2012;
- (ii) Sept. 1, 2013 - Dec. 31, 2013; and
- (iii) Sept. 1, 2014 - Dec. 31, 2014.

(8) JACKRABBIT:

Closed statewide.

(9) PTARMIGAN, SAGE, AND SHARP-TAILED GROUSE:

Closed statewide.

(10) WILD TURKEY:

(a) YOUTH SEASON

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES:

- (A) April 7-8, 2012;
- (B) April 6-7, 2013;

(C) April 5-6, 2014; and

(D) April 4-5, 2015.

(b) SPRING SEASON

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES:

- (A) April 15 - May 31, 2012;
- (B) April 15 - May 31, 2013;
- (C) April 15 - May 31, 2014; and
- (D) April 15 - May 31, 2015.

(iii) BAG LIMIT: The combined spring/youth season limit is 3 birds. Only 2 turkeys may be killed in Eastern Washington, except only one (1) may be killed in Chelan, Kittitas, or Yakima counties. One (1) turkey may be killed per year in Western Washington outside of Klickitat County. Two (2) turkeys may be killed in Klickitat County.

(c) FALL NORTHEAST BEARDLESS TURKEY SEASON

(i) LEGAL BIRD: Beardless only.

(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(iii) OPEN AREA: GMUs 105-142.

(iv) SEASON DATES:

- (A) Sept. 22 - Oct. 12, 2012;
- (B) Sept. 21 - Oct. 11, 2013; and
- (C) Sept. 20 - Oct. 10, 2014.

(v) BAG LIMIT: Two (2) beardless turkeys (in addition to other fall turkey harvest).

(d) EARLY FALL GENERAL SEASON

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(iii) OPEN AREA: GMUs 101, 124-142, 145-154, and 162-186.

(iv) SEASON DATES:

- (A) Sept. 22 - Oct. 12, 2012;
- (B) Sept. 21 - Oct. 11, 2013; and
- (C) Sept. 20 - Oct. 10, 2014.

(v) BAG LIMIT: One (1) turkey (in addition to other fall turkey harvest).

(e) FALL PERMIT SEASONS

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: All hunters who are selected in the fall turkey special permit drawing and who also possess a valid turkey tag.

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits	Bag Limit*
Klickitat	Sept. 22 - Oct. 12, 2012, Sept. 21 - Oct. 11, 2013, Sept. 20 - Oct. 10, 2014	Either sex	GMUs 382, 388, 568-578	150	1
Methow	Nov. 15 - Dec. 15, 2012, 2013, 2014	Either sex	GMUs 218-231 and 242	50	1
Teanaway	Nov. 15 - Dec. 15, 2012, 2013, 2014	Either sex	GMU 335	50	1

*BAG LIMIT: During the fall permit hunting seasons.

(f) LATE FALL SEASON**(i) LEGAL BIRD:** Either sex.**(ii) LEGAL HUNTER:** Open to all hunters with a valid turkey tag.**(iii) OPEN AREA:** GMUs 105-154, 162-186.**(iv) SEASON DATES:****(A) Nov. 20 - Dec. 15, 2012;****(B) Nov. 20 - Dec. 15, 2013; and****(C) Nov. 20 - Dec. 15, 2014.****(v) BAG LIMIT:** One (1) turkey.**(g) HUNTER EDUCATION INSTRUCTOR INCENTIVE PERMITS****(i) LEGAL BIRD:** Male turkeys and turkeys with visible beards only.**(ii) LEGAL HUNTER:** Qualified hunter education instructors who are selected through a random drawing. Hunter education instructors qualify if the instructor is certified and has been in active status for a minimum of 3 consecutive years, inclusive of the year prior to the permit drawing. Instructors who are drawn, accept a permit, and are able to participate in the hunt will not be eligible for a hunter education instructor incentive permit for 10 years after they are drawn for the incentive permit.**(iii) OPEN AREA:** Statewide.**(iv) SEASON DATES:** April 1 - May 31, 2012, 2013, 2014, 2015.**(v) PERMITS:** 2 individuals will be drawn for this permit per year.**(h) OFFICIAL HUNTING HOURS FOR WILD TURKEY:**

1/2 hour before sunrise to sunset during spring and fall seasons.

(i) SPECIAL RULES FOR WILD TURKEY:**(i) Turkey season is open for shotgun shooting #4 shot or smaller, archery, and muzzleloader shotgun shooting #4 shot or smaller.****(ii) It is unlawful to hunt turkey unless the hunter possesses a turkey tag.****(iii) It is unlawful to hunt turkeys with dogs.****(iv) It is unlawful to bait game birds.****EASTERN WASHINGTON SEASONS:****(11) RING-NECKED PHEASANT****(a) BAG AND POSSESSION LIMITS:** Three (3) cock pheasants per day. Hunters may possess up to 15 cock pheasants at any one time.**(b) YOUTH SEASON DATES:** Open only to youth hunters accompanied by an adult 18 years of age or older.**(i) Sept. 22-23, 2012;****(ii) Sept. 21-22, 2013; and****(iii) Sept. 20-21, 2014.****(c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER SEASON DATES:****(i) Sept. 24-28, 2012;****(ii) Sept. 23-27, 2013; and****(iii) Sept. 22-26, 2014.****(d) REGULAR SEASON DATES:****(i) Oct. 20, 2012 - Jan. 13, 2013;****(ii) Oct. 19, 2013 - Jan. 12, 2014; and****(iii) Oct. 18, 2014 - Jan. 11, 2015.****(12) CHUKAR****(a) BAG AND POSSESSION LIMITS:** 6 chukar per day. Hunters may possess up to 18 chukar at any one time.**(b) YOUTH SEASON DATES:** Open only to youth hunters accompanied by an adult 18 years of age or older.**(i) Sept. 22-23, 2012;****(ii) Sept. 21-22, 2013; and****(iii) Sept. 20-21, 2014.****(c) REGULAR SEASON DATES:****(i) Oct. 6, 2012 - Jan. 21, 2013;****(ii) Oct. 5, 2013 - Jan. 20, 2014; and****(iii) Oct. 4, 2014 - Jan. 19, 2015.****(13) GRAY (HUNGARIAN) PARTRIDGE****(a) BAG AND POSSESSION LIMITS:** 6 gray partridges per day. Hunters may possess up to 18 gray partridges at any one time.**(b) YOUTH SEASON DATES:** Open only to youth hunters accompanied by an adult 18 years of age or older.**(i) Sept. 22-23, 2012;****(ii) Sept. 21-22, 2013; and****(iii) Sept. 20-21, 2014.****(c) REGULAR SEASON DATES:****(i) Oct. 6, 2012 - Jan. 21, 2013;****(ii) Oct. 5, 2013 - Jan. 20, 2014; and****(iii) Oct. 4, 2014 - Jan. 19, 2015.****(14) MOUNTAIN QUAIL**

Closed throughout Eastern Washington.

(15) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE**(a) BAG AND POSSESSION LIMITS:** 10 quail per day. Hunters may possess up to 30 quail at any one time, straight or mixed bag.**(b) YOUTH SEASON DATES:** Open only to youth hunters accompanied by an adult 18 years of age or older.**(i) Sept. 22-23, 2012;****(ii) Sept. 21-22, 2013; and****(iii) Sept. 20-21, 2014.****(c) REGULAR SEASON DATES:****(i) Oct. 6, 2012 - Jan. 21, 2013;****(ii) Oct. 5, 2013 - Jan. 20, 2014; and****(iii) Oct. 4, 2014 - Jan. 19, 2015.****WESTERN WASHINGTON SEASONS:****(16) RING-NECKED PHEASANT****(a) BAG AND POSSESSION LIMITS:** 2 pheasants of either sex per day. Hunters may possess up to 15 pheasants at any one time.**(b) YOUTH SEASON DATES:** Open only to youth hunters accompanied by an adult 18 years of age or older.**(i) Sept. 22-23, 2012;****(ii) Sept. 21-22, 2013; and****(iii) Sept. 20-21, 2014.****(c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER SEASON DATES:****(i) Sept. 24-28, 2012;****(ii) Sept. 23-27, 2013; and****(iii) Sept. 22-26, 2014.****(d) REGULAR SEASON DATES:** 8:00 a.m. to 4:00 p.m.**(i) Sept. 29 - Nov. 30, 2012;****(ii) Sept. 28 - Nov. 30, 2013; and****(iii) Sept. 27 - Nov. 30, 2014.**

(e) EXTENDED SEASON DATES:

(i) Dec. 1-15, 2012, 2013, 2014.

(ii) 8 a.m. to 4 p.m. only at the following release sites: Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek, Skookumchuck, and all Whidbey Island release sites EXCEPT Bayview.

(iii) The department will not release pheasants during the extended season.

(f) SPECIAL RESTRICTION: Western Washington pheasant hunters must choose to hunt only on odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, and all hunting sites on Whidbey Island. Hunters must indicate their choice of odd-numbered or even-numbered weekend days on the Western Washington Pheasant Permit by choosing "odd" or "even." Hunters who select the three day option, hunters 65 years of age or older, and youth hunters may hunt in the morning on both odd-numbered and even-numbered weekend days. Youth hunters must be accompanied by an adult 18 years of age or older, and the adult must have an appropriately marked pheasant permit if hunting.

(17) MOUNTAIN QUAIL

(a) BAG AND POSSESSION LIMITS: 2 mountain quail per day. Hunters may possess up to 4 mountain quail at any one time.

(b) SEASON DATES:

(i) Sept. 29 - Nov. 30, 2012;

(ii) Sept. 28 - Nov. 30, 2013; and

(iii) Sept. 27 - Nov. 30, 2014.

(18) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

(a) BAG AND POSSESSION LIMITS: 10 California (valley) quail or northern bobwhite per day. Hunters may possess up to 30 California (valley) quail or northern bobwhite at any one time, straight or mixed bag.

(b) SEASON DATES:

(i) Sept. 29 - Nov. 30, 2012;

(ii) Sept. 28 - Nov. 30, 2013; and

(iii) Sept. 27 - Nov. 30, 2014.

FALCONRY SEASONS:

(19) UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY

(a) BAG AND POSSESSION LIMITS:

(i) 2 pheasants (either sex);

(ii) 6 partridge;

(iii) 5 California (valley) quail or northern bobwhite;

(iv) 2 mountain quail (in Western Washington only);

(v) 3 forest grouse (blue, ruffed, spruce) per day; and

(vi) Possession limit is twice the daily bag limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES:

(i) Aug. 1, 2012 - Mar. 15, 2013;

(ii) Aug. 1, 2013 - Mar. 15, 2014; and

(iii) Aug. 1, 2014 - Mar. 15, 2015.

(20) TURKEY - FALCONRY

(a) A turkey tag is required to hunt turkey during the turkey falconry season.

(b) BAG AND POSSESSION LIMITS: One (1) turkey (either sex) per turkey tag, with a maximum of 2 turkeys. Hunters may possess up to 2 turkeys at any one time.

(c) OPEN AREA: Eastern Washington.

(d) SEASON DATES:

(i) Sept. 1, 2012 - Feb. 15, 2013;

(ii) Sept. 1, 2013 - Feb. 15, 2014; and

(iii) Sept. 1, 2014 - Feb. 15, 2015.

(21) MOURNING DOVE - FALCONRY

(a) BAG AND POSSESSION LIMITS: 3 mourning doves per day, straight bag or mixed bag with snipe, coots, ducks, and geese during established seasons. The possession limit is ~~((twice))~~ three times the daily limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 1 - Dec. 16, 2012, 2013, 2014.

(22) COTTONTAIL RABBIT AND SNOWSHOE HARE - FALCONRY

(a) BAG AND POSSESSION LIMITS: 5 cottontails or snowshoe hares per day, straight or mixed bag. Hunters may possess up to 15 cottontails or snowshoe hares at any one time, straight or mixed bag.

(b) OPEN AREA: Statewide.

(c) SEASON DATES:

(i) Aug. 1, 2012 - Mar. 15, 2013;

(ii) Aug. 1, 2013 - Mar. 15, 2014; and

(iii) Aug. 1, 2014 - Mar. 15, 2015.

OTHER SEASONS:

(23) CANADA GOOSE SEPTEMBER SEASON

(a) WESTERN WASHINGTON:

(i) BAG AND POSSESSION LIMITS:

(A) 5 Canada geese per day; hunters may possess up to ~~((40))~~ 15 Canada geese at any time, EXCEPT:(B) In Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: 3 Canada geese per day; hunters may possess up to ~~((6))~~ 2 at any one time.(C) In Pacific County: 15 Canada geese per day; hunters may possess up to 45 at any one time.

(ii) SEASON DATES: Sept. 10-15, 2012, 2013, and 2014, EXCEPT Pacific County: Sept. 1-15, 2012, 2013, and 2014.

(b) EASTERN WASHINGTON:

(i) BAG AND POSSESSION LIMITS: 3 Canada geese per day; hunters may possess up to 6 at any one time.

(ii) SEASON DATES: Sept. 14-15, 2012, 2013, and Sept. 13-14, 2014.

(24) MOURNING DOVE

(a) BAG AND POSSESSION LIMITS: 10 mourning doves per day. Hunters may possess up to ~~((20))~~ 30 mourning doves at any one time.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 1-30, 2012, 2013, 2014.

(25) BAND-TAILED PIGEON

(a) BAG AND POSSESSION LIMITS: 2 band-tailed pigeons per day. Hunters may possess up to ~~((4))~~ 6 band-tailed pigeons at any one time.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 15-23, 2012, 2013, 2014.

(d) WRITTEN AUTHORIZATION IS REQUIRED TO HUNT BAND-TAILED PIGEONS:

(i) Hunters must possess a special migratory bird hunting authorization and harvest record card for band-tailed pigeons

when hunting band-tailed pigeons. Immediately after taking a band-tailed pigeon into possession, hunters must record the required information in ink on the harvest record card. Hunters must report harvest information from band-tailed pigeon harvest record cards to the Washington department of fish and wildlife (WDFW) so that the department receives the information by September 30 following the current season. Every person issued a migratory bird hunting authorization and harvest record card must return the entire card to WDFW or report the card information at the designated internet site listed on the harvest record card. If a hunter fails to report his or her harvest by the reporting deadline, he or she is in violation of reporting requirements.

(ii) Beginning with the 2013 license year, hunters who do not report band-tailed pigeon hunting activity by the reporting deadline for any harvest record card are required to pay a ten dollar administrative fee before any new migratory bird authorization and harvest record card is issued. A hunter may only be penalized a maximum of ten dollars during a license year.

(26) BIRD DOG TRAINING SEASON

(a) Wild upland game birds may be pursued during the dog-training season but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if the hunter has proof of lawful acquisition (invoices) and the birds are appropriately marked (WAC 232-12-271 and 232-12-044).

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Aug. 1, 2012 - Mar. 31, 2013; Aug. 1, 2013 - Mar. 31, 2014; Aug. 1, 2014 - Mar. 31, 2015.

(d) Only youth and seniors may train dogs during their respective seasons on designated Western Washington pheasant release sites.

(e) Bird dog training may be conducted year round on areas posted for bird dog training on portions of:

(i) Region One - Espanola (T24N, R40E, E 1/2 of section 16);

(ii) Region Three - South L. T. Murray Wildlife Area;

(iii) Region Four - Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area;

(iv) Region Five - Shillapoo/Vancouver Lake Wildlife Area;

(v) Region Six - Scatter Creek Wildlife Area, Fort Lewis Military Base.

(27) YAKAMA INDIAN RESERVATION:

The 2012-13, 2013-14, and 2014-15 upland bird seasons within the Yakama Indian Reservation are the same as the season established by the Yakama Indian Nation.

(28) COLVILLE INDIAN RESERVATION:

The 2012-13, 2013-14, and 2014-15 upland bird seasons within the Colville Indian Reservation are the same as the season established by the Colville Indian Tribe.

HIP REQUIREMENTS:

(29) All hunters of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) age 16 and over are required to complete a Harvest Information Pro-

gram (HIP) survey at a license dealer and possess a Washington Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.

(30) Youth hunters are required to complete a HIP survey and possess a free Washington Youth Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-357 2012-2014 Deer general seasons and definitions. It is unlawful to fail to comply with the bag, possession, and season limits described below. Violations of this section are punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

Bag Limit: One (1) deer per hunter during the license year except where otherwise permitted by department rule.

Hunting Method: Hunters must select one of the hunting methods: Modern firearm, archery, or muzzleloader.

Any Buck Deer Seasons: Open only to the taking of deer with visible antlers (buck fawns illegal).

Antler Point: To qualify as an antler point, the point must be at least one inch long, measured on the longest side.

Antler Restrictions: APPLIES TO ALL HUNTERS DURING ANY GENERAL SEASON AND DESIGNATED SPECIAL PERMIT SEASONS. Buck deer taken in antler restricted game management units (GMUs) must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Eye guards are antler points when they are at least one inch long.

2-point Minimum GMUs: 437, 636, 654, and 681.

3-point Minimum GMUs: All mule deer in 100, 200, and 300 series GMUs; white-tailed deer in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, 186, and black-tailed deer in GMU 578.

4-point Minimum GMUs: All white-tailed deer in GMUs 117 and 121.

Permit-only Units: The following GMUs require a special permit to hunt deer: 157 (Mill Creek Watershed), 290 (Desert), 329 (Quilomene), 371 (Alkali), and 485 (Green River).

GMUs Closed to Deer Hunting: 490 (Cedar River) and 522 (Loo-wit).

Types of deer that a person may legally hunt in Washington:

Black-tailed Deer: Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found west of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to the Klickitat River; south down Klickitat River to the Columbia River.

Mule Deer: Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found east of a line drawn from the

Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to the Klickitat River; south down Klickitat River to the Columbia River.

White-tailed Deer: Any white-tailed deer (member of the species *Odocoileus virginianus*), except the Columbian whitetail deer (species *Odocoileus virginianus leucurus*).

MODERN FIREARM DEER SEASONS

License Required: A valid big game hunting license, which includes a deer species option.

Tag Required: A valid modern firearm deer tag for the area hunted.

Hunting Method: Modern firearm deer tag hunters may use rifle, handgun, shotgun, bow or muzzleloader, but only during modern firearm seasons.

Hunt Season	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
HIGH BUCK HUNTS					
	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, <u>Mount Baker</u> , Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness Areas and Lake Chelan Recreation Area	3 pt. min.
GENERAL SEASON					
Western Washington Black-tailed Deer	Oct. 13-31	Oct. 12-31	Oct. 11-31	407, 418, 426, 448, 450, 454, 460, 466, 501 through 520, 524 through 556, 560, 568, 572, 574, 601 through 633, 638 through 653, 658 through 673, 684	Any buck
				410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 564, 655, Deer Area 6020	Any deer
				578	3 pt. min.
				437, 636, 654, 681	2 pt. min.
Eastern Washington White-tailed Deer	Oct. 13-26	Oct. 12-25	Oct. 11-24	101, 105, 108, 111, 113, 124	Any white-tailed buck
	Oct. 13-21	Oct. 12-20	Oct. 11-19	203 through 284((, 328, 330 through 368, 372))	Any white-tailed buck
	Oct. 13-21	Oct. 12-20	Oct. 11-19	127 through 154, 162 through 186 (<u>except Deer Area 1040</u>) 379, 381	White-tailed, 3 pt. min. Any white-tailed deer
	Oct. 13-26	Oct. 12-25	Oct. 11-24	373	Any white-tailed deer
Eastern Washington White-tailed Deer in GMUs 117 and 121	Oct. 13-26	Oct. 12-25	Oct. 11-24	117, 121	White-tailed, 4 pt. min.
Eastern Washington Mule Deer	Oct. 13-21	Oct. 12-20	Oct. 11-19	101 through 154, 162 through 169, 172 (<u>except Deer Area 1040</u>), 175 through 186, 203 through 284, 328, 330 through 368, 372, 379, 381	Mule deer, 3 pt. min.
	Oct. 13-26	Oct. 12-25	Oct. 11-24	373, 382, 388	Mule deer, 3 pt. min.
LATE GENERAL SEASON					
Western Washington Black-tailed Deer	Nov. 15-18	Nov. 14-17	Nov. 13-16	407, 454, 466, 501 through 520, 524 through 560, 568, 572, 601 through 633, 638 through 653, 658 through 673, 684 and 699	Any buck
				636, 654, 681	2 pt. min.
	Nov. 15-18	Nov. 14-17	Nov. 13-16	410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 564, 655, Deer Area 6020	Any deer
Eastern Washington White-tailed Deer	Nov. 10-19	Nov. 9-19	Nov. 8-19	105, 108, 111, 113, 124	Any white-tailed buck
Eastern Washington White-tailed Deer in GMUs 117 and 121	Nov. 10-19	Nov. 9-19	Nov. 8-19	117, 121	White-tailed, 4 pt. min.
HUNTERS 65 AND OVER, DISABLED, OR YOUTH GENERAL SEASONS					
Eastern Washington White-tailed Deer	Oct. 13-26	Oct. 12-25	Oct. 11-24	124	Any white-tailed deer
	Oct. 18-21	Oct. 17-20	Oct. 16-19	101, 105, 108, 111, 113	Any white-tailed deer
	Nov. 10-19	Nov. 9-19	Nov. 8-19	Deer Area 1050	Any white-tailed deer

Hunt Season	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
	Nov. 10-19	Nov. 9-19	Nov. 8-19	Deer Areas 1060, 1070, 1080	White-tailed, antlerless only
	Oct. 13-21	Oct. 12-20	Oct. 11-19	127 through 142, 145, 149, 154, ((and)) Deer Area 1010, and 178	White-tailed, 3 pt. min. or antlerless
Eastern Washington White-tailed Deer in GMUs 117 and 121	Oct. 18-21	Oct. 17-20	Oct. 16-19	117, 121	White-tailed, 4 pt. min. or antlerless

ARCHERY DEER SEASONS

License Required: A valid big game hunting license, which includes a deer species option.

Tag Required: A valid archery deer tag for the area hunted.

Special Notes: Archery tag holders can only hunt during archery seasons with archery equipment (WAC 232-12-054).

Hunt Area	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
EARLY ARCHERY GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Sept. 1-28	Sept. 1-27	Sept. 1-26	407 through 426, 448, 450, 454, 466, 501, 504, 505, 510, 513, 520, 554, 564, 568, 621 through 633, 642 through 652, 655, 658 through 672, 684 and 699	Any deer
				460, 503, 601, 603, 615, 618, 673	Any buck
				437, 636, 654, 681	2 pt. min. or antlerless
				578	3 pt. min.
	Sept. 1-23	Sept. 1-22	Sept. 1-21	516, 524, 556, 638, 653	Any deer
			506, 530, 550, 560, 572, 574, 602, 607, 612	Any buck	
Eastern Washington Mule Deer	Sept. 1-28	Sept. 1-27	Sept. 1-26	105 through 121, 166, 169, 172 (except Deer Area 1040), 175, 181, 243, 334	3 pt. min.
				124 through 142, 145, 149, 186, 244 through 247, 249, 250, 260, 372, 373, 379, 381, 382, 388	3 pt. min. or antlerless
	Sept. 1-23	Sept. 1-22	Sept. 1-21	((+49,)) 154, 178	3 pt. min. or antlerless
	Sept. 1-23	Sept. 1-22	Sept. 1-21	162, 163, 251, 328, 335, 336, 340, 342, 346, 352, 356, 360, 364, 368	3 pt. min.
	Sept. 1-15	Sept. 1-15	Sept. 1-15	101, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284	3 pt. min.
Sept. 16-28	Sept. 16-27	Sept. 16-26	101, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284	3 pt. min. or antlerless	
Eastern Washington White-tailed Deer	Sept. 1-28	Sept. 1-27	Sept. 1-26	101, 105, 108, 111, 113	Any white-tailed buck
	Sept. 1-28	Sept. 1-27	Sept. 1-26	124, 204 through 250, 254 through 284, 373, 379, 381	Any white-tailed deer
	Sept. 1-28	Sept. 1-27	Sept. 1-26	127 through ((+45)) 149, 166, 181, 186	White-tailed, 3 pt. min. or antlerless
	Sept. 1-23	Sept. 1-22	Sept. 1-21	((+49,)) 154, 162, 163, 178	White-tailed, 3 pt. min. or antlerless
	Sept. 1-23	Sept. 1-22	Sept. 1-((2+)) 26	169, 172 (except Deer Area 1040), 175	White-tailed, 3 pt. min.
Eastern Washington White-tailed Deer in GMUs 117 and 121	Sept. 1-28	Sept. 1-27	Sept. 1-26	117, 121	White-tailed, 4 pt. min.
LATE ARCHERY GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 26 - Dec. 8	437, 636, 654, 681	2 pt. min. or antlerless
	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	466, 510 through 520, 524, 556, 638, 648, and 699	Any deer
	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	460, 506, 530, 560, 572, 601, 607 through 618	Any buck
	Nov. 21 - Dec. 31	Nov. 27 - Dec. 31	Nov. 26 - Dec. 31	603, 624, 652, 655	Any buck
	Nov. 21 - Dec. 31	Nov. 27 - Dec. 31	Nov. 26 - Dec. 31	407, 410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 505, 564, 627, 633, 642, 660 through 672	Any deer

Hunt Area	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
Eastern Washington Mule Deer	Nov. 21-30	Nov. 21-30	Nov. 21-30	209, 215, 233, 243, 250	3 pt. min.
	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 26 - Dec. 8	346, 352, 364, 388, Deer Area 3682	3 pt. min.
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178	3 pt. min. or antlerless
	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 26 - Dec. 8	272, 278, 373	3 pt. min. or antlerless
	Dec. 9-31	Dec. 9-31	Dec. 9-31	Deer Area 1021	Antlerless only
Eastern Washington White-tailed Deer	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	101	Any white-tailed deer
	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	105, 108, 124	Any white-tailed deer
	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	127	White-tailed, 3 pt. min. or antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178	White-tailed, 3 pt. min. or antlerless
	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	204, 209, 215, 233, 243, 272, 278, 373	Any white-tailed deer
Eastern Washington White-tailed Deer in GMUs 117 and 121	Nov. 25 - Dec. 9	Nov. 25 - Dec. 9	Nov. 25 - Dec. 9	117, 121	White-tailed, 4 pt. min.
	Dec. 10-15	Dec. 10-15	Dec. 10-15	117, 121	White-tailed, 4 pt. min. or antlerless

MUZZLELOADER DEER SEASONS

License Required: A valid big game hunting license, which includes a deer species option.

Tag Required: A valid muzzleloader deer tag for the area hunted.

Hunting Method: Muzzleloader only.

Special Notes: Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment (WAC 232-12-051) or archery equipment (WAC 232-12-054).

Hunt Area	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
High Buck Hunts	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, <u>Mount Baker</u> , Olympic Peninsula, and Henry Jackson Wilderness areas, and Lake Chelan Recreation Area	3 pt. min.
EARLY MUZZLELOADER GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 27 - Oct. 5	407, 418, 426, 448, 450, 501, 504, 505, 506, 510, 513, 516, 520, 530, 554, 556, 568, 572, 574, 603, 607, 612, 615, 624, 638, 642, 648, 660, 663, 672, 673, 684	Any buck
				410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 564, 627, 652, 655, 666, Deer Area 6020	Any deer
				437, 636	2 pt. min.
				578	3 pt. min.
Eastern Washington White-tailed Deer	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 27 - Oct. 5	101, 105, 108, 111, 113, 124, 203, 204, 209, 215, 231, 233, 239, 242, 243, 244, 245, 246, 248, 250, 251, 260, <u>272</u> , 278, 284	White-tailed, any buck
				142, 145, 149	White-tailed, 3 pt. min. or antlerless
				127, 130, 133, 136, 139, 175, 181, 186	White-tailed, 3 pt. min.
				373, 379	White-tailed, any deer
Eastern Washington White-tailed Deer in GMUs 117 and 121	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 27 - Oct. 5	117, 121	White-tailed, 4 pt. min.
Eastern Washington Mule Deer	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 27 - Oct. 5	101 through 149, 175, 181, 186, 203, 204, 209, 215, 231, 233, 239, 242, 243, 244, 245, 246, 248, 250, 251, 254, 260, 262, 266, 269, 272, <u>278</u> , 284, 328, 330 through 342, 352 through 360, 368, 373, 379, 382	Mule deer, 3 pt. min.
				((278	Mule deer, 3 pt. min. or antlerless))

Hunt Area	2012 Dates	2013 Dates	2014 Dates	Game Management Units (GMUs)	Legal Deer
LATE MUZZLELOADER GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Nov. 22 - Dec. 15	Nov. 28 - Dec. 15	Nov. 27 - Dec. 15	407, 410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 501, 504, 564, 627, 633, 666, 684, and Deer Area 6020	Any deer
				654	2 pt. min.
				460, 550, 602, 651, 658	Any buck
	Nov. 22 - Dec. 6	Nov. 28 - Dec. 6	Nov. 27 - Dec. 6	667, 673	Any buck
	Dec. 7-15	Dec. 7-15	Dec. 7-15	673	Any deer
Eastern Washington White-tailed Deer	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	113	Any white-tailed buck
	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	130, 133, 136, 139	White-tailed, 3 pt. min. or antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	172 (except Deer Area 1040), 181	White-tailed, 3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	379, 381	Any white-tailed deer
Eastern Washington Mule Deer	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	130	Antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	381	3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	379, 382	3 pt. min.

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-358 2012-2014 Elk general seasons and definitions. It is unlawful to fail to comply with bag, possession, and season limits described below. A violation of this section is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

Bag Limit: One (1) elk per hunter during the license year, except where otherwise permitted by department rule. Any combination of seasons, tags, and permits set by the department will not exceed a maximum of two (2) elk per hunter during the license year.

Hunting Method: Elk hunters must select only one of the hunting methods: Modern firearm, archery, or muzzleloader.

Elk Tag Areas: Elk hunters must choose either Eastern or Western Washington to hunt in and buy the appropriate tag for that area.

Any Bull Elk Seasons: Open only to the taking of elk with visible antlers; bull calves are illegal.

Antler Point: To qualify as an antler point, the point must be at least one inch long, measured on the longest side.

Branch: A branch is defined as any projection off the main antler beam that is at least one inch long, measured on the longest side, and longer than it is wide.

Spike Bull Antler Restrictions: Bull elk taken in spike-only game management units (GMUs) must have at least one antler with no branches originating more than 4 inches above where the antler attaches to the skull.

Spike-only GMUs: 145-154, 162-186, 249, and 336-368.

True Spike - Bull Antler Restrictions: Neither antler of bull elk taken in GMUs 251, and 328-335 can have branching originating more than 4 inches above where the antlers attach

to the skull. Under the true-spike restriction, taking an elk that has two points on one side or antler points within one inch of the definitions regarding length of point, or point of origination, is an infraction under RCW 77.15.160. All other types of violations of the true-spike restriction are subject to current penalties and assessments under RCW 77.15.410 and 77.15.420.

True-spike GMUs: 251, 328-335.

3-point Antler Restrictions: Legal bull elk must have at least 3 antler points on one side, with at least 2 antler points above the ear. Eye guards are antler points when they are at least one inch long. Antler restrictions apply to all hunters during any open season.

3-point GMUs: All of Western Washington, except for GMUs 448, 454, 564, ((568, 574, 578,)) 652 for archers, 666, 684, and Elk Area 4941.

Permit-only Units: The following GMUs are closed to elk hunting during general elk seasons: 157, 371, 418, 485, 522, 524, 556, 621, 636, and 653.

GMUs Closed to Elk Hunting: 437 (except for Elk Area 4941) and 490.

Areas with Special Restrictions: There are modern firearm restrictions in GMU 334 and portions of GMU 660. GMU 554 is open only for early archery and muzzleloader seasons. Elk Area 6064 in GMU 638 (Quinalt) is open to master hunters only.

Elk Tag Areas

Eastern Washington: All 100, 200, and 300 GMUs.

EA - Eastern Washington Archery Tag

EF - Eastern Washington Modern Firearm General Elk Tag

EM - Eastern Washington Muzzleloader Tag

Western Washington: All 400, 500, and 600 GMUs.

WA - Western Washington Archery Tag
 WF - Western Washington Modern Firearm General Elk Tag
 WM - Western Washington Muzzleloader Tag

Tag Required: A valid modern firearm elk tag as listed below for the area hunted.

Hunting Method: May use modern firearm, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Modern Firearm General Elk Seasons

License Required: A valid big game hunting license with an elk tag option.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2012 Dates	2013 Dates	2014 Dates	Legal Elk
Eastern Washington	EF	101, 105, 108, 111, 113, 117, 121, 204	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 25 - Nov. 2	Any bull
		145 through 154, 162 through 169, 172 (except Elk Area 1040), 175 through 186, 249, 336 through 368	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 25 - Nov. 2	Spike bull
		251, 328, 329, 334, 335	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 26 - Nov. 2	True spike bull
		Elk Area 3722*	Sept. 8-23	Sept. 7-22	Sept. 6-21	Antlerless only
		124 through 142, 372, 382, 388	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 25 - Nov. 2	Any elk
		203, 209 through 248, 250, 254 through 290, 373, 379, 381	Oct. 27 - Nov. 15	Oct. 26 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		Elk Area 2033	Sept. 4-30	Sept. 3-30	Sept. 2-30	Antlerless only
		Master Hunters Only: 371, Elk Area 3912	Aug. 1 - Jan. 20, 2013	Aug. 1 - Jan. 20, 2014	Aug. 1 - Jan. 20, 2015	Antlerless only
		Master Hunters Only: Elk Area 3911**	Nov. 10 - Dec. 16	Nov. 9 - Dec. 15	Nov. 8 - Dec. 14	Antlerless only
		Master Hunters Only: Elk Area 3911** 2nd tag.	Aug. 1 - Oct. 26	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24	Antlerless only
		Master Hunters Only: 127, 130	Dec. 9-31	Dec. 9-31	Dec. 9-31	Antlerless only
		*GMU 372 and Elk Area 3722 are mainly private property. Hunters are not advised to try hunting these areas without making prior arrangements for access. **Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. Only one (1) antlerless elk may be taken from Elk Area 3911 unless drawn for an antlerless elk special permit. Any legal weapon may be used. Master hunter, Elk Area 3911, second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 26, 2012, August 1 - October 25, 2013, and August 1 - October 24, 2014. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				
Western Washington	WF	((407)) 460, 466, 503, 505 through 520, 530, 550, 560, 568, 572, 574, 578, 601 through 618, 624 (except for Elk Area 6071), 627 through 633, 638 through 652, 654 through 684. Except master hunters only in Elk Area 6064.	Nov. 3-14	Nov. 2-13	Nov. 1-12	3 pt. min.
		501, 504	Nov. 3-14	Nov. 2-13	Nov. 1-12	3 pt. min. or antlerless
		407, 448, 564, 666	Nov. 3-14	Nov. 2-13	Nov. 1-12	Any elk
		454	Nov. 3-14	Nov. 2-13	Nov. 1-12	Any bull

Archery General Elk Seasons

License Required: A valid big game hunting license with an elk tag option.

Tag Required: A valid archery elk tag as listed below for the area hunted.

Hunting Method: Bow and arrow only, as defined under WAC 232-12-054.

Special Notes: Archery tag holders can hunt only during archery seasons and must hunt with archery equipment (WAC 232-12-054). Archery elk hunters may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2012 Dates	2013 Dates	2014 Dates	Legal Elk
Early Archery General Elk Seasons						
Eastern Washington	EA	101 through 142, 243, 247, 249, 250, 373, 379, 381, 388	Sept. 4-16	Sept. 3-15	Sept. 2-14	Any elk
		162, 166 ((through)), 169, 172 (except Elk Area 1040), 186	Sept. 4-16	Sept. 3-15	Sept. 2-14	Spike bull
		328, 329((-335))	Sept. 4-16	Sept. 3-15	Sept. 2-14	True spike bull
		335			Sept. 2-14	True spike bull or antlerless
		145, 149, 154, Elk Area 1010, Elk Area 1013, 163, 175, 178, 181, 334, 336, 340, 352, 356, 364	Sept. 4-16	Sept. 3-15	Sept. 2-14	Spike bull or antlerless
Western Washington	WA	448, 454, 564, 652, 666	Sept. 4-16	Sept. 3-15	Sept. 2-14	Any elk
		407	N/A	Sept. 3-27	Sept. 2-26	Any elk
		501 through 505, 520, 550, 554, 560, 568, 572, 574, 578, 624, except for Elk Area 6071, Elk Area 6061, 654, 660, 667 through 673, 681, 684, 699	Sept. 4-16	Sept. 3-15	Sept. 2-14	3 pt. min. or antlerless
		460, 466, 506, 510, 513, 516, 530, 601, 602, 603, 607, 612 through 618, 627, 633, 638 through 648, 651, 658, 663. Master hunters only in Elk Area 6064.	Sept. 4-16	Sept. 3-15	Sept. 2-14	3 pt. min.
Late Archery General Elk Seasons						
Eastern Washington	EA	101, 105, 108, 117, 121, 204	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any bull
		124, 127, 373, 388	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any elk
		178	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Antlerless only
		Elk Area 1010, 163	Dec. 9 - Jan. 30, 2013	Dec. 9 - Jan. 30, 2014	Dec. 9 - Jan. ((20)) 30, 2015	Antlerless only
		203, 209 through 248, 250, 254 through 290, 379, 381. Must wear hunter orange.	Oct. 21 - Nov. 15	Oct. 27 - Nov. 15	Oct. ((26)) 25 - Nov. 15	Any elk
		Master Hunters Only: 371, Elk Area 3912. Must wear hunter orange.	Aug. 1 - Jan. 20, 2013	Aug. 1 - Jan. 20, 2014	Aug. 1 - Jan. 20, 2015	Antlerless only
		Master Hunters Only: Elk Area 3911**. Must wear hunter orange.	Nov. 10 - Dec. 16	Nov. 9 - Dec. 15	Nov. 8 - Dec. 14	Antlerless only
		Master Hunters Only: Elk Area 3911** 2nd tag. Must wear hunter orange.	Aug. 1 - Oct. 26	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24	Antlerless only
		Master Hunters Only: 127, 130		Dec. 9-31	Dec. 9-31	Antlerless only
		328, 334, 335	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 26 - Dec. 8	True spike bull or antlerless
Western Washington	WA	Elk Area 4601, 503, 505, 667, 672, 681, and 699. Master hunters only in Elk Area 6064 portion of GMU 638.	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	3 pt. min. or antlerless
		407, 448, 454, 564, 666	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	Any elk
		603, 612, 615, 638, 648	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	3 pt. min.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2012 Dates	2013 Dates	2014 Dates	Legal Elk
		506, 520, 530	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	Antlerless only
<p>*GMU 372 and Elk Area 3722 are mainly private property. Hunters are not advised to try hunting these areas without making prior arrangements for access.</p> <p>**Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. Only one (1) antlerless elk may be taken from Elk Area 3911 unless drawn for an antlerless elk special permit. Any legal weapon may be used. Master hunter, Elk Area 3911, second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 26, 2012, August 1 - October 25, 2013, and August 1 - October 24, 2014. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.</p>						

Muzzleloader General Elk Seasons

License Required: A valid big game hunting license with an elk tag option.

Tag Required: A valid muzzleloader elk tag as listed below for the area hunted.

Hunting Method: Muzzleloader, as defined under WAC 232-12-051, or bow and arrow, as defined under WAC 232-12-054.

Special Notes: Muzzleloader tag holders can only hunt during the muzzleloader seasons. Only hunters with tags identified in the Special Elk Permits tables may apply for special elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2012 Dates	2013 Dates	2014 Dates	Legal Elk
Early Muzzleloader General Elk Seasons						
Eastern Washington	EM	101 through 121, 247	Oct. 6-12	Oct. 5-11	Oct. 4-10	Any bull
		124 through 142, 245, 250	Oct. 6-12	Oct. 5-11	Oct. 4-10	Any elk
		172 (except Elk Area 1040), 336 through 342, 352 through 360, 368	Oct. 6-12	Oct. 5-11	Oct. 4-10	Spike bull
		335, Elk Area 2051	Oct. 6-12	Oct. 5-11	Oct. 4-10	True spike bull
Western Washington	WM	407	N/A	Sept. 28 - Oct. 11	Sept. 27 - Oct. 10	((3-pt. min. or antlerless)) <u>Any elk</u>
		Elk Area 4601	N/A	N/A	Sept. 27 - Oct. 10	3 pt. min. or antlerless
		448, 454, 564, 666, 684	Oct. 6-12	Oct. 5-11	Oct. 4-10	Any elk
		460, 513, 530, 554, 568, 574, 578, 602, 603, 607, 627, 633, 638 except Elk Area 6064, 642, 660, 663, 672	Oct. 6-12	Oct. 5-11	Oct. 4-10	3 pt. min.
		501, 503, 504, 652, except Elk Area 6013 closed to antlerless, 654, 667	Oct. 6-12	Oct. 5-11	Oct. 4-10	3 pt. min. or antlerless
Late Muzzleloader General Elk Seasons						
Eastern Washington	EM	130 through 142	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any elk
		204	Oct. 27 - Nov. 15	Oct. 26 - Nov. 15	Oct. 25 - Nov. 15	Any bull
		203, 209 through 248, 250, 254 through 290, 373, 379, 381. Must wear hunter orange.	Oct. 27 - Nov. 15	Oct. 26 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		Master Hunters Only: 371, Elk Area 3912. Must wear hunter orange.	Aug. 1 - Jan. 20, 2013	Aug. 1 - Jan. 20, 2014	Aug. 1 - Jan. 20, 2015	Antlerless only
		Master Hunters Only: Elk Area 3911**. Must wear hunter orange.	Nov. 10 - Dec. 16	Nov. 9 - Dec. 15	Nov. 8 - Dec. 14	Antlerless only
		Master Hunters Only: Elk Area 3911** 2nd tag. Must wear hunter orange.	Aug. 1 - Oct. 26	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24	Antlerless only
		Master Hunters Only: 127, 130		Dec. 9-31	Dec. 9-31	Antlerless only

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2012 Dates	2013 Dates	2014 Dates	Legal Elk
Western Washington	WM	407	N/A	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	3 pt. min. or antlerless
		501, 503, 504, 505, 652 except Elk Area 6013 closed to antlerless.	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 26 - Dec. 8	3 pt. min. or antlerless
		448, 454, 564, 666, 684	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	Any elk
		568, 574, 578	Nov. 21-30	Nov. 27-30	Nov. 26-30	3 pt. min.
		550, 601, 618, 658, 667	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 26 - Dec. 15	3 pt. min.
		**Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. Any legal weapon may be used. Only one (1) antlerless elk may be taken from Elk Area 3911 unless drawn for an antlerless elk special permit. Master hunter, Elk Area 3911, second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 26, 2012, August 1 - October 25, 2013, and August 1 - October 24, 2014. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-359 ((2013)) 2014 Deer special permits. It is unlawful to fail to comply with the bag, possession, and season limits described below. A violation of this section is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

Deer Special Permit Hunting Seasons (Open to Permit Holders Only)

Hunters must purchase a deer hunting license prior to purchasing a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for archery, muzzleloader, or modern firearm permit hunts. Hunters drawn for a special permit hunt must comply with weapon restrictions, dates, and other conditions listed for the hunt. Hunters drawn for a special permit designated "**Any tag**" under the "**Weapon/Tag**" restriction must use equipment consistent with the requirements of their transport tag and license.

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Kelly Hill White-tailed Buck	Modern	Any	Oct. ((26)) <u>25</u> - Nov. ((24)) <u>23</u>	White-tailed, Any buck	GMU 105	5
Kelly Hill Mule Deer Buck	Modern	Any	Nov. ((9-24)) <u>8-23</u>	Mule deer, 3 pt. min.	GMU 105	1
Douglas White-tailed Buck	Modern	Any	Oct. ((26)) <u>25</u> - Nov. ((24)) <u>23</u>	White-tailed, Any buck	GMU 108	5
Douglas Mule Deer Buck	Modern	Any	Nov. ((9-24)) <u>8-23</u>	Mule deer, 3 pt. min.	GMU 108	1
Aladdin White-tailed Buck	Modern	Any	Oct. ((26)) <u>25</u> - Nov. ((24)) <u>23</u>	White-tailed, Any buck	GMU 111	5
Aladdin Mule Deer Buck	Modern	Any	Nov. ((9-24)) <u>8-23</u>	Mule deer, 3 pt. min.	GMU 111	1
Selkirk <u>Mule Deer Buck</u>	Modern	Any	Nov. ((9-24)) <u>8-23</u>	Mule deer, 3 pt. min.	GMU 113	1
49 Degrees North White-tailed Buck	Modern	Any	Oct. ((26)) <u>25</u> - Nov. ((24)) <u>23</u>	White-tailed, Any buck	GMU 117	5
49 Degrees North Mule Deer Buck	Modern	Any	Nov. ((9-24)) <u>8-23</u>	Mule deer, 3 pt. min.	GMU 117	1
Huckleberry White-tailed Buck	Modern	Any	Oct. ((26)) <u>25</u> - Nov. ((24)) <u>23</u>	White-tailed, Any buck	GMU 121	5
Huckleberry Mule Deer Buck	Modern	Any	Nov. ((9-24)) <u>8-23</u>	Mule deer, 3 pt. min.	GMU 121	1
Mt. Spokane	Modern	Any	Nov. 20-24	White-tailed, Any buck	GMU 124	5
Mica Peak	Modern	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 127	5
Cheney	Modern	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 130	5
Roosevelt	Modern	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 133	5
Steptoe	Modern	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 139	5
Almota	Modern	Any	Nov. 20-24	White-tailed, 3 pt. min.	GMU 142	5
Dayton	Modern	Any	Nov. 20-24	3 pt. min.	GMU 162	5
Tucannon	Modern	Any	Nov. 20-24	3 pt. min.	GMU 166	2

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Wenaha East	Modern	Any	Nov. 7-14	Mule deer, 3 pt. min.	Deer Area 1009	((2)) <u>5</u>
Wenaha West	Modern	Any	Nov. 7-14	Mule deer, 3 pt. min.	Deer Area 1008	2
Lick Creek	Modern	Any	Nov. 20-24	3 pt. min.	GMU 175	1
Grande Ronde	Modern	Any	Nov. 20-24	3 pt. min.	GMU 186	1
East Okanogan	Modern	Any	Nov. 1-20	Any buck	GMU 204	10
Sinlahekin	Modern	Any	Nov. 1-20	Any buck	GMU 215	10
Chewuch	Modern	Any	Nov. 1-20	Any buck	GMU 218	20
Pearrygin	Modern	Any	Nov. 1-20	Any buck	GMU 224	20
Gardner	Modern	Any	Nov. 1-20	Any buck	GMU 231	15
Pogue	Modern	Any	Nov. 1-20	Any buck	GMU 233	15
Alta	Modern	Any	Nov. 1-20	Any buck	GMU 242	15
Manson	Modern	Any	Nov. 1-20	Any buck	GMU 243	10
Chiwawa	Modern	Any	Nov. 1-20	Any buck	GMU 245	27
Slide Ridge	Modern	Any	Nov. 1-20	Any buck	GMU 246	((10)) <u>11</u>
Entiat	Modern	Any	Nov. 1-20	Any buck	GMU 247	25
Swakane	Modern	Any	Nov. 1-20	Any buck	GMU 250	15
Mission	Modern	Any	Nov. 1-20	Any buck	GMU 251	10
((Ritzville	Modern	Any	Nov. 1-20	Any buck	GMU 284	10))
Desert	Modern	Any	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Any buck	GMU 290	((18)) <u>16</u>
Desert	Modern	Any	Nov. ((16-24)) <u>15-23</u>	Any buck	GMU 290	5
Naneum	Modern	Any	Nov. ((12-20)) <u>11-19</u>	Any buck	GMU 328	((15)) <u>14</u>
Quilomene	Modern	Any	Nov. ((4-20)) <u>3-19</u>	Any buck	GMU 329	((14)) <u>15</u>
Teanaway	Modern	Any	Nov. ((12-20)) <u>11-19</u>	Any buck	GMU 335	17
L.T. Murray	Modern	Any	Nov. ((12-20)) <u>11-19</u>	Any buck	GMUs 336, 340	5
Bethel	Modern	Any	Nov. ((4-20)) <u>3-19</u>	Any buck	GMU 360	5
Cowiche	Modern	Any	Nov. ((4-20)) <u>3-19</u>	Any buck	GMU 368	10
Alkali	Modern	Any	Nov. ((2-17)) <u>1-16</u>	Any buck	GMU 371	((6)) <u>5</u>
Kahlotus	Modern	Any	Nov. ((9-18)) <u>8-17</u>	Any buck	GMU 381	10
Grayback	Modern	Any	Nov. ((1-20)) <u>3-23</u>	3 pt. min.	GMU 388	40
Nooksack	Modern	Any	Nov. 15-20	Any buck	GMU 418	25
Skagit	Modern	Any	Nov. 15-20	Any buck	GMU 426	10
Sauk	Modern	Any	Nov. 15-20	2 pt. min.	GMU 437	25
Stillaguamish	Modern	Any	Nov. 15-20	Any buck	GMU 448	10
Snoqualmie	Modern	Any	Nov. 15-20	Any buck	GMU 460	10
Green River	Any tag	Any	((Nov. 9-15)) Oct. <u>25-31</u>	Any buck	GMU 485	10
Lewis River	Modern	Any	Nov. 1-((13)) <u>12</u>	Any buck	GMU 560	1
Washougal	Modern	Any	Nov. 1-((13)) <u>12</u>	Any buck	GMU 568	2
Siouxon	Modern	Any	Nov. 1-((13)) <u>12</u>	Any buck	GMU 572	1
Wind River	Modern	Any	Nov. ((14-21)) <u>13-25</u>	Any buck	GMU 574	40
West Klickitat	Modern	Any	Nov. ((14-21)) <u>13-20</u>	3 pt. min.	GMU 578	40
Sol Duc	Modern	Any	Nov. 1-20	Any buck	GMU 607	5
Wynoochee	Modern	Any	Nov. 1-24	Any buck	GMU 648	10
Satsop	Modern	Any	Nov. 1-24	Any buck	GMU 651	10
Mashel	Modern	Any	Nov. 1-((24)) <u>23</u>	2 pt. min.	GMU 654	10
Capitol Peak	Modern	Any	Nov. 1-24	Any buck	GMU 663	10
Skookumchuck	Modern	Any	Nov. 1-24	Any buck	GMU 667	10
Chiliwist	Archery	Any	Nov. 21-30	Any buck	GMU 239	15
Entiat	Archery	Any	Nov. 21-30	Any buck	GMU 247	50

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Chiwawa	Archery	Any	Dec. 1-8	Any buck	GMU 245	((12)) 11
Slide Ridge	Archery	Any	Dec. 1-8	Any buck	GMU 246	3
Desert	Archery	Any	Nov. 25 - Dec. 8	Any buck	GMU 290	((32)) 37
Naneum	Archery	Any	Nov. ((21)) 20 - Dec. 8	Any buck	GMU 328	((7)) 10
Quilomene	Archery	Any	Nov. ((21)) 20 - Dec. 8	Any buck	GMU 329	((6)) 5
Teanaway	Archery	Any	Nov. ((21)) 20 - Dec. 8	Any buck	GMU 335	((11)) 7
L.T. Murray	Archery	Any	Nov. ((21)) 20 - Dec. 8	Any buck	GMUs 336, 340	2
West Klickitat	Archery	Any	Nov. ((22)) 21-30	3 pt. min.	GMU 578	75
Kitsap	Archery	Any	Nov. 1-13	Any buck	GMU 627	10
Skokomish	Archery	Any	Nov. 1-13	2 pt. min.	GMU 636	10
Blue Mtns. Foothills	Muzzleloader	Any	Nov. 24 - Dec. 8	White-tailed, 3 pt. min.	GMUs 149, 154, 162, 166	70
Alta	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 242	20
Chiwawa	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 245	3
Slide Ridge	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 246	1
Mission	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 251	15
Desert	Muzzleloader	Any	Oct. ((12-20)) 11-19	Any buck	GMU 290	((3)) 2
Teanaway	Muzzleloader	Any	Nov. ((4-11)) 3-10	Any buck	GMU 335	((2)) 1
L.T. Murray	Muzzleloader	Any	Nov. ((4-11)) 3-10	Any buck	GMUs 336, 340	1
Bald Mountain	Muzzleloader	Any	Nov. ((4-20)) 3-19	Any buck	GMUs 342, 346	2
Naneum	Muzzleloader	Any	Nov. ((4-11)) 3-10	Any buck	GMU 328	1
Quilomene	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5	Any buck	GMU 329	4
West Klickitat	Muzzleloader	Any	Dec. 1-8	3 pt. min.	GMU 578	75
Olympic	Muzzleloader	Any	Nov. 1-13	Any buck	GMU 621	5

Bucks						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Palouse	Modern	Any	Nov. ((9)) 8-19	White-tailed, 3 pt. min.	GMUs 127-142	750
Blue Mtns. Foothills West	Modern	Any	Nov. 7-19	White-tailed, 3 pt. min.	GMUs 149, 154, 162-166	110
Blue Mtns. Foothills East	Modern	Any	Nov. 7-19	White-tailed, 3 pt. min.	GMUs 145, 172 (except Deer Area 1040)-181	50
Mayview	Any tag	Any	Nov. 16-19	3 pt. min.	GMU 145	25
Watershed	Any tag	Any	Oct. ((1-10)) 4-15	3 pt. min.	GMU 157	5
Ten Forty	Modern	Any	Oct. 11-20	3 pt. min.	Deer Area 1040	2
East Okanogan	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 204	50
Sinlahekin	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 215	50
Chewuch	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 218	15
Pearygin	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 224	15
Gardner	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 231	15
Pogue	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 233	15
Chiliwist	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 239	15
Alta	Modern	Any	Nov. 1-20	Any white-tailed buck	GMU 242	15
Ritzville	Modern	Any	Nov. 1-20	Any buck	GMU 284	10
Parker Lake	Archery	Any	Sept. 1-26 and Nov. 25 - Dec. 9	White-tailed, 4 pt. min.	Deer Area 1031	5
Ten Forty	Archery	Any	Sept. 1-14	3 pt. min.	Deer Area 1040	2
Big Bend	Archery	Any	Dec. 1-8	Any buck	GMU 248	10

Bucks						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Ritzville	Archery	Any	Dec. 1-8	Any buck	GMU 284	((7)) <u>5</u>
Alkali	Archery	Any	Sept. 1-21	Any buck	GMU 371	((4)) <u>3</u>
<u>Whitcomb</u>	<u>Archery</u>	<u>Any</u>	<u>Sept. 7-12</u>	<u>Any buck</u>	<u>Deer Area 3071</u>	<u>10</u>
<u>Paterson</u>	<u>Archery</u>	<u>Any</u>	<u>Sept. 7-12</u>	<u>Any buck</u>	<u>Deer Area 3072</u>	<u>10</u>
<u>Parker Lake</u>	<u>Muzzleloader</u>	<u>Any</u>	<u>Sept. 27 - Oct. 5</u>	<u>White-tailed, 4 pt. min.</u>	<u>Deer Area 1031</u>	<u>5</u>
Roosevelt	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((44)) <u>10</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 133	25
Harrington	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((44)) <u>10</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 136	25
Steptoe	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((44)) <u>10</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 139	25
Almota	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((44)) <u>10</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 142	25
Dayton	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	3 pt. min.	GMU 162	25
Tucannon	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	3 pt. min.	GMU 166	10
Wenaha	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	3 pt. min.	GMU 169	15
Mountain View	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	3 pt. min.	GMU 172 (except Deer Area 1040)	15
<u>Ten Forty</u>	<u>Muzzleloader</u>	<u>Any</u>	<u>Sept. 27 - Oct. 5</u>	<u>3 pt. min.</u>	<u>Deer Area 1040</u>	<u>2</u>
Ritzville	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 284	1
Alkali	Muzzleloader	Any	Sept. ((22)) <u>21</u> - Oct. ((44)) <u>10</u>	Any buck	GMU 371	((2)) <u>1</u>
((Whiteomb	Muzzleloader	Any	Sept. 8-13	Any buck	Deer Area 3071	40
Paterson	Muzzleloader	Any	Sept. 8-13	Any buck	Deer Area 3072	40))
Kahlotus	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Any buck	GMU 381	20

Antlerless						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Mayview	Modern	Any	Nov. 1-12	Antlerless	GMU 145	35
Prescott	Modern	Any	Nov. 1-12	Antlerless	GMU 149	50
Blue Creek	Modern	Any	Nov. 8-19	White-tailed, antlerless	GMU 154	30
Dayton	Modern	Any	Nov. 8-19	White-tailed, antlerless	GMU 162	80
Ten Ten	Modern	Any	Nov. 8-19	Antlerless	Deer Area 1010	30
Marengo	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 163	50
Peola	Modern	Any	Nov. 1-12	Antlerless	GMU 178	50
<u>East Klickitat</u>	<u>Modern</u>	<u>Any</u>	<u>Oct. 11-24</u>	<u>Antlerless</u>	<u>GMU 382</u>	<u>5</u>
<u>Grayback</u>	<u>Modern</u>	<u>Any</u>	<u>Oct. 11-24</u>	<u>Antlerless</u>	<u>GMU 388</u>	<u>5</u>
Lincoln	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 501	15
Stella	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 504	15
Mossyrock	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 505	30
South Rainier	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 513	10
Winston	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 520	20
Lewis River	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 560	3
Siouxon	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 572	3
Wind River	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 574	3
West Klickitat	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 578	5
Pysht	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 603	15

Antlerless						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Olympic	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 621	35
Skokomish	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 636	20
Wynoochee	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 648	((440)) <u>25</u>
Mashel	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 654	40
North River	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 658	35
Minot Peak	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 660	20
Capitol Peak	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 663	5
Skookumchuck	Modern	Any	Oct. ((42-34)) <u>11-31</u>	Antlerless	GMU 667	5
Entiat	Archery	Any	Nov. 21-30	Antlerless	GMU 247	40
Swakane	Archery	Any	Nov. 21-30	Antlerless	GMU 250	50
Whitcomb	Archery	Any	Sept. ((16-20)) <u>1-6</u>	Antlerless	Deer Area 3071	10
Paterson	Archery	Any	Sept. ((16-20)) <u>1-6</u>	Antlerless	Deer Area 3072	10
((Whitcomb	Archery	Any	Sept. <u>23-30</u>	Antlerless	Deer Area 3071	40
Paterson	Archery	Any	Sept. <u>23-30</u>	Antlerless	Deer Area 3072	40))
Grayback	Archery	Any	Nov. ((21)) <u>26</u> - Dec. 8	Antlerless	GMU 388	((400)) <u>75</u>
Sherman	Muzzleloader	Any	Sept. 28 - Oct. 6	White-tailed, antlerless	GMU 101	40
Selkirk	Muzzleloader	Any	Nov. 25 - Dec. 8	White-tailed, antlerless	GMU 113	15
Prescott	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 149	25
((Couse	Muzzleloader	Any	Nov. 20 - Dec. 8	White-tailed, antlerless	GMU 181	30))
Whitcomb	Muzzleloader	Any	Sept. ((1-7)) <u>15-19</u>	Antlerless	Deer Area 3071	10
Paterson	Muzzleloader	Any	Sept. ((1-7)) <u>15-19</u>	Antlerless	Deer Area 3072	10
Whitcomb	Muzzleloader	Any	Sept. <u>22-30</u>	Antlerless	Deer Area 3071	10
Paterson	Muzzleloader	Any	Sept. <u>22-30</u>	Antlerless	Deer Area 3072	10
East Klickitat	Muzzleloader	Any	Sept. 27 - Oct. 5	Antlerless	GMU 382	5
Mossyrock	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 505	10
Stormking	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 510	5
South Rainier	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 513	5
Packwood	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 516	5
Winston	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 520	5
Coweeman	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 550	30
Yale	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 554	2
Toutle	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 556	3
West Klickitat	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 578	5
Olympic	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 621	20
Satsop	Muzzleloader	Any	Nov. ((22)) <u>24</u> - Dec. 15	Antlerless	GMU 651	100
Mashel	Muzzleloader	Any	Nov. ((22)) <u>24</u> - Dec. 15	Antlerless	GMU 654	50
North River	Muzzleloader	Any	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 658	5

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Colville River	Any	Any	Sept. 1 - Dec. 31	White-tailed, antlerless	Deer Area 1035	25
Benge	Any	Any	Dec. 9-31	Antlerless	Deer Area 2010	30
Lakeview	Any	Any	Jan. 1-30, ((2014)) <u>2015</u>	Antlerless	Deer Area 2011	15
Methow	Any	Any	Sept. 8 - Oct. 9	Antlerless	Deer Area 2012	20
North Okanogan	Any	Any	Sept. 8 - Oct. 9	Antlerless	Deer Area 2013	30
Central Okanogan	Any	Any	Sept. 8 - Oct. 9	Antlerless	Deer Area 2014	30
Omak	Any	Any	Sept. 8 - Oct. 9	Antlerless	Deer Area 2015	25
Conconully	Any	Any	Sept. 8 - Oct. 9	Antlerless	Deer Area 2016	25
High Prairie	Any	Any	Oct. ((12-25)) <u>11-24</u>	Antlerless	Deer Area 3088	5
Mt. Spokane	Modern	Any	Oct. ((12-25)) <u>11-24</u> and Nov. ((10)) <u>8-19</u>	White-tailed, antlerless	GMU 124	50
Spokane North	Modern	Any	Oct. ((12-25)) <u>11-24</u> and Nov. ((10)) <u>8-19</u>	White-tailed, antlerless	Deer Area 1050	350
Mica Peak	Modern	Any	Oct. ((12-20)) <u>11-19</u>	White-tailed, antlerless	GMU 127	25
Spokane South	Modern	Any	Oct. ((12-20)) <u>11-19</u>	White-tailed, antlerless	Deer Area 1060	125
Cheney	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 130	100
Spokane West	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	Deer Area 1070	75
Roosevelt	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 133	150
Harrington	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 136	150
Steptoe	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 139	200
Colfax	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	Deer Area 1080	125
Almota	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 142	150
Mayview	Modern	Any	Nov. 1-12	Antlerless	GMU 145	35
Blue Creek	Modern	Any	Nov. 8-19	White-tailed, antlerless	GMU 154	30
Ten Ten	Modern	Any	Nov. 8-19	Antlerless	Deer Area 1010	30
East Okanogan	Modern	Any	Oct. ((12-20)) <u>11-19</u>	White-tailed, antlerless	GMU 204	75
Sinlahekin	Modern	Any	Oct. ((12-20)) <u>11-19</u>	White-tailed, antlerless	GMU 215	40
Chewuch	Modern	Any	Oct. ((12-20)) <u>11-19</u>	White-tailed, antlerless	GMU 218	10
Pearrygin	Modern	Any	Oct. ((12-20)) <u>11-19</u>	White-tailed, antlerless	GMU 224	10
Gardner	Modern	Any	Oct. ((12-20)) <u>11-19</u>	White-tailed, antlerless	GMU 231	10
Pogue	Modern	Any	Oct. ((12-20)) <u>11-19</u>	White-tailed, antlerless	GMU 233	10
Chiliwist	Modern	Any	Oct. ((12-20)) <u>11-19</u>	White-tailed, antlerless	GMU 239	10
Alta	Modern	Any	Oct. ((12-20)) <u>11-19</u>	White-tailed, antlerless	GMU 242	10

2nd Deer						
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Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Big Bend	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 248	35
Mission	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 251	10
((Mission	Modern	Any	Nov. 1-20	Antlerless	GMU 251	(15))
St. Andrews	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 254	20
Foster Creek	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 260	20
Withrow	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 262	20
Badger	Modern	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 266	15
Desert	Modern	Any	Dec. 13- ((26)) <u>28</u>	Antlerless	GMU 290	50
Kahlotus	Modern	Any	Dec. 1-9	Antlerless	GMU 381	20
((East Klickitat	Modern	Any	Oct. 12-25	Antlerless	GMU 382	30
Graybaek	Modern	Any	Oct. 12-25	Antlerless	GMU 388	20))
Shaw	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 412	20
Lopez	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 414	((30)) <u>40</u>
Orcas	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 411	((30)) <u>40</u>
Decatur	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 416	30
Blakely	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 415	30
Cypress	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 417	30
San Juan	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 413	((30)) <u>40</u>
Camano	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 421	30
Whidbey	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 420	100
Vashon-Maury	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 422	100
Guemes	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 419	30
Randle	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 503	5
Willapa Hills	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 506	10
Stormking	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 510	15

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Packwood	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 516	15
Ryderwood	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 530	10
Coweeman	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 550	10
Yale	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 554	10
Washougal	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 568	10
Anderson	Modern	Any	Oct. ((12-31)) <u>11-31</u> and Nov. ((14-17)) <u>13-16</u>	Antlerless	GMU 655	40
Kitsap	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 627	10
Mashel	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 654	10
North River	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 658	15
Deschutes	Modern	Any	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 666	40
Mt. Spokane	Archery	Any	Sept. 1-((27)) <u>26</u> and Nov. 25 - Dec. 15	White-tailed, antlerless	GMU 124	25
Mica Peak	Archery	Any	Sept. 1-((27)) <u>26</u> and Nov. 25 - Dec. 15	White-tailed, antlerless	GMU 127	25
Clarkston	Archery	Any	Nov. 20 - Dec. 31	Antlerless	Deer Area 1021	30
Spokane North	Archery	Any	Sept. 1-((27)) <u>26</u> and Nov. 25 - Dec. 15	White-tailed, antlerless	Deer Area 1050	75
Spokane South	Archery	Any	Sept. 1-((27)) <u>26</u> and Nov. 25 - Dec. 15	White-tailed, antlerless	Deer Area 1060	25
Shaw	Archery	Any	Sept. 1-((27)) <u>26</u> and Nov. ((27)) <u>26</u> - Dec. 31	Antlerless	GMU 412	20
Lopez	Archery	Any	Sept. 1-((27)) <u>26</u> and Nov. ((27)) <u>26</u> - Dec. 31	Antlerless	GMU 414	20
Orcas	Archery	Any	Sept. 1-((27)) <u>26</u> and Nov. ((27)) <u>26</u> - Dec. 31	Antlerless	GMU 411	20
Decatur	Archery	Any	Sept. 1-((27)) <u>26</u> and Nov. ((27)) <u>26</u> - Dec. 31	Antlerless	GMU 416	20
Blakely	Archery	Any	Sept. 1-((27)) <u>26</u> and Nov. ((27)) <u>26</u> - Dec. 31	Antlerless	GMU 415	20
Cypress	Archery	Any	Sept. 1-((27)) <u>26</u> and Nov. ((27)) <u>26</u> - Dec. 31	Antlerless	GMU 417	20
San Juan	Archery	Any	Sept. 1-((27)) <u>26</u> and Nov. ((27)) <u>26</u> - Dec. 31	Antlerless	GMU 413	20

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Camano	Archery	Any	Sept. 1-((27)) 26 and Nov. ((27)) 26 - Dec. 31	Antlerless	GMU 421	20
Whidbey	Archery	Any	Sept. 1-((27)) 26 and Nov. ((27)) 26 - Dec. 31	Antlerless	GMU 420	20
Vashon-Maury	Archery	Any	Sept. 1-((27)) 26 and Nov. ((27)) 26 - Dec. 31	Antlerless	GMU 422	20
Guemes	Archery	Any	Sept. 1-((27)) 26 and Nov. ((27)) 26 - Dec. 31	Antlerless	GMU 419	20
Anderson	Archery	Any	Sept. 1-((27)) 26 and Dec. 16-31	Antlerless	GMU 655	10
Miller	Archery	Any	Dec. 15-30	Antlerless	Deer Area 6020	40
Mt. Spokane	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5	White-tailed, antlerless	GMU 124	25
Spokane North	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Dec. 9-31	White-tailed, antlerless	Deer Area 1050	100
Cheney	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. 25 - Dec. 8	Antlerless	GMU 130	25
Spokane West	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. 25 - Dec. 8	Antlerless	Deer Area 1070	25
Colfax	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. 25 - Dec. 8	Antlerless	Deer Area 1080	75
Roosevelt	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. 25 - Dec. 8	Antlerless	GMU 133	25
Harrington	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. 25 - Dec. 8	Antlerless	GMU 136	25
Mayview	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 145	30
Chiwawa	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 245	10
Swakane	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 250	5
Mission	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 251	5
Foster Creek	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 260	10
Moses Coulee	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 269	10
Lakeview	Muzzleloader	Any	Nov. 1-18	Antlerless	Deer Area 2011	5
Shaw	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 412	20
Lopez	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 414	20

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Orcas	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 411	20
Decatur	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 416	20
Blakely	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 415	20
Cypress	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 417	20
San Juan	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 413	20
Camano	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 421	20
Whidbey	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 420	20
Vashon-Maury	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 422	20
Guemes	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 419	20
((East Kllickitat	Muzzleloader	Any	Nov. 20-30	Antlerless	GMU 382	30))
Yale	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 554	2
Washougal	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 568	10
Anderson	Muzzleloader	Any	Sept. ((28)) 27 - Oct. ((6)) 5 and Nov. ((28)) 27 - Dec. 15	Antlerless	GMU 655	5

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Ferry	Modern	Youth	Oct. ((12-25)) 11-24	Antlerless	GMU 101	25
Blue Mtns. Foothills West	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMUs 149, 154, 163, Deer Area 1010	30
49 Degrees North	Modern	Youth	Oct. 11-15	White-tailed, antlerless	GMU 117	20
Huckleberry	Modern	Youth	Oct. 11-15	White-tailed, antlerless	GMU 121	20
Blue Mtns. Foothills East	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMUs 145, 172 (except Deer Area 1040)-181	20
Tucannon	Modern	Youth	Oct. ((12-20)) 11-19	White-tailed, antlerless	GMU 166	((5)) 10

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
East Okanogan	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 204	30
Wannacut	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 209	10
Sinlahekin	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 215	10
Chewuch	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 218	((20)) 10
Pearygin	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 224	((20)) 10
Gardner	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 231	10
Pogue	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 233	10
Chiliwist	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 239	10
Alta	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 242	10
Chiwawa	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 245	10
Entiat	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 247	10
Swakane	Modern	Youth	((Nov. 1-20)) Oct. 11-19	Antlerless	GMU 250	5
Mission	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 251	15
Bridgeport	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMUs 248, 260	20
Palisades	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMUs 266, 269	20
<u>Beezley</u>	<u>Modern</u>	<u>Youth</u>	<u>Oct. 11-19</u>	<u>Antlerless</u>	<u>GMU 272</u>	<u>30</u>
Benge	Modern	Youth	Oct. 30 - Nov. 7	Antlerless	Deer Area 2010	30
Horse Heaven Hills	Modern	Youth	Oct. ((12-25)) 11-24	Antlerless	GMU 373	10
<u>Ringold</u>	<u>Modern</u>	<u>Youth</u>	<u>Oct. 11-19</u>	<u>Antlerless</u>	<u>GMU 379</u>	<u>10</u>
Kahlotus	Modern	Youth	Oct. ((12-20)) 11-19	Antlerless	GMU 381	10
East Klickitat	Modern	Youth	Oct. ((12-25)) 11-24	Any buck	GMU 382	5
East Klickitat	Modern	Youth	Oct. ((12-25)) 11-24	Antlerless	GMU 382	20
East Klickitat	Modern	Youth	Dec. 21 - Jan. 1, ((2014)) 2015	Antlerless	GMU 382	10
East Klickitat	Modern	Youth	Jan. 16-31, ((2014)) 2015	Antlerless	GMU 382	10
East Klickitat	Modern	Youth	Feb. 8-18, ((2014)) 2015	Antlerless	GMU 382	10
Grayback	Modern	Youth	Oct. ((12-25)) 11-24	Any buck	GMU 388	5
Grayback	Modern	Youth	Oct. ((12-25)) 11-24	Antlerless	GMU 388	10
((Green River	Modern	Youth	Nov. 9-15	Antlerless	GMU 485	5))
Lincoln	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 501	10
Stella	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 504	10
Mossyrock	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 505	10
Stormking	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 510	10
South Rainier	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 513	10
Packwood	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 516	10
Winston	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 520	10
Yale	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 554	10
Toutle	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 556	25
Lewis River	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 560	5
Washougal	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 568	10
Siouxon	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 572	5
Wind River	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 574	10
West Klickitat	Modern	Youth	Oct. ((12-31)) 11-31	Any buck	GMU 578	5
West Klickitat	Modern	Youth	Oct. ((12-31)) 11-31	Antlerless	GMU 578	10
Skokomish	Modern	Youth	Oct. ((5-31)) 4-31	Antlerless	GMU 636	5
Satsop	Modern	Youth	Oct. ((5-31)) 4-31	Antlerless	GMU 651	10
Mashel	Modern	Youth	Oct. ((5-31)) 4-31	Antlerless	GMU 654	30
North River	Modern	Youth	Oct. ((5-31)) 4-31	Antlerless	GMU 658	10

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Skookumchuck	Modern	Youth	Oct. ((5-31)) 4-31	Antlerless	GMU 667	35
Skookumchuck	Modern	Youth	Oct. ((5-11)) 4-10	Any buck	GMU 667	20
<u>Olympic</u>	<u>Modern</u>	<u>Youth</u>	<u>Nov. 17-23</u>	<u>Any deer</u>	<u>GMU 621</u>	<u>10</u>
<u>Kitsap</u>	<u>Modern</u>	<u>Youth</u>	<u>Nov. 17-23</u>	<u>Any deer</u>	<u>GMU 627</u>	<u>10</u>
East Okanogan	Muzzleloader	Youth	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 204	5
Wannacut	Muzzleloader	Youth	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 209	5
Pogue	Muzzleloader	Youth	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 233	5
Chiliwist	Muzzleloader	Youth	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 239	5
Alta	Muzzleloader	Youth	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 242	5
Mission	Muzzleloader	Youth	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 251	5

Senior 65+						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
<u>49 Degrees North</u>	<u>Modern</u>	<u>65+</u>	<u>Oct. 11-15</u>	<u>White-tailed, antlerless</u>	<u>GMU 117</u>	<u>20</u>
<u>Huckleberry</u>	<u>Modern</u>	<u>65+</u>	<u>Oct. 11-15</u>	<u>White-tailed, antlerless</u>	<u>GMU 121</u>	<u>20</u>
Blue Mtns. Foothills	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMUs 145, 149, 154, Deer Area 1010	30
East Okanogan	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 204	5
Wannacut	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 209	5
Sinlahekin	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 215	5
Chewuch	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 218	5
Pearrygin	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 224	5
Gardner	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 231	5
Pogue	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 233	5
Chiliwist	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 239	5
Alta	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 242	5
Chiwawa	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 245	10
Entiat	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 247	10
Swakane	Modern	65+	((Nov. 1-20)) Oct. 11-19	Antlerless	GMU 250	10
Mission	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 251	10
Bridgeport	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMUs 248, 260	10
Palisades	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMUs 266, 269	10
Sunnyside	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 372	10
Horse Heaven Hills	Modern	65+	Oct. ((12-25)) 11-24	Antlerless	GMU 373	10
Kahlotus	Modern	65+	Oct. ((12-20)) 11-19	Antlerless	GMU 381	10
East Klickitat	Modern	65+	Oct. ((12-25)) 11-24	Antlerless	GMU 382	((20)) 15
Grayback	Modern	65+	Oct. ((12-25)) 11-24	Antlerless	GMU 388	5
Lincoln	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 501	5
Stella	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 504	5
Mossyrock	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 505	15
Stormking	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 510	5
South Rainier	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 513	5
Packwood	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 516	5
Winston	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 520	5
Yale	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 554	5

Senior 65+						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Toutle	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 556	10
Lewis River	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 560	5
Washougal	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 568	10
Siouxon	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 572	5
Wind River	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 574	5
West Klickitat	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 578	5
Copalis	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 642	20
North River	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 658	10
Williams Creek	Modern	65+	Oct. ((12-31)) 11-31	Antlerless	GMU 673	10

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
49 Degrees North	Modern	Hunter with Disability	Oct. 11-15	White-tailed, antlerless	GMU 117	20
Huckleberry	Modern	Hunter with Disability	Oct. 11-15	White-tailed, antlerless	GMU 121	20
East Okanogan	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 204	5
Wannacut	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 209	5
Sinlahekin	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 215	5
Chewuch	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 218	5
Pearrygin	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 224	5
Gardner	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 231	5
Pogue	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 233	5
Chiliwist	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 239	5
Alta	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 242	5
Chiwawa	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 245	5
Entiat	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 247	5
Mission	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 251	5
Saint Andrews	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMU 254	5
Bridgeport	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMUs 248, 260	5
Palisades	Modern	Hunter with Disability	Oct. ((12-20)) 11-19	Antlerless	GMUs 266, 269	5
Beezley	Modern	Hunter with Disability	Oct. 11-19	Antlerless	GMU 272	5
Horse Heaven Hills	Modern	Hunter with Disability	Oct. ((12-25)) 11-24	Antlerless	GMU 373	10
Kahlotus	Modern	Hunter with Disability	Nov. 1-9	Antlerless	GMU 381	10
East Klickitat	Modern	Hunter with Disability	Oct. ((12-25)) 11-24	Antlerless	GMU 382	15

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Grayback	Modern	Hunter with Disability	Oct. ((12-25)) <u>11-24</u>	Antlerless	GMU 388	5
Green River	Modern	Hunter with Disability	((Nov. 9-15)) <u>Oct. 25-31</u>	Antlerless	GMU 485	5
Lincoln	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 501	2
Stella	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 504	2
Mossyrock	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 505	3
Stormking	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 510	2
South Rainier	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 513	2
Packwood	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 516	2
Winston	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 520	2
Yale	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 554	2
Toutle	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 556	3
Lewis River	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 560	1
Washougal	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 568	5
Siouxon	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 572	2
Wind River	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 574	1
West Klickitat	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 578	2
Capitol Peak	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 663	20
Skookumchuck	Modern	Hunter with Disability	Oct. ((5-31)) <u>4-31</u>	Antlerless	GMU 667	20
North River	Modern	Hunter with Disability	Oct. ((12-31)) <u>11-31</u>	Antlerless	GMU 658	5
Wind River	Archery	Hunter with Disability	Sept. 1-((22)) <u>21</u>	Antlerless	GMU 574	1
West Klickitat	Archery	Hunter with Disability	Sept. 1-((22)) <u>21</u>	Antlerless	GMU 578	1
East Okanogan	Muzzleloader	Hunter with Disability	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 204	5
Sinlahekin	Muzzleloader	Hunter with Disability	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 215	5
Gardner	Muzzleloader	Hunter with Disability	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 231	5
Chiwawa	Muzzleloader	Hunter with Disability	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 245	5
Mission	Muzzleloader	Hunter with Disability	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 251	5
Entiat	Muzzleloader	Hunter with Disability	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 247	5
Saint Andrews	Muzzleloader	Hunter with Disability	Sept. ((28)) <u>27</u> - Oct. ((6)) <u>5</u>	Antlerless	GMU 254	5

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Bridgeport	Muzzleloader	Hunter with Disability	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMUs 248, 260	5
Palisades	Muzzleloader	Hunter with Disability	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMUs 266, 269	5
Capitol Peak	Muzzleloader	Hunter with Disability	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 663	5
North River	Muzzleloader	Hunter with Disability	Sept. ((28)) 27 - Oct. ((6)) 5	Antlerless	GMU 658	5

Master Hunter - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned by the hunt coordinator for each hunt. For those hunts requiring the purchase of a master hunter second tag, one deer may be killed in the unit under the authorization of the special permit.

Hunt Name	Weapon/Tag	Requirements	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Republic	Any/2nd deer tag ((required))	<u>Master Hunter deer tag required</u>	Master Hunter	Sept. 1 - Dec. 31	Any deer	Designated properties within Deer Area 1030	25 ^{HC}
Region 1 ((North))	Any/2nd deer tag ((required))	<u>Master Hunter deer tag required</u>	Master Hunter	Aug. 1, ((2013)) 2014 - March 31, ((2014)) 2015	Antlerless	Designated Areas in ((Ferry, Stevens, and Pend Oreille counties)) Region 1	((450)) 50 ^{HC}
((Region 1 Central	Any/2nd deer tag required		Master Hunter	Aug. 1, 2013 - March 31, 2014	Antlerless	Designated Areas in Lincoln and Spokane counties	20 ^{HC}
Region 1 South	Any/2nd deer tag required		Master Hunter	Aug. 1, 2013 - March 31, 2014	Antlerless	Designated Areas in Whitman, Walla Walla, Columbia, Garfield, and Asotin counties	20 ^{HC})
Region 2	Any/2nd deer tag ((required))	<u>Master Hunter deer tag required</u>	Master Hunter	Aug. 1, ((2013)) 2014 - March 31, ((2014)) 2015	Antlerless	Designated Areas in Region 2	((20)) 30 ^{HC}
Region 3	Any/2nd deer tag ((required))	<u>Master Hunter deer tag required</u>	Master Hunter	Aug. 1, ((2013)) 2014 - March 31, ((2014)) 2015	Antlerless	Designated Areas in Region 3	30 ^{HC}
((Lakeview	Any/2nd deer tag required		Master Hunter	Dec. 9-31	Antlerless	Deer Area 2011	20))
Region 5	Any/2nd deer tag ((required))	<u>Master Hunter deer tag required</u>	Master Hunter	Aug. 1, ((2013)) 2014 - March 31, ((2014)) 2015	Antlerless	Designated Areas in Region 5	((20)) 10 ^{HC}
Region 6	Any/2nd deer tag ((required))	<u>Master Hunter deer tag required</u>	Master Hunter	Aug. 1, ((2013)) 2014 - March 31, ((2014)) 2015	Antlerless	Designated Areas in Region 6	20 ^{HC}

Hunter Education Instructor Incentive Permits
<ul style="list-style-type: none"> - Special deer permits will be allocated through a random drawing to those hunter education instructors who qualify. - Permit hunters must use archery equipment during archery seasons, muzzleloader equipment or archery equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons. Hunter orange is required during modern firearm seasons. - Except for online class incentive permits, qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing. - Instructors who are drawn, accept a permit denoted with (*) below, and are able to participate in the hunt, will not be eligible for those specific incentive permits for a period of ten years thereafter. - Permittees may purchase a second license for use with the permit hunt only. <p>Qualified hunter education instructors may only receive one incentive permit each year.</p>

Hunter Education Instructor Incentive Permits				
Area	Dates	Restrictions	GMUs	Permits
Region 1	All general season and permit seasons established for GMUs included with the permit. Not eligible for seasons and permits for auction hunts; raffle hunts; and hunts for master hunters, youth hunters, hunters with disabilities, or hunters 65 years and older, unless the hunter education instructor legally qualifies for such hunts.	Any white-tailed deer	Any 100 series GMU EXCEPT GMU 157	2*
Region 2		Any white-tailed deer	GMUs 204-215	2
Region 2		Any deer	GMUs 215-251	1*
Region 2		Any deer	GMU 290	1*
Region 3		Any deer	GMUs 335-368, 382, 388	1*
Region 4		Any deer	Any 400 series GMU EXCEPT GMUs 485 and 490	2
Region 5		Legal buck for 500 series GMU of choice or antlerless	Any 500 series GMU open for a general deer hunting season or a special deer permit hunting season	6
Region 6		Legal buck for GMU of choice	GMUs 654, 660, 672, 673, 681	1

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-360 ((2013)) 2014 Elk special permits. It is unlawful to fail to comply with the bag, possession, and season limits described below. A violation of this section is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

Special Elk Permit Hunting Seasons (Open to Permit Holders Only)

Hunters must purchase an elk hunting license prior to purchasing a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for Eastern or Western Washington archery, muzzleloader, or modern firearm permit hunts. Applicants must have purchased the proper tag for these hunts. The elk tag prefixes required to apply for each hunt are shown in the following table. Hunters drawn for a special permit hunt must comply with weapon restrictions, dates, and other conditions listed for the hunt. Hunters drawn for a special permit designated "**Any tag**" under the "**Weapon/Tag**" restriction must use equipment consistent with the requirements of their transport tag and license.

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EA, EF, EM	Any	Oct. ((2+)) <u>20</u> - Nov. 24	Any bull	Elk Area 1015	1
Prescott	EF	Any	Sept. ((24-28)) <u>22-26</u>	Any bull	GMU 149	1
Prescott	EF	Any	Oct. ((2+)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 149	((4)) 2
Blue Creek	EF	Any	Sept. ((24-28)) <u>22-26</u>	Any bull	GMU 154	1
Blue Creek	EF	Any	Oct. ((2+)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 154	4
Watershed	EA, EF, EM	Any	Oct. ((2+)) <u>25</u> - Nov. ((3)) <u>2</u>	3 pt. min.	GMU 157	((45)) <u>35</u>
Dayton	EF	Any	Oct. ((2+)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 162	12
Ten Ten	EF	Any	Sept. ((24-28)) <u>22-26</u>	Any bull	Elk Area 1010, GMU 163	1
Ten Ten	EF	Any	Oct. ((2+)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	Elk Area 1010, GMU 163	5
Tucannon	EF	Any	Oct. ((2+)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 166	((12)) <u>10</u>
Wenaha West	EF	Any	Oct. ((2+)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	Elk Area 1008	9
Wenaha East	EF	Any	Oct. ((2+)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	Elk Area 1009	((12)) <u>13</u>
Mountain View	EF	Any	Oct. ((2+)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 172, EXCEPT Elk Area 1040	((15)) 14
Ten Forty	EF	Any	Oct. 20 - Nov. 2	Any bull	Elk Area 1040	1
Lick Creek	EF	Any	Oct. ((2+)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 175	((6)) <u>5</u>
Peola	EF	Any	Sept. ((24-28)) <u>22-26</u>	Any bull	GMU 178	1
Peola	EF	Any	Oct. ((2+)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 178	1
Couse	EF	Any	Oct. ((2+)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 181	((+)) <u>3</u>
Mission	EF	Any	Sept. 16-20	Any bull	GMU 251	1

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Colockum	EF	Any	Oct. ((24)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMUs 328, 329, 335	((4)) <u>6</u>
Colockum	EF	Any	Sept. ((23-27)) <u>22-26</u>	Any bull	GMUs 328, 329, 335	1
Teanaway	EF	Any	Sept. ((23-27)) <u>22-26</u>	Any bull	GMU 335	((4)) <u>3</u>
Peaches Ridge	EF	Any	Sept. ((23-27)) <u>22-26</u>	Any bull	GMUs 336, 346	((4)) <u>3</u>
Observatory	EF	Any	Sept. ((23-27)) <u>22-26</u>	Any bull	GMUs 340, 342	((4)) <u>3</u>
Little Naches	EF	Any	Oct. 1-((44)) <u>10</u>	Any bull	GMU 346	10
Goose Prairie	EF	Any	Sept. ((23-27)) <u>22-26</u>	Any bull	GMUs 352, 356	((4)) <u>3</u>
Bethel	EF	Any	Sept. ((23-27)) <u>22-26</u>	Any bull	GMU 360	((4)) <u>3</u>
Rimrock	EF	Any	Sept. ((23-27)) <u>22-26</u>	Any bull	GMU 364	((4)) <u>3</u>
Cowiche	EF	Any	Sept. ((23-27)) <u>22-26</u>	Any bull	GMU 368	((4)) <u>3</u>
Nooksack	WF	Any	Oct. ((8)) <u>11</u> - Nov. 16	Any bull	GMU 418 and Elk Area 4941	5
Green River	WF	Any	((Nov. 9-15)) Oct. <u>25-31</u>	Any bull	GMU 485	6
Wahkiakum	WF	Any	Sept. 16-30	Any bull	GMUs 506, 530	1
Packwood	WF	Any	Sept. 16-30	Any bull	GMU 516	1
Toutle	WF	Any	Sept. ((23-27)) <u>22-26</u> and Nov. ((2-13)) <u>1-12</u>	Any bull	GMU 556	4
Toutle	WF	Any	Nov. ((2-13)) <u>1-12</u>	Any bull	GMU 556	((99)) <u>73</u>
Lewis River	WF	Any	Sept. 16-30	Any bull	GMU 560	2
Siouxon	WF	Any	Sept. 16-30	Any bull	GMU 572	2
Carlton	WF	Any	Sept. 16-30	Any bull	Elk Area 5057	5
West Goat Rocks	WF	Any	Sept. 16-30	Any bull	Elk Area 5058	5
Mt. Adams	WF	Any	Sept. 16-30	Any bull	Elk Area 5059	5
Mudflow	WF	Any	Nov. ((2-8)) <u>1-7</u>	Any bull	Elk Area 5099	5
Peninsula	WF	Any	Sept. ((24-28)) <u>22-26</u>	3 pt. min.	GMUs 602, 607, 612	1
Clearwater	WF	Any	Oct. ((7-11)) <u>6-10</u>	3 pt. min.	GMU 615	2
Matheny	WF	Any	Oct. 1-((44)) <u>10</u>	3 pt. min.	GMU 618	3
Quinault	WF	Any	Sept. ((23-27)) <u>22-26</u>	3 pt. min.	GMU 638	5
Wynoochee	WF	Any	Oct. ((7-11)) <u>6-10</u>	3 pt. min.	GMU 648	1
Satsop	WF	Any	Oct. ((7-11)) <u>6-10</u>	3 pt. min.	GMU 651	1
White River	WF	Any	Sept. ((23-27)) <u>22-26</u>	Any bull	GMU 653	1
Prescott	EA	Any	Sept. 1-19	Any bull	GMU 149	((2)) <u>1</u>
Blue Creek	EA	Any	Sept. 1-19	Any bull	GMU 154	((3)) <u>2</u>
Dayton	EA	Any	Sept. 1-19	Any bull	GMU 162	7
Ten Ten	EA	Any	Sept. 1-19	Any bull	Elk Area 1010, GMU 163	3
Tucannon	EA	Any	Sept. 1-19	Any bull	GMU 166	8
Wenaha West	EA	Any	Sept. 1-19	Any bull	Elk Area 1008	3
Wenaha East	EA	Any	Sept. 1-19	Any bull	Elk Area 1009	5
Mountain View	EA	Any	Sept. 1-19	Any bull	GMU 172, EXCEPT Elk Area 1040	((44)) <u>12</u>
Ten Forty	EA	Any	Sept. 13-26	Any bull	Elk Area 1040	<u>1</u>
Lick Creek	EA	Any	Sept. 1-19	Any bull	GMU 175	16
Peola	EA	Any	Sept. 1-19	Any bull	GMU 178	((4)) <u>3</u>
Couse	EA	Any	Sept. 1-19	Any bull	GMU 181	((4)) <u>2</u>
Colockum	EA	Any	Sept. ((3-15)) <u>2-14</u>	Any bull	GMUs 328, 329, 335	((2)) <u>5</u>
Peaches Ridge	EA	Any	Sept. ((3-15)) <u>2-14</u>	Any bull	GMUs 336, 346	((106)) <u>134</u>
Observatory	EA	Any	Sept. ((3-15)) <u>2-14</u>	Any bull	GMUs 340, 342	((110)) <u>131</u>
Goose Prairie	EA	Any	Sept. ((3-15)) <u>2-14</u>	Any bull	GMUs 352, 356	((62)) <u>69</u>
Bethel	EA	Any	Sept. ((3-15)) <u>2-14</u>	Any bull	GMU 360	((35)) <u>37</u>
Rimrock	EA	Any	Sept. ((3-15)) <u>2-14</u>	Any bull	GMU 364	((94)) <u>96</u>

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Cowiche	EA	Any	Sept. ((3-15)) <u>2-14</u>	Any bull	GMU 368	((24)) <u>32</u>
Nooksack	WA	Any	Sept. 1- ((23)) <u>21</u> and Dec. 1-31	Any bull	GMU 418 and Elk Area 4941	3
Toutle	WA	Any	Sept. ((7-22)) <u>6-21</u> and Dec. 1-15	Any bull	GMU 556	((65)) <u>49</u>
Mudflow	WA	Any	Sept. ((3-9)) <u>2-8</u>	Any bull	Elk Area 5099	5
White River	WA	Any	Sept. ((4-16)) <u>3-15</u>	Any bull	GMU 653	((44)) <u>13</u>
Prescott	EM	Any	Oct. 1- ((44)) <u>10</u>	Any bull	GMU 149	1
Blue Creek	EM	Any	Oct. 1- ((44)) <u>10</u>	Any bull	GMU 154	1
Dayton	EM	Any	Oct. 1- ((44)) <u>10</u>	Any bull	GMU 162	3
Ten Ten	EM	Any	Oct. 1- ((44)) <u>10</u>	Any bull	Elk Area 1010, GMU 163	2
Tucannon	EM	Any	Oct. 1- ((44)) <u>10</u>	Any bull	GMU 166	2
Wenaha West	EM	Any	Oct. 1- ((44)) <u>10</u>	Any bull	Elk Area 1008	2
Wenaha East	EM	Any	Oct. 1- ((44)) <u>10</u>	Any bull	Elk Area 1009	2
Mountain View	EM	Any	Oct. 1- ((44)) <u>10</u>	Any bull	GMU 172, <u>EXCEPT Elk Area 1040</u>	((6)) <u>4</u>
Ten Forty	EM	Any	Oct. 1-10	Any bull	Elk Area 1040	1
Lick Creek	EM	Any	Oct. 1- ((44)) <u>10</u>	Any bull	GMU 175	1
Peola	EM	Any	Oct. 1- ((44)) <u>10</u>	Any bull	GMU 178	1
Couse	EM	Any	Oct. 1- ((44)) <u>10</u>	Any bull	GMU 181	1
Mission	EM	Any	Sept. 30 - Oct. 9	Any bull	GMU 251	1
Colockum	EM	Any	Oct. 1-10	Any bull	GMUs 328, 329, 335	((4)) <u>2</u>
Peaches Ridge	EM	Any	Oct. 1-10	Any bull	GMUs 336, 346	((25)) <u>27</u>
Observatory	EM	Any	Oct. 1-10	Any bull	GMUs 340, 342	((49)) <u>22</u>
Goose Prairie	EM	Any	Oct. 1-10	Any bull	GMUs 352, 356	13
Bethel	EM	Any	Oct. 1-10	Any bull	GMU 360	((44)) <u>14</u>
Rimrock	EM	Any	Oct. 1-10	Any bull	GMU 364	((44)) <u>12</u>
Cowiche	EM	Any	Oct. 1-10	Any bull	GMU 368	((6)) <u>2</u>
Nooksack	WM	Any	Sept. 24 - Oct. ((7)) <u>5</u> and Nov. ((24)) <u>22-30</u>	Any bull	GMU 418	3
Toutle	WM	Any	Oct. ((5-44)) <u>4-10</u>	Any bull	GMU 556	((24)) <u>15</u>
Mudflow	WM	Any	Oct. ((5-44)) <u>4-10</u>	Any bull	Elk Area 5099	5

Bulls						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Prescott	EF, EM	Any	Nov. 3-16	Any bull	GMU 149	<u>2</u>
Prescott	EF, EM	Any	Nov. 17-30	Any bull	GMU 149	2
Prescott	EF	Any	Dec. 1-15	Any bull	GMU 149	2
Prescott	EF	Any	Dec. 16-31	Any bull	GMU 149	2
Ten Forty	EF	Any	Oct. 25 - Nov. <u>2</u>	Spike bull only	Elk Area 1040	<u>2</u>
Grande Ronde	EF	Any	Oct. ((24)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 186	1
Mission	EF	Any	Oct. ((24)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 251	1
Teanaway	EF	Any	Dec. 17-31	Any bull	GMU 335	((40)) <u>11</u>
Peaches Ridge	EF	Any	Oct. ((24)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMUs 336, 346	((15)) <u>125</u>
Observatory	EF	Any	Oct. ((24)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMUs 340, 342	((66)) <u>72</u>
Goose Prairie	EF	Any	Oct. ((24)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMUs 352, 356	((68)) <u>73</u>
Bethel	EF	Any	Oct. ((24)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 360	((54)) <u>59</u>

Bulls						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Rimrock	EF	Any	Oct. ((21)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 364	((124)) <u>130</u>
Cowiche	EF	Any	Oct. ((21)) <u>20</u> - Nov. ((3)) <u>2</u>	Any bull	GMU 368	((20)) <u>24</u>
Alkali	EF	Any	Oct. ((12 - Nov. 1)) <u>11-31</u>	Any bull	GMU 371	((10)) <u>15</u>
Nooksack	WF	Any	Oct. ((8)) <u>11</u> - Nov. 18	Spike <u>bull</u> only	GMU 418 and Elk Area 4941	6
Margaret	WF	Any	Sept. ((23)) <u>22-30</u> and Nov. ((2-14)) <u>1-12</u>	Any bull	GMU 524	4
Margaret	WF	Any	Nov. ((2-14)) <u>1-12</u>	Any bull	GMU 524	((73)) <u>72</u>
Upper Smith Creek	WF	Any	Oct. ((19-25)) <u>18-24</u>	Any bull	Elk Area 5064	2
Mount Whittier	WF	Any	Oct. ((12-18)) <u>11-17</u>	Any bull	Elk Area 5065	1
Olympic	WF	Any	Nov. ((3-14)) <u>1-10</u>	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	16
Skokomish	WF	Any	Nov. ((3-14)) <u>1-10</u>	3 pt. min.	GMU 636	3
White River	WF	Any	Nov. ((3-14)) <u>1-10</u>	Any bull	GMU 653	21
Ten Forty	EA	Any	Sept. 4-14	Spike <u>bull</u> only	Elk Area 1040	<u>2</u>
Grande Ronde	EA	Any	Sept. 1-19	Any bull	GMU 186	1
Teanaway	EA	Any	Nov. 21 - Dec. 8	Any bull	GMU 335	((8)) <u>10</u>
Alkali	EA	Any	Sept. 1-((21)) <u>20</u>	Any bull	GMU 371	((5)) <u>10</u>
Nooksack	WA	Any	Sept. 1-((23)) <u>21</u> and Dec. 1-31	Spike <u>bull</u> only	GMU 418 and Elk Area 4941	3
Margaret	WA	Any	Sept. ((7-22)) <u>6-21</u> and Dec. 1-15	Any bull	GMU 524	((50)) <u>46</u>
Upper Smith Creek	WA	Any	Oct. ((5-11)) <u>4-10</u>	Any bull	Elk Area 5064	2
Lewis River	WA	Any	Nov. ((27)) <u>26</u> - Dec. 8	3 pt. min.	GMU 560	5
Siouxon	WA	Any	Nov. ((27)) <u>26</u> - Dec. 8	3 pt. min.	GMU 572	5
Olympic	WA	Any	Sept. ((4-16)) <u>3-15</u>	3 pt. min.	GMU 621, EXCEPT Elk Area 6071	((6)) <u>9</u>
Skokomish	WA	Any	Sept. ((4-16)) <u>3-15</u>	3 pt. min.	GMU 636	2
Ten Forty	EM	Any	Oct. 1-10	Spike <u>bull</u> only	Elk Area 1040	1
Grande Ronde	EM	Any	Oct. 1-((11)) <u>10</u>	Any bull	GMU 186	1
Teanaway	EM	Any	Dec. 9-16	Any bull	GMU 335	((7)) <u>13</u>
Alkali	EM	Any	Sept. ((22)) <u>21</u> - Oct. ((11)) <u>10</u>	Any bull	GMU 371	((10)) <u>15</u>
Nooksack	WM	Any	Sept. 24 - Oct. ((7)) <u>5</u> and Nov. ((24)) <u>22-30</u>	Spike <u>bull</u> only	GMU 418 and Elk Area 4941	3
Margaret	WM	Any	Oct. ((5-12)) <u>4-10</u>	Any bull	GMU 524	((21)) <u>28</u>
Upper Smith Creek	WM	Any	Oct. ((12-18)) <u>11-17</u>	Any bull	Elk Area 5064	2
Mount Whittier	WM	Any	Oct. ((5-11)) <u>4-10</u>	Any bull	Elk Area 5065	1
Yale	WM	Any	Nov. ((27)) <u>26</u> - Dec. 15	3 pt. min.	GMU 554	15
Olympic	WM	Any	Oct. ((6-12)) <u>4-10</u>	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	4
Skokomish	WM	Any	Oct. ((6-12)) <u>4-10</u>	3 pt. min.	GMU 636	((3)) <u>2</u>
White River	WM	Any	Oct. ((6-12)) <u>4-10</u>	Any bull	GMU 653	((4)) <u>6</u>

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
North Half	EF	Any	Oct. ((21)) <u>20</u> - Nov. ((3)) <u>2</u>	Antlerless	GMUs 101, 105, 204	10
Stevens	EF	Any	Oct. ((21)) <u>20</u> - Nov. ((3)) <u>2</u>	Antlerless	GMUs 108, 121	10

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Aladdin	EF	Any	Oct. ((21)) <u>20</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 111	15
Selkirk	EF	Any	Oct. ((21)) <u>20</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 113	20
49 Degrees North	EF	Any	Oct. ((21)) <u>20</u> - Nov. ((3)) <u>2</u> and Dec. 16-31	Antlerless	GMU 117	20
Turnbull	EF	Any	Oct. ((22-27)) <u>21-26</u>	Antlerless	Elk Area 1015	6
Turnbull	EF	Any	Oct. ((29)) <u>28</u> - Nov. ((3)) <u>2</u>	Antlerless	Elk Area 1015	6
Turnbull	EF	Any	Nov. ((5-10)) <u>4-9</u>	Antlerless	Elk Area 1015	6
Mayview-Peola	EF	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMUs 145, 178	10
Mayview-Peola	EF	Any	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	GMUs 145, 178	40
Blue Creek	EF	Any	Oct. ((12-20)) <u>11-19</u>	Antlerless	GMU 154	10
Prescott	EF	Any	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 149	20
Blue Creek	EF	Any	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 154	10
Marengo-Dayton	EF	Any	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 163 and Elk Area 1010	75
Mountain View	EF	Any	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	Elk Area 1013	((10)) <u>25</u>
Dayton	EF	Any	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	Elk Area 1016	25
Lick Creek	EF	Any	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 175	15
Couse	EF	Any	<u>Aug. 23 - Sept. 1</u>	Antlerless	GMU 181	30
Couse	EF	Any	Oct. 1-((11)) <u>10</u>	Antlerless	GMU 181	((30)) <u>40</u>
Malaga	EF	Any	Sept. 11-21	Antlerless	Elk Area 2032	10
Malaga	EF	Any	Nov. 4 - Dec. 31	Antlerless	Elk Area 2032	30
Colockum	EF	Any	Oct. ((30)) <u>29</u> - Nov. ((3)) <u>2</u>	Antlerless	GMUs 328, 329	((190)) <u>425</u>
West Bar	EF	Any	Oct. ((26-30)) <u>25-29</u>	Antlerless	GMU 330	5
West Bar	EF	Any	Oct. ((31)) <u>30</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 330	5
Teanaway	EF	Any	Dec. 17-31	Antlerless	GMU 335	30
Taneum	EF	Any	Oct. ((30)) <u>29</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 336	((200)) <u>400</u>
Manastash	EF	Any	Oct. ((30)) <u>29</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 340	((275)) <u>400</u>
Umtanum	EF	Any	Oct. ((30)) <u>29</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 342	((250)) <u>350</u>
Little Naches	EF	Any	Oct. ((30)) <u>29</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 346	((250)) <u>500</u>
Nile	EF	Any	Oct. ((30)) <u>29</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 352	((20)) <u>40</u>
Bumping	EF	Any	Oct. ((30)) <u>29</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 356	((25)) <u>60</u>
Bethel	EF	Any	Oct. ((30)) <u>29</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 360	((20)) <u>25</u>
Rimrock	EF	Any	Oct. ((30)) <u>29</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 364	250
Cowiche	EF	Any	Oct. ((30)) <u>29</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 368	250
Alkali	EF	Any	Oct. ((12 - Nov. 1)) <u>11-31</u>	Antlerless	GMU 371	20

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
North Bend	WF	Any	Nov. ((2-13)) 1-12	Antlerless	Elk Area 4601	((7)) <u>5</u>
Mossyrock	WF	Any	Nov. ((2-13)) 1-12	Antlerless	GMU 505	50
Willapa Hills	WF	Any	Nov. ((2-13)) 1-12	Antlerless	GMU 506	35
Winston	WF	Any	Nov. ((2-13)) 1-12	Antlerless	GMU 520	((150)) <u>40</u>
((Winston-	WF	Any	Jan. 1-16, 2014	Antlerless	GMU 520	150))
Margaret	WF	Any	Nov. ((19-27 and Jan. 1-16, 2014)) 18-26	Antlerless	GMU 524	((140)) <u>70</u>
Ryderwood	WF	Any	Nov. ((2-13)) 1-12	Antlerless	GMU 530	((100)) <u>50</u>
Coweeman	WF	Any	Nov. ((2-13)) 1-12	Antlerless	GMU 550	((200)) <u>120</u>
((Coweeman	WF	Any	Jan. 1-16, 2014	Antlerless	GMU 550	100))
Toutle	WF	Any	Nov. ((19-27 and Jan. 1-16, 2014)) 18-26	Antlerless	GMU 556	((200)) <u>120</u>
Lewis River	WF	Any	Nov. ((2-13)) 1-12	Antlerless	GMU 560	75
Washougal	WF	Any	Nov. ((2-13)) 1-12	Antlerless	GMU 568	50
Siouxon	WF	Any	Nov. ((2-13)) 1-12	Antlerless	GMU 572	20
Wind River	WF	Any	Nov. ((2-13)) 1-12	Antlerless	GMU 574	50
West Klickitat	WF	Any	Nov. ((2-13)) 1-12	Antlerless	GMU 578	100
Toledo	WF	Any	Nov. ((2-13)) 1-12	Antlerless	Elk Area 5029	((50)) <u>30</u>
Green Mt.	WF	Any	Nov. ((2-13)) 1-12	Antlerless	Elk Area 5051	10
Boistfort	WF	Any	Nov. ((2-13)) 1-12	Antlerless	Elk Area 5054	75
Wildwood	WF	Any	Jan. 16-30, ((2014)) 2015	Antlerless	Elk Area 5061	((25)) <u>20</u>
Grays River	WF	Any	Nov. 1-12	Antlerless	Elk Area 5056	10
Upper Smith Creek	WF	Any	Oct. ((19-25)) 18-24	Antlerless	Elk Area 5064	4
Mount Whittier	WF	Any	Oct. ((12-18)) 11-17	Antlerless	Elk Area 5065	2
Mudflow	WF	Any	Nov. ((2-8)) 1-7	Antlerless	Elk Area 5099	10
Raymond	WF	Any	Dec. 16-31	Antlerless	Elk Area 6010	10
Raymond	WF	Any	Jan. 1-20, ((2014)) 2015	Antlerless	Elk Area 6010	5
Raymond	WF	Any	Feb. 1-28, ((2014)) 2015	Antlerless	Elk Area 6010	5
Puyallup	WF WA WM	Any	Jan. 1-20, ((2014)) 2015	Antlerless	Elk Area 6013	10
North Minot	WF	Any	Oct. 20-31	Antlerless	Elk Area 6067	5
Hanaford	WF	Any	Nov. 3-14	Antlerless	Elk Area 6069	5
North River	WF	Any	Nov. ((6-11)) 5-10	Antlerless	GMU 658	10
Deschutes	WF	Any	Jan. 10-20, ((2014)) 2015	Antlerless	GMU 666	10
Williams Creek	WF	Any	Nov. ((6-14)) 5-12	Antlerless	GMU 673	50
Turnbull	EA	Any	Sept. ((3-15)) 2-14	Antlerless	Elk Area 1015	14
Dayton	EA	Any	Sept. 4-16	Antlerless	Elk Area 1016	15
Malaga	EA	Any	Aug. 31 - Sept. 6	Antlerless	Elk Area 2032	15
Colockum	EA	Any	Sept. ((3-15)) 2-14	Antlerless	GMUs 328, 329	((140)) <u>475</u>
Alkali	EA	Any	Sept. 1-((21)) 20	Antlerless	GMU 371	5
((North Bend	WA	Any	Sept. 4-16	Antlerless	Elk Area 4601	10
Skagit River	WA	Any	Sept. 4-16	Antlerless	Elk Area 4941	5
Skagit River	WA	Any	Nov. 21 - Dec. 15	Antlerless	Elk Area 4941	5))
Margaret	WA	Any	Sept. ((7-22)) 6-21 and Dec. 1-15	Antlerless	GMU 524	((70)) <u>35</u>
Toutle	WA	Any	Sept. ((7-22)) 6-21 and Dec. 1-15	Antlerless	GMU 556	((80)) <u>50</u>
Upper Smith Creek	WA	Any	Oct. ((5-11)) 4-10	Antlerless	Elk Area 5064	4
Mudflow	WA	Any	Sept. ((3-9)) 2-8	Antlerless	Elk Area 5099	10
Lewis River	WA	Any	Nov. ((27)) 26 - Dec. 8	Antlerless	GMU 560	10
Siouxon	WA	Any	Nov. ((27)) 26 - Dec. 8	Antlerless	GMU 572	5
Wynoochee	WA	Any	Nov. 21 - Dec. 15	Antlerless	GMU 648	150

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
North Half	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMUs 101, 105, 204	10
Stevens	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMUs 108, 121	10
Aladdin	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 111	10
Selkirk	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 113	10
49 Degrees North	EM	Any	Oct. ((5-11)) <u>4-10</u> and Dec. 16-31	Antlerless	GMU 117	20
Turnbull	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	Elk Area 1015	9
Turnbull	EM	Any	Nov. 25 - Dec. 8	Antlerless	Elk Area 1015	9
Dayton	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	Elk Area 1016	((15)) <u>25</u>
Blue Creek	EM	Any	Dec. 9 - Jan. 20, ((2014)) <u>2015</u>	Antlerless	GMU 154	25
Mountain View	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	Elk Area 1013	5
Lick Creek	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 175	10
Mayview-Peola	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMUs 145, 178	20
Couse	EM	Any	Dec. 1-31	Antlerless	GMU 181	((15)) <u>30</u>
Malaga	EM	Any	Oct. 12-25	Antlerless	Elk Area 2032	35
Colockum	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMUs 328, 329	((40)) <u>90</u>
West Bar	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 330	5
Taneum	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 336	((100)) <u>400</u>
Manastash	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 340	((100)) <u>400</u>
Umtanum	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 342	((250)) <u>400</u>
Nile	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 352	20
Bumping	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 356	30
Bethel	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 360	((20)) <u>25</u>
Cowiche	EM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 368	((250)) <u>200</u>
Alkali	EM	Any	Sept. ((22)) <u>21</u> - Oct. ((11)) <u>10</u>	Antlerless	GMU 371	10
Teanaway	EM	Any	Dec. 9-16	Antlerless	GMU 335	10
((North Bend	WM	Any	Oct. 5-11	Antlerless	Elk Area 4601	5
Skagit River	WM	Any	Oct. 5-11	Antlerless	Elk Area 4941	5
Skagit River	WM	Any	Nov. 21 - Dec. 15	Antlerless	Elk Area 4941	5)
Stella	WM	Any	Jan. 1-15, ((2014)) <u>2015</u>	Antlerless	GMU 504	75
Toledo	WM	Any	Dec. 8-20	Antlerless	Elk Area 5029	((60)) <u>25</u>
Mossyrock	WM	Any	Jan. 1-15, ((2014)) <u>2015</u>	Antlerless	Elk Area 5052	8
Boistfort	WM	Any	Jan. 1-15, ((2014)) <u>2015</u>	Antlerless	Elk Area 5054	75
Willapa Hills	WM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 506	15
Green Mt.	WM	Any	Jan. 1-15, ((2014)) <u>2015</u>	Antlerless	Elk Area 5051	((30)) <u>5</u>
Wildwood	WM	Any	Jan. 1-15, ((2014)) <u>2015</u>	Antlerless	Elk Area 5061	((25)) <u>20</u>
Mudflow	WM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	Elk Area 5099	10
Winston	WM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 520	((90)) <u>40</u>
Margaret	WM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 524	((70)) <u>35</u>
Ryderwood	WM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 530	((50)) <u>30</u>
Coweeman	WM	Any	Nov. ((27)) <u>26</u> - Dec. 8	Antlerless	GMU 550	((50)) <u>45</u>
Yale	WM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 554	40
Yale	WM	Any	Nov. ((27)) <u>26</u> - Dec. 15	Antlerless	GMU 554	35
Toutle	WM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 556	((80)) <u>50</u>
Lewis River	WM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 560	35
Washougal	WM	Any	Nov. ((27)) <u>26</u> - Dec. 8	Antlerless	GMU 568	35
Siouxon	WM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	GMU 572	10
Wind River	WM	Any	Nov. ((27)) <u>26</u> - Dec. 8	Antlerless	GMU 574	50

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
West Klickitat	WM	Any	Nov. ((27)) <u>26</u> - Dec. 8	Antlerless	GMU 578	75
Upper Smith Creek	WM	Any	Oct. ((12-18)) <u>11-17</u>	Antlerless	Elk Area 5064	4
Mount Whittier	WM	Any	Oct. ((5-11)) <u>4-10</u>	Antlerless	Elk Area 5065	2
Mashel	WM	Any	Jan. 1-15, ((2014)) <u>2015</u>	Antlerless	Elk Area 6054	25
Willapa NWR	WA	Any	Sept. 2-8	Antlerless	Designated areas on Willapa Natl. Wildlife Refuge	<u>3</u>
Willapa NWR	WA	Any	Sept. 9-15	Antlerless	Designated areas on Willapa Natl. Wildlife Refuge	<u>3</u>
Willapa NWR	WM	Any	Sept. 20-25	Antlerless	Designated areas on Willapa Natl. Wildlife Refuge	2
Willapa NWR	WM	Any	Oct. 23-28	Antlerless	Designated areas on Willapa Natl. Wildlife Refuge	<u>2</u>
North River	WM	Any	Nov. ((21)) <u>20</u> - Dec. 15	Antlerless	GMU 658	20

Youth - Only youth hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Dayton	EF	Youth	Oct. ((26)) <u>25</u> - Nov. ((4)) <u>2</u>	Antlerless	GMU 162	5
Lick Creek	EF	Youth	Oct. ((26)) <u>25</u> - Nov. ((4)) <u>2</u>	Antlerless	GMU 175	5
North Bend	WF, WM, WA	Youth	Nov. ((3-9)) <u>1-12</u>	Antlerless	Elk Area 4601	5
Toledo	WF, WM, WA	Youth	Aug. 1-7	Antlerless	Elk Area 5029	((20)) <u>7</u>
Grays River	WF, WM, WA	Youth	Dec. <u>16-31</u>	Antlerless	Elk Area 5056	<u>5</u>
Grays River	WF, WM, WA	Youth	Jan. 1-15, 2015	Antlerless	Elk Area 5056	<u>5</u>
Grays River	WF, WM, WA	Youth	Feb. 15-28, 2015	Antlerless	Elk Area 5056	<u>5</u>
Mudflow	WF, WM, WA	Youth	Nov. ((25)) <u>26</u> - Dec. ((1)) <u>2</u>	Any bull	Elk Area 5099	3
Mudflow	WF, WM, WA	Youth	Nov. ((25)) <u>26</u> - Dec. ((1)) <u>2</u>	Antlerless	Elk Area 5099	4

65+ Senior - Only hunters 65 and older may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Aladdin	EF	65+	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 111	5
Northeast	EF	65+	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u> and Dec. 16-31	Antlerless	GMUs 113, 117	10
Prescott	EF	65+	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 149	5
Blue Creek	EF	65+	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 154	5
Dayton	EF	65+	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	GMUs 162, 163	5
Peola	EF	65+	Oct. ((26)) <u>25</u> - Nov. ((3)) <u>2</u>	Antlerless	GMU 178	5
Taneum	EF	65+	Oct. ((30)) <u>29</u> - Nov. ((10)) <u>9</u>	Antlerless	GMU 336	((25)) <u>40</u>
Manastash	EF	65+	Oct. ((30)) <u>29</u> - Nov. ((10)) <u>9</u>	Antlerless	GMU 340	((25)) <u>40</u>
Umtanum	EF	65+	Oct. ((30)) <u>29</u> - Nov. ((10)) <u>9</u>	Antlerless	GMU 342	((25)) <u>40</u>
Cowiche	EF	65+	Oct. ((30)) <u>29</u> - Nov. ((10)) <u>9</u>	Antlerless	GMU 368	((25)) <u>40</u>
Alkali	EF	65+	Oct. ((12-Nov. 1)) <u>11-31</u>	Antlerless	GMU 371	((5)) <u>10</u>
North Bend	WF, WM, WA	65+	Nov. 1-12	Antlerless	Elk Area 4601	<u>5</u>
Margaret	WF, WM, WA	65+	Nov. ((19-27)) <u>18-26</u>	Antlerless	GMU 524	((20)) <u>10</u>

65+ Senior - Only hunters 65 and older may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.

Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Toledo	WF, WM, WA	65+	Aug. 15-21	Antlerless	Elk Area 5029	((20)) 7
Grays River	WF, WM, WA	65+	Nov. 14-30	Antlerless	Elk Area 5056	5
Grays River	WF, WM, WA	65+	Jan. 16-31, 2015	Antlerless	Elk Area 5056	5
Centralia Mine	WF	65+	Jan. ((5-6, 2014)) 3-4, 2015	Antlerless	Elk Area 6011	((4)) 5
Centralia Mine	WF	65+	Jan. ((12-13, 2014)) 10-11, 2015	Antlerless	Elk Area 6011	((4)) 5
Hanaford	WF, WM, WA	65+	Jan. 1-15, ((2014)) 2015	Antlerless	Elk Area 6069	5
Hanaford	WF, WM, WA	65+	Jan. 16-30, ((2014)) 2015	Antlerless	Elk Area 6069	5

Hunters with Disabilities - Only hunters with disabilities may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.

Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EF, EM, EA	Hunters w/ Disabilities	Oct. ((12-19)) 11-18	Antlerless	Elk Area 1015	6
Observatory	EF, EM	Hunters w/ Disabilities	Oct. ((24)) 20 - Nov. ((3)) 2	Any bull	GMUs 340, 342	5
Little Naches	EF, EM, EA	Hunters w/ Disabilities	Oct. 1-((14)) 10	Any bull	GMU 346	5
Little Naches	EF, EM, EA	Hunters w/ Disabilities	Oct. ((30)) 29 - Nov. ((10)) 9	Antlerless	GMU 346	((5)) 15
Alkali	EF	Hunters w/ Disabilities	Oct. ((12 - Nov. 1)) 11-31	Any bull	GMU 371	5
Corral Canyon	EF, EM, EA	Hunters w/ Disabilities	Sept. 22-29	Any bull	Elk Area 3721	2
North Bend	WF, WM, WA	Hunters w/ Disabilities	Nov. 1-12	Antlerless	Elk Area 4601	5
Toledo	WF, WM, WA	Hunters w/ Disabilities	Aug. 8-14	Antlerless	Elk Area 5029	((20)) 7
Grays River	WF, WM, WA	Hunters w/ Disabilities	Dec. 1-15	Antlerless	Elk Area 5056	5
Grays River	WF, WM, WA	Hunters w/ Disabilities	Feb. 1-14, 2015	Antlerless	Elk Area 5056	5
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Oct. ((21-27)) 20-26	Antlerless	Elk Area 5099	4
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Sept. ((16-22)) 15-21	Any bull	Elk Area 5099	4
Centralia Mine	WF	Hunters w/ Disabilities	Oct. ((6-7)) 4-5	Antlerless	Designated Areas in Elk Area 6011	((4)) 5
Centralia Mine	WF	Hunters w/ Disabilities	Oct. ((13-14)) 11-12	Antlerless	Designated Areas in Elk Area 6011	((4)) 5

Master Hunter - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned ((on local situation)) by the hunt coordinator for each hunt. For those hunts requiring the purchase of a master hunter second tag, ((only)) one elk may be killed in the unit under the authorization of the special permit.

Hunt Name	Weapon/Tag	Requirements	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Dec. 10-31	Antlerless	Elk Area 1015	6
Region 1 ((North))	EF, EA, EM/ 2nd elk tag ((required))	Master Hunter elk tag required	Master Hunter	Aug. 1, ((2013)) 2014 - Mar. 31, ((2014)) 2015	Antlerless	((Designated areas in Ferry, Stevens, and Pend Oreille counties)) Region 1	((10)) 20 ^{HC}
((Region 1 Central))	EF, EA, EM- 2nd elk tag- required		Master Hunter	Aug. 1, 2013 - Mar. 31, 2014	Antlerless	Designated areas in Spokane and Lincoln counties	20 ^{HE}

Master Hunter - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned (~~on local situation~~) by the hunt coordinator for each hunt. For those hunts requiring the purchase of a master hunter second tag, (~~only~~) one elk may be killed in the unit under the authorization of the special permit.

Hunt Name	Weapon/Tag	Requirements	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Region 1 South	EF, EA, EM/ 2nd elk tag- required		Master Hunter	Aug. 1, 2013 – Mar. 31, 2014	Antlerless	Designated areas in Whitman, Walla- Walla, Columbia, Gar- field, and Asotin coun- ties	10 ^{HC})
Region 2	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Aug. 1, ((2013)) 2014 - Mar. 31, ((2014)) 2015	Antlerless	Designated Areas in Region 2	50 ^{HC}
Fairview	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Nov. 1, 2014 - Feb. 28, ((2014)) 2015	Antlerless	Designated Areas in GMUs 328-368	40 ^{HC}
Region 3	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Aug. 1, ((2013)) 2014 - Mar. 31, ((2014)) 2015	Antlerless	Designated Areas in Region 3	25 ^{HC}
Rattlesnake Hills	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Aug. 1, 2014 - Feb. 28, ((2014)) 2015	Antlerless	Designated Areas in GMU 372	20 ^{HC}
North Bend	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Aug. ((15)) 1, 2014 - Mar. 31, 2015	Antlerless	Designated Areas in Elk Area 4601	((25)) 35 ^{HC}
Skagit River	Any elk tag/2nd elk tag	<u>Master Hunter</u> <u>elk tag required</u>	<u>Master</u> <u>Hunter</u>	Aug. 1, 2014 - Mar. 31, 2015	<u>Antlerless</u>	<u>Elk Area 4941</u>	30
Region 4 North	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Aug. 1, ((2013)) 2014 - Mar. 31, ((2014)) 2015	Antlerless	Designated Areas in Whatcom and Skagit counties	((30)) 25 ^{HC}
Region 4 South	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Aug. 1, ((2013)) 2014 - Mar. 31, ((2014)) 2015	Antlerless	Designated Areas in King and Snohomish counties	10 ^{HC}
Green Mt.	Any elk tag/2nd elk tag	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Jan. 16-30, ((2014)) 2015	Antlerless	Elk Area 5051	((20)) 5
Mossyrock	Any elk tag/2nd elk tag	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Jan. 16-30, ((2014)) 2015	Antlerless	Elk Area 5052	10
Pumice Plains	Any elk tag/2nd elk tag	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Oct. ((12-18)) 11-17	Antlerless	Elk Area 5063	2
Pumice Plains	Any elk tag/2nd elk tag	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Oct. ((19-25)) 18-24	Antlerless	Elk Area 5063	5
((Toledo	Any elk tag/2nd elk tag required		Master- Hunter	Aug. 22-28	Antlerless	Elk Area 5029	20))
Toledo	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Dec. 21-31	Antlerless	Elk Area 5029	((50)) 25
Trout Lake**	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Dec. 15-31	Antlerless	Elk Area 5062	3
Grays River	WF, WM, WA/2nd elk tag	<u>Master Hunter</u> <u>elk tag required</u>	<u>Master</u> <u>Hunter</u>	Aug. 1-15	<u>Antlerless</u>	<u>Elk Area 5056</u>	5
Grays River	WF, WM, WA/2nd elk tag	<u>Master Hunter</u> <u>elk tag required</u>	<u>Master</u> <u>Hunter</u>	Aug. 16-30	<u>Antlerless</u>	<u>Elk Area 5056</u>	5
Trout Lake**	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Jan. 1-15, ((2014)) 2015	Antlerless	Elk Area 5062	3
Trout Lake**	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Jan. 16-30, ((2014)) 2015	Antlerless	Elk Area 5062	3
Region 5	Any western elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Aug. 1, ((2013)) 2014 - Mar. 31, ((2014)) 2015	Antlerless	Designated areas in Region 5	40 ^{HC}
North River	Any elk tag/2nd elk tag ((required))	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Dec. 16, ((2013)) 2014 - Feb. 28, ((2014)) 2015	Antlerless	Designated Areas in GMU 658	10 ^{HC}

Master Hunter - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned (~~on local situation~~) by the hunt coordinator for each hunt. For those hunts requiring the purchase of a master hunter second tag, (~~only~~) one elk may be killed in the unit under the authorization of the special permit.

Hunt Name	Weapon/Tag	Requirements	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Region 6	WF, WA, WM /2nd elk tag (required)	<u>Master Hunter</u> <u>elk tag required</u>	Master Hunter	Aug. 1, (2013) 2014 - Mar. 31, (2014) 2015	Antlerless	Designated Areas in Region 6	60 ^{HC}

** May only hunt on privately owned lands. Must use only archery or legal shotgun (10 or 12 gauge; slugs only).

HC This is a damage hunt administered by a WDFW designated hunt coordinator. Successful applicants will be contacted on an as-needed basis to help with specific sites of elk damage on designated landowner's property. Not all successful applicants will be contacted in any given year, depending on elk damage activity for that year.

Hunter Education Instructor Incentive Permits

- Special elk permits will be allocated through a random drawing to those hunter education instructors who qualify.
- Permit hunters must use archery equipment during archery seasons, muzzleloader equipment or archery equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons. Hunter orange is required during modern firearm seasons.
- Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing.
- Instructors who are drawn, accept a permit denoted with (*) below, and are able to participate in the hunt, will not be eligible for those specific incentive permits for a period of ten years thereafter.
- Permittees may purchase a second license for use with the permit hunt only.
- Qualified hunter education instructors may only receive one incentive permit each year.

Area	Dates	Restrictions	GMUs	Permits
Region 3	All general season and permit seasons established for GMUs included with the permit. Not eligible for seasons and permits for auction hunts; raffle hunts; and hunts for master hunters, youth hunters, hunters with disabilities, or hunters 65 years and older, unless the hunter education instructor legally qualifies for such hunts.	Any elk	GMUs 336-368	1*
Region 3		Any elk	GMUs 336-368	1
Region 5		Any elk	All 500 series GMUs EXCEPT GMU 522	3*
Region 5		Any elk	All 500 series GMUs EXCEPT GMU 522	1
Region 6		3 pt. min.	GMUs 654, 660, 672, 673, 681	1*

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-622 2012-2014 Big horn sheep seasons and permit quotas. (1) It is unlawful to fail to comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) **Bighorn Sheep Permit Hunts**

(a) **Who May Apply:** Anyone may apply, EXCEPT those who previously harvested a bighorn sheep in Washington state. An individual may only harvest one bighorn sheep during his or her lifetime. However, this restriction is waived for hunters who have previously harvested a bighorn sheep under a ewe-only, raffle, or auction permit, as well as for applications for a ewe-only, raffle, or auction permit.

(b) **Bag Limit:** One bighorn ram, except in designated adult ewe hunts the limit is one bighorn adult ewe.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Vulcan Mountain	Sept. 15 - Oct. 10	Sheep Unit 2	Any Legal Weapon	1
Selah Butte <u>A</u>	Nov. (5) <u>3</u> -30	Sheep Unit 4	Any Legal Weapon	3
<u>Selah Butte B</u>	<u>Nov. 3-30</u>	<u>Sheep Unit 4</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>5</u>
Umtanum	Sept. 15 - Oct. 10	Sheep Unit 5	Any Legal Weapon	(2) <u>3</u>
Cleman Mountain A	Sept. 15 - Oct. 10	Sheep Unit 7	Any Legal Weapon	(5) <u>4</u>
Cleman Mountain B	Nov. 5-30	Sheep Unit 7	Any Legal Weapon	(5) <u>4</u>
Mt. Hull A	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	2
Mt. Hull B	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Mt. Hull C ^b	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Lincoln Cliffs	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	((+)) 2
Quilomene	Sept. 15 - Oct. 10	Sheep Unit 13	Any Legal Weapon	3
Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	1
Manson	Nov. 5-30	Sheep Unit 16	Any Legal Weapon	2
<u>Asotin</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 17</u>	<u>Any Legal Weapon</u>	<u>1</u>
Chelan Butte	Sept. 15 - Oct. 10	Sheep Unit 18	Any Legal Weapon	1

^bApplicants must be eligible to purchase a youth bighorn sheep permit application. An adult 18 years of age or older must accompany the youth hunter during the hunt.

(3) Bighorn Sheep Units:

(a) **Sheep Unit 2 Vulcan Mountain:** Permit Area: Ferry County north of the Kettle River near Curlew.

(b) **Sheep Unit 4 Selah Butte:** Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek, west of Interstate 82 and south of Interstate 90.

(c) **Sheep Unit 5 Umtanum:** Permit Area: Those portions of Yakima and Kittitas counties west of the Yakima River, north of Wenas Creek, and east of USFS Road 1701 to Manastash Lake and its drainage; south and east along the South Fork Manastash Creek to Manastash Creek and the Yakima River.

(d) **Sheep Unit 7 Cleman Mountain:** Permit Area: That part of Yakima County south of Wenas Creek and east of USFS Road 1701, north of Highway 410 and Highway 12 and west of the Yakima River.

(e) **Sheep Unit 10 Mt. Hull:** Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

(f) **Sheep Unit 12 Lincoln Cliffs:** Permit Area: That part of Lincoln County north of Highway 2.

(g) **Sheep Unit 13 Quilomene:** Permit Area: GMUs 329, 330, and 251 south of Colockum Creek.

(h) **Sheep Unit 14 Swakane:** Permit Area: GMU 250.

(i) **Sheep Unit 15 Tieton:** Permit Area: GMU 360.

(j) **Sheep Unit 16 Manson:** Permit Area: Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US Forest Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan-Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to

shore line of Lake Chelan; W across Lake Chelan to the mouth of Riddle Creek on the South Shore; SE along South Shore of Lake Chelan to the point of beginning.

(k) **Sheep Unit 18 Chelan Butte:** Permit Area: Beginning at the intersection of State Hwy 971 and US Hwy 97A, S to the W shoreline of the Columbia River, N along the W shoreline of the Columbia River for 21 miles to the mouth of Antione Creek, W up Antione Creek to where it crosses Apple Acres Rd, W on Apple Acres Rd to the intersection with Washington Creek Rd (US Forest Service Rd 8135), N on Washington Creek Rd to its end and then follow Washington Creek, W on Washington Creek to where it crosses US Forest Service Rd 8010, S on US Forest Service Rd 8010 (transitions into Purtteman Creek Rd) to Purtteman Gulch, S into Purtteman Gulch to the N shoreline of Lake Chelan, S along the shoreline to the S shoreline of Lake Chelan to the mouth of First Creek, S up First Creek to the intersection of State Hwy 971 (Navarre Coulee Rd), S on State Hwy 971 to the point of beginning.

(l) **Sheep Unit 19 Sinlahekin:** Beginning at the eastern boundary of the Pasayten Wilderness border and the US-Canadian border; E on the US-Canadian border to the border station on Similkameen Rd (Co. Rd 4568); SE on the Similkameen Rd (Co. Rd 4568) to the Loomis-Oroville Rd (Co. Rd 9425); E on the Loomis-Oroville Rd (Co. Rd 9425) to US Hwy 97 in Oroville; S on US Hwy 97 to 12th Ave; W on 12th Ave (it curves S and changes to Old Highway 97); S on Old Highway 97 to US Hwy 97; S on US Hwy 97 to the South Pine Creek Rd (Co. Rd 9410); W on the South Pine Creek Rd (Co. Rd 9410) to Fish Lake Rd (Co. Rd 4290); W on Fish Lake Rd (Co. Rd 4290) to South Fish Lake Rd (Co. Rd 4282), along the south shore of Fish Lake; SW on South Fish Lake Rd (Co. Rd 4282), to the Sinlahekin Rd (Co. Rd 4015); SW on the Sinlahekin Rd (Co. Rd 4015), along the north shore of Conconully Lake, to the Salmon Creek North Fork Rd (Co. Rd 2361), at the town of Conconully; N on US Forest Service Rd 38 (Salmon Creek North Fork Rd, Co. Rd 2361) to US Forest Service Rd 3820; N on US Forest Service Rd 3820 over Lone Frank Pass, to US Forest Service Rd 39; N on US Forest Service Rd 39 to the US Forest Service Rd 300 at Long Swamp trailhead; W on the US Forest Service Rd 300 to US Forest Service Trail 342; N on US Forest Service Trail 342 to US Forest Service Trail 343; E on US Forest Service Trail 343 to US Forest Service Trail 341; E on US Forest Service Trail 341 to US Forest Service Trail 375; E on US Forest Service Trail 375 to the eastern boundary of the Pasayten Wilderness Area; N on the Pasayten Wilderness

Area boundary to the US-Canadian border and the point of beginning.

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-623 2012-2014 Mountain goat seasons and permit quotas. (1) Hunters must comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) Mountain Goat Permit Hunts

(a) **Who May Apply:** Anyone may apply, except those who harvested a mountain goat in Washington state after 1998. An individual may only harvest one mountain goat during his or her lifetime, except for those who harvested a goat prior to 1999. This restriction is also waived for applications for a raffle and/or auction permit and for hunters who have previously harvested a goat under a raffle and/or auction permit.

(b) **Bag Limit:** One (1) adult goat of either sex with horns 4 inches or longer.

Goat Hunt Area Name (Number)	Permit Season ^b	Subhunt Units (may be opened or closed by the director) ^a	Special Restrictions	Permits ^a
Chowder Ridge (4-3)	Sept. 15 - Oct. 31		Any Legal Weapon	((+)) <u>2</u>
Lincoln Peak (4-4)	Sept. 15 - Oct. 31		Any Legal Weapon	1
Dillard Creek (4-6)	Sept. 15 - Oct. 31		Any Legal Weapon	0
Avalanche Gorge (4-7)	Sept. 15 - Oct. 31		Any Legal Weapon	2
North Lake Chelan (2-1)	Sept. 15 - Oct. 31	Skookum Pass Mtn., Big Goat Creek	Any Legal Weapon	2
Naches Pass (3-6)	Sept. 15 - Oct. 31	Fife's East, Fife's Peak, Crystal Mountain, Basin Lake	Any Legal Weapon	((+)) <u>2</u>
Bumping River (3-7)	Sept. 15 - Oct. 31	Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge	Any Legal Weapon	((+)) <u>2</u>
Blazed Ridge (3-10)	Sept. 15 - Oct. 31	Blowout Mtn., Blazed Ridge, Blazed North, Milk Creek, Rock Creek	Any Legal Weapon	1
Goat Rocks-Tieton River (5-4/3-9)	Sept. 15 - Oct. 31	Chimney Rocks, Goat Lake, McCall Glacier, Gilbert Peak	Any Legal Weapon	3
((Methow (2-2))	Sept. 15 - Oct. 31	Wolf Creek, West Fork Methow	Any Legal Weapon	4))
South Lake Chelan (2-3)	Sept. 15 - Oct. 31	Railroad Creek, Pyramid Mountain, Box Canyon	Any Legal Weapon	1
<u>Mt. Washington—A (6-1)</u>	<u>Sept. 15-25</u>	<u>N/A</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Mt. Washington—B (6-1)</u>	<u>Sept. 26 - Oct. 6</u>	<u>N/A</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Brothers (6-2)</u>	<u>Sept. 15-25</u>	<u>N/A</u>	<u>Any Legal Weapon</u>	<u>2</u>

(3) **Mountain Goat Hunt Area Descriptions.** The following areas are defined as mountain goat hunt areas:

Chowder Ridge 4-3:

Hunt Area: Whatcom County within the following described boundary: Beginning at the confluence of Wells Creek with the North Fork Nooksack River; then up Wells Creek to the confluence with Bar Creek; then up Bar Creek to the Mazama Glacier; then SW on Mazama Glacier to the summit of Mount Baker; then NW between Roosevelt Glacier and Coleman Glacier to the headwaters of Kulshan Creek; then down Kulshan Creek to the confluence with Grouse Creek; then down

Grouse Creek to the confluence with Glacier Creek; then down Glacier Creek to the confluence with the North Fork Nooksack River; then up the North Fork Nooksack River to Wells Creek and the point of beginning.

Lincoln Peak 4-4

Hunt Area: Whatcom County within the following described boundary: Beginning at the confluence of Glacier Creek and the North Fork Nooksack River; then up Glacier Creek to the confluence with Grouse Creek; then up Grouse Creek to the confluence with Kulshan Creek; then up Kulshan Creek to headwaters; then SE between Coleman and Roosevelt gla-

ciers to the summit of Mount Baker; then SW on Easton Glacier to Baker Pass; then W on the Bell Pass Trail (USFS Trail 603.3) to the intersection with Ridley Creek Trail (Trail No. 696); then W on Ridley Creek Trail to Ridley Creek; then down Ridley Creek to the Middle Fork Nooksack River; then down the Middle Fork Nooksack River to the confluence with Clearwater Creek, then up Clearwater Creek to the confluence with Rocky Creek, then up Rocky Creek to the Washington DNR boundary; then along the National Forest-Washington DNR boundary to Hedrick Creek; then down Hedrick Creek to the North Fork Nooksack River; then up the North Fork Nooksack River to Glacier Creek and the point of beginning.

Dillard Creek 4-6

Hunt Area: Whatcom County within the following described boundary: Beginning on Baker Lake Road and Rocky Creek; then NW up Rocky Creek to its intersection with the Park Butte Trail (Trail No. 603); then NW on Park Butte Trail to its intersection with the Bell Pass Trail (Trail No. 603.3); then N on Bell Pass Trail to Baker Pass; then N onto Easton Glacier and NE to the summit of Mount Baker; then NE and SE on Park Glacier to headwaters of Park Creek; then down Park Creek to Baker Lake Road; then SW on Baker Lake Road to Rocky Creek and the point of beginning.

Avalanche Gorge 4-7

Hunt Area: Whatcom County within the following described boundary: Beginning on Baker Lake Road and Park Creek; then up Park Creek to headwaters and beginning of Park Glacier; then NW and SW on Park Glacier to Mount Baker summit; then N on the Mazama Glacier to Bar Creek, then down Bar Creek to the confluence with Wells Creek; then SE up Wells Creek to its headwaters; then E about 1 mile to an unnamed peak (indicated elevation 5,831 ft, just W of Ptarmigan Ridge Trail (Trail No. 682.1) (See referenced 1:24k USGS quad map - Shuksan Arm)); then NE to the headwaters of the first tributary of Swift Creek encountered; then SE down said unnamed tributary to the confluence with Swift Creek; then down Swift Creek to the Baker Lake Road (USFS Road 394); then SW along the Baker Lake Road to Park Creek and point of beginning. (Refer to 1:24k USGS quad map - Shuksan Arm).

Chelan North 2-1

Permit Area: Beginning at the mouth of Fish Creek on Lake Chelan (Moore Point); then northeast up Fish Creek and USFS trail 1259 to the Sawtooth crest near Deephole Spring; then southeast along the Sawtooth crest, which separates Chelan and Okanogan counties, to Horsethief Basin and the headwaters of Safety Harbor Creek; then south along Safety Harbor Creek to Lake Chelan, then northwest along the north shore of Lake Chelan to the mouth of Fish Creek at Moore Point and the point of beginning.

Methow 2-2

Permit Area: Okanogan County within following described boundary: Begin at Twisp, W along Twisp River Rd (County Rd 4440) to Roads End; W up Twisp Pass Trail 432 to Twisp Pass and Okanogan County line; N on Okanogan County line through Washington Pass to Harts Pass; SE down Harts Pass (Rd 5400) to Lost River; along Lost River-Mazama Rd to

Mazama; SW to State Hwy 20; SE on State Hwy 20 to Twisp and point of beginning.

South Lake Chelan 2-3

Permit Area: GMU 246

Naches Pass 3-6

Permit Area - Naches: Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then north along the Pacific Crest Trail to Naches Pass; then east to USFS Road 19 and continuing to State Highway 410; then west along State Highway 410 to Chinook Pass and point of beginning.

Bumping River 3-7

Permit Area: Beginning on US Forest Service Trail 2000 (Pacific Crest Trail) and SR 410 at Chinook Pass; NE on SR 410 to US Forest Service Rd 1800 (Bumping Lake Rd); SW on the US Forest Service Rd 1800 (Bumping Lake Rd) to US Forest Service Trail 973 (Richmond Mine Rd); SE on US Forest Service Trail 973 (Richmond Mine Rd) to the north fork of Rattlesnake Creek; SE down the north fork of Rattlesnake Creek to US Forest Service Rd 1502 (McDaniel Lake Rd); SE on US Forest Service Rd 1502 (McDaniel Lake Rd) to US Forest Service Rd 1500; S on US Forest Service Rd 1500 to US Hwy 12; W on US Hwy 12 to US Forest Service Trail 2000 (Pacific Crest Trail) at White Pass; N on the US Forest Service Trail 2000 (Pacific Crest Trail) to SR 410 at Chinook Pass and the point of beginning. (Lands within the boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting.)

Blazed Ridge 3-10

Permit Area: Kittitas and Yakima counties within the following described boundary: Beginning at the mouth of Cabin Creek on the Yakima River; then west along Cabin Creek to the headwaters near Snowshoe Butte; then south along the Cascade Crest separating the Green and Yakima river drainage to Pyramid Peak; then southeast along the North Fork, Little Naches, and Naches River to the Yakima River; then north along the Yakima River to the mouth of Cabin Creek and point of beginning.

Goat Rocks 5-4/Tieton River 3-9

Goat Rocks 5-4 Permit Area: Beginning at US Hwy 12 at the US Forest Service Trail 2000 (Pacific Crest National Scenic Trail); S on the Pacific Crest National Scenic Trail to Lewis County line at Cispus Pass; S and W on the Lewis County line to Johnson Creek Rd (US Forest Service Rd 21); N on Johnson Creek Rd to US Hwy 12; E on US Hwy 12 to the Pacific Crest National Scenic Trail and the point of the beginning.

Permit Area - Tieton River: GMU 364

Permit Area – Mt. Washington Unit

Beginning at the intersection of Lake Cushman Rd and Jorsted Creek Rd (US Forest Service (USFS) Rd 24); W along Jorsted Creek Rd (USFS Rd 24) to Olympic National Park (ONP) boundary at the northern end of Lake Cushman; N and NE along the ONP–Olympic National Forest (ONF) boundary to the eastern boundary of the Mount Skokomish Wilderness; N and E along the ONP-Mount Skokomish Wilderness

boundary to the Mason-Jefferson County line; E along the Mason-Jefferson County line to USFS Trail 810 (Lena Creek Trail); S along the USFS Trail 810 to USFS Rd 25 (Hamma Hamma Rd); E on USFS Rd 25 (Hamma Hamma Rd) to USFS Rd 2480; SE on USFS Rd 2480 to Jorsted Creek Rd (USFS Rd 24); NW on Jorsted Creek Rd (USFS Rd 24) to Lake Cushman Rd and the point of beginning.

Permit Area - The Brothers Unit

Beginning at the intersection of the Dosewallips River and the Olympic National Forest (ONF) boundary in Section 30 of T26N R2W; S along the ONF boundary to the Mason-Jefferson County line; E along the Mason-Jefferson County line to intersection with the Olympic National Park (ONP) boundary in Section 44 of T25N R4W; NE along the ONF-ONP boundary to The Brothers Wilderness; NE and N along the ONP-Brothers Wilderness boundary to the Dosewallips River; E down the Dosewallips River to its intersection with ONF boundary in Section 30 of T26N R2W and the point of beginning.

^aMountain goat populations are managed as a collection of subpopulations, and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or close subhunt areas and reduce permit levels to protect from overharvesting specific areas.

The director is authorized by the commission to identify the subhunt unit as a condition of the hunt permit. Hunters receiving permits will be sent a text description or map of the subhunt unit from the director prior to the start of that hunting season.

^bPermit hunters may start hunting September 1 with archery equipment.

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-624 Deer area descriptions. The following areas are defined as deer areas:

Deer Area No. 1008 West Wenaha (Columbia County): That part of GMU 169 west of USFS trail 3112 from Tepee Camp (east fork of Butte Creek) to Butte Creek, and west of Butte Creek to the Washington-Oregon state line.

Deer Area No. 1009 East Wenaha (Columbia, Garfield, Asotin counties): That portion of GMU 169 east of USFS trail 3112 from Tepee Camp (east fork of Butte Creek) to Butte Creek, and east of Butte Creek to the Washington-Oregon state line.

Deer Area No. 1010 (Columbia County): GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

~~**(Deer Area No. 1020 Prescott (Columbia and Garfield counties):** That portion of GMU 149 between Hwy 261 and Hwy 127.)~~

Deer Area No. 1021 Clarkston (Asotin County): That portion of GMU 178 beginning at the junction of the Highway 12 bridge and Alpowa Creek; east on Highway 12 to Silcott Road; south and east on Silcott Road to Highway 128; southwest on Highway 128 to McGuire Gulch Road; southeast

along the bottom of McGuire Gulch to Asotin Creek; east on Asotin Creek to the Snake River; north and west on the Snake River to Alpowa Creek; southwest of Alpowa Creek to the Highway 12 bridge and the point of beginning.

Deer Area No. 1030 Republic (Ferry County): That area within 1/2 mile surrounding the incorporated town of Republic.

Deer Area No. 1031 Parker Lake (Pend Oreille County): That area within GMU 117 south of Ruby Creek Rd (USFS Road 2489), north of Tacoma Creek Rd (USFS Road 2389), and west of Bonneville Power Administration power lines. The Parker Lake Deer Area is a protected area for the U.S. Air Force Military Survival Training Program that allows some limited access for special permit hunting.

Deer Area No. 1035 Highway 395 Corridor (Stevens County): That portion of GMU 121 beginning at the intersection of US Highway (Hwy) 395 (State Route 20) and State Route (SR) 25: S on SR 25 to Old Kettle Rd; E on Old Kettle Rd to Mingo Mountain Rd; S on Mingo Mountain Rd to Greenwood Loop Rd; E on Greenwood Loop Rd to the bridge over the Colville River; S on the Colville River to the bridge over Gold Creek Loop/Valley Westside Rd; W and S on Valley Westside Rd to the Orin-Rice Rd; E on Orin-Rice Rd to Haller Creek Rd; S on Haller Creek Rd to Skidmore Rd; E and S on Skidmore Rd to Arden Hill Rd; E on Arden Hill Rd to Townsend-Sackman Rd; S on Townsend-Sackman Rd to Twelve Mile Rd; S on Twelve Mile Rd to Marble Valley Basin Rd; S on Marble Valley Basin Rd to Zimmer Rd; S on Zimmer Rd to Blue Creek West Rd; E on Blue Creek West Rd to Dry Creek Rd; S on Dry Creek Rd to Duncan Rd; E on Duncan Rd to Tetro Rd; S on Tetro Rd to Heine Rd; E and S on Heine Rd to Farm-to-Market Rd; S on Farm-to-Market Rd to Newton Rd (also known as Rickers Lane); E on Newton Rd to US Hwy 395; N on US Hwy 395 to McLean Rd and Twelve Mile Rd (also known as Old Arden Hwy); N on McLean Rd and Twelve Mile Rd to US Hwy 395; N on US Hwy 395 to Old Arden Hwy (again); N on Old Arden Hwy to US Hwy 395; N on US Hwy 395, through the town of Colville, then W on US Hwy 395 (SR 20) to SR 25 and the point of beginning.

Deer Area No. 1040 (Asotin County): That area within GMU 172 designated as the WDFW owned lands associated with the 4-O Ranch Wildlife Area. Also includes those portions of Section 1, Township 6N, Range 43 E, east of Wenatchee (a.k.a. Menatchee) Creek. Excludes those portions of Section 35, Township 7N, Range 43E, west of Wenatchee (a.k.a. Menatchee) Creek.

Deer Area No. 1050 Spokane North (Spokane County): From the intersection of the Spokane River and the Idaho-Washington state line, N to Hauser Lake Rd, W to Starr Rd, S to Newman Lake Dr, W and N to Foothills Rd, W to Forker Rd, N and W to Hwy 206 (Mt Spokane Park Rd), N to Feehan Rd, N to Randall Rd, W to Day Mt Spokane Rd, N to Big Meadows Rd, W to Madison Rd, N to Tallman Rd, W to Elk-Chattaroy Rd, N to Laurel Rd, E to Conklin Rd, N to Nelson Rd, E to Jackson Rd, N to Oregon Rd, E to Jefferson Rd, N to Fridge Rd, W to Elk-Camden Rd, S to Boundary Rd, N and

W to Dunn Rd, S to Oregon Rd, W to Hwy 2, S on US Hwy 2 to the Deer Park-Milan Rd, W on the Deer Park-Milan Rd to US Hwy 395 at the town of Deer Park, NW on US Hwy 395 and W onto Williams Valley Rd, W and S to Hattery Rd (Owens Rd), S and E to Swenson Rd, S to Hwy 291, west to Stone Lodge Rd, west to the Spokane River, E on the Spokane River to the Idaho state border and the point of beginning.

Deer Area No. 1060 Spokane South (Spokane County): That part of GMU 127 beginning at the intersection of Spokane River and Barker Rd Bridge, Barker Rd S to 24 Ave, 24 Ave W to Barker Rd, Barker Rd S to 32 Ave, 32 Ave W to Linke Rd, Linke Rd S and E to Chapman Rd, Chapman Rd S to Linke Rd, Linke Rd S to Belmont Rd, Belmont Rd W to ((~~Hwy 27;~~) Jackson Rd, Jackson Rd S to Hwy 27 S to (~~Palouse Hwy, Palouse Hwy~~) Elder Rd, Elder Rd W to Valley Chapel Rd, Valley Chapel Rd S to Spangle Creek Rd, Spangle Creek Rd SW to Hwy 195, Hwy 195 N to I-90, I-90 E to Latah Creek at I-90-Latah Creek Bridge, Latah Creek NE to Spokane River, Spokane River E to the Barker Rd Bridge and the point of beginning.

Deer Area No. 1070 Spokane West (Spokane County): That part of GMU 130 beginning at the intersection of I-90 and Latah Creek at I-90-Latah Creek Bridge, NE to Hwy 195 S on Hwy 195 S to Paradise Rd, Paradise Rd W to Smythe Road, Smythe Road NW to Anderson Rd, Anderson Rd W to Cheney Spokane Rd, Cheney Spokane Rd SW to Hwy 904/1st St in the town of Cheney, 1st SW to Salnave Rd/Hwy 902, Salnave Rd NW to Malloy Prairie Rd, Malloy Prairie Rd W to Medical Lake Tyler Rd, Medical Lake Tyler Rd N to Gray Rd, Gray Rd W then N to Fancher Rd, Fancher Rd NW to Ladd Rd, Ladd Rd N to Chase Rd, Chase Rd E to Espanola Rd, Espanola Rd N turns into Wood Rd, Wood Rd N to Coulee Hite Rd, Coulee Hite Rd E to Seven Mile Rd, Seven Mile Rd E to Spokane River, Spokane River S to Latah Creek, Latah Creek S to I-90 at the Latah Creek Bridge and the point of beginning.

Deer Area No. 1080 Colfax (Whitman County): That part of GMUs 139 and 142 beginning at the intersection of Hwy 195 and Crumbaker Rd, NE on Crumbaker Rd to Brose Rd, E on Brose Rd to Glenwood Rd, S on Glenwood Rd to Hwy 272, SE on Hwy 272 to Clear Creek Rd, SE on Clear Creek Rd to Stueckle Rd, S on Stueckle Rd to Palouse River Rd, E to Kenoyer Rd SE to Abbott Rd, S on Abbott Rd to Parvin Rd, S on Parvin Rd to McIntosh Rd, S on McIntosh Rd to 4 mile Rd/Shawnee Rd, W on Shawnee Rd to Hwy 195, N on Hwy 195 to Prune Orchard Rd, W on Prune Orchard Rd to Almota Rd, S on Almota Rd to Duncan Springs Rd, W and NW on Duncan Springs Rd to Airport Rd, NW on Airport Rd to Fairgrounds Rd, N on Fairgrounds Rd to Endicott Rd, NNW on Endicott Rd to Morley Rd, E and S and E on Morley Rd to Hwy 295 (26), NE on Hwy 295 to West River Dr then follow Railroad Tracks NW to Manning Rd, E on Manning Rd to Green Hollow Rd, E and S on Green Hollow Rd to Bill Wilson Rd, E on Bill Wilson Rd to Hwy 195, S on Hwy 195 to Crumbaker Rd and the point of beginning.

Deer Area No. 2010 Benge (Adams and Whitman counties): That part of GMU 284 beginning at the town of Wash-

tucna; north on SR 261 to Weber Road; east on Weber Road to Benzel Road; north on Benzel Road to Wellsandt Road; east on Wellsandt Road to Hills Road; south on Hills Road to Urquhart Road; east on Urquhart Road to Harder Road, East on Harder Road to McCall Road; east on McCall Road to Gering Road; east on Gering Road to Lakin Road; east on Lakin Road to Revere Road; south on Revere Road to George Knott Road; south on George Knott Road to Rock Creek; south along Rock Creek to the Palouse River; south and west along the Palouse River to SR 26; west on SR 26 to Wash-tucna and the point of beginning.

Deer Area No. 2011 Lakeview (Grant County): That part of GMU 272 beginning at the junction of SR 28 and First Avenue in Ephrata; west on First Avenue to Sagebrush Flats Road; west on Sagebrush Flats Road to Norton Canyon Road; north on Norton Canyon Road to E Road NW; north on E Road NW to the Grant-Douglas county line; east along the county line to the point where the county line turns north; from this point continue due east to SR 17; south on SR 17 to SR 28 at Soap Lake; south on SR 28 to the junction with First Avenue in Ephrata and the point of beginning.

Deer Area No. 2012 Methow Valley (Okanogan County): All private land in the Methow Watershed located outside the external boundary of the Okanogan National Forest and north of the following boundary: Starting where the Libby Creek Road (County road 1049) intersects the Okanogan National Forest boundary; east on road 1049 to State Hwy 153; north on Hwy 153 to the Old Carlton Road; east on the Old Carlton Road to the Texas Creek Road (County road 1543); east on the Texas Creek Road to the Vintin Road (County road 1552); northeast on the Vintin Road to the Okanogan National Forest boundary.

Deer Area No. 2013 North Okanogan (Okanogan County): Restricted to private land only located within the following boundary: Beginning in Tonasket at the junction of Havillah Rd and Hwy 97; NE on Havillah Rd to Dry Gulch Extension Rd; N to Dry Gulch Rd; N on Dry Gulch Rd to Oroville-Chesaw Rd; W on Oroville-Chesaw Rd to Molson Rd; N on Molson Rd to Nine Mile Rd; N and W on Nine Mile Rd to the Canadian border at the old Sidley Town Site; W along the border to the east shore of Lake Osoyoos; S around Lake Osoyoos to the Okanogan River; S along the east bank of the Okanogan River to the Tonasket Fourth Street Bridge; E on Fourth Street to Hwy 97; N on Hwy 97 to point of beginning.

Deer Area No. 2014 Central Okanogan (Okanogan County): Restricted to private land only located within the following boundary: Beginning in Tonasket on the Okanogan River at the Fourth Street Bridge; S along Hwy 7 to Pine Creek Rd; W along Pine Creek Rd to Horse Spring Coulee Rd; W and N on Horse Spring Coulee Rd to Beeman Rd; W on Beeman Rd to North Lemanasky Rd; S along North Lemanasky Rd to Pine Creek Rd; S on Pine Creek Rd to Hagood Cut-off Rd; S on Hagood Cut-off Rd to South Pine Creek Rd; E on South Pine Creek Rd to Hwy 97; S on Hwy 97 to Town of Riverside North Main Street junction; SE on North Main Street to Tunk Valley Rd and the Okanogan River Bridge; E on Tunk Creek Rd to Chewiliken Valley Rd;

NE along Chewiliken Valley Rd to Talkire Lake Rd; N on Talkire Lake Rd to Hwy 20; W on Hwy 20 to the junction of Hwy 20 and Hwy 97; N on Hwy 97 to Fourth Street; W on Fourth Street to point of beginning.

Deer Area No. 2015 Omak (Okanogan County): Restricted to private land only located within the following boundary: Beginning at Hwy 97 and Riverside Cut-off road; west on Riverside Cut-off Rd to Conconully Road; south on Conconully Rd to Danker Cut-off road; west on Danker Cut-off road to Salmon Creek Rd; north on Salmon Creek Rd to Spring Coulee Rd; south on Spring Coulee Rd to B&O Road North Rd; southwest on B&O North Rd to Hwy 20; east on Hwy 20 to B&O Rd; south on B&O Rd to the Town of Malott and the bridge over the Okanogan River; north along the west bank of the Okanogan River to the Town of Riverside and the Tunk Valley road bridge; west on Tunk Valley road to State Street in Riverside; south on State Street to 2nd Street; west on 2nd Street to Hwy 97 and the point of beginning.

Deer Area No. 2016 Conconully (Okanogan County): Restricted to private land only located within the following boundary: Beginning at the Conconully town limit at the south edge of Town and the east shore of Conconully Reservoir; south along the east shore of the reservoir to Salmon Creek; south along the east bank of Salmon Creek to Salmon Creek road at the old Ruby Town site; south on Salmon Creek road to Green Lake road; northeast on Green Lake road to Conconully road; north on Conconully road to the south limit of the Town of Conconully and the point of beginning.

Deer Area No. 3071 Whitcomb (Benton County): That part of GMU 373 made up by the Whitcomb Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3072 Paterson (Benton County): That part of GMU 373 made up by the Paterson Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3088 High Prairie (Klickitat County): That portion of GMU 388 (Grayback) that is south of SR 142.

Deer Area No. 3682 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Hwy 12. Northeast on Hwy 12 to the Naches River. Southeast down the Naches River to Cowiche Creek. West up Cowiche Creek and the South Fork Cowiche Creek to Summitview Ave. Northwest on Summitview Ave to

Cowiche Mill Road. West on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13. Southeast along the power line to Ahtanum Creek and the point of beginning.

Deer Area No. 5064: That part of GMU 564 in the Columbia River near the mouth of the Cowlitz River made up of Cottonwood Island and Howard Island.

Deer Area No. 6020 (Clallam and Jefferson counties): Dungeness-Miller Peninsula: That part of GMU 624 west of Discovery Bay and Salmon Creek.

**WSR 14-11-003
PERMANENT RULES
DEPARTMENT OF
NATURAL RESOURCES**

[Filed May 7, 2014, 1:54 p.m., effective July 1, 2014]

Effective Date of Rule: July 1, 2014.

Purpose: RCW 79.100.150 specifies that the department of natural resources shall adopt rules that specify the minimum vessel inspection criteria required for a vessel owner to obtain prior to selling or transferring a vessel that is:

- More than sixty-five feet in length and more than forty years old; and
- Either: Is registered or required to be registered under chapter 88.02 RCW or is listed or required to be listed under chapter 84.40 RCW.

Citation of Existing Rules Affected by this Order: Amending chapter 332-08 WAC.

Statutory Authority for Adoption: RCW 79.100.150.

Adopted under notice filed as WSR 14-05-092 on March 5 [February 19], 2014.

Changes Other than Editing from Proposed to Adopted Version: Defined the term "seaworthy" for the purpose of the rule, as related to the minimum criteria for a vessel inspection. 2SHB 2457, adopted March 7, 2014, referenced the term without providing a definition.

A final cost-benefit analysis is available by contacting Lisa M. Randlette, mailstop 47027, phone (360) 902-1085, fax (360) 902-1786, e-mail lisa.randlette@dnr.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 3, Amended 0, Repealed 0.

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

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

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

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

Date Adopted: May 6, 2014.

Megan Duffy
Deputy Supervisor
Aquatics and Environmental Protection

AMENDATORY SECTION (Amending WSR 12-19-035, filed 9/12/12, effective 10/13/12)

WAC 332-08-101 Applicability to department actions under the Derelict and Abandoned Vessel Act, chapter 79.100 RCW. When is this chapter applicable to department actions relating to the Derelict and Abandoned Vessel Act? This chapter applies when the owner or lien holder of an abandoned or derelict vessel files a challenge to ~~((the))~~ a decision or action of ~~((a state agency))~~ the department acting as an authorized public entity ~~((is filed))~~ with the pollution control hearings board under the Derelict and Abandoned Vessel Act as provided in RCW 79.100.120 ~~((2)(a))~~.

AMENDATORY SECTION (Amending WSR 12-19-035, filed 9/12/12, effective 10/13/12)

WAC 332-08-111 Derelict and abandoned vessel—Appeal deadline. When must ~~((my))~~ I file my appeal ~~((be filed))~~? The owner or lien holder of an abandoned or derelict vessel may file a notice of appeal regarding ~~((an agency))~~ a decision or action of the department under chapter 79.100 RCW ~~((may be filed))~~ with the pollution control hearings board ~~((upon receipt of the department's notice of intent to take custody of a vessel, but the notice of appeal must be filed no later than thirty days after the date the authorized public entity took custody of the vessel, or if the vessel was redeemed before the authorized public entity took custody, no later than thirty days after the date of redemption)).~~ A written request for a hearing related to the decision or action must be filed with the pollution control hearings board and served on the department in accordance with RCW 43.21B-.230 (2) and (3) within thirty days of the date the department acquires custody of the vessel under RCW 79.100.040, or if the vessel is redeemed before the department acquires custody, no later than thirty days after the date of redemption.

AMENDATORY SECTION (Amending WSR 12-19-035, filed 9/12/12, effective 10/13/12)

WAC 332-08-121 Derelict and abandoned vessel—Filing location. Where must ~~((my))~~ I file my appeal ~~((be filed))~~? ~~((A))~~ The owner or lien holder of an abandoned or derelict vessel must file any notice of appeal concerning a decision to take temporary possession or custody of a vessel or the amount owed to ~~((an authorized public entity))~~ the department under chapter 79.100 RCW ~~((must be filed))~~ with the pollution control hearings board and ~~((served))~~ must serve a copy of the appeal on the department at the following addresses:

Pollution Control Hearings Board
Physical Address:
1111 Israel Road S.W., Suite 301
Tumwater, WA 98501

Mailing Address:
~~((P.O. Box))~~ MS 40903
Olympia, WA 98504-0903

Department of Natural Resources
Aquatic Resources Division
Derelict Vessel Removal Program
~~((P.O. Box 47027))~~ Physical Address:
1111 Washington St. S.E.
Olympia, WA ~~((98504-7027))~~ 98501
Mailing Address:
MS 47027
Olympia, WA 98504-7027

NEW SECTION

WAC 332-08-122 Transfer of certain vessels—Vessel inspection required—Secondary liability. When is this chapter applicable to the department's derelict vessel removal actions? As directed by RCW 79.100.150, a seller/transferor of a qualifying vessel must provide vessel inspection disclosure documentation specified in WAC 332-30-123 to the department before transferring ownership of a vessel that is:

- (1) More than sixty-five feet in length and more than forty years old; and
- (2) Either:
 - (a) Is registered or required to be registered under chapter 88.02 RCW; or
 - (b) Is listed or required to be registered under chapter 94.40 RCW.

After July 1, 2014, this chapter applies when the department seeks financial reimbursement from any person or entity the department determines has incurred secondary liability under RCW 79.100.150 for all reasonable and auditable costs associated with the removal and disposal of derelict or abandoned vessels. The department may pursue secondary liability if the prior owner(s) did not provide the department copies of a vessel inspection disclosure report, as specified in WAC 332-30-123, before transferring ownership of the vessel.

NEW SECTION

WAC 332-08-123 Minimum criteria for vessel inspection. (1) What are the minimum criteria for a vessel inspection to determine a vessel is seaworthy? For the purpose of this rule, the term "seaworthy" means the vessel and its equipment are physically fit and in full working order; able to encounter and withstand the ordinary perils of the sea during its contemplated use; and suitable for its intended purpose. Current U.S. Coast Guard certificates of inspection are acceptable forms of vessel condition determination. Other vessel inspection disclosure reports must document the condition, valuation, and suitability of the vessel for service. The vessel inspection disclosure report may be prepared for either the owner, lien holder, buyer/transferee, vessel broker, or associated financial and insurance provider(s) for the vessel. Vessel inspections must be prepared by a professional marine surveyor who is a third party to the transaction. The vessel inspection must be completed within thirty days prior to the

seller/transferor transferring ownership of the vessel. Before transferring ownership of the vessel, the seller/transferor must provide the department a hard copy of the vessel inspection disclosure report and department-issued Acknowledgement Form with original, notarized signatures of the seller/transferor and the buyer/transferee acknowledging receipt of the vessel inspection disclosure report.

(2) The vessel inspection disclosure report must include the following information, at a minimum if applicable to the vessel:

- (a) Cover page describing:
 - (i) Report title identifying type of survey;
 - (ii) Date report issued;
 - (iii) Contact information for surveyor;
 - (iv) Current photograph of vessel, date and location; and
 - (v) Official vessel number.
- (b) Vessel description:
 - (i) General description;
 - (ii) Vessel name;
 - (iii) Current legal owner;
 - (iv) Intended use of vessel;
 - (v) Design; and
 - (vi) Type of construction.
- (c) Vessel particulars:
 - (i) Builder;
 - (ii) Displacement;
 - (iii) Length;
 - (iv) Breadth;
 - (v) Draught; and
 - (vi) Fuel system.
- (d) Surveyor's notes and condition rating;
- (e) Systems evaluation:
 - (i) Type of propulsion;
 - (ii) Auxiliary engines; and
 - (iii) Electrical systems.
- (f) Conditions:
 - (i) Overall appearance; and
 - (ii) Hull and superstructure condition.
- (g) Surveyor recommendations;
- (h) Appraisal of market value;
- (i) Replacement value;
- (j) Physical suitability of the vessel and its equipment for its intended use; and

(k) Determine whether the cost of repairs required to return the vessel and its equipment to physical suitability for its intended use is likely to exceed the market value of the vessel.

NEW SECTION

WAC 332-08-124 Procedure for vessel inspection documentation. (1) **Where must I file my vessel inspection documentation?** The seller/transferor must file a hard copy vessel inspection disclosure report and supporting documentation at the following address:

Department of Natural Resources
 Aquatic Resources Division
 Derelict Vessel Removal Program
 MS 47027
 Olympia, WA 98504-7027

(2) **What is the department's procedure for confirming receipt of vessel inspection disclosure documentation?** The department will accept hard copies of a vessel inspection disclosure report and completed Acknowledgement Form from sellers/transferors.

(a) The department will transmit a hard copy or electronic notice of receipt to the seller/transferor within ten business days of receiving the vessel inspection disclosure documentation.

(b) Such department-issued notice of receipt does not constitute concurrence that the vessel inspection disclosure documentation meets the minimum criteria for a vessel inspection disclosure report, specified in WAC 332-30-123 or that the documentation was received prior to ownership transfer of the vessel.

(c) The department will maintain records of vessel inspection disclosure documentation for future determination of potential secondary liability.

(3) **What is the department's procedure for determining and asserting secondary liability?**

(a) The department will notify a prior owner of a vessel, determined to be derelict or abandoned, that they have secondary liability when cost recovery is sought, if:

(i) An authorized public entity has taken, or is in the process of taking, custody of the derelict or abandoned vessel;

(ii) The current owner cannot be identified or is financially insolvent;

(iii) The department does not have vessel inspection disclosure documentation on record for the derelict or abandoned vessel; and

(iv) The vessel was transferred after July 1, 2014.

(b) The department may provide such notice of secondary liability concurrently with a vessel custody action or after an authorized public entity has obtained custody of the vessel.

WSR 14-11-005
PERMANENT RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS
 (Securities Division)

[Filed May 7, 2014, 2:59 p.m., effective June 7, 2014]

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

Purpose: The securities division is hereby amending WAC 460-44A-050, 460-44A-500, 460-44A-501, 460-44A-502, 460-44A-503, and 460-44A-506 to reflect recent amendments to Regulation D that are not yet reflected in our rules, to update several cross references to federal law, and to remove an outdated note. On July 10, 2013, the Securities and Exchange Commission adopted two final rules through SEC Release Nos. 33-9414 and 33-9415, with an effective date of September 23, 2013. These rules impact the existing exemption under federal Rule 506(b) and create a new exemption in federal Rule 506(c). Further, the text of the rules in WAC 460-44A-500 through 460-44A-508 is largely based upon the text of federal Regulation D. Regulation D has been the subject of a number of minor revisions that are

not yet reflected in our rules. The division is amending chapter 460-44A WAC in order to reflect the recent amendments to federal Rule 506 and to more closely align our rules with federal Regulation D.

Citation of Existing Rules Affected by this Order: Amending WAC 460-44A-050, 460-44A-500, 460-44A-501, 460-44A-502, 460-44A-503, and 460-44A-506.

Statutory Authority for Adoption: RCW 21.20.450, 21.20.320 (1) and (17).

Adopted under notice filed as WSR 14-06-020 on February 24, 2014.

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 6, 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: May 7, 2014.

Scott Jarvis
Director

AMENDATORY SECTION (Amending WSR 98-18-032, filed 8/26/98, effective 9/26/98)

WAC 460-44A-050 Isolated transactions—Sales not involving a public offering. (1) An "isolated transaction" within the meaning of RCW 21.20.320(1) includes:

(a) Subject to the limitation of (b) of this subsection, any sale of an outstanding security by or on behalf of a person not in control of the issuer or controlled by the issuer or under common control with the issuer and not involving a distribution;

(b) Any sale satisfying the requirements of (a) of this subsection that is effected through a broker-dealer, provided that it is one of not more than three such transactions effected by or through the broker-dealer in this state during the prior twelve months;

(c) Any sale of an outstanding security by or on behalf of a person in control of the issuer or controlled by the issuer or under common control with the issuer if the sale is effected pursuant to:

(i) Brokers' transactions in accordance with section 4 (a)(4) of the Securities Act of 1933 and Rule 144 thereunder; or

(ii) Any other transaction not effected through a broker-dealer and not involving a distribution, if the sale, including any other sales of securities of the same class during the prior twelve months inside or outside this state by the person, does not exceed 1% of the outstanding shares or units of that class; or

(d) Any sale of a security by or on behalf of an issuer that is one of not more than three such transactions inside or outside this state during the prior twenty-four months.

An exemption provided by (a), (b), (c), or (d) of this subsection shall not be available for any offering made in a manner inconsistent with the limitations set forth in (a), (b), (c), or (d) of this subsection, respectively.

(2) "Sales not involving a public offering," within the meaning of RCW 21.20.320(1), is interpreted by the director in a manner consistent with section 4 (a)(2) of the federal Securities Act of 1933 and Securities and Exchange Commission Securities Act Release No. 4552.

(Note: Pursuant to RCW 21.20.320(1), the director has promulgated a rule "establishing a nonpublic offering exemption" at WAC 460-44A-506-.)

AMENDATORY SECTION (Amending WSR 08-16-072, filed 7/31/08, effective 9/15/08)

WAC 460-44A-500 Preliminary notes. (1) The rules of WAC 460-44A-501 through 460-44A-508 relate to transactions exempted from the registration requirements of the Federal Securities Act of 1933 that are also exempted or preempted from RCW 21.20.140. WAC 460-44A-504 is an exemption from registration for offerings exempted under Securities and Exchange Commission Rule 504 or Rule 147. WAC 460-44A-505 is an exemption from registration for offerings exempted under Securities and Exchange Commission Rule 505. WAC 460-44A-506 establishes certain conditions for offerings exempted under Securities and Exchange Commission Rule 506. Unless expressly provided otherwise, such transactions are not exempt from anti-fraud, civil liability, or other provisions of the federal and state securities laws. Issuers are reminded of their obligation to provide such further material information, if any, as may be necessary to make the information required under these rules, in light of the circumstances under which it is furnished, not misleading.

(2) Attempted compliance with the exemption of WAC 460-44A-504, 460-44A-505, or 460-44A-506 does not act as an exclusive election; the issuer can also claim the availability of any other applicable exemption.

(3) These rules are available only to the issuer of the securities and not to any affiliate of that issuer or to any other person for resale of the issuer's securities. The rules provide an exemption only for the transactions in which the securities are offered or sold by the issuer, not for the securities themselves.

(4) In any proceeding involving the rules in WAC 460-44A-501 through 460-44A-508, the burden of proving the exemption, an exception from a definition or condition, or preemption, is upon the person claiming it.

(5) For offerings commenced but not completed prior to the amendment of WAC 460-44A-501 through 460-44A-508, issuers may opt to follow the rules in effect at the date of filing notice of the offering.

(6) Securities offered and sold outside the United States in accordance with Securities and Exchange Commission Regulation S need not be registered under chapter 21.20 RCW. Regulation S may be relied upon for such offers and

sales even if coincident offers and sales are made in accordance with Regulation D and WAC 460-44A-501 through 460-44A-508 inside the United States. Thus, for example, persons who are offered and sold securities in accordance with Regulation S would not be counted in the calculation of the number of purchasers under Regulation D and WAC 460-44A-501 through 460-44A-508. Similarly proceeds from such sales would not be included in the aggregate offering price. The provisions of this subsection, however, do not apply if the issuer elects to rely solely on Regulation D for offers or sales to persons made outside the United States.

(7) These rules have been amended in recognition of the amendment of Regulation D by the Securities and Exchange Commission (SEC) to authorize the filing of Form D in electronic format with the SEC through the Electronic Data Gathering, Analysis, and Retrieval System (EDGAR) in accordance with EDGAR rules set forth in Regulation S-T (17 C.F.R. Part 232) as described in Securities and Exchange Commission Securities Act Release No. 8891. WAC 460-44A-503 (1)(b) authorizes an issuer to file ~~((Temporary Form D (17 C.F.R. 239.500T) together with an executed uniform consent to service of process on Form U-2 while Temporary Form D remains in effect or))~~ a copy of the notice of sales on Form D filed electronically or in paper format with the SEC (17 C.F.R. 239.500) until an electronic filing system acceptable to the administrator of securities of the department of financial institutions is implemented that permits the electronic filing of Form D with the administrator or his or her designee.

AMENDATORY SECTION (Amending WSR 12-13-043, filed 6/13/12, effective 7/14/12)

WAC 460-44A-501 Definitions and terms. As used in rules WAC 460-44A-501 through 460-44A-508, the following terms shall have the meaning indicated:

(1) "Accredited investor" shall mean any person who comes within any of the following categories, or who the issuer reasonably believes comes within any of the following categories, at the time of the sale of the securities to that person:

(a) Any bank as defined in section 3 (a)(2) of the Securities Act of 1933, or any savings and loan association or other institution as defined in section 3 (a)(5)(A) of the Securities Act of 1933 whether acting in its individual or fiduciary capacity; any broker or dealer registered pursuant to section 15 of the Securities Exchange Act of 1934; any insurance company as defined in section 2 (a)(13) of the Securities Act of 1933; any investment company registered under the Investment Company Act of 1940 or a business development company as defined in section 2 (a)(48) of that act; any small business investment company licensed by the U.S. Small Business Administration under section 301 (c) or (d) of the Small Business Investment Act of 1958; any plan established and maintained by a state, its political subdivisions, or any agency or instrumentality of a state or its political subdivisions, for the benefit of its employees, if such plan has total assets in excess of \$5,000,000; any employee benefit plan within the meaning of the Employee Retirement Income Security Act of 1974 if the investment decision is made by a

plan fiduciary, as defined in section 3(21) of such act, which is either a bank, savings and loan association, insurance company, or registered investment adviser, or if the employee benefit plan has total assets in excess of \$5,000,000 or, if a self-directed plan, with investment decisions made solely by persons that are accredited investors;

(b) Any private business development company as defined in section 202 (a)(22) of the Investment Advisers Act of 1940;

(c) Any organization described in section 501 (c)(3) of the Internal Revenue Code, corporation, Massachusetts or similar business trust, or partnership, not formed for the specific purpose of acquiring the securities offered, with total assets in excess of \$5,000,000;

(d) Any director, executive officer, or general partner of the issuer of the securities being offered or sold, or any director, executive officer, or general partner of a general partner of that issuer;

(e) Any natural person whose individual net worth, or joint net worth with that person's spouse, exceeds \$1,000,000.

(i) Except as provided in (e)(ii) of this subsection, for purposes of calculating net worth under (e) of this subsection:

(A) The person's primary residence shall not be included as an asset;

(B) Indebtedness that is secured by the person's primary residence, up to the estimated fair market value of the primary residence at the time of the sale of securities, shall not be included as a liability (except that if the amount of such indebtedness outstanding at the time of the sale of securities exceeds the amount outstanding sixty days before such time, other than as a result of the acquisition of the primary residence, the amount of such excess shall be included as a liability); and

(C) Indebtedness that is secured by the person's primary residence in excess of the estimated fair market value of the primary residence at the time of the sale of securities shall be included as a liability.

(ii) Paragraph (e)(i) of this subsection will not apply to any calculation of a person's net worth made in connection with a purchase of securities in accordance with a right to purchase such securities, provided that:

(A) Such right was held by the person on July 20, 2010;

(B) The person qualified as an accredited investor on the basis of net worth at the time the person acquired such right; and

(C) The person held securities of the same issuer, other than such right, on July 20, 2010;

(f) Any natural person who had an individual income in excess of \$200,000 in each of the two most recent years or joint income with that person's spouse in excess of \$300,000 in each of those years and has a reasonable expectation of reaching the same income level in the current year;

(g) Any trust, with total assets in excess of \$5,000,000, not formed for the specific purpose of acquiring the securities offered, whose purchase is directed by a sophisticated person as described in 17 C.F.R. Sec. 230.506 (b)(2)(ii); and

(h) Any entity in which all of the equity owners are accredited investors.

(2) "Affiliate" an "affiliate" of, or person "affiliated" with, a specified person shall mean a person that directly, or indirectly through one or more intermediaries, controls or is controlled by, or is under common control with, the person specified;

(3) "Aggregate offering price" shall mean the sum of all cash, services, property, notes, cancellation of debt, or other consideration to be received by an issuer for issuance of its securities. Where securities are being offered for both cash and noncash consideration, the aggregate offering price shall be based on the price at which the securities are offered for cash. Any portion of the aggregate offering price attributable to cash received in a foreign currency shall be translated into United States currency at the currency exchange rate in effect at a reasonable time prior to or on the date of the sale of the securities. If securities are not offered for cash, the aggregate offering price shall be based on the value of the consideration as established by bona fide sales of that consideration made within a reasonable time, or, in the absence of sales, on the fair value as determined by an accepted standard. Such valuations of noncash consideration must be reasonable at the time made;

(4) "Business combination" shall mean any transaction of the type specified in paragraph (a) of Rule 145 under the Securities Act of 1933 and any transaction involving the acquisition by one issuer, in exchange for all or a part of its own or its parent's stock, of stock of another issuer if, immediately after the acquisition, the acquiring issuer has control of the other issuer (whether or not it had control before the acquisition);

(5) "Calculation of number of purchasers." For purposes of calculating the number of purchasers under WAC 460-44A-504 and 460-44A-505 the following shall apply:

(a) The following purchasers shall be excluded:

(i) Any relative, spouse or relative of the spouse of a purchaser who has the same (~~principal~~) primary residence as the purchaser;

(ii) Any trust or estate in which a purchaser and any of the persons related to him as specified in WAC 460-44A-501 (5)(a)(i) or (iii) collectively have more than fifty percent of the beneficial interest (excluding contingent interests);

(iii) Any corporation or other organization of which a purchaser and any of the persons related to him as specified in WAC 460-44A-501 (5)(a)(i) or (ii) collectively are beneficial owners of more than fifty percent of the equity securities (excluding directors' qualifying shares) or equity interests; and

(iv) Any accredited investor.

(b) A corporation, partnership or other entity shall be counted as one purchaser. If, however, that entity is organized for the specific purpose of acquiring the securities offered and is not an accredited investor under WAC 460-44A-501 (1)(h), then each beneficial owner of equity securities or equity interests in the entity shall count as a separate purchaser for all provisions of WAC 460-44A-501 through 460-44A-508, except to the extent provided in (a) of this subsection.

(c) A noncontributory employee benefit plan within the meaning of Title I of the Employee Retirement Income Secu-

urity Act of 1974 shall be counted as one purchaser where the trustee makes all investment decisions for the plan.

Note: The issuer must satisfy all the other provisions of WAC 460-44A-501 through 460-44A-505 for all purchasers whether or not they are included in calculating the number of purchasers. Clients of an investment adviser or customers of a broker-dealer shall be considered the "purchasers" under WAC 460-44A-501 through 460-44A-505 regardless of the amount of discretion given to the investment adviser or broker-dealer to act on behalf of the client or customer.

(6) "Executive officer" shall mean the president, any vice-president in charge of a principal business unit, division or function (such as sales, administration or finance), or any other officer who performs a policy making function, or any other person who performs similar policy making functions for the issuer. Executive officers of subsidiaries may be deemed executive officers of the issuer if they perform such policy making functions for the issuer;

(7) "Issuer" as defined in Section 2 (a)(4) of the Securities Act of 1933 or RCW 21.20.005 shall apply, except that in the case of a proceeding under the Federal Bankruptcy Code (11 U.S.C. 101 et seq.), the trustee or debtor in possession shall be considered the issuer in an offering under a plan or reorganization, if the securities are to be issued under the plan;

(8) "Purchaser representative" shall mean any person who satisfies all of the following conditions or who the issuer reasonably believes satisfies all of the following conditions:

(a) Is not an affiliate, director, officer or other employee of the issuer, or beneficial owner of ten percent or more of any class of the equity securities or ten percent or more of the equity interest in the issuer, except where the purchaser is:

(i) A relative of the purchaser representative by blood, marriage or adoption and not more remote than a first cousin;

(ii) A trust or estate in which the purchaser representative and any person related to him as specified in WAC 460-44A-501 (8)(a)(i) or (iii) collectively have more than fifty percent of the beneficial interest (excluding contingent interest) or of which the purchaser representative serves as trustee, executor, or in any similar capacity; or

(iii) A corporation or other organization of which the purchaser representative and any persons related to him as specified in WAC 460-44A-501 (8)(a)(i) or (ii) collectively are the beneficial owners of more than 50 percent of the equity securities (excluding directors' qualifying shares) or equity interests;

(b) Has such knowledge and experience in financial and business matters that he is capable of evaluating, alone, or together with other purchaser representatives of the purchaser, or together with the purchaser, the merits and risks of the prospective investment;

(c) Is acknowledged by the purchaser in writing, during the course of the transaction, to be his purchaser representative in connection with evaluating the merits and risks of the prospective investment; and

(d) Discloses to the purchaser in writing a reasonable time prior to the sale of securities to that purchaser any material relationship between himself or his affiliates and the issuer or its affiliates that then exists, that is mutually understood to be contemplated, or that has existed at any time

during the previous two years, and any compensation received or to be received as a result of such relationship.

- Note 1: A person acting as a purchaser representative should consider the applicability of the registration and anti-fraud provisions relating to broker-dealers under chapter 21.20 RCW and the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq., as amended) and relating to investment advisers under chapter 21.20 RCW and the Investment Advisers Act of 1940.
- Note 2: The acknowledgment required by paragraph (8)(c) and the disclosure required by paragraph (8)(d) of this WAC 460-44A-501 must be made with specific reference to each prospective investment. Advance blanket acknowledgment, such as for "all securities transactions" or "all private placements," is not sufficient.
- Note 3: Disclosure of any material relationships between the purchaser representative or his affiliates and the issuer or its affiliates does not relieve the purchaser representative of his obligation to act in the best interest of the purchaser.

AMENDATORY SECTION (Amending WSR 08-16-072, filed 7/31/08, effective 9/15/08)

WAC 460-44A-502 General conditions to be met. The following conditions shall be applicable to offers and sales made under WAC 460-44A-504 or 460-44A-505:

(1) "Integration." All sales that are part of the same offering under these rules must meet all of the terms and conditions of these rules. Offers and sales that are made more than six months before the start of an offering or are made more than six months after completion of an offering, will not be considered part of that offering, so long as during those six month periods there are no offers or sales of securities by or for the issuer that are of the same or a similar class as those offered or sold under these rules, other than those offers or sales of securities under an employee benefit plan.

Note: The term "offering" is not defined in the securities acts. If the issuer offers or sells securities for which the safe harbor rule in WAC 460-44A-502(1) is unavailable, the determination as to whether separate sales of securities are part of the same offering (i.e. are considered "integrated") depends on the particular facts and circumstances. Generally, transactions otherwise meeting the requirements of an exemption will not be integrated with simultaneous offerings being made outside the United States in compliance with Securities and Exchange Commission Regulation S.

The following factors should be considered in determining whether offers and sales should be integrated for purposes of the exemptions under these rules:

- (a) Whether the sales are part of a single plan of financing;
- (b) Whether the sales involve issuance of the same class of securities;
- (c) Whether the sales have been made at or about the same time;
- (d) Whether the same type of consideration is received; and
- (e) Whether the sales are made for the same general purpose.

See Securities and Exchange Commission Release No. 33-4552 (November 6, 1962).

- (2) Information requirements.

(a) When information must be furnished.

If the issuer sells securities under WAC 460-44A-505 to any purchaser that is not an accredited investor, the issuer shall furnish the information specified in WAC 460-44A-502 (2)(b) to such purchaser a reasonable time prior to sale. The issuer is not required to furnish the specified information to purchasers when it sells securities under WAC 460-44A-504, or to any accredited investor.

Note: When an issuer provides information to investors pursuant to WAC 460-44A-502 (2)(a), it should consider providing such information to accredited investors as well, in view of the anti-fraud provisions of the federal and state securities laws.

(b) Type of information to be furnished.

(i) If the issuer is not subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934, at a reasonable time prior to the sale of securities the issuer shall furnish to the purchaser the following information, to the extent material to an understanding of the issuer, its business, and the securities being offered:

(A) Nonfinancial statement information. If the issuer is eligible to use Regulation A, the same kind of information as would be required in Part II of Form 1-A, 17 C.F.R. Sec. 239.90. If the issuer is not eligible to use Regulation A, the same kind of information as required in Part I of a registration statement filed under the Securities Act on the form that the issuer would be entitled to use.

(B) Financial statement information.

(I) Offerings up to \$2,000,000. The information required in (~~Item 310 of Regulation S-B~~) Article 8 of Regulation S-X, 17 C.F.R. Sec. (~~(228.310)~~) 210.8, except that only the issuer's balance sheet, which shall be dated within 120 days of the start of the offering, must be audited.

(II) Offerings up to ~~\$(5,000,000)~~ 7,500,000. The financial statement information required in Form (~~(SB-2)~~) S-1, 17 C.F.R. Sec. 239.10. If an issuer, other than a limited partnership, cannot obtain audited financial statements without unreasonable effort or expense, then only the issuer's balance sheet, which shall be dated within 120 days of the start of the offering, must be audited. If the issuer is a limited partnership and cannot obtain the required financial statements without unreasonable effort or expense, it may furnish financial statements that have been prepared on the basis of federal income tax requirements and examined and reported on in accordance with generally accepted auditing standards by an independent public or certified accountant.

(C) If the issuer is a foreign private issuer eligible to use Form 20-F, the issuer shall disclose the same kind of information required to be included in a registration statement filed under the Securities Act of 1933 on the form that the issuer would be entitled to use. The financial statements need be certified only to the extent required by (2)(b)(i)(B)(I) or (II) of this subsection, as appropriate.

(ii) If the issuer is subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934, at a reasonable time prior to the sale of securities the issuer shall furnish to the purchaser the information required by Securities and Exchange Commission Regulation D, Rule 502 (b)(2)(ii) as appropriate.

(iii) Exhibits required to be filed with the administrator of securities or the securities and exchange commission as

part of a registration statement or report, other than an annual report to shareholders or parts of that report incorporated by reference in a Form 10-K and Form 10-KSB report, need not be furnished to each purchaser that is not an accredited investor if the contents of material exhibits are identified and such exhibits are made available to a purchaser, upon his written request, a reasonable time prior to his purchase.

(iv) At a reasonable time prior to the sale of securities to any purchaser that is not an accredited investor in a transaction under WAC 460-44A-505, the issuer shall furnish to the purchaser a brief description in writing of any material written information concerning the offering that has been provided by the issuer to any accredited investor but not previously delivered to such unaccredited purchaser. The issuer shall furnish any portion or all of this information to the purchaser, upon his written request a reasonable time prior to his purchase.

(v) The issuer shall also make available to each purchaser at a reasonable time prior to his purchase of securities in a transaction under WAC 460-44A-505 the opportunity to ask questions and receive answers concerning the terms and conditions of the offering and to obtain any additional information which the issuer possesses or can acquire without unreasonable effort or expense that is necessary to verify the accuracy of information furnished under WAC 460-44A-502 (2)(b)(i) or (ii).

(vi) For business combinations or exchange offers, in addition to information required by Form S-4, 17 C.F.R. Sec. 239.25, the issuer shall provide to each purchaser at the time the plan is submitted to security holders, or, with an exchange, during the course of the transaction and prior to sale, written information about any terms or arrangements of the proposed transactions that are materially different from those for all other security holders. For purposes of this subsection, an issuer which is not subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934 may satisfy the requirements of Part I.B. or C. of Form S-4 by compliance with (b)(i) of this subsection.

(vii) At a reasonable time prior to the sale of securities to any purchaser that is not an accredited investor in a transaction under WAC 460-44A-505, the issuer shall advise the purchaser of the limitations on resale in the manner contained in subsection (4)(b) of this section. Such disclosure may be contained in other materials required to be provided by this paragraph.

(3) Limitation on manner of offering. Neither the issuer nor any person acting on its behalf shall offer or sell the securities by any form of general solicitation or general advertising, including, but not limited to, the following:

(a) Any advertisement, article, notice or other communication published in any newspaper, magazine, or similar media or broadcast over television or radio; and

(b) Any seminar or meeting whose attendees have been invited by any general solicitation or general advertising:

Provided, however, that publication by an issuer of a notice in accordance with 17 C.F.R. Sec. 230.135c or filing with the Securities and Exchange Commission by an issuer of a notice of sales on Form D (17 C.F.R. 239.500) in which the issuer has made a good faith and reasonable attempt to com-

ply with the requirements of such form, shall not be deemed to constitute general solicitation or general advertising for purposes of this section: Provided further, that, if the requirements of 17 C.F.R. Sec. 230.135e are satisfied, providing any journalist with access to press conferences held outside of the United States, to meetings with issuer or selling security holder representatives conducted outside of the United States, or to written press-related materials released outside the United States, at or in which a present or proposed offering of securities is discussed, will not be deemed to constitute general solicitation or general advertising for purposes of this section.

(4) Limitations on resale. Securities acquired in a transaction under WAC 460-44A-501 through 460-44A-505 shall have the status of restricted securities acquired in a nonpublic offering transaction under section 4 (a)(2) of the Securities Act of 1933 and RCW 21.20.320(1) and cannot be resold without registration under the Securities Act of Washington or an exemption therefrom. The issuer shall exercise reasonable care to assure that the securities are restricted and that the purchasers of the securities are not underwriters within the meaning of section 2 (a)(11) of the Securities Act of 1933, which reasonable care may be demonstrated by the following:

(a) Reasonable inquiry to determine if the purchaser is acquiring the securities for himself or for other persons;

(b) Written disclosure to each purchaser prior to sale that the securities have not been registered under the Securities Act of 1933, and the Washington administrator of securities has not reviewed or recommended the offering or offering circular and the securities have not been registered under the Securities Act of Washington, chapter 21.20 RCW, and, therefore, cannot be resold unless they are registered under the Securities Act of 1933 and the Securities Act of Washington chapter 21.20 RCW or unless an exemption from registration is available; and

(c) Placement of a legend on the certificate or other document that evidences the securities stating that the securities have not been registered under the Securities Act of 1933 and the Securities Act of Washington chapter 21.20 RCW and setting forth or referring to the restrictions on transferability and sale of the securities.

(d) A written disclosure or legend will be deemed to comply with the provisions of WAC 460-44A-502 (4)(b) or (c) if it complies with the North American Securities Administrators Association Uniform Disclosure Guidelines on Legends, NASAA Reports CCH Para. 1352 (1989).

While taking these actions will establish the requisite reasonable care, it is not the exclusive method to demonstrate such care. Other actions by the issuer may satisfy this provision. In addition, WAC 460-44A-502 (2)(b)(vii) requires the delivery of written disclosure of the limitations on resale to investors in certain instances.

AMENDATORY SECTION (Amending WSR 09-24-078, filed 11/30/09, effective 12/31/09)

WAC 460-44A-503 Filing of notice and payment of fee. (1) An issuer offering or selling securities in reliance on WAC 460-44A-504, 460-44A-505, or 460-44A-506 shall file

with the administrator of securities of the department of financial institutions or his or her designee a notice and pay a filing fee as follows:

(a)(i)(A) For an offering of a security in reliance upon the Securities Act of 1933, Regulation D, Rule 230.506(b) and RCW 21.20.327(2) and 21.20.320(1), the issuer shall file a notice on Securities and Exchange Commission Form D marking Rule 506(b) and pay a filing fee of three hundred dollars no later than fifteen days after the first sale of such securities in the state of Washington, unless the end of that period falls on a Saturday, Sunday or holiday, in which case the due date would be the first business day following.

(B) For an offering of a security in reliance upon the Securities Act of 1933, Regulation D, Rule 230.506(c) and RCW 21.20.327(2), the issuer shall file a notice on Securities and Exchange Commission Form D marking Rule 506(c) and pay a filing fee of three hundred dollars no later than fifteen days after the first sale of such securities in the state of Washington, unless the end of that period falls on a Saturday, Sunday or holiday, in which case the due date would be the first business day following.

(C) For an offering in reliance on Securities and Exchange Commission Rule 505 and WAC 460-44A-505, the issuer shall file the initial notice on Securities and Exchange Commission Form D marking Rule 505 and pay a filing fee of three hundred dollars no later than fifteen days after the first sale of securities in the state of Washington which results from an offer being made in reliance upon WAC 460-44A-505, unless the end of that period falls on a Saturday, Sunday or holiday, in which case the due date would be the first business day following;

~~((C))~~ (D) For an offering in reliance on Securities and Exchange Commission Rule 504 and WAC 460-44A-504, the issuer shall file the initial notice on Securities and Exchange Commission Form D marking Rule 504 and pay a filing fee of fifty dollars no later than ten business days (or such lesser period as the administrator may allow) prior to receipt of consideration or the delivery of a signed subscription agreement by an investor in the state of Washington which results from an offer being made in reliance upon WAC 460-44A-504;

~~((D))~~ (E) For an offering in reliance on Securities and Exchange Commission Rule 147 and WAC 460-44A-504, the issuer shall file the initial notice on Washington Securities Division Form WAC 460-44A-504/Rule 147 and pay a filing fee of fifty dollars no later than ten business days (or such lesser period as the administrator may allow) prior to receipt of consideration or the delivery of a signed subscription agreement by an investor in the state of Washington which results from an offer being made in reliance on the exemption of WAC 460-44A-504;

(ii) The issuer shall include with the initial notice a statement indicating:

(A) The date of first sale of securities in the state of Washington; or

(B) That sales have yet to occur in the state of Washington.

(b) The issuer shall file with the administrator or his or her designee such other notices on Form D as are required to be filed with the Securities and Exchange Commission. For

purposes of this section, the initial notice on Securities and Exchange Commission Form D shall consist of ~~((either the Temporary Form D (17 C.F.R. 239.500T) as adopted by the Securities and Exchange Commission together with an executed uniform consent to service of process on Form U-2 while Temporary Form D remains in effect from September 15, 2008 through March 15, 2009, or))~~ the notice of sales on Form D filed in paper or electronic format with the Securities and Exchange Commission through the Electronic Data Gathering, Analysis, and Retrieval System (EDGAR) in accordance with EDGAR rules set forth in Regulation S-T (17 C.F.R. Part 232) ~~((and in effect on September 15, 2008))~~.

(c) If the issuer files a notice of sales on Temporary Form D or a copy of the notice of sales on Form D filed in electronic format with the Securities and Exchange Commission, it shall either be manually signed by a person duly authorized by the issuer or a photocopy of a manually signed copy.

(d) By filing for the exemption of WAC 460-44A-504 or 460-44A-505, the issuer undertakes to furnish to the administrator, upon request, the information to be furnished or furnished by the issuer under WAC 460-44A-502 (2)(b) or otherwise to any purchaser that is not an accredited investor. Failure to submit the information in a timely manner will be a ground for denial or revocation of the exemption of WAC 460-44A-504 or 460-44A-505.

(2) An issuer may file an amendment to a previously filed notice of sales on Form D at any time.

(3) An issuer must file an amendment to a previously filed notice of sales on Form D for an offering:

(a) To correct a material mistake of fact or error in the previously filed notice of sales on Form D, as soon as practicable after discovery of the mistake or error;

(b) To reflect a change in the information provided in the previously filed notice of sales on Form D, as soon as practicable after the change, except that no amendment is required to reflect a change that occurs after the offering terminates or a change that occurs solely in the following information:

(i) The address or relationship of the issuer of a related person identified in response to Item 3 of the notice of sales on Form D;

(ii) An issuer's revenues or aggregate net asset value;

(iii) The minimum investment amount, if the change is an increase, or if the change, together with all other changes in that amount since the previously filed notice of sales on Form D, does not result in a decrease of more than ten percent;

(iv) Any address or state(s) of solicitation shown in response to Item 12 of the notice of sales on Form D;

(v) The total offering amount, if the change is a decrease, or if the change, together with all other changes in that amount since the previously filed notice of sales on Form D, does not result in an increase of more than ten percent;

(vi) The amount of securities sold in the offering or the amount remaining to be sold;

(vii) The number of nonaccredited investors who have invested in the offering, as long as the change does not increase the number to more than thirty-five;

(viii) The total number of investors who have invested in the offering;

(ix) The amount of sales commissions, finders' fees or use of proceeds for payments to executive officers, directors or promoters, if the change is a decrease, or if the change, together with all other changes in that amount since the previously filed notice of sales on Form D, does not result in an increase of more than ten percent; and

(c) Annually, on or before the first anniversary of the filing of the notice of sales on Form D or the filing of the most recent amendment to the notice of sales on Form D, if the offering is continuing at that time.

(4) An issuer that files an amendment to a previously filed notice of sales on Form D must provide current information in response to all requirements of the notice of sales on Form D regardless of why the amendment is filed.

~~((5) Amendments to notices filed before September 15, 2008 and to notices filed on or after September 15, 2008 in paper format using Temporary Form D (17 C.F.R. 239.500T) must use Temporary Form D but need only report the issuer's name and the information required by Part C and any material change in the facts from those set forth in Parts A and B.))~~

AMENDATORY SECTION (Amending WSR 08-16-072, filed 7/31/08, effective 9/15/08)

WAC 460-44A-506 Conditions pertaining to the offer and sale of securities pursuant to Rule 506 of the Securities Act of 1933. (1) Offers and sales of securities by an issuer in compliance with the Securities Act of 1933, Regulation D, Rules 230.501 through 230.503; 230.506; and 230.508 as made effective in Release No. 33-6389, and as amended in Release Nos. 33-6437, 33-6663, 33-6758, 33-6825, 33-6863, 33-6949, 33-6996, ~~((and))~~ 33-8891, 33-9414, and 33-9415 shall satisfy the conditions in subsections (2) and (3) of this section.

(2) To qualify for preemption under this section, offers and sales must satisfy all the terms and conditions of WAC 460-44A-503.

Note: In order to comply with this section the issuer must comply with the provisions of Rule 506 (17 C.F.R. Sec. 230.506) of the Federal Securities and Exchange Commission.

(3) Offers or sales which are exempted under this section may not be combined in the same offering with offers or sales exempted under any other rule or section of chapter 21.20 RCW; however, nothing in this limitation shall act as an election. Should for any reason an offering fail to comply with all of the conditions for this section, the issuer may claim the availability of any other applicable exemption.

WSR 14-11-009

PERMANENT RULES

STATE BOARD OF HEALTH

[Filed May 8, 2014, 9:34 a.m., effective June 8, 2014]

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

Purpose: WAC 246-101-010 Definitions within the notifiable conditions regulations, the purpose of the rule adoption is to change the definition of "elevated blood lead level" for children and adults for consistency with the Centers for Dis-

ease Control and Prevention guidance for children and adults; change the term "boarding home" to "assisted living facility" consistent with SHB 2056, chapter 10, Laws of 2012; and clarify the definition of "laboratory."

Citation of Existing Rules Affected by this Order: Amending WAC 246-101-010.

Statutory Authority for Adoption: RCW 43.20.050.

Adopted under notice filed as WSR 14-04-113 on February 4, 2014.

A final cost-benefit analysis is available by contacting Rad Cunningham, 243 Israel Road S.E., Tumwater, WA 98501, phone (360) 236-3359, fax (360) 236-3059, e-mail rad.cunningham@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 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: March 12, 2014.

Michelle A. Davis
Executive Director

AMENDATORY SECTION (Amending WSR 11-02-065, filed 1/4/11, effective 2/4/11)

WAC 246-101-010 Definitions within the notifiable conditions regulations. The following definitions apply in the interpretation and enforcement of this chapter:

(1) "Associated death" means a death resulting directly or indirectly from the confirmed condition of influenza or varicella. There should be no period of complete recovery between the illness and death.

(2) "Blood lead level" means a measurement of lead content in whole blood.

(3) "Board" means the Washington state board of health.

(4) "Carrier" means a person harboring a specific infectious agent and serving as a potential source of infection to others.

(5) "Case" means a person, alive or dead, diagnosed with a particular disease or condition by a health care provider with diagnosis based on clinical or laboratory criteria or both.

(6) "Child day care facility" means an agency regularly providing care for a group of children for less than twenty-four hours a day and subject to licensing under chapter 74.15 RCW.

(7) "Condition notifiable within three business days" means a notifiable condition that must be reported to the local health officer or the department within three business days following date of diagnosis. For example, if a condition noti-

fiable within three business days is diagnosed on a Friday afternoon, the report must be submitted by the following Wednesday.

(8) "Communicable disease" means a disease caused by an infectious agent that can be transmitted from one person, animal, or object to another person by direct or indirect means including transmission through an intermediate host or vector, food, water, or air.

(9) "Contact" means a person exposed to an infected person, animal, or contaminated environment that may lead to infection.

(10) "Department" means the Washington state department of health.

(11) "Disease of suspected bioterrorism origin" means a disease caused by viruses, bacteria, fungi, or toxins from living organisms that are used to produce death or disease in humans, animals, or plants. Many of these diseases may have nonspecific presenting symptoms. The following situations could represent a possible bioterrorism event and should be reported immediately to the local health department:

(a) A single diagnosed or strongly suspected case of disease caused by an uncommon agent or a potential agent of bioterrorism occurring in a patient with no known risk factors;

(b) A cluster of patients presenting with a similar syndrome that includes unusual disease characteristics or unusually high morbidity or mortality without obvious etiology; or

(c) Unexplained increase in a common syndrome above seasonally expected levels.

(12) "Elevated blood lead level" means blood lead levels equal to or greater than ((25)) 10 micrograms per deciliter for persons aged fifteen years or older, or equal to or greater than ((40)) 5 micrograms per deciliter in children less than fifteen years of age.

(13) "Emerging condition with outbreak potential" means a newly identified condition with potential for person-to-person transmission.

(14) "Food service establishment" means a place, location, operation, site, or facility where food is manufactured, prepared, processed, packaged, dispensed, distributed, sold, served, or offered to the consumer regardless of whether or not compensation for food occurs.

(15) "Health care-associated infection" means an infection acquired in a health care facility.

(16) "Health care facility" means:

(a) Any (~~boarding home~~) assisted living facility licensed under chapter 18.20 RCW; birthing center licensed under chapter 18.46 RCW; nursing home licensed under chapter 18.51 RCW; hospital licensed under chapter 70.41 RCW; adult family home licensed under chapter 70.128 RCW; ambulatory surgical facility licensed under chapter 70.230 RCW; or private establishment licensed under chapter 71.12 RCW;

(b) Clinics, or other settings where one or more health care providers practice; and

(c) In reference to a sexually transmitted disease, other settings as defined in chapter 70.24 RCW.

(17) "Health care provider" means any person having direct or supervisory responsibility for the delivery of health care who is:

(a) Licensed or certified in this state under Title 18 RCW; or

(b) Military personnel providing health care within the state regardless of licensure.

(18) "Health care services to the patient" means treatment, consultation, or intervention for patient care.

(19) "Health carrier" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, a health care service contractor as defined in RCW 48.44.010, or a health maintenance organization as defined in RCW 48.46.020.

(20) "HIV testing" means conducting a laboratory test or sequence of tests to detect the human immunodeficiency virus (HIV) or antibodies to HIV performed in accordance with requirements to WAC 246-100-207. To assure that the protection, including, but not limited to, pre- and post-test counseling, consent, and confidentiality afforded to HIV testing as described in chapter 246-100 WAC also applies to the enumeration of CD4 + (T4) lymphocyte counts (CD4 + counts) and CD4 + (T4) percents of total lymphocytes (CD4 + percents) when used to diagnose HIV infection, CD4 + counts and CD4 + percents will be presumed HIV testing except when shown by clear and convincing evidence to be for use in the following circumstances:

(a) Monitoring previously diagnosed infection with HIV;

(b) Monitoring organ or bone marrow transplants;

(c) Monitoring chemotherapy;

(d) Medical research; or

(e) Diagnosis or monitoring of congenital immunodeficiency states or autoimmune states not related to HIV.

The burden of proving the existence of one or more of the circumstances identified in (a) through (e) of this subsection shall be on the person asserting the existence.

(21) "Immediately notifiable condition" means a notifiable condition of urgent public health importance, a case or suspected case of which must be reported to the local health officer or the department without delay at the time of diagnosis or suspected diagnosis, twenty-four hours a day, seven days a week.

(22) "Infection control measures" means the management of infected persons, or of a person suspected to be infected, and others in a manner to prevent transmission of the infectious agent.

(23) "Institutional review board" means any board, committee, or other group formally designated by an institution, or authorized under federal or state law, to review, approve the initiation of, or conduct periodic review of research programs to assure the protection of the rights and welfare of human research subjects as defined in RCW 70.02.010.

(24) "Isolation" means the separation or restriction of activities of infected individuals, or of persons suspected to be infected, from other persons to prevent transmission of the infectious agent.

(25) "Laboratory" means any facility licensed as a medical test site under chapter 70.42 RCW and chapter 246-338 WAC.

(26) "Laboratory director" means the director or manager, by whatever title known, having the administrative responsibility in any licensed medical test site.

(27) "Local health department" means the city, town, county, or district agency providing public health services to

persons within the area, established under chapters 70.05, 70.08, and 70.46 RCW.

(28) "Local health officer" means the individual having been appointed under chapter 70.05 RCW as the health officer for the local health department, or having been appointed under chapter 70.08 RCW as the director of public health of a combined city-county health department.

(29) "Member of the general public" means any person present within the boundary of the state of Washington.

(30) "Monthly notifiable condition" means a notifiable condition which must be reported to the local health officer or the department within one month of diagnosis.

(31) "Notifiable condition" means a disease or condition of public health importance, a case of which, and for certain diseases, a suspected case of which, must be brought to the attention of the local health officer or the state health officer.

(32) "Other rare diseases of public health significance" means a disease or condition, of general or international public health concern, which is occasionally or not ordinarily seen in the state of Washington including, but not limited to, spotted fever rickettsiosis, babesiosis, tick paralysis, anaplasmosis, and other tick borne diseases. This also includes public health events of international concern and communicable diseases that would be of general public concern if detected in Washington.

(33) "Outbreak" means the occurrence of cases or suspected cases of a disease or condition in any area over a given period of time in excess of the expected number of cases.

(34) "Patient" means a case, suspected case, or contact.

(35) "Pesticide poisoning" means the disturbance of function, damage to structure, or illness in humans resulting from the inhalation, absorption, ingestion of, or contact with any pesticide.

(36) "Principal health care provider" means the attending health care provider recognized as primarily responsible for diagnosis or treatment of a patient, or in the absence of such, the health care provider initiating diagnostic testing or treatment for the patient.

(37) "Public health authorities" means local health departments, the state health department, and the department of labor and industries personnel charged with administering provisions of this chapter.

(38) "Quarantine" means the separation or restriction on activities of an individual having been exposed to or infected with an infectious agent, to prevent disease transmission.

(39) "School" means a facility for programs of education as defined in RCW 28A.210.070 (preschool and kindergarten through grade twelve).

(40) "Sexually transmitted disease (STD)" means a bacterial, viral, fungal, or parasitic disease or condition which is usually transmitted through sexual contact, including:

- (a) Acute pelvic inflammatory disease;
- (b) Chancroid;
- (c) *Chlamydia trachomatis* infection;
- (d) Genital and neonatal Herpes simplex;
- (e) Genital human papilloma virus infection;
- (f) Gonorrhea;
- (g) Granuloma inguinale;
- (h) Hepatitis B infection;

(i) Human immunodeficiency virus (HIV) infection and acquired immunodeficiency syndrome (AIDS);

(j) Lymphogranuloma venereum;

(k) Nongonococcal urethritis (NGU); and

(l) Syphilis.

(41) "State health officer" means the person designated by the secretary of the department to serve as statewide health officer, or, in the absence of this designation, the person having primary responsibility for public health matters in the state.

(42) "Suspected case" means a person whose diagnosis is thought likely to be a particular disease or condition with suspected diagnosis based on signs and symptoms, laboratory evidence, or both.

(43) "Third-party payor" means an insurer regulated under Title 48 RCW authorized to transact business in this state or other jurisdiction including a health care service contractor and health maintenance organization, an employee welfare benefit plan, or a state or federal health benefit program as defined in RCW 70.02.010.

(44) "Unexplained critical illness or death" means cases of illness or death with infectious hallmarks but no known etiology, in previously healthy persons one to forty-nine years of age excluding those with chronic medical conditions (e.g., malignancy, diabetes, AIDS, cirrhosis).

(45) "Veterinarian" means an individual licensed and practicing under provisions of chapter 18.92 RCW, Veterinary medicine, surgery, and dentistry.

WSR 14-11-012

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed May 8, 2014, 10:01 a.m., effective June 8, 2014]

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

Purpose: Radiation protection—Air emissions; WAC 246-247-030 Definitions, for the purpose of clarity, the department of health is adopting revisions to the definition of "license" to accurately reflect the department of health actions and to clarify related actions by the department of ecology and the local air pollution control authorities.

Citation of Existing Rules Affected by this Order: Amending WAC 246-247-030.

Statutory Authority for Adoption: RCW 70.98.050 and 70.98.080.

Adopted under notice filed as WSR 14-01-007 on December 4, 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 1, Repealed 0.

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

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

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

Date Adopted: May 7, 2014.

John Wiesman, DrPH, MPH
Secretary

AMENDATORY SECTION (Amending WSR 94-07-010, filed 3/4/94, effective 4/4/94)

WAC 246-247-030 Definitions. Terms used in this chapter have the definitions set forth below with reference to radioactive air emissions.

(1) "Abatement technology" means any mechanism, process or method that has the potential to reduce public exposure to radioactive air emissions. Abatement control features include automatic mechanisms and administrative controls used in the operation and control of abatement technology from entry of radionuclides into the ventilated vapor space to release to the environment.

(2) "Administrative control" means any policy or procedure that limits the emission of radionuclides.

(3) "ALARA" means as low as reasonably achievable making every reasonable effort to maintain exposures to radiation as far below the dose standards in this chapter as is practical, consistent with the purpose for which the licensed activity is undertaken, taking into account the state of technology, the economics of improvements in relation to the state of technology, the economics of improvements in relation to benefits to the public health and safety, and other socioeconomic considerations, and in relation to the utilization of nuclear energy, ionizing radiation, and radioactive materials in the public interest. See WAC 246-220-007.

(4) "As low as reasonably achievable control technology" (ALARACT) means the use of radionuclide emission control technology that achieves emission levels that are consistent with the philosophy of ALARA. ALARACT compliance is demonstrated by evaluating the existing control system and proposed nonsignificant modifications in relation to applicable technology standards and other control technologies operated successfully in similar applications. In no event shall application of ALARACT result in emissions of radionuclides that could cause exceedance of the applicable standards of WAC 246-247-040. See the definition of ALARA in this section. Note that ALARACT is equivalent to, but replaces, RACT in the May 7, 1986, version of chapter 173-480 WAC.

(5) "Annual possession quantity" means the sum of the quantity of a radionuclide on hand at the beginning of the calendar year and the quantity of that radionuclide received or produced during the calendar year.

(6) "Best available radionuclide control technology" (BARCT) means technology that will result in a radionuclide emission limitation based on the maximum degree of reduction for radionuclides from any proposed newly constructed or significantly modified emission units that the licensing authority determines is achievable on a case-by-case basis. A BARCT compliance demonstration must consider energy, environmental, and economic impacts, and other costs

through examination of production processes, and available methods, systems, and techniques for the control of radionuclide emissions. A BARCT compliance demonstration is the conclusion of an evaluative process that results in the selection of the most effective control technology from all known feasible alternatives. In no event shall application of BARCT result in emissions of radionuclides that could exceed the applicable standards of WAC 246-247-040. Control technology that meets BARCT requirements also meets ALARACT requirements. See WAC 173-480-030 and 246-247-120.

(7) "Committed effective dose equivalent" (CEDE) means the sum of the products of absorbed dose from internally deposited radionuclides and appropriate factors to account for differences in biological effectiveness due to the quality of radiation and its distribution in the body of reference man over a fifty-year period.

(8) "Construction" means fabrication, erection, or installation of a new building, structure, plant, process, or operation within a facility that has the potential to emit airborne radionuclides. Construction includes activities of a permanent nature aimed at completion of the emission unit, such as pouring concrete, putting in a foundation, or installing utilities directly related to the emission unit. It does not include preliminary activities such as tests to determine site suitability, equipment procurement and storage, site clearing and grading, and the construction of ancillary buildings.

(9) "Decommissioning" means actions taken to reduce or eliminate the potential public health and safety impacts of a building, structure, or plant that has permanently ceased operations, including, but not limited to, actions such as decontamination, demolition, and disposition.

(10) "Emission unit" means any single location that emits or has the potential to emit airborne radioactive material. This may be a point source, nonpoint source, or source of fugitive emissions.

(11) "Facility" means all buildings, structures, plants, processes, and operations on one contiguous site under control of the same owner or operator.

(12) "Fugitive emissions" are radioactive air emissions which do not and could not reasonably pass through a stack, vent, or other functionally equivalent structure, and which are not feasible to directly measure and quantify.

(13) "Indication device" means any method or apparatus used to monitor, or to enable monitoring, the operation of abatement controls or the potential or actual radioactive air emissions.

(14) "License" means a radioactive air emissions license (~~(, either)~~) issued by the department (~~(or incorporated by the department as an applicable portion of an air operating permit issued by the department of ecology or a local air pollution control authority,))~~ with requirements and limitations listed therein (~~(to which the licensed or permitted party must comply)~~). Compliance with the license requirements (~~(shall be)~~) are determined and enforced by the department. The license will be incorporated as an applicable requirement in the air operating permit issued by the department of ecology or a local air pollution control authority when the department of ecology or a local air pollution control authority issues an air operating permit.

(15) "Maximally exposed individual" (MEI) means any member of the public (real or hypothetical) who abides or resides in an unrestricted area, and may receive the highest TEDE from the emission unit(s) under consideration, taking into account all exposure pathways affected by the radioactive air emissions.

(16) "Modification" means any physical change in, or change in the method of operation of, an emission unit that could increase the amount of radioactive materials emitted or may result in the emission of any radionuclide not previously emitted. This definition includes the cleanup of land contaminated with radioactive material, the decommissioning of buildings, structures, or plants where radioactive contamination exists, and changes that will cause an increase in the emission unit's operating design capacity. This definition excludes routine maintenance, routine repair, replacement-in-kind, any increases in the production rate or hours of operation, provided the emission unit does not exceed the release quantities specified in the license application or the operating design capacity approved by the department, addition of abatement technology as long as it is not less environmentally beneficial than existing, approved controls, and changes that result in an increase in the quantity of emissions of an existing radionuclide that will be offset by an equal or greater decrease in the quantity of emissions of another radionuclide that is deemed at least as hazardous with regard to its TEDE to the MEI.

(17) "Monitoring" means the measurement of radioactive material released to the ambient air by means of an in-line radiation detector, and/or by the withdrawal of representative samples from the effluent stream. Ambient air measurements may be acceptable for nonpoint sources and fugitive emissions.

(18) "Nonpoint source" is a location at which radioactive air emissions originate from an area, such as contaminated ground above a near-surface waste disposal unit, whose extent may or may not be well-defined.

(19) "Notice of construction" (NOC) is an application submitted to the department by an applicant that contains information required by WAC 246-247-060 for proposed construction or modification of a registered emission unit(s), or for modification of an existing, unregistered emission unit(s).

(20) "Point source" is a discrete, well-defined location from which radioactive air emissions originate, such as a stack, vent, or other functionally equivalent structure.

(21) "Potential-to-emit" means the rate of release of radionuclides from an emission unit based on the actual or potential discharge of the effluent stream that would result if all abatement control equipment did not exist, but operations are otherwise normal. Determine the potential-to-emit by one of the following methods:

(a) Multiply the annual possession quantity of each radionuclide by the release fraction for that radionuclide, depending on its physical state. Use the following release fractions:

- (i) 1 for gases;
- (ii) 10^{-3} for liquids or particulate solids; and
- (iii) 10^{-6} for solids.

Determine the physical state for each radionuclide by considering its chemical form and the highest temperature to which it is subjected. Use a release fraction of one if the radionuclide is subjected to temperatures at or above its boiling point; use a release fraction of 10^{-3} if the radionuclide is subjected to temperatures at or above its melting point, but below its boiling point. If the chemical form is not known, use a release fraction of one for any radionuclide that is heated to a temperature of one hundred degrees Celsius or more, boils at a temperature of one hundred degrees Celsius or less, or is intentionally dispersed into the environment. Other release fractions may be used only with the department's approval; or

(b) Perform a back-calculation using measured emission rates and *in situ* measurements of the control equipment efficiencies, as approved by the department; or

(c) Measure the quantities of radionuclides captured in each control device, coupled with *in situ* measurements of the control equipment efficiencies, as approved by the department; or

(d) Sample the effluent upstream from all control devices, as approved by the department; or

(e) Use an alternative method approved by the department.

(22) "Replacement-in-kind" means the substitution of existing systems, equipment, components, or devices of an emission unit's control technology with systems, equipment, components, or devices with equivalent, or better, performance specifications that will perform the same function(s).

(23) "Routine" means:

(a) Maintenance, repair, or replacement-in-kind performed on systems, equipment, components, or devices of an emission unit's abatement technology as a planned part of an established inspection, maintenance, or quality assurance program that does not increase the emission unit's operating design capacity; or

(b) Normal, day-to-day operations of a facility.

(24) "Sealed source" means radioactive material that is permanently bonded or fixed in a capsule or matrix, or radioactive material in airtight containers, designed to prevent release and dispersal of the radioactive material under the most severe conditions encountered in normal use and handling.

(25) "Significant" means the potential-to-emit airborne radioactivity at a rate that could increase the TEDE to the MEI by at least 1.0 mrem/yr as a result of a proposed modification.

(26) "Total effective dose equivalent" (TEDE) means the sum of the dose equivalent due to external exposures and the CEDE due to internal exposures.

(27) "Uranium fuel cycle" means the operations of milling uranium ore, chemical conversion of uranium, isotopic enrichment of uranium, fabrication of uranium fuel, generation of electricity in a nuclear power plant that uses uranium fuel, and reprocessing of spent uranium fuel, to the extent that these operations solely support the production of electrical power for public use. Excluded are mining operations, waste disposal sites, transportation of any radioactive material, and the reuse of recovered nonuranium special nuclear and by-product materials from the cycle.

WSR 14-11-013
PERMANENT RULES
DEPARTMENT OF LICENSING

[Filed May 8, 2014, 11:33 a.m., effective July 1, 2014]

Effective Date of Rule: July 1, 2014.

Purpose: This order will extend suspension of partial renewal fees in an effort to maintain a balanced budget for the geologist licensing program. The current temporary suspension expires on July 1, 2014.

Citation of Existing Rules Affected by this Order: Amending WAC 308-15-150 Geologist fees.

Statutory Authority for Adoption: RCW 18.220.040.

Other Authority: RCW 43.24.086.

Adopted under notice filed as WSR 14-07-030 on March 10, 2014.

A final cost-benefit analysis is available by contacting Grace Hamilton, 405 Black Lake Boulevard, Building 2, Olympia, WA 98502, phone (360) 664-6652, e-mail ghamilton@dol.wa[,]gov.

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

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

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

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

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

Date Adopted: May 8, 2014.

Damon Monroe
Rules Coordinator

AMENDATORY SECTION (Amending WSR 11-08-054, filed 4/5/11, effective 7/1/11)

WAC 308-15-150 Fees. (1) Suspension of fees. Effective July 1, ((2014)) 2014, the listed fees shown in subsection (2) of this section are suspended and replaced with the following:

Table with 2 columns: Fee Description, Amount. Includes Annual renewal fee for geologist (\$40.00), Annual renewal for each specialty (\$50.00), Annual renewal for geologist with late fee (\$80.00), and Annual renewal fee for each specialty with late fee (\$100.00).

The fees set forth in this section shall revert back to the fee amounts shown in WAC 308-15-150 on July 1, ((2014)) 2016.

(2) Fees.

Table with 2 columns: Type of Fee, Amount. Includes Application fees (initial license), Examination fees, Renewal fees, and Miscellaneous fees.

WSR 14-11-021
PERMANENT RULES
GAMBLING COMMISSION

[Order 699—Filed May 9, 2014, 2:57 p.m., effective July 1, 2014]

Effective Date of Rule: July 1, 2014.

Purpose: Commission staff periodically review and evaluate regulatory processes, to ensure they meet regulatory goals and are not placing unnecessary burdens on individuals or businesses. We strive to remove duplications from rules, ensure consistency between licensees, and allow maximum flexibility for licensees. These reviews help us meet one of

our agency goals of "Anticipating and responding to the evolving gambling industry." In conjunction with the card room industry, we recently reviewed all card game rules to simplify and streamline requirements. These rule changes are a result from [of] this joint review.

Citation of Existing Rules Affected by this Order: Repealing WAC 230-15-570; and amending WAC 230-15-025, 230-15-111, 230-15-335, 230-15-430, 230-15-465, 230-15-505, 230-15-565, 230-15-575, 230-15-580, 230-15-380, 230-15-385, 230-15-480, 230-15-250, 230-15-355, 230-15-400, 230-15-530, 230-15-560, and 230-15-620.

Statutory Authority for Adoption: RCW 9.46.070, 9.46.0282.

Adopted under notice filed as WSR 14-07-087 on March 18, 2014.

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 18, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 18, Repealed 1.

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 18, Repealed 1.

Date Adopted: May 9, 2014.

Susan Newer
Rules Coordinator

AMENDATORY SECTION (Amending WSR 08-09-056, filed 4/14/08, effective 7/1/08)

WAC 230-15-025 Hours of play. (1) Licensees ~~((must not))~~ may only allow the use of their premises for card playing between the hours of 2:00 a.m. and 6:00 a.m. ~~((unless we approve different hours))~~ with written approval from us.

(2) ~~((Licensees may request, in writing, different hours of operation. Once the request is received))~~ After we have received a written request, we will consult with the local law enforcement agency ~~((having))~~ with jurisdiction over the licensee's business and with other state agencies involved in regulation of the business. ~~((We may allow licensees to adjust closing hours, but licensees must:))~~

(3) After you have received written approval to operate between the hours of 2:00 a.m. and 6:00 p.m. you may change your hours of operation without further approval from us. Class F and house-banked card rooms must include their hours of operation in their internal controls.

(4) You must also meet the following requirements:

(a) Open the food and/or drink business being stimulated to the public for business any time licensees are conducting card games; and

~~((b) ((Have a licensed card room employee on duty and in the licensed card game area at all times during the hours of~~

~~operation of a Class E, Class F, or house-banked card games; and~~

~~((e)))~~ Observe a four-hour period of closure at the end of at least two business days a week before beginning the next period of operation; and

~~((c)))~~ (c) Comply with any other terms and conditions we require.

~~((5)))~~ (5) We may deny the request for extended hours or revoke hours already approved if:

(a) The local law enforcement agency or a state agency objects; or

(b) We determine that the licensee has violated any provisions of chapter 9.46 RCW, any other commission rule, or any of the terms ~~((set forth in subsection (1) of this section))~~ of our approval.

~~((6)))~~ (6) Licensees must submit all objections to revocations of operating hours in writing.

~~((7)))~~ (7) If requested, we allow the licensee an opportunity for a brief adjudicative proceeding (BAP) before denying or revoking the licensee's authorization for extended card game hours. An administrative law judge hears the BAP, under the provisions of Title 230 WAC and chapter 34.05 RCW.

AMENDATORY SECTION (Amending WSR 07-21-116, filed 10/22/07, effective 1/1/08)

WAC 230-15-111 Destruction and disposal of gambling chips. ~~((Licensees must submit internal controls to us outlining the procedures for destroying or disposing of gambling logo chips.~~

~~(1) Licensees' internal controls must set out the method for destroying logo chips that are damaged or worn. The internal controls must include, at least:~~

~~(a) That chips must be destroyed or mutilated in such a way that they are unusable for play; and~~

~~(b) The two departments, one of which must be the accounting department, that will be responsible for overseeing chip destruction; and~~

~~(c) Only licensed employees may perform chip destruction.~~

~~(2)))~~ (1) Licensees must record all gambling chips they destroyed on a chip destruction log in the format we require.

~~((3)))~~ (2) If a card room closes, the licensee or former licensee must:

(a) Sell or otherwise transfer gambling equipment to a licensed manufacturer or distributor; or

(b) Destroy the chips according to ~~((the))~~ their established ~~((internal controls))~~ procedures and provide the chip destruction log to us.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-250 Recordkeeping for card tournaments. (1) Card game licensees must keep tournament records in the format we require.

(2) On the ~~((daily control sheet))~~ card tournament summary for the first day of a tournament, card game licensees must include the total gross gambling receipts (total tourna-

ment entry fees) and attach it to the ~~((record))~~ summary of participants, entry fees, and buy-ins.

(3) Class F licensees must attach the tournament records to the daily card game records for the date they awarded the majority of the prizes in the tournament.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-335 Internal controls. Class F licensees must establish internal controls that ensure gambling activities are closely controlled and operated fairly.

(1) The internal controls must require, at a minimum:

(a) Trained personnel; and

(b) Segregation of duties for all employees involved in the operation~~((; and~~

~~(c) Fee collection and funds safeguarding procedures; and~~

~~(d) Playing card and chip inventory).~~

(2) Licensees must inform their card room employees of the internal controls related to the employees' respective areas of responsibility.

(3) Licensees and all card room employees must follow the internal controls at all times.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-355 Counting procedures for fees. (1) We do not require Class F licensees using the drop box method to collect fees to have a separate count room if they have a secure location to count and they meet all other commission requirements for surveillance and counting procedures in WAC 230-15-275. Class F licensees must:

(a) Conduct the count at a specific time that licensees have reported to us; and

(b) Count all fees at least once every twenty-four hours; and

(c) Have at least two card room employees count and record the amount on the ~~((count))~~ card game control slip for each drop box; and

(d) Make an entry in the daily card room record for each type of fee collected at each table. Licensees must retain card game control slips for each table with the daily records.

(2) If Class F licensees using the drop box method do not have a secure location to conduct the count, they must meet the count room requirements of WAC 230-15-605.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-380 Seeding a player-supported jackpot. Class F or house-banked licensees may:

(1) ~~((Provide up to five thousand dollars seed money from house funds to start a PSJ. Licensees must issue))~~ Seed a PSJ and replenish the PSJ when depleted by issuing a check or ~~((make))~~ making an electronic bank transfer from the licensee's business account ~~((for the seed money to the PSJ account to start the prize fund)); and~~

(2) ~~((Licensees may replenish the PSJ as funds are depleted with up to five thousand dollars at a time; and~~

~~((3)))~~ Recover seed money by having the custodian issue a check or make an electronic bank transfer from the PSJ account to the licensee's business account.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-385 Collecting funds for a player-supported jackpot. Class F or house-banked licensees may collect ~~((up to two dollars per hand or game))~~ funds from the pot for each player-supported jackpot. Licensees:

(1) Must keep these funds separate from all other fees; and

(2) Must use either the chip rack or drop box method to collect these funds.

AMENDATORY SECTION (Amending WSR 10-11-087, filed 5/17/10, effective 7/1/10)

WAC 230-15-400 Accounting for player-supported jackpot funds. Class F or house-banked licensees must:

(1) Maintain a separate bank account in a bank, mutual savings bank, or credit union in Washington state for holding player-supported jackpot (PSJ) funds; and

(2) Deposit only funds from PSJs into the account; and

(3) Not make payouts from the PSJ funds until licensees have first deposited the funds in the PSJ account. However, licensees may pay out prizes won during the gambling day and deduct administrative expenses before licensees deposit the funds; and

(4) Transfer or deposit the PSJ funds into the PSJ account or with an armored car service no later than the second banking day after the close of business; and

(5) Identify all deposits or transfers of PSJ funds by the type of PSJ fund and date of collection. Licensees must keep the validated deposit receipts or transfer information as a part of their required daily records or have online access to their player-supported jackpot bank accounts; and

(6) Transfer the amount from the PSJ account to the cage or general account before the end of the month if PSJ prizes are paid from the cage or general account. The licensee must keep the transfer information as part of the written records; and

(7) Reconcile the account balance in their bank statement to the PSJ prize balance on their PSJ prize fund accrual record each month. "Reconcile" means the licensee must compare the two balances, resolve any differences, and document the comparison and the differences in writing. Licensees must keep the reconciliation as part of their records.

AMENDATORY SECTION (Amending WSR 07-10-034, filed 4/24/07, effective 1/1/08)

WAC 230-15-430 Internal control requirements.

General accountability requirements.

(1) House-banked card game licensees must have a system of internal controls including, at least:

(a) **Accounting controls** - Include the licensee's plan, procedures, and records concerned with the safeguarding of

assets and the reliability of financial records. Licensees must design these controls to provide reasonable assurance that((:

~~(i) Transactions are executed with management's general and specific authorization; and~~

~~(ii)) transactions are recorded so that financial statements are prepared in conformity with generally accepted accounting principles (GAAP), and so that accountability for assets is maintained; and~~

~~((iii) Access to assets is permitted only with management's authorization; and~~

~~(iv) Records are compared with existing assets at least annually and appropriate action is taken within five working days to correct any differences; and))~~

(b) **Administrative controls** - Include, at least, the ~~((licensee's plan, procedures, and records outlining decision-making processes that lead to authorization of transactions. These must provide for:~~

~~(i) Competent personnel with an understanding of internal control procedures; and~~

~~(ii)) segregation of incompatible functions so that no employee is in a position to commit and conceal errors or wrongdoings in the normal course of his or her duties.~~

Designating a general manager.

(2) The owner, partners, or board of directors for the licensee must designate an individual with overall responsibility for the business, called the "general manager." The general manager may also perform the duties of a gambling operations department manager; and

Establish separate departments or functions.

(3) Licensees must establish separate departments or functions which must be independent from each other. At a minimum, these must include:

- (a) Surveillance;
- (b) Security;
- (c) Gambling; and
- (d) Accounting.

Surveillance department requirements.

(4) The surveillance department manager must ensure that surveillance employees follow all requirements of the surveillance WACs, including, at least:

(a) Closely and clandestinely observing the operation of the card games, the cashier's cage, and count room; and

~~(b) ((Recording video and audio of the activities in the count room; and~~

~~(e)) Monitoring for cheating, theft, embezzlement, and other illegal activities on the licensed premises; and~~

~~((d)) (c) Recording video of unusual or suspected illegal activities; and~~

~~((e)) (d) Notifying appropriate supervisors and us, within three working days, when they detect cheating, theft, embezzlement, or other illegal activities related to gambling; and~~

~~((f)) (e) Giving our agents or law enforcement personnel immediate access to the surveillance room((; and~~

~~(g) Ensuring that each dealer is evaluated to determine if he or she follows all required dealer procedures set out in the~~

~~house-banked card game licensee's approved internal controls; and~~

~~(h) Documenting procedures about how winning wagers, jackpots, or bonus pay-outs will be verified; and~~

~~(i) Ensuring that all surveillance employees have demonstrated a knowledge of:~~

~~(i) Operating surveillance systems; and~~

~~(ii) Rules of play and procedures for the games being played; and~~

~~(iii) Overall procedures relating to the duties of all employees of the house-banked card room, including dealers, shift managers, floor supervisors, cage cashiers and count team members)).~~

Security department requirements.

(5) The security department manager must ensure that security employees control~~((; (a))~~ the transfer of cash and chips to and from the gambling tables, cage, and count room~~((; and~~

~~(b) Dealing shoes and new and used cards, when not in use or when held in evidence; and~~

~~(c) Disposing of or destroying used cards and dealing shoes, and observing accounting department employees when they destroy damaged chips when removed from service)).~~

Gambling operations department requirements.

(6) The gambling operations department manager, or general manager, is responsible for house-banked card games and must ensure that~~((; (a))~~ the dealers operate card games at assigned gambling tables~~((; and~~

~~(b) Cards and dealing shoes are properly accounted for when in use on the gambling floor; and~~

~~(c) There is adequate supervision on the business premises)).~~

Accounting department requirements.

(7) The accounting department must be supervised by a person who reports directly to the general manager. The accounting department must, at least:

(a) Implement and monitor accounting controls; and

(b) Control processes in the count room and cashier's cage; and

(c) Supervise the count room personnel and cashier's cage personnel; and

(d) Control the inventory of unused forms; and

(e) Reconcile the used and unused forms; and

(f) Prepare, control, and store records and data we require~~((; and~~

~~(g) Oversee, with the help of the security department, the destruction of damaged chips removed from service)).~~

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-465 Dealing all house-banked card games from a dealing shoe. House-banked card game licensees must deal all house-banked card games from a dealing shoe or a shuffling device we have approved with the

exception of single and double deck card games which may be dealt by hand.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-480 Commissions on winning hands.

The only direct or indirect fee (commission) licensees may collect is a (~~maximum of five percent~~) percentage from a winning hand in house-banked card games.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-505 Selling gambling chips to players.

House-banked card game licensees must accurately account for all chips and cash when they sell chips to players. Licensees must sell chips only at the gambling table. (~~The dealer must:~~

(1) ~~Spread the cash on the top of the gambling table so that the player, floor supervisor, and surveillance have a full view of the sale;~~

(2) ~~Announce the amount loudly enough to be heard by the player and the floor supervisor assigned to the table;~~

(3) ~~Have the floor supervisor verify all cash sales of one hundred dollars or more;~~

(4) ~~Prove the denomination and the number of chips to the player, floor supervisor, and surveillance before giving the chips to the player. Licensees must include their method for proving chips in their internal controls; and~~

(5) ~~After giving the chips to the player, immediately remove the cash from the table top and put it in the drop box attached to the table.)~~

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-530 Completing the credit process.

Requesting credit.

(1) The floor supervisor must prepare a request for credit to authorize the cage to prepare a credit slip for removing gambling chips and coin to the cashier's cage.

(2) The floor supervisor and a security department employee must sign the request for credit slip at the gambling table from which the gambling chips and coin are being removed.

Transporting requests for credit.

(3) A security department employee verifies the chips and coin to the request for credit and then transports the original of the request for credit and the gambling chips or coin removed from the gambling table directly to the cashier's cage.

(4) The dealer must place the duplicate copy of the request for credit face up on the gambling table. The form must not be removed until a credit slip is received from the cashier's cage.

Filling a request for credit.

(5) The cashier must prepare a credit slip in the format we require whenever gambling chips or coin are removed from the gambling tables to the cashier's cage.

(6) The cashier must compare the request for credit to the chips or coin and sign the credit slip.

(7) A security department employee must compare and verify the request for credit to the credit slip and sign the credit slip.

(8) A security department employee must transport the credit slip to the gambling table.

(9) The cashier retains the original of the request for credit.

Receiving the credit.

(10) On receiving the request for credit slip, the dealer and the floor supervisor verify the amount of the credit slip and sign the credit slip.

(11) After the dealer and floor supervisor sign the credit slip, the security department employee must observe that the dealer immediately places the duplicate credit slip and the duplicate request for credit in the drop box attached to the gambling table from which the gambling chips or coin were removed.

(12) The security department employee must return the original credit slip to the cashier's cage. The cage cashiers must keep together and control the original of the credit slip and request for credit.

(13) If an error is made on the credit slip, the cage cashier must write "VOID" on the original and duplicate of the slip and sign the slip.

(14) At the end of the day or shift, the cage cashier must forward all slips to either:

(a) The count team for agreement with the duplicate of the credit slip and duplicate of the request for credit removed from the drop box. After the count, all credit slips and requests for credit must be forwarded to the accounting department for agreement with the triplicate; or

(b) The accounting department for agreement with the duplicate credit slip and duplicate request for credit slip removed from the drop box and the triplicate of the (~~request for~~) credit slip.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-560 Operating the cashier's cage. (1)

House-banked card game licensees must have a cashier's cage used for securing and accounting for all chips and monies in the card room portion of the business premises. Licensees must ensure that their cage cashiers, at least:

(a) Maintain the cage inventory including currency, coin, player checks, gambling chips, forms, documents, and records normally associated with the operation of a cage; and

(b) Receive gambling chips, cash, checks, and other cash equivalents from players in exchange for currency or coin or for check consolidations, total or partial redemptions, or substitutions; and

(c) Receive cash or chips from the count room; and

(d) Perform functions necessary to ensure accurate accountability of funds and chips consistent with these requirements, including, at least:

- (i) Reconciling the total closing inventory with the total opening inventory; and
- (ii) Receiving request for fill slips in exchange for issuing fill slips and requested chips or coin; and
- (iii) Receiving chips or coins removed from gambling tables in exchange for issuing a credit slip; and
- (iv) Receiving documents with signatures that ensure the effective segregation of duties; and
- (v) Counting and recording the face value of each cage inventory item on a ~~((cashier's))~~ cage inventory count sheet, along with the total opening and closing inventories, at the end of each of their outgoing shifts; and
- (vi) Signing, at their incoming and outgoing shift, ~~((the cashier's count sheet and))~~ the cage inventory count sheet, attesting to accuracy of the count; and
- (vii) Preparing the overall cage reconciliation and accounting records; and
- (viii) Forwarding, at the conclusion of the daily gambling activity, copies of the ~~((cashier's count sheet,))~~ cage inventory count sheet ~~((;))~~ and related documents to the accounting department for reconciling the agreement of opening and closing inventories, notification of error slips, and the agreement of amounts on other forms, records, and documents recording transactions.

(2) Licensees may sell merchandise items out of the cashier's cage as long as they have a separate bank and receipting system for the sale and accounting of these items.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-565 Access and entrance to cashier's cage. (1) House-banked card game licensees must limit entry to the cashier's cage to authorized personnel. ~~((Licensees must place on file with the accounting department the names of all persons:))~~

- ~~((a) Authorized to enter the cage; and~~
 - ~~((b) Who have the combination, keys, or the mechanism to open the locks to the entrance of the cage; and~~
 - ~~((c) Who have the ability to operate the alarm systems.))~~
- (2) Licensees must keep a sign-in log in the format we require of all persons accessing the cashier's cage.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-575 Separate imprest bank allowed for nonhouse-banked card games. House-banked card game licensees operating both house-banked and nonhouse-banked games may sell chips for poker games through an imprest bank other than the cashier's cage. "Imprest bank" means the bank must replenish funds on a regular basis to maintain exactly the amount of outgoing cash, chips, or coin (expenditures) minus the amount of funds added. The bank must be located within the cashier's cage or another location approved in the internal controls.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-580 Accepting checks at the cashier's cage. (1) House-banked card game licensees may accept checks from players as explained in WAC 230-06-005 and must meet the following additional requirements:

- (a) Licensees may only accept checks from players at the cashier's cage or poker podium; and
- (b) Before cashing the check, the cage cashier must examine the player's identification to confirm the player's identity; and
- (c) The cage cashier must:
 - ~~((i))~~ ~~((Endorse the check "for deposit only" to the licensee's bank account; and~~
 - ~~((ii))~~ Initial the check; and
 - ~~((iii))~~ (ii) Date and time stamp the check; and
 - ~~((iv))~~ (iii) Verify that the player is not listed on the daily returned check report. If licensees use a check guarantee and collection service, the licensee may disregard this subsection; and
 - ~~((v))~~ (iv) Exchange the check for currency and coin in the amount for which the check is drawn, minus any applicable fees; and
 - ~~((vi))~~ (v) Forward all player checks to the main bank cashier.

(2) ~~((Before accepting a traveler's check from a player, the cage cashier must:))~~

- ~~((a) Require the player to countersign the traveler's check in the cashier's presence; and~~
- ~~((b) Compare the countersignature with the original signature on the traveler's check; and~~
- ~~((c) Examine the traveler's check for any signs of tampering, forgery, or alteration; and~~
- ~~((d) Perform any other procedures that the issuer of the traveler's check requires in order to indemnify the acceptor against loss.~~

~~((3))~~ Licensees must deposit all checks received into their bank account, within two banking days after receipt. Checks deposited to an armored car service within two banking days meet this requirement.

AMENDATORY SECTION (Amending WSR 07-09-033, filed 4/10/07, effective 1/1/08)

WAC 230-15-620 Concluding the count. (1) After the count team finishes their count, the cage cashier or accounting department employee must verify the contents of the drop boxes.

(2) In the presence of the count team and before looking at the master game report, the verifier must recount the cash, either manually or mechanically.

(3) The verifier must sign the master game report verifying that the cash count is accurate.

(4) Each count team member must sign the report attesting to the accuracy of the information recorded.

(5) After the report is signed, the ~~((original))~~ master game report must be taken directly to the accounting department, along with the requests for fills, the fill slips, the requests for credit, the credit slips, and the table inventory

slips removed from drop boxes. The cage cashiers must not be allowed access to any of these records.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 230-15-570 Cashier's cage bank requirements.

WSR 14-11-022

PERMANENT RULES

GAMBLING COMMISSION

[Order 700—Filed May 9, 2014, 2:57 p.m., effective July 1, 2014]

Effective Date of Rule: July 1, 2014.

Purpose: This new rule ensures the WAC is consistent with RCW 9.46.070(7) by requiring persons holding an "interest" in a building used for a gambling activity to undergo background checks. The rule describes an interest in a building used for a gambling activity is at least fifty-one percent, or less than fifty-one percent interest in a building when there is actual or potential influence or control of the operation of a house-banked card room or a charitable or non-profit in regulatory groups III, IV, or V.

Statutory Authority for Adoption: RCW 9.46.070(7).

Adopted under notice filed as WSR 14-05-081 on February 18, 2014.

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

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

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

Date Adopted: May 9, 2014.

Susan Newer
Rules Coordinator

NEW SECTION

WAC 230-03-061 Fingerprinting persons holding an interest in the building of house-banked card room licensees or charitable or nonprofit licensees in regulatory groups III, IV, or V. (1) Persons holding an "interest" in the building of house-banked card room licensees or charitable or nonprofit licensees in regulatory groups III, IV, or V licensees must undergo a national criminal history background check, including fingerprinting.

(2) For those licensees licensed before July 1, 2014, the requirement only applies when there is a change in the:

(a) Location of the house-banked card room; or

(b) Location of the charitable or nonprofit licensee's gambling activity.

(3) An "interest" means:

(a) Having fifty percent or more ownership in the building used for the gambling activity; or

(b) Having less than fifty percent ownership in the building used for the gambling activity and having actual or potential influence over the gambling activity.

WSR 14-11-024

PERMANENT RULES

WASHINGTON STATE UNIVERSITY

[Filed May 12, 2014, 9:39 a.m., effective June 12, 2014]

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

Purpose: The university is updating the campus parking and traffic rules and expanding rules regarding bicycles.

Citation of Existing Rules Affected by this Order: Amending WAC 504-15-100, 504-15-210, 504-15-350, 504-15-540, 504-15-560, 504-15-810, 504-15-860, and 504-15-930.

Statutory Authority for Adoption: RCW 28B.30.150.

Adopted under notice filed as WSR 14-05-099 on February 19, 2014.

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 8, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 8, 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 8, Repealed 0.

Date Adopted: May 9, 2014.

Ralph T. Jenks, Director
Procedures, Records, and Forms
and University Rules Coordinator

AMENDATORY SECTION (Amending WSR 10-11-083, filed 5/17/10, effective 7/1/10)

WAC 504-15-100 Definitions. The definitions in this section are applicable within the context of this chapter.

(1) Campus. Describes all property owned, leased, and/or controlled by the university Pullman campus which is or may hereafter be dedicated mainly to the educational, research, housing, recreational, parking, or other activities of the university.

(2) Commuter student. Any student who does not live in a university residence hall (dormitory). All students living in fraternities, sororities, university-owned housing (other than residence halls), and private housing are considered to be commuter students.

(3) Day. Unless otherwise specified, the term "day" refers to a calendar day.

(4) Disability parking. See persons with disability.

(5) Disability zone. A parking zone designated for exclusive use by persons with disability and identified with a sign bearing the associated international symbol.

(6) Electric-assisted bicycle. As defined under RCW 46.04.169.

(7) Fire zone. An area needed for emergency access to buildings, fire hydrants, or fire equipment. Such areas include, but are not limited to, areas with adjacent curbs or rails painted red.

(8) Gate card. A plastic card that activates the gates controlling access to certain parking areas.

(9) Holiday. See university holiday.

(10) Illegal use of permit. A parking violation in which a parking ticket is issued under the following circumstances:

(a) Use of a parking permit or indicator on a vehicle other than the specified vehicle identified by a license plate number on the permit.

(b) Use of a parking permit or indicator obtained under false pretenses.

(c) Use of a modified parking permit or indicator.

(d) Use and/or retention of a parking permit or indicator by person(s) ineligible, or no longer eligible, for such a permit as described and authorized in this chapter.

(11) Impound. To take and hold a vehicle in legal custody by use of a wheel lock and/or towing.

(12) Indicator. A decal or hanger displayed adjacent to a parking permit which defines additional parking areas available to a permit holder.

(13) Loading zone. A loading dock, or an area signed "loading zone" adjacent to a facility, in a parking area, or near a residence hall. Such an area is intended for loading and unloading bulky or voluminous material. Loading zones are restricted at all times unless signed otherwise.

(14) Moped. As defined under RCW 46.04.304.

(15) Motorcycle. As defined under RCW 46.04.330.

(16) Motorized foot scooter. As defined under RCW 46.04.336.

(17) Motor vehicle. As defined under RCW 46.04.320.

(18) No parking zone. Any area not specifically marked and/or signed for parking. Such areas include, but are not limited to, areas with adjacent curbs or rails painted yellow.

(19) Officer. Any parking or police official employed by the university who is designated by the parking administrator or chief of police to issue parking tickets, to place and remove wheel locks, or to cause vehicles to be towed under this chapter.

(20) Owner. The person registered with any state as the present owner of a vehicle in the most current registration records available to the university, the owner's expressed representative, or any transferee not designated in such records, provided that the parking administrator or chief of police has received actual written notice of the transfer.

(21) Park/parking. This refers to the placement or standing of a vehicle, with or without a driver in attendance, and with or without the engine running.

(22) Parking administrator. The (~~manager~~) director in charge of the parking department or designee.

(23) Parking appeals committee. Any person or persons appointed to consider parking violations and the application of fees, fines, and sanctions. Said person or persons are appointed by the vice-president whose responsibilities include supervision of the parking department or designee.

(24) Parking department. The university department which is charged with the responsibility of managing, operating, planning, and maintaining parking facilities; enforcing the parking regulations; and coordinating commute trip reduction efforts for the Pullman campus.

(25) Parking meter. A single fixed device that typically requires payment and limits the amount of time a vehicle can park in a single space. Also referred to as "meter" in this chapter. A parking meter is not a parking payment device.

(26) Parking payment device. A machine that requires payment and vends a parking permit and/or a paid receipt. Parking payment devices may be located in various places on the campus. A parking payment device is not a parking meter.

(27) Parking permit. A vinyl, plastic, paper, or other instrument sanctioned by the parking department that is displayed from a vehicle, and authorizes parking in specified areas. Some parking permits may be purchased online and may be virtual in nature, and identified by other means such as by license plate. Also referred to as "permit" in this chapter.

(28) Parking ticket. The first notice of a parking violation which is usually placed in a visible location on a motor vehicle.

(29) Pay parking facility. A location where parking is provided and payment is made on-site via a parking payment device, cashier, or other means other than a parking meter.

(30) Pedestrian mall. A space that is designed primarily for pedestrian use, but with limited authorized use of motor vehicle and other motorized and nonmotorized conveyances. These restricted areas are depicted on the Pullman campus map and/or with signing at the entrances to the pedestrian mall areas.

(31) Persons with disability. For the purpose of this chapter, persons with disability shall refer to a person or persons with disability or disabilities who qualify for a state-issued persons with disability parking identification and permit.

(32) Resident priority zone. A parking area close to a residence hall (i.e., crimson zone or gray zone) that is typically limited to use by resident students.

(33) Resident student. A student with a current, valid residence hall contract, who lives in a residence hall.

(34) Residence hall. Residence hall units (dormitories) that are owned by the university but are not included as university-owned housing apartments. Occupants of residence halls are considered resident students and are eligible for parking permits in resident priority zones.

(35) Service vehicle. A vehicle used to provide a service for the university or a tenant or contractor of the university

(e.g., a university owned vehicle or a privately owned vehicle with a valid service vehicle authorization displayed).

(36) Service zone. Parking spaces or area designated for the use of service vehicles, other government-owned vehicles, and vehicles displaying a service indicator or commercial permit. Authorized vehicles may park in these zones on an occasional basis for a maximum of fifteen minutes, except for vehicles that display a commercial permit, or a service indicator issued for an extended time. Service zones are restricted at all times unless signed otherwise.

(37) Staff. For the purposes of these regulations, "staff" includes all nonstudent employees of the university and the nonstudent employees of other entities located on, or regularly doing business on campus. Teaching assistants, research assistants, and other students employed by the university, or other entities located on, or regularly doing business on campus, are not "staff." They are considered to be students for the purpose of these regulations.

(38) Standing. "Standing" is the stopping of a vehicle with the driver remaining in it.

(39) Storage of a vehicle. Impounded vehicles are held in storage until released. During such time they are subject to storage fees.

(40) Student. The term "student" includes all persons who are not staff who are taking courses at the university, enrolled full-time or part-time, pursuing undergraduate, graduate, professional studies, or auditing one or more classes.

(41) Summer session. The summer session includes all summer sessions beginning on the first day of the earliest session, and ending on the last day of the latest session.

(42) University. Refers to Washington State University.

(43) University holiday. A day regarded by the university as an official university holiday.

(44) University-owned housing. Housing units or apartments, and their respective parking areas, that are owned by the university, but are not included as residence halls. Occupants of university-owned housing are eligible for housing parking permits issued by the university.

(45) Unpaid. A full or partial outstanding balance due. This definition includes parking tickets which are pending appeal.

(46) Vacation. A period of time when classes or final exams are not in session. Except for holidays that fall within this period, the business offices of the university are open during this time.

(47) Visitors. Persons who are not staff or students and who only visit the campus on an occasional basis.

(48) Wheel lock. A device used to temporarily immobilize a motor vehicle. Wheel locked vehicles are considered to be impounded in place and subject to storage fees.

(49) Wheel lock-eligible list. The current list of wheel lock-eligible vehicles as maintained by the parking department. A vehicle remains on the wheel lock-eligible list until all fines and fees related to parking tickets are paid in full or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(50) Wheel lock-eligible vehicle. Any vehicle on which three or more parking tickets more than thirty days old are unpaid and which parking tickets were issued during the time the vehicle was registered to or otherwise held by the owner.

The vehicle remains wheel lock-eligible until all fines and fees related to parking tickets are paid in full or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

AMENDATORY SECTION (Amending WSR 10-11-083, filed 5/17/10, effective 7/1/10)

WAC 504-15-210 Times of enforcement. Parking regulations are subject to enforcement at all times.

(1) Parking permit areas. All parking permit zones are limited to authorized permit holders during specific hours. These hours are posted in each parking area at the entrance to parking areas, or along roadways where parking is marked.

(2) Restricted spaces. These spaces are restricted for their designated purpose at all times unless signed otherwise:

(a) Disability zones.

(b) Load/unload.

(c) Service.

(d) Reserved.

(e) Reserved (bagged) parking meters.

(f) Pedestrian mall.

(g) Areas which are specially signed or physically set apart by barricades, traffic cones, tape, or other traffic devices.

(3) Parking metered spaces. Parking meters are in effect during the times posted on each meter. During these times the meter must be paid the posted amount. Additional time cannot be purchased beyond the meter's posted maximum time limit (e.g., a two-hour meter allows a maximum of two hours to be purchased at one time). A motor vehicle which is parked at an expired meter is considered in violation initially, and after each period equal to the maximum time posted for the meter. In such case a parking ticket may be issued for each violation. For example, a vehicle parked at a meter with a two-hour maximum time limit for six hours and five minutes of ~~((CONTINUOUS))~~ continuous unpaid parking at the same meter would be eligible for up to three parking tickets.

(4) Special conditions. The parking regulations are enforced every day, twenty-four hours a day. During certain times the following special conditions exist, and the regulations are modified.

(a) Crimson permit zones.

(i) ~~((Permits are not required in crimson zones at the start of each semester from the Monday of the week prior to the first day of class through the third day of class.))~~ Crimson permits are required at all times except during university holidays.

(ii) Crimson, orange, and green permits are valid in crimson zones during summer session ~~((;))~~ and vacation periods ~~((; and between semesters)).~~

(b) Gray permit zones.

(i) ~~((Permits are not required in gray zones at the start of each semester from the Monday of the week prior to the first day of class through the third day of class, during vacation periods, and between semesters.))~~ Gray permits are required at all times except during university holidays.

(ii) ~~((During summer session, gray zones are open to all valid university parking permits, except blue permits and housing parking permits.))~~

~~(e) Blue permit zones. Permits are not required in blue zones at the start of each semester from the Monday of the week prior to the first day of class through the third day of class, during finals week, vacation periods, and between semesters.~~

~~((d)) Gray, crimson, orange, green, yellow, and red permits are valid in gray zones during summer session and vacation periods.~~

~~(c) University-owned housing areas. Permits are not required in university-owned housing areas at the start of each semester from the Monday of the week prior to the first day of class through the third day of class, and during finals week.~~

~~(e) Summer business hours. During the period when the university is on official summer business hours, all metered spaces and permit areas which are not restricted are open parking after 4:00 p.m. Official summer business hours are posted on the human resource services department web site throughout the summer).~~

~~((d)) (d) The parking department may select and designate portions of permit zones as temporary ((one-hour parking)) loading zones at the start of each semester to accommodate moving into and out of residence halls and during finals week.~~

(5) Pay parking facilities. Some parking areas provide parking on an hourly basis. Hours of operation and a schedule of fees are posted at the facility entrance and at the point of payment. Parking tickets are issued to vehicles that are parked over the duration of time that was paid and for non-payment. Parking areas with parking meters are not considered pay parking facilities.

AMENDATORY SECTION (Amending WSR 08-08-050, filed 3/27/08, effective 7/1/08)

WAC 504-15-350 Use of areas for emergency, maintenance, events, construction, or special needs. The university reserves the right to ~~((close))~~ restrict access to any campus parking area, roadway, or sidewalk at any time it is deemed necessary for maintenance, safety, events, construction, emergencies, or to meet special needs. The parking department provides notice to users when possible.

Public safety and maintenance personnel performing official duties may deviate from these regulations as required to conduct emergency procedures.

AMENDATORY SECTION (Amending WSR 10-11-083, filed 5/17/10, effective 7/1/10)

WAC 504-15-540 Zone parking permits—Availability and use. The management and assignment of parking zones is designed to provide a parking space to each permit holder. However, uncontrolled access to parking areas and unexpected parking demand make it impossible to guarantee a parking space in a permit holder's assigned zone. Every effort is made via surveys and limits on permit sales, to ensure that permit holders are not displaced from their assigned zones. ~~((The only exception to this is that the sale of blue permits is not limited.))~~

Staff and students are generally assigned to specific parking areas, referred to as zones. Parking zones are color-

coded with respect to their price and numbered with respect to the specific parking zone assignment of each permit holder. Permit holders may park in their assigned zone as reflected by the combination of color and number on their permit and corresponding sign, or they may park in other zones as described below.

(1) Orange permits. Orange permit holders may park in their numerically assigned orange zone, or in any green, yellow, red, or blue zone. These permits may be made available on a daily basis.

(2) Green permits. Green permit holders may park in their numerically assigned green zone, or in any yellow, red, or blue zone. These permits may be made available on a daily basis.

(3) Yellow permits. Yellow permit holders may park in their numerically assigned yellow zone, or in any red or blue zone. These permits may be made available on a daily basis.

(4) Red permits. Red permit holders may park in their numerically assigned red zone or in any blue zone. These permits may be made available on a daily basis.

(5) Crimson permits. Crimson permit holders may park in their numerically assigned crimson zone, or in the numerically corresponding gray zone (e.g., a crimson 1 permit is valid in the gray 1 zone, but not in the gray 2 zone), or in any blue zone. Crimson permit holders must turn in their crimson permit for a refund or credit toward another permit, if applicable, immediately upon moving out of the residence hall. Only resident students are eligible for crimson permits with the exception of the crimson 3 zone, which is available to all students. Resident students are eligible for crimson, gray, or blue permits only.

(6) Gray permits. Gray permit holders may park in their numerically assigned gray zone, or in any blue zone. These permits may be made available on a daily basis. Gray permit holders must turn in their gray permit for refund or credit toward another permit, if applicable, immediately upon moving out of a residence hall. Only resident students are eligible for gray permits. Resident students are eligible for crimson, gray, or blue permits only.

(7) Blue permits. Blue permit holders may park in any blue zone. These permits may be made available on a daily basis.

AMENDATORY SECTION (Amending WSR 10-11-083, filed 5/17/10, effective 7/1/10)

WAC 504-15-560 Other parking permits—Availability and use. (1) Visitor permits. ~~((Visitor permits are available on an annual or daily basis to visitors of the university. Visitor permits may be used only by bona fide visitors as defined by this chapter. Use by any other person constitutes illegal use of a parking permit. Annual visitor permits are valid in green, yellow, red and blue zones, and parking spaces signed for visitor permits only. Daily visitor permits may be assigned to specific zones on a space available basis. If a parking zone is not specified on the permit, it is valid in the same parking areas as an annual visitor permit. Visitor permits are not valid in pay parking facilities, parking meters, or restricted spaces.))~~ For information about visitor parking, refer to the parking department's web site.

(2) Golden cougar permits. Golden cougar permits are special visitor permits that are issued to retired staff in recognition of their service without additional cost. They are issued on an annual basis and are valid in green, yellow, red, blue zones, and visitor-permit-only parking spaces. Staff who are employed by the university or by other entities located on campus after formal retirement are not eligible to use a golden cougar permit in lieu of a regular paid zone permit.

(3) ~~((Conference))~~ Event permits. ~~((Conference))~~ Event permits are available to ~~((visitors))~~ patrons who participate in ~~((conferences))~~ events held on the university campus. They are available on a daily basis only. ~~((Conference))~~ Event permits ~~((may be))~~ are assigned to specific zones on a space-available basis. ~~((Conference))~~ Event permits are not valid in ~~((orange zones, pay parking facilities, parking meters, or))~~ restricted spaces.

(4) Motorcycle permits. Motorcycle permits are valid within boundaries of areas specifically posted and/or marked for motorcycle permits. Motorcycle permits are available on an annual and daily basis.

(5) Moped permits. Moped permits are valid within boundaries of areas specifically posted and/or marked for moped permits. Moped permits are available on an annual and daily basis.

(6) Commercial permits. Commercial permits are issued to vendors, suppliers, and service representatives of outside companies performing a service for the university. Commercial permits are available on an annual or daily basis. Annual commercial permits are valid in service zones, parking meters, and green, yellow, red and blue zones, and visitor-permit-only parking spaces. Daily commercial permits may be assigned to specific zones on a space-available basis. Commercial permits are not valid in orange zones or pay parking facilities.

(7) Construction permits. A construction permit is issued to personnel who are working on a construction site on campus. Construction permits are available on an annual or daily basis and are assigned to a specific parking area.

(8) Housing permits. A housing permit is issued to eligible residents of university-owned housing. Housing permits are valid only in specific housing parking areas.

(9) Carpool. Upon application, a bona fide carpool as defined by the campus policies and procedures is given preference in the assignment of parking zones, and issued a permit that facilitates the carpool. Obtaining or using a carpool permit under false pretenses constitutes the illegal use of a permit.

(10) Departmental permits. Departmental parking permits are available for use by department employees who need to use their personal vehicles for university business. Departmental permits are available in different forms and are valid at parking meters; service zones; orange, green, yellow, red, blue, crimson, and gray permit zones; and pay parking facilities. Departmental permits are not valid in reserved spaces. The use of departmental permits for anything other than official departmental business is prohibited by the State Ethics Act.

AMENDATORY SECTION (Amending WSR 10-11-083, filed 5/17/10, effective 7/1/10)

WAC 504-15-810 Violations, fines, and sanctions. (1) Violations and fines. Parking violations are processed by the university. Fines must be paid at the parking department or at other authorized locations, by mail, or from the parking department's web site. Schedules for parking violations, fines, and sanctions are posted in the public area of the parking department office and on the parking department's web site.

(2) Reduction of fines. ~~((a) The fine for "meter violation" and the fine for "overtime in a timed zone" violation are reduced by one-half if paid within twenty-four hours of time of issuance. Eligible violations received on Friday or Saturday can be paid on the following Monday to satisfy the twenty-four hour requirement. Mailed payment of fines must be postmarked within twenty-four hours to receive the one-half reduction.~~

~~((b))~~ Internal policies regarding disposition of parking tickets may be established on approval of the vice-president or designee whose responsibilities include supervision of the parking department ~~((, under the advisement of the university's internal auditor)).~~

(3) Payment of parking fines.

~~((a))~~ All parking fines and fees are due upon issuance ~~((of a parking ticket)).~~ Thirty days after date of issuance ~~((of a parking ticket)),~~ a late fee shall be added to all unpaid parking fines. For example, a parking ticket issued on May 1 would be assessed a late fee on May 31. ~~((Failure to pay the fine))~~

~~((b))~~ Parking fines and fees assessed for any violation results in referral to the university controller's office for collection. The controller or designee may, if other collection efforts fail, withhold the amount of the outstanding fines and fees from damage deposits or other funds held for any student in order to secure payment. Where collection efforts are unsuccessful, the controller or designee may notify the registrar to refrain from issuing student transcripts or to withhold permission to reenroll for a subsequent term until outstanding fines and fees are paid. The procedures discussed above are not exclusive, however, and failure by anyone to pay fines and fees may also lead to towing or use of the wheel lock device described in these regulations. Nor are the procedures discussed above a precondition to towing or use of the wheel lock.

(4) Failure to pay fines. Failure to pay a fine or comply with other penalties assessed pursuant to these regulations, and exhausting or failing to exercise appeals provided for in these regulations, may result in the inability to renew a vehicle license through the state pursuant to RCW 46.16.216.

AMENDATORY SECTION (Amending WSR 08-08-050, filed 3/27/08, effective 7/1/08)

WAC 504-15-860 Appeal procedures. The parking ticket represents a determination that a parking violation has been committed and the determination is final unless otherwise provided or appealed as provided in this chapter.

(1) Purpose. The parking appeals process serves three primary functions:

(a) To hear parking ticket appeals;

(b) To hear appeals of wheel lock eligibility determinations; and

(c) To hear appeals of impoundments.

(2) Procedure. Any person who has received a parking ticket may appeal the alleged parking violation. Appeal of wheel lock eligibility determinations and impoundments are described in WAC 504-15-865 and 504-15-870.

(3) Written parking ticket appeals. The appeal must be in writing and received at the parking department within ten calendar days of issuance of the parking ticket. Paper and online forms for this purpose are available from the parking department. The parking appeals committee makes an initial decision regarding the appeal within twenty calendar days during the academic year and within thirty calendar days during the summer months after receipt of the appeal. The committee provides a brief statement of the reason(s) for its decision to the appellant within ten calendar days of the decision.

(4) Review hearing of initial decision. If the appellant is dissatisfied with the initial decision, the appellant may request a hearing before a hearing officer or the parking appeals committee. Such request must be made within ten calendar days of the date of the initial parking appeals committee decision. If no such request is received, the initial decision shall be final. During the hearing the appellant and representatives of the parking department may present and cross-examine witnesses. The hearing officer or appeals committee shall render a decision in writing and provide appellant with the decision within ten calendar days after the hearing.

(5) Appeal to district court. RCW 28B.10.560 provides that a person who is not satisfied with the final decision of the university may appeal to district court. The application for appeal to district court shall be in writing and must be filed at the parking department office within ten calendar days after the date of the review hearing. The parking department forwards the documents relating to the appeal to the district court.

AMENDATORY SECTION (Amending WSR 10-11-083, filed 5/17/10, effective 7/1/10)

WAC 504-15-930 Bicycles, skateboards, scooters, and roller skates. (1) ~~((The riding and use of skateboards, scooters, and roller skates is prohibited from the Terrell Pedestrian Mall and Library Pedestrian Mall.~~

~~((2))~~ The riding and use of bicycles, skateboards, scooters, and roller skates is prohibited on all building plazas, all pedestrian overpasses, interior building spaces, parking structures, parking structure ramps, all stairways, steps, ledges, benches, planting areas, and any other fixtures.

~~((3))~~ (2) Bicycles, skateboards, scooters, and roller skates may be ridden and used on sidewalks outside the prohibited areas when a bike path is not provided.

~~((4))~~ (3) Electric-assisted bicycles must be used in a human propulsion only mode on pedestrian malls and sidewalks.

~~((5))~~ (4) Motorized foot scooters must be used in a human propulsion only mode on sidewalks.

~~((6))~~ (5) Operators must move at a safe speed and yield to pedestrians at all times. Reckless or negligent operation of

bicycles, skateboards, scooters, and roller skates on any part of campus is prohibited.

~~((7))~~ (6) Bicyclists must obey all traffic laws applying to persons riding bicycles when operating bicycles on roadways.

~~((8))~~ (7) Bicycles may be secured only at university-provided bicycle racks and bicycle storage facilities designed for such purpose.

(8) Bicycles that are not secured at university-provided bicycle racks or bicycle storage facilities may be impounded at the owner's expense.

(9) Abandoned and inoperable bicycles. Internal policies regarding abandoned and inoperable bicycles, including the impoundment of bicycles at the WSU Pullman campus, may be established upon approval by the vice-president or designee whose responsibilities include supervision of the parking department.

WSR 14-11-025

PERMANENT RULES

WASHINGTON STATE UNIVERSITY

[Filed May 12, 2014, 9:40 a.m., effective June 12, 2014]

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

Purpose: To update, edit, and clarify the standards of conduct for students. Changes in federal law, specifically the 2013 reauthorization of and amendments to the Violence Against Women Act of 1994, 42 U.S.C. Section 13925, require updates to this chapter.

Citation of Existing Rules Affected by this Order: Amending WAC 504-26-200, 504-26-204, 504-26-220, 504-26-221, 504-26-222, and 504-26-223.

Statutory Authority for Adoption: RCW 28B.30.150.

Adopted under notice filed as WSR 14-07-084 on March 18, 2014.

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

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

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

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 2, Amended 6, Repealed 0.

Date Adopted: May 9, 2014.

Ralph T. Jenks, Director
Procedures, Records, and Forms
and University Rules Coordinator

AMENDATORY SECTION (Amending WSR 11-11-031, filed 5/11/11, effective 6/11/11)

WAC 504-26-200 Jurisdiction of the ~~((university))~~ standards of conduct for students. The ~~((university))~~ standards of conduct for students shall apply to conduct that occurs on university premises, at university sponsored activities, and to off-campus conduct that adversely affects the university community and/or the pursuit of its objectives. Each student is responsible and accountable for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. These standards shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. Definitions from these standards are incorporated into the Washington State University's Executive Policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct. The university has sole discretion to determine what conduct occurring off campus adversely impacts the university community and/or the pursuit of university objectives.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-204 Abuse of self or others. Physical abuse, threats, intimidation, and/or other conduct which threatens or endangers the health or safety of any person, including one's self including, but not limited to, domestic or intimate partner violence.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-220 Discrimination and discriminatory harassment. ~~((Discrimination on the basis of race, color, religion, ancestry, national or ethnic origin, age, gender, marital status, veteran status, sexual orientation, gender identity, or mental, physical, or sensory disability is prohibited in conformity with federal and state laws.))~~ Discrimination or discriminatory harassment on the basis of race; sex/gender; sexual orientation; gender identity/expression; religion; age; color; creed; national or ethnic origin; physical, mental, or sensory disability (including disability requiring the use of a trained service animal); marital status; genetic information; and/or status as an honorably discharged veteran or member of the military; and as defined in Washington State University's Executive Policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-221 Sexual misconduct. (1) Sexual misconduct is ~~((any sexual activity with another that is unwanted and nonconsensual. Sexual misconduct includes physical contact as well as voyeurism))~~ an egregious form of sex discrimination/sexual harassment. A number of acts may be regarded as sexual misconduct including, but not limited to,

nonconsensual sexual contact (including sexual intercourse) and sexual exploitation. Sexual misconduct includes sexual assault and other sexual violence.

(2) Consent. Consent to any sexual activity must be clear, knowing, and voluntary. Anything less is equivalent to a "no." Clear, knowing, and voluntary consent to sexual activity requires that, at the time of the act, ~~((there are))~~ actual words or conduct ~~((demonstrating freely given agreement to sexual activity silence))~~ demonstrate clear permission regarding willingness to engage in sexual activity and the conditions of such activity. Silence or passivity is not consent. Even if words or conduct alone seem to imply consent, sexual activity is nonconsensual when:

(a) Force or ~~((blackmail))~~ coercion is threatened or used to procure compliance with the sexual activity~~((or))~~.

(i) Force is the use of physical violence, physical force, threat, or intimidation to overcome resistance or gain consent to sexual activity.

(ii) Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to obtain consent from another. When an individual makes it clear through words or actions that he or she does not want to engage in sexual contact, wants to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point may be coercive. Other examples of coercion may include using blackmail or extortion to overcome resistance or gain consent to sexual activity.

(b) The person is asleep, unconscious, or physically unable to communicate his or her unwillingness to engage in sexual activity; or

(c) The person lacks the mental capacity at the time of the sexual activity to be able to understand the nature or consequences of the act, whether that incapacity is produced by illness, defect, the influence of alcohol or another substance, or some other cause. When alcohol or drugs are involved, a person is considered incapacitated or unable to give valid consent if she or he cannot fully understand the details of the sexual interaction (i.e., who, what, when, where, why, and how), and/or he or she lacks the capacity to reasonably understand the situation and to make rational, reasonable decisions.

(3) Nonconsensual sexual contact is any intentional sexual touching, however slight, with any object or body part, by one person against another person's intimate parts (or clothing covering any of those areas), or by causing another person to touch his or her own or another person's intimate body parts without consent and/or by force. Sexual contact also can include any intentional bodily contact in a sexual manner with another person's nonintimate body parts. It also includes nonconsensual sexual intercourse.

(4) Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses explained above. Examples of sexual exploitation may include, but are not limited to:

(a) Causing or attempting to cause the incapacitation of another person to gain sexual advantage over such other person;

(b) Invading another person's sexual privacy:

(c) Prostituting another person:

(d) Engaging in voyeurism. A person commits voyeurism if, for the purpose of arousing or gratifying the sexual desire of any person, he or she knowingly views, photographs, records, or films another person, without that person's knowledge and consent, while the person being viewed, photographed, recorded, or filmed is in a place where he or she has a reasonable expectation of privacy.

(e) Knowingly or recklessly exposing another person to a significant risk of sexually transmitted disease or infection:

(f) Exposing one's intimate parts in nonconsensual circumstances:

(g) Sexually based stalking and/or bullying.

(5) Use of alcohol or other drugs is not a valid defense to a violation of this policy.

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-222 Harassment (other than sexual harassment or discriminatory harassment). Harassment is conduct by any means that is severe, persistent, or pervasive, ~~((or persistent,))~~ and is of such a nature that it would cause a reasonable person in the victim's position substantial emotional distress and undermine his or her ability to work, study, or participate in his or her regular life activities or participate in the activities of the university, ~~((and))~~ and/or actually does cause the victim substantial emotional distress and undermines the victim's ability to work, study, or participate in the victim's regular life activities or participate in the activities of the university.

AMENDATORY SECTION (Amending WSR 11-11-031, filed 5/11/11, effective 6/11/11)

WAC 504-26-223 Stalking. ~~((Intentionally and repeatedly harassing or following a person and intentionally or unintentionally placing the person being followed or harassed in fear of physical harm to one's self or property or physical harm to another person or another's property. This))~~ (1) Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

(a) Fear for his or her safety or the safety of others;

(b) Fear for harm to his or her property or the property of others; or

(c) Suffer substantial emotional distress.

(2) Stalking includes, but is not limited to, conduct occurring in person, electronically, or through a third party.

NEW SECTION

WAC 504-26-227 Sexual harassment. Sexual harassment includes behavior defined in Washington State University's Executive Policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct.

NEW SECTION

WAC 504-26-230 Retaliation. Retaliation includes any act that would dissuade a reasonable person from making or

supporting a complaint, or participating in an investigation, under the standards of conduct for students (this chapter). Retaliatory behavior includes action or threat of action that could negatively affect another's employment, education, reputation, or other interest. It also includes retaliation as defined in Washington State University's Executive Policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct.

WSR 14-11-028

PERMANENT RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 14-107—Filed May 13, 2014, 2:26 p.m., effective June 13, 2014]

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

Purpose: This rule change establishes a jack (*Carangidae*) and mackerel (*Scombridae*) incidental catch limit of forty-five percent of total landed catch, by weight, in the directed Pacific sardine fishery. The commercial sardine purse seine limited entry program, established in 2009, did not provide for the landing of jacks (*Carangidae*) and mackerels (*Scombridae*) in the directed fishery. This rule change allows incidental catch to include jacks (*Carangidae*) and/or mackerels (*Scombridae*). The amendments also clarify language and improve rule structure.

Citation of Existing Rules Affected by this Order: Amending WAC 220-44-095.

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

Adopted under notice filed as WSR 14-07-111 on March 19, 2014.

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: May 9, 2014.

Philip Anderson
Director

AMENDATORY SECTION (Amending WSR 10-02-003, filed 12/23/09, effective 1/23/10)

WAC 220-44-095 Coastal sardine purse seine fishery—Harvest, landing, and reporting requirements—Gear. (1) Licensing, harvest, and reporting requirements.

It is unlawful for persons fishing under a Washington sardine purse seine fishery license or temporary annual fishery permit to fail to:

(a) Carry an observer onboard for any sardine fishing trip if requested by the department;

(b) Surrender up to five hundred sardines per vessel per trip if requested by department samplers for biological information; and

(c) Complete a department-issued logbook each month in which fishing activity occurs, and submit it to the department by the 15th day of the following month.

(2) Possession, transport, and seasons.

(a) It is unlawful to possess, transport through the waters of the state, or deliver into any Washington port, Pacific sardine (*Sardinops sagax*) or other coastal pelagic species taken in violation of gear requirements and other rules published in Title 50, Part 660, Subpart I of the Code of Federal Regulations (C.F.R.). These federal regulations govern commercial fishing for coastal pelagic species in the Exclusive Economic Zone off the coasts of Washington, Oregon, and California. Where the federal regulations refer to the fishery management area, that area is interpreted to include Washington state waters coterminous with the Exclusive Economic Zone. Updates to the federal regulations are published in the Federal Register. Discrepancies or errors between the C.F.R. and Federal Register will be resolved in favor of the Federal Register. This chapter incorporates the C.F.R. by reference and is based, in part, on the C.F.R. A copy of the federal rules may be obtained by contacting (~~Lori Preuss~~) the department of fish and wildlife rules coordinator at ((360-902-2930)) 360-902-2403, or going to the U.S. Government Printing Office's GPO Access web site (www.gpoaccess.gov). State regulations that are more restrictive than the federal regulations will prevail.

(b) It is unlawful to fish for or possess Pacific sardine taken with any gear from coastal waters except during the coastal sardine fishery season (~~is~~) open to purse seine fishing each year (~~only~~) from April 1st through December 31st.

(c) It is unlawful to take Pacific sardine in state waters except for the incidental take authorized by the coastal bait-fish regulations.

~~((e))~~ (d) It is unlawful to retain any species that is taken incidental to sardine, except for anchovy, mackerel, and market squid (*Logligo opalescens*).

(e) It is unlawful to retain mackerel (*Scombridae*) or jacks (*Carangidae*) taken incidental to a lawful sardine fishery that in combination exceeds forty-five percent of the weight of the total landing.

(f) It is unlawful to fail to release any salmon encircled in the purse seine (~~must be released~~) prior to completion of the set (~~and no salmon may be landed~~) or to land or retain salmon on the fishing vessel.

~~((f))~~ (g) It is unlawful to transfer sardine catch from one fishing vessel to another.

~~((e))~~ (3) **Landing and delivery.**

(a) It is unlawful to fail to have legal purse seine gear as defined by department rule aboard (~~the~~) a vessel making a sardine landing.

~~((f))~~ (b) It is unlawful to fail to deliver sardine landings to a (~~shore-side~~) processing facility located on shore.

~~((g))~~ Once a delivery has commenced at a processing plant, all fish on board the vessel must be offloaded at that plant.

~~((h))~~ (c) It is unlawful to land fish at more than one processing facility and to fail to offload all fish onboard the vessel once the delivery commences at the time of landing.

(d) It is unlawful to deliver more than fifteen percent cumulative weight of sardines for the purposes of conversion into fish flour, fish meal, fish scrap, fertilizer, fish oil, other fishery products, or by-products, for purposes other than human consumption or fishing bait used during the sardine fishery season.

~~((2))~~ License owners must designate a vessel upon issuance or renewal of the license and must be identified as either the vessel owner or primary license operator.

~~(3)~~ Persons fishing under a Washington sardine purse seine fishery license or temporary annual fishery permit must:

(a) Carry an observer on board for any sardine fishing trip if requested by the department;

(b) Surrender up to five hundred sardines per vessel per trip if requested by department samplers for biological information; and

~~(c)~~ Complete a department-issued logbook each month in which fishing activity occurs, and submit it to the department by the 15th day of the following month.)

(4) A violation of the reporting requirements (~~under~~) provided in this section is punishable (~~pursuant to~~) under RCW (~~77.15.280~~) 77.15.560, Commercial fish, shellfish harvest or delivery—Failure to report—Penalty.

(5) A violation of the gear(~~s~~) requirements provided in this section is punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

(6) A violation of the harvest(~~s~~) or landing requirements (~~under~~) provided in this section is punishable (~~pursuant to~~) under RCW (~~77.15.520~~) 77.15.550, Violation of a commercial fishing area or time—Penalty.

WSR 14-11-029

PERMANENT RULES

WHATCOM COMMUNITY COLLEGE

[Filed May 13, 2014, 2:40 p.m., effective June 13, 2014]

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

Purpose: The senior assistant attorney general for higher education prepared model policies and procedures for Washington community [and] technical colleges based upon new federal regulations and best practices for discrimination and harassment.

Citation of Existing Rules Affected by this Order: Repealing WAC 132U-300-010 and 132U-300-020; and amending [new section] WAC 132U-300-030.

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

Adopted under notice filed as WSR 14-08-018 on March 21, 2014.

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

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

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

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

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

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

Date Adopted: May 9, 2014.

Patricia Onion
Vice-President for
Educational Services

Chapter 132U-300 WAC

~~((COMPLAINTS—))~~DISCRIMINATION AND HARASSMENT

NEW SECTION

WAC 132U-300-030 Statement of policy. The college provides equal opportunity in education and employment and does not discriminate 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 VI of the Civil Rights Act of 1964, 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. Prohibited gender-based discrimination includes sexual harassment.

(1) Harassment is defined as a form of discrimination consisting of physical or verbal conduct that:

(a) Denigrates or shows hostility toward an individual because of the 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.

(2) Sexual harassment is defined, for the purposes of this policy as follows: 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 any individual; or

(c) Such unwelcome conduct is sufficiently severe, persistent or pervasive to have the effect of substantially interfering with any individual's academic or professional performance.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132U-300-010 Statement of policy: Complaints—Discrimination and/or harassment/intimidation.

WAC 132U-300-020 Complaint procedure—[Discrimination and/or harassment/intimidation].

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 14-11-030

PERMANENT RULES

WHATCOM COMMUNITY COLLEGE

[Filed May 13, 2014, 2:47 p.m., effective June 13, 2014]

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

Purpose: The existing chapter 132U-140 WAC, Use of college facilities, needs to be based upon the model policy and procedures prepared by the assistant attorney general for community and technical colleges.

Citation of Existing Rules Affected by this Order: Repealing WAC 132U-140-010, 132U-140-020 and 132U-140-030; and amending WAC 132U-140-040, 132U-140-060, and 132U-140-070.

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

Adopted under notice filed as WSR 14-08-020 on March 21, 2014.

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

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

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

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

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

Date Adopted: May 9, 2014.

Patricia Onion
Vice-President for
Educational Services

NEW SECTION

WAC 132U-140-015 Definitions. (1) "College groups" shall mean individuals or groups who are currently enrolled students or current employees of the college, or guests of the college, who are sponsored by a recognized student organization, employee organization, or the administration of the college.

(2) "College facilities" includes all buildings, structures, grounds, office space, and parking lots.

(3) "Public use areas" means those areas of each campus that the college has chosen to open as places where nongroups may assemble for expressive activity protected by the First Amendment, subject to reasonable time, place or manner restrictions.

(4) "Expressive activity" includes, but is not necessarily limited to, informational picketing, petition circulation, the distribution of informational leaflets or pamphlets, speech-making, demonstrations, rallies, appearances of speakers in outdoor areas, protests, meetings to display group feelings or sentiments, and/or other types of assemblies to share information, perspective or viewpoints.

(5) "Noncollege groups" shall mean individuals, or combinations of individuals, who are not currently enrolled students or current employees of the college and who are not officially affiliated or associated with, or invited guests of, a recognized student organization, recognized employee group, or the administration of the college.

NEW SECTION

WAC 132U-140-025 Statement of purpose. Whatcom Community College district is an educational institution provided and maintained by the people of the state of Washington. College facilities are reserved primarily for educational use including, but not limited to, instruction, research, public assembly of college groups, student activities, and other activities directly related to the educational mission of the college. The public character of the college does not grant to individuals an unlimited license to engage in activity, which limits, interferes with, or otherwise disrupts the normal activities to which the college's facilities and grounds are dedicated. Accordingly, the college designates the common areas of the college as a limited public forum dedicated to the use of college groups, subject to the time, place, and manner limitations and restrictions set forth in this policy.

The purpose of the time, place and manner regulations set forth in this policy is to establish procedures and reasonable controls for the use of college facilities. It is intended to balance the college's responsibility to fulfill its mission as a state educational institution of Washington with the interests of college groups seeking to assemble in common areas of the campus for expressive activity. The college recognizes that college groups should be accorded the opportunity to utilize the facilities and grounds of the college to the fullest extent possible. The college has designated certain facilities as public use areas open to noncollege groups as set forth herein.

NEW SECTION

WAC 132U-140-035 Priority use of facilities for college activities. When allocating use of college facilities, top priority shall be given to activities specifically related to the college's mission. No arrangements shall be made that may interfere with, or operate to the detriment of, the college's own teaching, research, rental, or public service programs. In particular, the college buildings, properties, and facilities shall be used primarily for:

(1) Regularly established teaching, research, or public service activities of the college and its departments.

(2) Cultural, educational, or recreational activities of the students, faculty, or staff.

(3) Short courses, conferences, seminars, or similar events conducted either in the public service or for the advancement of specific departmental professional interests, when arranged under the sponsorship of the college or its departments.

(4) Public events of a cultural or professional nature brought to the campus at the request of college departments or committees and presented with their active sponsorship and active participation.

(5) Public events, activities, or programs sponsored by the college and educational institutions, state or federal agencies, charitable agencies or civic or community organizations whose activities are of widespread public service and of a character appropriate to the college.

(6) College facilities shall be assigned to student organizations for regular business meetings, social functions and for programs open to the public. Any recognized campus student organization may invite speakers from outside the college community. In conformance with state guidelines, the appearance of an invited speaker on campus does not represent an endorsement by the college, its students, faculty, administration, or the board of trustees, whether implicit or explicit, of the speaker's views.

(7) The college may restrict an individual or group's use of college facilities if that person or group has, in the past, physically abused college facilities. Charges may be imposed for rental, damage, or for any other unusual costs for the use of facilities. The individual, group, or organization requesting space will be required to state in advance the general purpose of any meeting. If any charge or collection of funds is contemplated, advance permission from the party giving authority for space allocations will be required.

AMENDATORY SECTION (Amending WSR 88-15-005, filed 7/8/88)

WAC 132U-140-040 General policies limiting use.
~~((1) College facilities may not be used for purposes of political campaigning by or for candidates who have filed for public office except for student sponsored activities.~~

~~(2) Religious groups shall not, under any circumstances, use the college facilities as a permanent meeting place. Use shall be intermittent only.~~

~~(3) The college reserves the right to prohibit the use of college facilities by groups which restrict membership or participation in a manner inconsistent with the college's commit-~~

ment to nondiscrimination as set forth in its written policies and commitments.

(4) The college may designate areas in its facilities and times for use by commercial entities on a space-available basis. The college may establish procedures for allocating such space and time to assure equal opportunity for access to different commercial enterprises. Such designation shall be made in keeping with other college policies.

(5) Activities of a political or commercial nature may be approved providing they do not involve the use of promotional signs or posters on building, trees, walls, or bulletin boards, or the distribution of samples outside the rooms or facilities to which access has been granted.

(6) These general policies shall apply to recognized student groups using college facilities.

(7) Handbills, leaflets, and similar materials except those which are commercial, obscene, or unlawful may be distributed only in designated areas on the campus where, and at times when, such distribution shall not interfere with the orderly administration of the college affairs or the free flow of traffic. Any distribution of materials as authorized by the designated administrative officer and regulated by established guidelines shall not be construed as support or approval of the content by the college community or the board of trustees.

(8) Use of audio amplifying equipment is permitted only in locations and at times that will not interfere with the normal conduct of college affairs as determined by the appropriate administrative officer.

(9) No person or group may use or enter onto college facilities having in their possession firearms, even if licensed to do so, except commissioned police officers as prescribed by law.

(10) The right of peaceful dissent within the college community shall be preserved. The college retains the right to insure the safety of individuals, the continuity of the educational process, and the protection of property. While peaceful dissent is acceptable, violence or disruptive behavior is an illegitimate means of dissent. Should any person, group or organization attempt to resolve differences by means of violence, the college and its officials need not negotiate while such methods are employed.

(11) Orderly picketing and other forms of peaceful dissent are protected activities on and about the college premises. However, interference with free passage through areas where members of the college community have a right to be, interference with ingress and egress to college facilities, interruption of classes, injury to persons, or damage to property exceeds permissible limits.

(12) Where college space is used for an authorized function (such as a class or a public or private meeting under approved sponsorship, administrative functions or service related activities) groups must obey or comply with directions of the designated administrative officer or individual in charge of the meeting.

(13) If a college facility abuts a public area or street, and if student activity, although on public property, unreasonably interferes with ingress and egress to college buildings, the college may choose to impose its own sanctions although remedies might be available through local law enforcement

agencies.) (1) Specific conditions shall be imposed to regulate the timeliness of requests, to determine the appropriateness of space assigned, time of use, and to ensure the proper maintenance of the facilities. All requests for facilities use must be made through the designated administrative officer(s). Allocation of space shall be made in accordance with college regulations and on the basis of time, space, manner, and priority of the request. The college designates public use areas for college and noncollege groups for expressive activity on campus. The specific locations of these public use areas are identified on a campus map located on the college web site.

(2) Individuals and groups should notify the designated campus department no later than twenty-four hours in advance of an event. However, unscheduled events are permitted so long as the event does not materially disrupt any other function occurring at the facility.

(3) College facilities may not be used for purposes of political campaigning by or for candidates who have filed for public office, except for student-sponsored activities.

Approved student-sponsored activities of a political or commercial nature shall not permit promotional signs or posters on building, trees, walls, bulletin boards, or the distribution of samples outside the rooms or facilities to which access has been granted.

(4) Religious groups, not meeting as part of a recognized student club activity, shall not use the college facilities as a permanent meeting place. Use shall be intermittent only.

(5) The college reserves the right to prohibit the use of college facilities by groups, which restrict membership or participation in a manner inconsistent with the college's commitment to nondiscrimination as set forth in its written policies and commitments.

(6) No person or group may use or enter onto college facilities having in their possession firearms, even if licensed to do so, except commissioned police officers as prescribed by law.

(7) College facilities may not be used for commercial sales, solicitations, advertising or promotional activities, unless:

(a) Such activities serve educational purposes of the college;

(b) Such activities are under the sponsorship of a college department or office or officially chartered student club.

(8) The right of peaceful dissent within the college community shall be preserved. The college retains the right to ensure the safety of individuals, the continuity of the educational process, and the protection of property. While peaceful dissent is acceptable, violence or disruptive behavior is an illegitimate means of dissent. Should any person, group, or organization attempt to resolve differences by means of violence or perceived threat to health or safety, the college and its officials need not negotiate while such methods are employed and may involve local law enforcement authorities.

(9) Orderly picketing and other forms of peaceful dissent are protected activities in public use areas as outlined in this policy. However, interference with free passage through areas where members of the college community have a right to be, interference with ingress and egress to college facili-

ties, interruption of classes, injury to persons, or damage to property, shall result in the sanctions outlined in this policy.

(10) Where college space is used for authorized function (such as a rental contract, class, or a public or private meeting under approved sponsorship, administrative function, or service related activities) groups must obey or comply with directions of the designated college administrative officer or individual in charge of the meeting.

(11) If a college facility abuts a public area or street, and if student activity, although on public property, unreasonably interferes with ingress and egress to college buildings, the college may choose to impose its own sanction although remedies might be available through local law enforcement agencies.

(12) Subject to the regulations and requirements of this policy, individuals and groups may use the campus limited forums for expressive activities between the hours of 8:00 a.m. and 9:00 p.m.

(13) Any sound amplification device may only be used at a volume which does not disrupt or disturb the normal use of classrooms, offices, or laboratories or any previously scheduled college event or activity.

(14) All sites used for expressive activity should be cleaned up and left in their original condition and may be subject to inspection by a representative of the college after the event. Reasonable charges may be assessed against the sponsoring organization for the costs of extraordinary cleanup or for the repair of damaged property.

(15) All fire, safety, sanitation, or special regulations specified for the event are to be obeyed. The college cannot and will not provide utility connections or hook ups for purposes of expressive activity conducted pursuant to this policy.

(16) The event must not be conducted in such a manner to obstruct vehicular, bicycle, pedestrian, or other traffic or otherwise interfere with ingress or egress to the college, or to college buildings or facilities, or to college activities or events. The event must not create safety hazards or pose unreasonable safety risks to college students, employees or invitees to the college.

(17) The event must not interfere with educational activities inside or outside any college building or otherwise prevent the college from fulfilling its mission and achieving its primary purpose of providing an education to its students. The event must not materially infringe on the rights and privileges of college students, employees or invitees to the college.

(18) There shall be no overnight camping on college facilities or grounds. Camping is defined to include sleeping, carrying on cooking activities, or storing personal belongings for personal habitation, or the erection of tents or other shelters or structures used for purposes of personal habitation.

(19) The event must also be conducted in accordance with any other applicable college policies and regulations, local ordinances, and state or federal laws.

NEW SECTION

WAC 132U-140-045 Distribution of materials. (1) Handbills, leaflets, and similar materials, except those which

are commercial, obscene, libelous, or advocate or incite imminent unlawful conduct, may be distributed only in designated areas on the campus where, and at times when, such distribution shall not interfere with the orderly administration of the college affairs or the free flow of traffic. Any distribution of materials as authorized by the designated administrative officer and regulated by established guidelines shall not be construed as support or approval of the content by the college community or the board of trustees.

(2) College groups may post information on bulletin boards, kiosks, and other display areas designated for that purpose, and may distribute materials throughout the open areas of campus.

(3) Noncollege groups may distribute materials only at the site designated for noncollege groups. The sponsoring organization is encouraged, but not required to include its name and address on the distributed information.

NEW SECTION

WAC 132U-140-055 Additional requirements for noncollege groups. (1) College buildings, rooms, and athletic fields may be rented by noncollege groups in accordance with the college's facilities use policy. When renting college buildings or athletic fields, an individual or organization may be required to post a bond and/or obtain insurance to protect the college against cost or other liability in accordance with the college's facility use policy. When the college grants permission to use its facilities it is with the express understanding and condition that the individual or organization assumes full responsibility for any loss or damage. Noncollege groups may otherwise use college facilities for expressive activity as identified in this policy.

(2) The college designates the following area(s) as the sole limited public forum area(s) for use by noncollege groups for expressive activity on campus are located on a campus map on the college web site. The public use areas may be scheduled. Scheduled groups have priority of use over unscheduled groups.

(3) Noncollege groups that seek to engage in expressive activity on the designated public use area(s) shall provide notice to the designated campus office no later than twenty-four hours prior to the event along with the following information solely to ensure:

(a) The area is not otherwise scheduled; and
(b) To give the college an opportunity to assess any security needs:

(i) The name, address and telephone number of a contact person for the individual, group, entity or organization sponsoring the event;

(ii) The date, time and requested location of the event;

(iii) The nature and purpose of the event;

(iv) The estimated number of people expected to participate in the event; and

(v) The type of sound amplification devices to be used in connection with the event, if any.

When using college buildings or athletic fields, an individual or organization may be required to post a bond and/or obtain insurance to protect the college against cost or other liability in accordance with the college's facility use policy.

When the college grants permission to use its facilities it is with the express understanding and condition that the individual or organization assumes full responsibility for any loss or damage.

AMENDATORY SECTION (Amending WSR 88-15-005, filed 7/8/88)

WAC 132U-140-060 Criminal trespass and other sanctions for violations. (1) ~~((Individuals who are not students or members of the faculty or staff and who violate these regulations will be advised of the specific nature of the violation, and if they persist in the violation, they will be requested by the president, or his or her designee, to leave the college property. Such a request prohibits the entry of and withdraws the license or privilege to enter onto or remain upon any portion of the college facilities by the person or group of persons requested to leave. Such persons shall be subject to arrest under the provisions of chapter 9A.52 RCW.))~~ Noncollege groups who violate these regulations will be advised of the specific nature of the violation, and if they persist in the violation, will be requested by the campus president or designee to leave the college property. Such a request will be deemed to withdraw the license or privilege to enter onto or remain upon any portion of the college facilities of the person or group of persons requested to leave, and subject such individuals to arrest under the provisions of chapter 9A.52 RCW or municipal ordinance.

(2) Members of the college community (students, faculty, and staff) who do not comply with these regulations will be reported to the appropriate college office or agency for action in accord with established college policies.

(3) Persons who violate a district policy may have their license or privilege to be on district property revoked and be ordered to withdraw from and refrain from entering upon any district property. Remaining on or reentering district property after one's license or privilege to be on that property has been revoked shall constitute trespass and such individual shall be subject to arrest for criminal trespass.

AMENDATORY SECTION (Amending WSR 88-15-005, filed 7/8/88)

WAC 132U-140-070 Prohibited conduct at college facilities. (1) State law relative to public institutions governs the use or possession of intoxicants on campus or at college functions. The use or possession of unlawful drugs or narcotics, not medically prescribed, on college property or at college functions, is prohibited. Students obviously under the influence of intoxicants, unlawful drugs or narcotics while in college facilities shall be subject to disciplinary action. Non-students obviously under the influence of intoxicants, unlawful drugs or narcotics while in college facilities may be subject to criminal trespass.

(2) The use of tobacco is restricted by law and by regulations of the fire marshal to designated smoking areas.

(3) Destruction of property is also prohibited by state law in reference to public institutions.

NEW SECTION

The following section of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
132U-140-050	132U-140-080

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132U-140-010 Use of college facilities.
WAC 132U-140-020 Limitation of use to school activities.
WAC 132U-140-030 Statement of intentions.

WSR 14-11-033
PERMANENT RULES
OFFICE OF
FINANCIAL MANAGEMENT

[Filed May 14, 2014, 8:35 a.m., effective June 16, 2014]

Effective Date of Rule: June 16, 2014.

Purpose: This proposal is a housekeeping change to move the placement of subsections (3)(a) and (3)(b) to fall under subsection (2). The ability to limit the number of occurrences or deny an employee's request should be tied to when an employee is scheduled to take an examination or participate in an interview for a position with a state employer during scheduled work hours.

Citation of Existing Rules Affected by this Order:
Amending WAC 357-31-325.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Adopted under notice filed as WSR 14-08-093 on April 2, 2014.

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 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: May 14, 2014.

Roselyn Marcus
Assistant Director for
Legal and Legislative Affairs

AMENDATORY SECTION (Amending WSR 10-23-041, filed 11/10/10, effective 12/13/10)

WAC 357-31-325 Must an employer grant leave with pay for other miscellaneous reasons such as to take a state examination? Leave with pay **must** be granted to an employee:

(1) To allow an employee to receive assessment from the employee assistance program((:)).

(2) When an employee is scheduled to take an examination or participate in an interview for a position with a state employer during scheduled work hours((:)).

(a) Employers may limit the number of occurrences or the total amount of paid leave that will be granted to an employee to participate in an interview or take an examination during scheduled work hours.

(b) Employers may deny an employee's request to participate in an interview or take an examination during scheduled work hours based upon operational necessity.

(3) When an employee is required to appear during working hours for a physical examination to determine physical fitness for military service.

~~((a) Employers may limit the number of occurrences or the total amount of paid leave that will be granted to an employee to participate in an interview or take an examination during scheduled work hours.~~

~~(b) Employers may deny an employee's request to participate in an interview or take an examination during scheduled work hours based upon operational necessity.))~~

WSR 14-11-034
PERMANENT RULES
OFFICE OF

FINANCIAL MANAGEMENT

[Filed May 14, 2014, 8:35 a.m., effective June 16, 2014]

Effective Date of Rule: June 16, 2014.

Purpose: This is a proposal to repeal WAC 357-04-130. This rule cites the office of financial management (OFM) public disclosure rule as the operative rule for the state human resources office. This WAC was adopted as part of the ESSB 5931 (consolidation bill) which transferred powers and duties from the department of personnel to OFM or to the department of enterprise services. Now that the consolidation is complete WAC 357-04-130 is no longer necessary. The repeal of this rule has no effect on the process for public disclosure.

Citation of Existing Rules Affected by this Order: Repealing WAC 357-04-130.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Adopted under notice filed as WSR 14-08-091 on April 2, 2014.

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

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

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

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

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 1.

Date Adopted: May 14, 2014.

Roselyn Marcus
Assistant Director for
Legal and Legislative Affairs

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 357-04-130 What rules ensure that the director's office complies with the provisions of the State Public Records Act?

WSR 14-11-035
PERMANENT RULES
OFFICE OF

FINANCIAL MANAGEMENT

[Filed May 14, 2014, 10:44 a.m., effective June 16, 2014]

Effective Date of Rule: June 16, 2014.

Purpose: This proposal adds language to WAC 357-31-100 and 357-31-130 to include that employers, including higher education, must allow the use of sick leave for qualifying absences under the Family and Medical Leave Act (FMLA) for the purpose of parental leave for an employee to bond with his/her newborn, adoptive or foster child. In addition, this proposal also adds language which says employers must address in their leave policy the maximum amount of sick leave allowed to be used for this purpose during the twelve-week FMLA period.

Citation of Existing Rules Affected by this Order: Amending WAC 357-31-100 and 357-31-130.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Adopted under notice filed as WSR 14-08-092 on April 2, 2014.

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 2, 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: May 14, 2014.

Roselyn Marcus
Assistant Director for
Legal and Legislative Affairs

AMENDATORY SECTION (Amending WSR 10-11-071, filed 5/14/10, effective 6/15/10)

WAC 357-31-100 Must an employer have a policy for requesting and approving leave? Each employer must develop a leave policy which specifies the procedure for requesting and approving all leave, as provided in the civil service rules. The employer's policy must:

(1) Allow an employee to use vacation leave without advance approval when the employee is requesting to use vacation leave to respond to family care emergencies, or for an emergency health condition as provided in WAC 357-31-200 (1)(b);

(2) Allow an employee to use a reasonable amount of accrued leave or unpaid leave when the employee is a victim, or has a family member, as defined in chapter 357-01 WAC, who is a victim of domestic violence, sexual assault, or stalking as defined in RCW 49.76.020; ~~(and)~~

(3) Address advance notice from the employee when the employee is seeking leave under subsection (2) of this section. When advance notice cannot be given because of an emergency or unforeseen circumstances due to domestic violence, sexual assault, or stalking, the employee or the employee's designee must give notice to the employer no later than the end of the first day that the employee takes such leave; and

(4) Allow an employee to use sick leave for qualifying absences under the Family and Medical Leave Act (FMLA) for parental leave for the purpose of baby bonding with his/her newborn, adoptive, or foster child in accordance with WAC 357-31-495. The policy must state the maximum amount of sick leave allowed to be used during the twelve-week FMLA period.

AMENDATORY SECTION (Amending WSR 09-17-057 and 09-18-112, filed 8/13/09 and 9/2/09, effective 12/3/09)

WAC 357-31-130 When can an employee use accrued sick leave? The employer may require medical verification or certification of the reason for sick leave use in accordance with the employer's leave policy.

(1) Employers **must** allow the use of accrued sick leave under the following conditions:

(a) Because of and during illness, disability, or injury that has incapacitated the employee from performing required duties.

(b) By reason of exposure of the employee to a contagious disease when the employee's presence at work would jeopardize the health of others.

(c) To care for a minor/dependent child with a health condition requiring treatment or supervision.

(d) To care for a spouse, registered domestic partner, parent, parent-in-law, or grandparent of the employee who has a serious health condition or emergency health condition.

(e) For family care emergencies per WAC 357-31-290, 357-31-295, 357-31-300, and 357-31-305.

(f) For personal health care appointments.

(g) For family members' health care appointments when the presence of the employee is required if arranged in advance with the employing official or designee.

(h) When an employee is required to be absent from work to care for members of the employee's household or relatives of the employee or relatives of the employee's spouse/registered domestic partner who experience an illness or injury, not including situations covered by subsection (1)(d) of this section.

(i) The employer must approve up to five days of accumulated sick leave each occurrence. Employers may approve more than five days.

(ii) For purposes of this subsection, "relatives" is limited to spouse, registered domestic partner, child, grandchild, grandparent or parent.

(i) If the employee or the employee's family member, as defined in chapter 357-01 WAC, is a victim of domestic violence, sexual assault, or stalking as defined in RCW 49.76.020. An employer may require the request for leave under this section be supported by verification in accordance with WAC 357-31-730.

(j) In accordance with WAC 357-31-373, for an employee to be with a spouse or registered domestic partner who is a member of the armed forces of the United States, National Guard, or reserves after the military spouse or registered domestic partner has been notified of an impending call or order to active duty, before deployment, or when the military spouse or registered domestic partner is on leave from deployment.

(k) For qualifying absences under the Family and Medical Leave Act for parental leave for the purpose of bonding with his/her newborn, adoptive, or foster child in accordance with WAC 357-31-495. The amount of sick leave allowed to be used must be addressed in the employer's leave policy in accordance with WAC 357-31-100.

(2) Employers **may** allow the use of accrued sick leave under the following conditions:

(a) For condolence or bereavement.

(b) When an employee is unable to report to work due to inclement weather in accordance with the employer's policy on inclement weather as described in WAC 357-31-255.

WSR 14-11-038

**PERMANENT RULES
SPOKANE REGIONAL
CLEAN AIR AGENCY**

[Filed May 14, 2014, 11:51 a.m., effective September 2, 2014]

Effective Date of Rule: September 2, 2014.

Purpose: Remove "asphalt shingles" as a suspect asbestos-containing material (ACM); summarize asbestos sampling requirements in 40 C.F.R. 763.86; clarify that part of all

of the notice of intent (NOI) waiting period and project fee may be waived for demolition of abandoned structures; clarify that standard asbestos project work practices require manual removal methods unless approved by the Spokane Regional Clean Air Agency (SRCAA); add procedures for loose vermiculite containing one percent or less asbestos; clarify that when alternate work plans are prepared, the procedures and requirements in the plan must be followed; clarify that trenchless pipe bursting of asbestos cement pipe is prohibited; reduce the waiting period and a reduced fee for small asbestos projects; and allow refunds for overpayments.

Citation of Existing Rules Affected by this Order: Amending SRCAA Regulation I, Article IX and Section 10.09.

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

Other Authority: Chapter 70.94 RCW, 42 U.S.C. 7401 et seq., 42 U.S.C. 7412.

Adopted under notice filed as WSR 14-05-009 on February 6, 2014.

Changes Other than Editing from Proposed to Adopted Version: A nonsubstantive change was made. Section numbers were reassigned.

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 9, Repealed 0.

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

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

Date Adopted: May 1, 2014.

Matt Holmquist
Compliance Administrator

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 14-12 issue of the Register.

WSR 14-11-053
PERMANENT RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed May 16, 2014, 9:53 a.m., effective June 16, 2014]

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

Purpose: Repeals WAC 181-77-070 and adds new WAC 181-77-071 to change requirements for the qualifications for administration of career and technical education programs based on stakeholder input.

Citation of Existing Rules Affected by this Order: Repealing WAC 181-77-070.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 14-05-065 on February 18, 2014.

A final cost-benefit analysis is available by contacting David Brenna, 600 Washington Street South, Room 400, phone (360) 725-6238, fax (360) 586-4548, e-mail david.brenna@k12.wa.us.

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

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

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

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

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

Date Adopted: May 15, 2014.

David Brenna
Senior Policy Analyst

NEW SECTION

WAC 181-77-071 Certification of career and technical education administrative personnel. (1) Beginning September 1, 2014, a candidate is eligible for the initial career and technical education administrator certification if meeting one of the following:

(a) Currently holds a valid continuing or professional administrator certificate; or

(b) Completion of three years of experience as a certificated career and technical education supervisor, career and technical education instructor, career and technical education counselor, or occupational information specialist.

(2) Initial certificate.

(a) The individual may apply for an initial career and technical administrator certificate upon:

(i) Completion of the state authorized career and technical education administrator internship program; or

(ii) Completion of a state approved college program for career and technical education administration.

(b) The initial career and technical education administrator certificate is valid for four years and may be renewed two times.

(3) Initial certificate renewal.

(a) In order to renew the initial career and technical education administrator certificate completion of at least six quarter hours of college credit or sixty continuing education credit hours since the initial certificate was issued or renewed is required.

(b) The initial renewal certificate is valid for three years and may be renewed one time.

(4) Continuing certificate. The continuing career and technical education administrator certificate is valid for five years.

(a) In order to receive the continuing career and technical education administrator certificate, in addition to the requirements for the initial certificate, at least fifteen quarter hours of college credit course work or one hundred fifty continuing education credit hours completed subsequent to the conferral of the initial certificate is required.

(b) Individuals shall provide as a condition for the issuance of a continuing certificate documentation of two years of career and technical administration with an authorized employer (i.e., school district(s) or skill center(s)).

(c) Individuals who hold the initial career and technical administrator certificate, but have not been employed in the role of career and technical education administrator, or cannot document two years of career and technical education administration, shall be eligible for a continuing certificate by the following:

(i) In addition to the requirements for the initial certificate at least fifteen quarter hours of college credit course work or one hundred fifty continuing education credit hours completed subsequent to the conferral of the initial certificate; and

(ii) The completion of requirements listed in subsection (2)(a)(i) or (ii) of this section since the issuance of the second initial certificate renewal and prior to the application for the continuing career and technical education administrator certificate.

(5) Continuing certificate renewal. The continuing career and technical education administrator certificate shall be renewed with the completion of fifteen quarter credits of college credit course work or the equivalent of one hundred fifty continuing education credit hours in career and technical education, or supervisory or managerial subjects, prior to the lapse date of the first issue of the continuing certificate and during each five-year period between subsequent lapse dates.

(6) Any person with a valid career and technical education administrator certificate issued prior to September 1, 2014, under previous standards of the professional educator standards board shall meet requirements of, and may apply for, the continuing career and technical education administrator certificate by the expiration date of the original certificate held. Upon issuance of the continuing career and technical education administrator certificate such person will be subject to continuing certificate renewal requirements of subsection (5) of this section.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 181-77-070 Specific standards for certification of local career and technical education administrative personnel.

WSR 14-11-062

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed May 18, 2014, 12:19 p.m., effective June 18, 2014]

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

Purpose: The purpose of rules are to: (1) Establish a timeline of activities associated with the implementation of Level II required action; (2) articulate the criteria for assigning districts to Level II required action; and (3) establish guiding principles that articulate an accountability framework.

Citation of Existing Rules Affected by this Order: Amending WAC 180-17-050.

Statutory Authority for Adoption: RCW 28A.657.040 - 28A.657.070; 28A.657.105 - 28A.657.110.

Adopted under notice filed as WSR 13-24-116 on December 4, 2013.

Changes Other than Editing from Proposed to Adopted Version:

- WAC 180-17-060(2), adds flexibility for the state board of education to account for changes in standards or assessments, or fluctuations in the required action exit criteria.
- WAC 180-17-070(1), clarifies that the external needs assessment and review team should not include staff from the agency, the district that is the subject of the assessment, or staff of the state board of education (SBE).
- WAC 180-17-070(2), clarifies that the needs assessment may consider both school and community factors, and includes a list of factors that may be considered.
- WAC 180-17-070(3), adds that school district boards of directors shall seek public comment on proposed Level II required action plans prior to submitting plans to the SBE.

A final cost-benefit analysis is available by contacting Thomas J. Kelly, Old Capitol Building, 600 Washington Street S.E., Olympia, WA, phone (360) 725-6031, e-mail thomas.kelly@k12.wa.us.

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

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

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

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

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

Date Adopted: March 6, 2014.

Ben Rarick
Executive Director

AMENDATORY SECTION (Amending WSR 10-23-083, filed 11/16/10, effective 12/17/10)

WAC 180-17-050 Release of a school district from designation as a required action district. (1) The state board of education shall release a school district from designation as a required action district upon recommendation by the superintendent of public instruction, and confirmation by the board, that the district has met the requirements for release set forth in RCW 28A.657.100.

(2) If the board determines that the required action district has not met the requirements for a release in RCW 28A.657.100, ~~((the school district shall remain in required action and submit a new or revised required action plan under the process and timeline as prescribed in WAC 180-17-020 or 180-17-030))~~ the state board of education may determine that the district remain a Level I required action district and submit a new or revised required action plan under the process and timeline prescribed in WAC 180-17-020, or to the extent applicable in WAC 180-17-030, or it may assign the district to Level II status, according to the requirements of WAC 180-17-060.

NEW SECTION

WAC 180-17-060 Designation of required action district to Level II status. (1) For required action districts which have not demonstrated recent and significant progress toward the requirements for release under RCW 28A.657.100, the state board of education may direct that the district be assigned to Level II status of the required action process.

(2) For the purposes of this section, recent and significant progress shall be defined as progress occurring within the two most recently completed school years, which is determined by the board to be substantial enough to put the school on track to exit the list of persistently lowest-achieving schools list, as defined in RCW 28A.657.020, if the rate of progress is sustained for an additional three school years. Schools meeting their annual measurable objectives (AMOs) for the all students group for two consecutive years, as established by the office of the superintendent of public instruction, may also be deemed to have made recent and significant progress under this section. At the discretion of the state board of education, adjustments may be made to account for changes in standards or assessments, as well as fluctuation in the exit criteria over time due to a normative definition of "persistently lowest-achieving schools" established in RCW 28A.657.020.

(3) If the required action district received a federal School Improvement Grant for the same persistently lowest-achieving school in 2010 or 2011, the superintendent may recommend that the district be assigned to Level II of the required action process after one year of implementing a required action plan under this chapter if the district is not making progress.

(4) Districts assigned by the state board of education as required action districts must be evaluated for exit under the same criteria used for their original designation into required action status; except, the board may, at its discretion, exit a district if subsequent changes in the exit criteria make them eligible for exit.

NEW SECTION

WAC 180-17-070 Level II needs assessment and revised required action plan requirements. (1) Upon assignment of a school district to Level II required action district status, the state board shall notify the superintendent of public instruction who shall direct that a Level II needs assessment and review be conducted to determine the reasons why the previous required action plan did not succeed in improving student achievement. The superintendent of public instruction shall contract with an external review team to conduct a needs assessment and review. The review team must consist of persons under contract with the superintendent who have expertise in comprehensive school and district reform and may not include staff from agency, the school district that is the subject of the assessment, or members of the staff of the state board of education. The needs assessment shall be completed within ninety days of the Level II designation and presented to the board at its next regularly scheduled meeting.

(2) The needs assessment and review shall include an evaluation of the extent to which the instructional and administrative practices of the school materially changed in response to the original Level I needs assessment and the periodic reviews conducted by the office of the superintendent of public instruction, during Phase I required action. The needs assessment and review may consider both school and community factors which may include, but are not limited to, class size, resources and building capacity, recent bond or levy failures, kindergarten readiness, student mobility, poverty, student homelessness, rate of parental unemployment, and other factors contributing to the opportunity gap.

(3) Based on the results of the Level II needs assessment and review, the superintendent of public instruction shall work collaboratively with the school district board of directors to develop a revised required action plan for Level II. The school district board of directors shall seek public comment on the proposed Level II required action plan prior to submitting the plan to the state board of education for approval.

(4) The Level II required action plan shall include the following components:

(a) A list of the primary reasons why the previous plan did not succeed in improving student achievement.

(b) A list of the conditions which will be binding on the district in the Level II plan. These may include:

(i) Assignment of on-site school improvement specialists or other personnel by the superintendent of public instruction;

(ii) Targeted technical assistance to be provided through an educational service district or other provider;

(iii) Assignment or reassignment of personnel;

(iv) Reallocation of resources, which may include redirection of budgeted funds or personnel, as well as changes in use of instructional and professional development time;

(v) Changes to curriculum or instructional strategies;

(vi) Use of a specified school improvement model; or

(vii) Other conditions which the superintendent of public instruction determines to be necessary to ensure that the revised action plan will be implemented with fidelity and will result in improved student achievement.

(5) The plan shall be submitted to the state board of education for approval prior to May 30th of the year preceding implementation, with a cover letter bearing the signatures of the superintendent of public instruction and the chair of the board of directors of the required action district, affirming mutual agreement to the plan.

NEW SECTION

WAC 180-17-080 Level II required action plan—Procedures for direct submission to state board of education by superintendent of public instruction—Role of required action plan review panel. (1) If the superintendent of public instruction and the school district board of directors are unable to come to an agreement on a Level II required action plan within ninety days of the completion of the needs assessment and review conducted under subsection (2) of this section, the superintendent of public instruction shall complete and submit a Level II required action plan directly to the state board of education for approval. Such submissions must be presented and approved by the board prior to July 15th of the year preceding the school year of implementation.

(2) The school district board of directors may submit a request to the required action plan review panel for reconsideration of the superintendent's Level II required action plan within ten days of the submission of the plan to the state board of education. The state board of education will delay decision on the Level II required action plan for twenty calendar days from the date of the request, in order to receive any recommendations and comment provided by the review panel, which shall be convened expeditiously by the superintendent of public instruction as required, pursuant to RCW 28A.657.070 (2)(c). After the state board of education considers the recommendations of the required action review panel, the decision of the board regarding the Level II required action plan is final and not subject to further reconsideration. The board's decision must be made by public vote, with an opportunity for public comment provided at the same meeting.

(3) If changes to a collective bargaining agreement are necessary to implement a Level II required action plan, the procedures prescribed under RCW 28A.657.050 shall apply. A designee of the superintendent shall participate in the discussions among the parties to the collective bargaining agreement.

(4) In Level II required action, the superintendent of public instruction shall work collaboratively with the local board of education. However, if the superintendent of public instruction finds that the Level II required action plan is not being implemented as specified, including the implementation of any binding conditions within the plan, the superinten-

dent may direct actions that must be taken by school district personnel and the board of directors to implement the Level II required action plan. If necessary, the superintendent of public instruction may exercise authority under RCW 28A.505.120 regarding allocation of funds.

(5) If the superintendent of public instruction seeks to make material changes to the Level II required action plan at any time, those changes must be submitted to the state board of education for approval at a public meeting where an opportunity for public comment is provided.

NEW SECTION

WAC 180-17-090 Input of the education accountability system oversight committee prior to Level II designations. (1) Prior to assigning a required action district to Level II status, the board must hold a public hearing on the proposal, and must take formal action at a public meeting to submit its recommendation to the education accountability system oversight committee established in chapter 28A.657 RCW for review and comment.

(2) Prior to assigning a district to Level II status, the board must provide a minimum of thirty calendar days to receive comments by the education accountability system oversight committee. If written comment is provided by the committee, it shall be included in board meeting materials, and posted to the board's web site for public review. The superintendent of public instruction may begin the Level II needs assessment process once the board has formally requested committee input on a Level II designation, but may not initiate any part of the required action process until the board has made an official designation into Level II status.

NEW SECTION

WAC 180-17-100 Establishment of accountability framework to improve student achievement for all children. (1) Pursuant to the requirements of RCW 28A.657.110 (chapter 159, Laws of 2013), the state board of education adopts the following guiding principles in fulfillment of its responsibility to establish an accountability framework. The framework establishes the guiding principles for a unified system of support for challenged schools that aligns with basic education, increases the level of support based upon the magnitude of need, and uses data for decisions.

(2) The statutory purpose of the accountability framework is to provide guidance to the superintendent of public instruction in the design of a comprehensive system of specific strategies for recognition, provision of differentiated support and targeted assistance and, if necessary, intervention in underperforming schools and school districts, as defined under RCW 28A.657.020.

(3) The board finds that the accountability system design and implementation should reflect the following principles and priorities:

(a) Student growth is an essential element in an effective school accountability system. However, inclusion of student growth shall not come at the expense of a commitment to and priority to get all students to academic standard. Washington's accountability system should work toward incorporating metrics of growth adequacy, which measure how much

growth is necessary to bring students and schools to academic standard within a specified period of time. An objective standard of career and college-readiness for all students should remain the long-term focus of the system.

(b) The board recognizes that the transition to common core state standards creates practical challenges for shorter term goal-setting, as a new baseline of student performance is established on a series of more rigorous standards and assessments. Normative measures of accountability are a transitional strategy during periods of significant change. Long-term, however, the accountability framework shall establish objective standards for index performance tiers and exit criteria for required action status. The board does not support a permanent system of moving, normative performance targets for our schools and students. The long-term goal remains gradually reduced numbers of schools in the bottom tiers of the index.

(c) To the greatest extent allowable by federal regulations, the federal accountability requirements for Title I schools should be treated as an integrated aspect of the overall state system of accountability and improvement applying to all schools. The composite achievement index score should be used as the standard measure of school achievement, and should be directly aligned with designations of challenged schools in need of improvement made annually by the superintendent of public instruction, and the lists of persistently low-achieving schools as required under federal regulations.

(d) The integration of state and federal accountability policies should also be reflected in program administration. To the greatest extent allowed by federal regulation, state and federal improvement planning should be streamlined administratively through a centralized planning tool. Improvement and compliance plans required across various state programs and federal title programs should be similarly integrated to the extent allowable. Planning will become less burdensome and more meaningful when the linkages between programs become more apparent in the way they are administered.

(e) The state's graduation requirements should ultimately be aligned to the performance levels associated with career and college readiness. During implementation of these standards, the board recognizes the necessity of a minimum proficiency standard for graduation that reflects a standard approaching full mastery, as both students and educators adapt to the increased rigor of common core and the underlying standard of career and college-readiness for all students.

(f) In the education accountability framework, goal-setting should be a reciprocal process and responsibility of the legislature, state agencies, and local districts and schools. The state education system should set clearly articulated performance goals for itself in a manner consistent with the planning requirements established for school districts and schools. State goal-setting should be grounded in what is practically achievable in the short-term and aspirational in the long-term, and should reflect realistic assumptions about the level of resources needed, and the time necessary, for implementation of reforms to achieve the desired system outcomes.

(g) While the board supports the use of school improvement models beyond those identified by the federal Department of Education under the No Child Left Behind Act, the

board will uphold a standard of rigor in review of these plans to ensure that authentic change occurs in instructional and leadership practices as a result of required action plan implementation. Rigorous school improvement models should not be overly accommodating of existing policies and practices in struggling schools, and summative evaluations should be able to document verifiable change in practice.

(h) Recognition of school success is an important part of an effective accountability framework. The board is committed to an annual process of school recognition, and believes that award-winning schools can make significant contributions to the success of the system by highlighting replicable best practices. All levels of success should be celebrated, including identifying improvement in low-performing schools, and highlighting examples of good schools that later achieve exemplary status.

(i) Fostering quality teaching and learning is the ultimate barometer of success for a system of school accountability and support. The central challenge for the superintendent of public instruction is developing delivery systems to provide the needed resources and technical assistance to schools in need, whether they be rural or urban, homogenous or diverse, affluent or economically challenged. In instances where traditional approaches have failed, the system will need to be prepared to develop innovative ways to secure the right instructional and leadership supports for districts and schools that need them.

WSR 14-11-070

PERMANENT RULES

CLOVER PARK

TECHNICAL COLLEGE

[Filed May 19, 2014, 3:25 p.m., effective June 19, 2014]

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

Purpose: The purposes are described in the CR-102, WSR 14-07-108. Updating of the college's student conduct code is necessary. The overall changes may be briefly summarized as including:

- Initial determinations on discipline will be more centralized, as will disciplinary records.
- Prohibited student conduct will be more clearly defined, and expanded to cover some additional undesirable behaviors.
- Disciplinary conditions will be added to the traditional sanctions through which the college imposes discipline.
- Two avenues for appealing discipline will be established. Appeals of more serious discipline will be heard by a student conduct committee. Lesser disciplines will be reviewed through less formal brief adjudicative proceedings.

Also, the new chapter is intended to enhance college compliance with federal law, including Title IX and the Violence Against Women Reauthorization Act (VAWA).

Citation of Existing Rules Affected by this Order: Repealing chapter 495C-120 WAC, Student conduct code.

Statutory Authority for Adoption: RCW 28B.50.140.

Adopted under notice filed as WSR 14-07-108 on March 19, 2014.

Changes Other than Editing from Proposed to Adopted Version: In an editing change, the bold-font subheading "**Student procedures violations.**" was inserted at the beginning of WAC 495C-121-050(21).

Number of Sections Adopted in Order to Comply with Federal Statute: New 4, 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 18, Amended 0, Repealed 22.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 22, Amended 0, Repealed 22.

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

Date Adopted: May 7, 2014.

James R. Tuttle
Chief Human Resources
and Legal Affairs Officer
and Rules Coordinator

Chapter 495C-121 WAC

STUDENT CONDUCT CODE

Part 1

GENERAL PROVISIONS

NEW SECTION

WAC 495C-121-010 Definitions. The following definitions shall apply for the purposes of this student conduct code, chapter 495C-121 WAC:

(1) "College" means Clover Park Technical College, College District Twenty-nine.

(2) "College facilities" includes all campuses of the college, wherever located, and all land, buildings, vehicles, equipment, and other real and personal property which are owned, leased, used, or controlled by the college.

(3) "Committee" and "student conduct committee" means the committee which is formed under WAC 495C-121-140 and which hears the matters specified in WAC 495C-121-110.

(4) "Conduct review officer" is the vice-president of student services or other college administrator designated by the president to be responsible for receiving and then either reviewing or referring an appeal of student disciplinary action in accordance with WAC 495C-121-110 and following sections of this chapter. The president may reassign any and all of the conduct review officer's responsibilities as set forth in this chapter as he/she deems appropriate.

(5) "Day" means a calendar day, except that when a "business day" is specified, business day means a weekday, excluding weekends and college holidays.

(6) "Disciplinary action" is the process by which the student conduct officer, or the committee upon a referral, imposes discipline against a student for violation of WAC 495C-121-050. Disciplinary action does not include instructional decisions and actions which are under the authority of faculty members and instructional administrators, such as determinations of academic credit and grading; any such determinations, and any review or appeal of these, are outside the scope of this chapter.

(7) "Disciplinary appeal" is the process by which an aggrieved student can appeal discipline, as provided in WAC 495C-121-110 through 495C-121-180.

(8) "Family Educational Rights and Privacy Act" and "FERPA" mean the law and regulations known by those names (20 U.S.C. §1232g; 34 C.F.R. Part 99).

(9) "Filing" is delivery of a document to the college official who is designated under this chapter to receive it for the purpose of review of a disciplinary action. Unless otherwise provided, filing shall be accomplished by:

(a) Hand delivery of the document to that official or the official's assistant during regular office hours; or

(b) Sending the document both by first class mail postage prepaid to the official's office and by e-mail to his/her college e-mail address.

(10) "Includes" and "including" means contained as part of a larger described whole or grouping, but these terms are not a limitation and mean "but not limited to."

(11) "President" is the president of the college. The president may delegate any of his or her responsibilities under this chapter as he/she deems appropriate.

(12) "Respondent" is the student against whom disciplinary action is initiated.

(13) "Service" is the delivery of a document or copy of a document to a party. Unless otherwise provided, service upon a party shall be accomplished by:

(a) Hand delivery of the document to the party; or

(b) Sending the document both by first class and/or certified mail postage prepaid to the party's last known address and by e-mail to the e-mail address shown in the college's records.

Service is deemed complete either upon hand delivery or when the document has been both deposited in the mail and e-mailed.

(14) "Student" includes all persons taking courses at or through the college, whether on a full-time or part-time basis, and whether such courses are credit courses, noncredit courses, online courses, or otherwise. Persons who withdraw after allegedly violating the code, who are not officially enrolled for a particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission are considered "students."

(15) "Student conduct officer" is a college administrator designated by the president or vice-president of student services to be responsible for investigating allegations of student misconduct and taking disciplinary action as provided in WAC 495C-121-100. The president or vice-president of student services may reassign any of the student conduct offi-

cer's responsibilities under this chapter as he/she deems appropriate.

(16) "Vice-president of student services" is the position which reports directly to the president and which the president assigns overall operational responsibility for this chapter. The president may reassign, or the vice-president may delegate, any such responsibility as he/she deems appropriate.

NEW SECTION

WAC 495C-121-020 Authority. The board of trustees, acting pursuant to RCW 28B.10.528 and 28B.50.140(14), delegates to the president the authority to administer student disciplinary actions and appeals. Through enactment of this chapter, the president subdelegates and/or further assigns responsibilities related to student discipline to other college officials and positions.

NEW SECTION

WAC 495C-121-030 Jurisdiction. (1) The student conduct code, chapter 495C-121 WAC, shall apply to student conduct that occurs:

- (a) In or on college facilities;
- (b) At or in connection with college-sponsored activities;

or

(c) Off-campus when in the judgment of the college it adversely affects the college community or the pursuit of its objectives.

(2) This chapter applies to conduct which occurs at all locations where students are engaged in college activities, including foreign or domestic travel, activities funded or sponsored by the associated students, athletic or recreational events, training internships, cooperative and distance education, online education, practicums, supervised work experiences, or any other college-sanctioned activities.

(3) This chapter applies to conduct from the time of application for admission through the actual receipt of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. This chapter shall apply to a student's conduct even if the student withdraws from college while a disciplinary matter is pending.

(4) The college has sole discretion, on a case-by-case basis, to determine whether this student conduct code will be applied to conduct that occurs off campus.

(5) In addition to initiating discipline proceedings for violation of the student conduct code, the college may refer any violations of federal, state, or local laws to civil and criminal authorities for disposition. The college may proceed with student disciplinary proceedings regardless of whether the underlying conduct is subject to civil proceedings or criminal prosecution.

NEW SECTION

WAC 495C-121-040 Student rights. As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in an inde-

pendent search for truth. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the college community.

The following enumerated rights are guaranteed to each student within the limitations of statutory law, rules, and college policies:

(1) **Academic freedom.**

(a) Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public.

(b) Students are free to pursue appropriate educational objectives from among the college's curricula, programs, and services, subject to the limitations of RCW 28B.50.090 (3)(b).

(c) Students shall be protected from academic evaluation which is arbitrary, prejudiced, or capricious, but are responsible for meeting the standards of academic performance established by each of their instructors.

(d) Students have the right to a learning environment which is free from unlawful discrimination, inappropriate and disrespectful conduct, and any and all harassment, including sexual harassment.

(2) **Due process.**

(a) The rights of students to be secure in their persons, papers, and effects against unreasonable college searches and seizures are guaranteed.

(b) No disciplinary sanction may be imposed on any student without notice to the accused of the nature of the charges.

(c) A student accused of misconduct that is subject to discipline is entitled to the procedural due process set forth in this chapter.

NEW SECTION

WAC 495C-121-050 Prohibited student conduct. The college may initiate disciplinary action against a student who commits, attempts to commit, or aids, abets, incites, encourages, or assists another person to commit, any of the following act(s) of misconduct:

(1) **Academic dishonesty.** Any act of academic dishonesty, including cheating, plagiarism, and fabrication.

(a) Cheating includes any attempt to give or obtain unauthorized assistance relating to the completion of an academic assignment or requirement.

(b) Plagiarism includes taking and using as one's own, without proper attribution, the ideas, writings, or work of another person in completing an academic assignment or requirement.

(c) Fabrication includes falsifying data, information, or citations in completing an academic assignment or requirement, or providing false or deceptive information to an instructor concerning the completion of an assignment or requirement, including submitting for credit without authorization academic work also submitted for credit in another course.

(2) **Other dishonesty.** Any other act of dishonesty, including:

(a) Forgery, alteration, submission of falsified documents, or misuse of any college document, record, or instrument of identification;

(b) Tampering with an election conducted by or for college students; or

(c) Furnishing false information, or failing to furnish correct or complete information, in response to the request or requirement of a college official or employee.

(3) **Obstruction or disruption.** Conduct which significantly obstructs or disrupts any operation of the college, any college meeting, any college class or other activity, any activity authorized to occur at a college facility, or any college-sponsored activity, including obstructing the free flow of pedestrian or vehicular movement or blocking access to or from any college facility or college-sponsored event.

(4) **Assault, abuse, intimidation, etc.** Assault, physical abuse, verbal abuse, threat(s), intimidation, harassment, bullying, stalking, reckless conduct, or other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person or another person's property or which unreasonably disrupts the educational environment. For purposes of this subsection:

(a) Bullying is severe or pervasive physical or verbal abuse involving an apparent power imbalance between the aggressor and victim.

(b) Stalking is intentional and repeated following of another person, which places that person in reasonable fear that the perpetrator intends to injure, intimidate, or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated, or harassed, even if the perpetrator lacks such an intent.

(c) Reckless conduct means acts performed with a heightened degree of carelessness or indifference so as to create a significant risk of physical, mental, or emotional harm to another person.

(5) **Cyberstalking, cyberbullying or online harassment.** Use of electronic communications, including electronic mail, instant messaging, texting, electronic bulletin boards, and social media sites, to harass, abuse, bully, or engage in other conduct which harms, threatens, or is reasonably perceived as threatening the health, safety, or well-being of another person. Prohibited activities include unauthorized monitoring of another's electronic communications directly or through spyware, sending threatening messages, disrupting electronic communications, sending a computer virus or malware, sending false messages to third parties using another's identity, nonconsensual recording of sexual activity, or nonconsensual distribution of a recording of sexual activity.

(6) **Property violation.** Damage to, or theft or misuse of, real or personal property or money of:

(a) The college or state, including college facilities;

(b) Any college student, official, employee, or organization; or

(c) Any other member of the college community or a college organization.

Property violation also includes possession of such property or money after it has been stolen.

(7) **Failure to comply with directive.** Failure to comply with the direction of a college official or employee who is acting in the legitimate performance of his or her duties, including failure to properly identify oneself to such a person when requested to do so.

(8) **Weapons.** Holding, wearing, transporting, storing, or otherwise possessing any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, explosive device, or any other weapon or device which is apparently capable of producing bodily harm, on or in any college facility, subject to the following exceptions:

(a) Commissioned law enforcement personnel or legally authorized military personnel while in performance of their duties;

(b) College-owned knives, tools, etc., that are being used for a legitimate educational purpose as part of a college instructional program;

(c) A student with a valid concealed pistol license may store a pistol in his or her vehicle parked on campus in accordance with RCW 9.41.050 (2) or (3), provided the vehicle is locked and the pistol is concealed from view; and

(d) The president may grant permission to bring such a weapon or device on or into a college facility when he/she determines that it is reasonably related to a legitimate pedagogical purpose, provided that such permission shall be in writing and shall be subject to all terms and conditions incorporated in that writing.

(9) **Hazing.** Any initiation into a student organization, or any pastime or amusement engaged in with respect to such an organization, that causes, or is likely to cause, bodily danger, physical harm, or serious mental or emotional harm to any student, regardless of whether the victim has consented.

(10) **Alcohol, drug, and tobacco violations.**

(a) **Alcohol.** Use, possession, delivery, sale, or being observably under the influence of any alcoholic beverage, except as permitted by law and applicable college policies.

(b) **Marijuana.** Use, possession, delivery, sale, or being observably under the influence of marijuana, the psychoactive compounds found in marijuana, or any product containing marijuana or such compounds that is intended for human consumption, regardless of form. While state law permits the recreational use of marijuana, federal law prohibits such use on college facilities or in connection with college activities.

(c) **Drugs.** The use, possession, delivery, sale, or being observably under the influence of any legend drug, including anabolic steroids, androgens, or human growth hormones as defined in chapter 69.41 RCW, or any other controlled substance under chapter 69.50 RCW, except as prescribed for a student's use by a licensed health care practitioner.

(d) **Tobacco, electronic cigarettes, and related products.** Use of tobacco, electronic cigarettes or smoking devices, and/or related products on or in any college facility, except that such use in a smoking shelter designated by the college or in a closed private vehicle is permitted when consistent with applicable law and rules. "Related products" include cigarettes, pipes, bidi, clove cigarettes, water pipes, hookahs, chewing tobacco, and snuff.

(11) **Lewd conduct.** Conduct which is lewd or obscene.

(12) **Discriminatory conduct.** Discriminatory conduct which harms or adversely affects any member of the college community because of her/his race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital status; age (40+); religion; creed; genetic information; sexual orientation; gender identity; veteran's status; or any other legally protected classification.

(13) **Sexual misconduct.** Any act of sexual misconduct, including sexual harassment, sexual intimidation, and sexual violence.

(a) Sexual harassment means unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, that is sufficiently serious as to deny or limit, and that does deny or limit, based on sex, the ability of a student to participate in or benefit from the college's educational program or that creates an intimidating, hostile, or offensive environment for campus community members.

(b) Sexual intimidation is a type of "sexual harassment" that involves threatening or emotionally distressing conduct based on sex, including nonconsensual recording of sexual activity or distribution of such a recording.

(c) Sexual violence incorporates the definition of "sexual harassment" and means a physical sexual act perpetrated without clear, knowing, and voluntary consent, such as committing a sexual act against a person's will, exceeding the scope of consent, or where the person is incapable of giving consent including rape, sexual assault, sexual battery, sexual coercion, sexual exploitation, and gender- or sex-based stalking. The term further includes acts of dating violence or domestic violence. A person may be incapable of giving consent by reason of age, threat or intimidation, lack of opportunity to object, disability, drug or alcohol consumption, or other cause.

(14) **Harassment.** Unwelcome and offensive conduct, including verbal, nonverbal, or physical conduct, that is directed at a person because of such person's protected status and that is sufficiently serious as to deny or limit, and that does deny or limit, the ability of a student to participate in or benefit from the college's educational program or that creates an intimidating, hostile, or offensive environment for other campus community members. Protected status includes a person's race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital status; age (40+); religion; creed; genetic information; sexual orientation; gender identity; veteran's status; or any other legally protected classification. See "Sexual misconduct" for the definition of "sexual harassment." Harassing conduct may include, but is not limited to, physical conduct, verbal, written, social media, and electronic.

(15) **Retaliation.** Taking adverse action against any individual for reporting, providing information, or otherwise participating in a process for addressing alleged violations of federal, state, or local law, or college policies, including allegations of discrimination or harassment.

(16) **Misuse of electronic resources.** Theft or other misuse of computer time or other electronic information resources of the college, which includes:

(a) Unauthorized use of such resources or opening of a file, message, or other item;

(b) Unauthorized duplication, transfer, or distribution of a computer program, file, message, or other item;

(c) Unauthorized use or distribution of someone else's password or other identification;

(d) Use of such time or resources to interfere with someone else's work;

(e) Use of such time or resources to send, display, or print an obscene or abusive message, text, or image;

(f) Use of such time or resources to interfere with normal operation of the college's computing system or other electronic information resources;

(g) Use of such time or resources in violation of applicable copyright or other law;

(h) Adding to or otherwise altering the infrastructure of the college's electronic information resources without authorization; or

(i) Failure to comply with the college's policies or procedures governing the use of such time or resources.

(17) **Unauthorized access.** Unauthorized possession, duplication, or other use of a key, keycard, or other restricted means of access to college facilities, or unauthorized entry onto or into college facilities.

(18) **Safety violations.** Any nonaccidental conduct that violates, interferes with, or otherwise compromises any law, rule, policy, procedure, or equipment relating to the safety and security of college facilities or the college community, including tampering with fire safety equipment or triggering false alarms or other emergency response systems.

(19) **Motor vehicle operation.** Operation of any motor vehicle in an unsafe manner or contrary to posted signs or college procedures.

(20) **Violation of laws or policies.** Violation of any federal, state, or local law or regulation, or college rule, policy, or procedure, which regulates the behavior of the college's students, including a parking rule.

(21) **Student procedures violations.** Misuse of or failure to follow any of the procedures relating to student complaints or misconduct, including:

(a) Falsification or misrepresentation of information;

(b) Failure to obey a subpoena;

(c) Disruption or interference with the orderly conduct of a proceeding;

(d) Destroying or altering potential evidence, or attempting to intimidate or otherwise improperly pressure a witness or potential witness;

(e) Attempting to influence the impartiality of, or harassing or intimidating, a student conduct committee member or other disciplinary official; or

(f) Failure to comply with any disciplinary action, term, or condition imposed under this chapter.

(22) **Ethical violation.** Breach of a generally recognized and published code of ethics or standard of professional practice that governs the conduct of a particular profession, which the student has been specifically informed about and is required to adhere to as a condition of enrolling in a course or participating in an educational program.

NEW SECTION

WAC 495C-121-060 Disciplinary sanctions and conditions. (1) **Disciplinary sanctions.** The following disciplinary sanctions may be imposed upon students found to have violated the student conduct code:

(a) Disciplinary warning. An oral statement to a student that there is a violation and that any further violation may be cause for further disciplinary action. Although verbal, the student conduct officer should make a record of the warning. The respondent cannot appeal a disciplinary warning.

(b) Written disciplinary reprimand. A written notice informing a student that he/she has violated one or more terms of the code of conduct and that future misconduct involving the same or similar behavior may result in the imposition of a more severe disciplinary sanction.

(c) Disciplinary probation. A written notice placing specific term(s) and condition(s) upon the student's continued attendance at the college. Disciplinary probation may be for a limited period of time or for the duration of the student's attendance at the college.

(d) Disciplinary suspension. Temporary revocation of enrollment and termination of student status, for a stated period of time. The student may be prohibited from coming onto any college facility and may be subject to law enforcement action for criminal trespass for violating that prohibition. There will be no refund of tuition or fees for the quarter in which the action is taken.

(e) Dismissal. Revocation of enrollment and of all rights and privileges of membership in the college community, and exclusion from college facilities, without any time limitation. There will be no refund of tuition or fees for the quarter in which the action is taken. The student may be subject to law enforcement action for criminal trespass for violating that exclusion. A dismissal may be subsequently ended only by a written decision of the president, for documented good cause.

(2) **Disciplinary conditions.** Disciplinary conditions that may be imposed alone or in conjunction with the imposition of a disciplinary sanction under subsection (1) of this section include:

(a) Restitution. Reimbursement for (i) damage to, or theft or misuse of, real or personal property or money, or (ii) injury to persons. This reimbursement may take the form of money, appropriate service, or other compensation.

(b) Professional evaluation. Referral for drug, alcohol, psychological, or medical evaluation, at the student's expense, by an appropriately certified or licensed professional. The student may choose the professional within the scope of practice and with the professional credentials as specified by the college. The student must sign all necessary releases to allow the college access to any such evaluation. The student's return to college may be conditioned upon compliance with recommendations set forth in the evaluation. If the student has been suspended, the student may remain suspended until the most recent evaluation finds that the student is capable of reentering the college and complying with the college's expectations for conduct.

(c) Restrictions on activities. A student may be subjected to the following restrictions:

(i) Ineligible to hold any college office or position or any office in any student organization;

(ii) Ineligible to participate in any college activity(ies); and/or

(iii) Ineligible to represent the college outside the college community, including at any event or in any form of competition.

(d) Required activities. Assignment of appropriate tasks or responsibilities, or required attendance at an appropriate program, instructional course, or other educational activity, which may be at the student's expense.

(e) Protective or no contact order. An order directing a student to have limited or no contact with any specified student(s), college employee(s), member(s) of the college community, or college facility.

(f) Loss of state funding. A student found to have committed hazing shall forfeit any entitlement to state-funded grants, scholarships, or awards, pursuant to RCW 28B.10.902.

NEW SECTION

WAC 495C-121-070 Faculty/administrator authority regarding classroom disruption. (1) Faculty members and instructional administrators are authorized to take appropriate action to maintain order and proper conduct in the classroom and the cooperation of students in fulfilling course objectives.

(2) If a faculty member or instructional administrator determines that a student has created a disruption which makes it unreasonably difficult to maintain the learning and teaching environment or the decorum of a class or activity, he/she may suspend that student from the class or activity for up to a total of one day per day of disruption. The faculty member or administrator shall report this suspension to the student conduct officer, who shall have the option, depending on the severity, to treat the suspension as insufficient and also initiate further discipline under this chapter.

(3) The suspension of up to one day per day of disruption shall not be subject to any further appeal or review. However, any further discipline imposed by the student conduct officer shall be processed in accordance with this chapter.

(4) Any suspension initiated by a faculty member or instructional administrator under this section will not affect any student grading that is based directly on attendance.

NEW SECTION

WAC 495C-121-080 Disciplinary records. (1) Records of a disciplinary proceeding under this chapter are disciplinary records which must be maintained by the office of the vice-president of student services separately from student academic records and in accordance with applicable state records retention requirements.

(2) Disciplinary records are confidential to the extent required by applicable laws, including the Family Educational Rights and Privacy Act. To the extent permitted by such laws, the respondent, or if a minor, the student's parent, may review his/her disciplinary records, obtain a copy of such records upon payment of any lawful charges for duplication, and/or authorize disclosure of such records.

PART 2
DISCIPLINARY PROCEDURES

NEW SECTION**WAC 495C-121-100 Initiation of disciplinary action.**

(1) All disciplinary actions will be initiated by the student conduct officer. If that officer is the subject of a complaint initiated by the respondent, the president shall, upon request and when feasible, designate another person to fulfill any such disciplinary responsibilities relative to the complainant.

(2) The student conduct officer shall initiate possible disciplinary action by serving the respondent with written notice directing him or her to attend a disciplinary meeting. The notice shall briefly describe the factual allegations, the specific apparent misconduct under WAC 495C-121-050, and the range of possible disciplinary sanctions, and specify the time and location of the meeting. At the meeting, the student conduct officer will present the allegations to the respondent and the respondent shall be afforded an opportunity to explain what took place. If the respondent fails to attend the meeting after proper service of notice, the student conduct officer may impose disciplinary sanction(s) and conditions based upon the available information.

(3) Within ten days of the scheduled initial disciplinary meeting, and after considering the information obtained by investigation and any information presented by the respondent, the student conduct officer shall serve the respondent with a written decision setting forth the facts and conclusions supporting his or her decision, the specific student conduct code provisions found to have been violated, the discipline imposed, if any, the consequences if a student fails to satisfy any disciplinary condition(s) which are being imposed, and a notice of the respondent's appeal rights, if any, with an explanation of the consequences of failing to file a timely appeal.

(4) The student conduct officer may take any of the following actions:

(a) Terminate the proceeding, with any appropriate exonerations of the respondent or counseling or advice to the respondent. The respondent cannot appeal a termination of the proceedings;

(b) Specify misconduct under WAC 495C-121-050 which he/she finds to have occurred and impose disciplinary sanction and/or condition(s), as described in WAC 495C-121-060; or

(c) Refer the matter directly to the student conduct committee for a hearing and imposition of such disciplinary sanction and/or condition(s) as the committee deems appropriate. Such referral shall be to the attention of the chair of the committee with a copy served on the respondent.

NEW SECTION**WAC 495C-121-110 Appeals and referrals—Routing.**

(1) The respondent may appeal a disciplinary action by filing a written notice of appeal with the conduct review officer within twenty-one days of service of the student conduct officer's decision. Failure to file a timely notice of appeal constitutes a waiver of the right to appeal, and the student conduct officer's decision shall be deemed final.

(2) The notice of appeal must include a brief statement explaining why the respondent is seeking review.

(3) Except as provided in WAC 495C-121-230 or elsewhere in these rules, the parties to an appeal shall be the respondent and the student conduct officer.

(4) On appeal, the student conduct officer bears the burden of establishing the factual elements of the alleged misconduct by a preponderance of the evidence, i.e., that it is more likely than not that the respondent engaged in the alleged misconduct.

(5) Imposition of a disciplinary sanction and conditions shall be stayed during an appeal, except for a summary suspension that has been imposed under WAC 495C-121-190.

(6) The student conduct committee shall hear:

(a) Appeals from disciplinary suspensions in excess of ten instructional days, and any related disciplinary condition(s);

(b) Appeals from dismissals, and any related disciplinary condition(s); and

(c) Cases referred by the student conduct officer, the conduct review officer, or the president.

(7) Appeals from the following disciplinary sanctions and related disciplinary conditions shall be reviewed through a brief adjudicative proceeding:

(a) Written disciplinary reprimands, and any related disciplinary condition(s);

(b) Disciplinary probation, and any related disciplinary condition(s); and

(c) Disciplinary suspensions of ten instructional days or less, and any related disciplinary condition(s).

(8) Except as provided elsewhere in these rules, disciplinary warnings and terminations of proceedings are final actions and are not subject to appeal.

NEW SECTION**WAC 495C-121-120 Brief adjudicative proceedings—Initial hearing and decision.**

(1) Brief adjudicative proceedings shall be conducted by a conduct review officer. The conduct review officer shall not participate in any case in which he/she is a witness, has direct or personal interest, prejudice, or bias, or has previously provided significant advice or direction to the student conduct officer.

(2) Before making a decision, the conduct review officer shall schedule an informal hearing to provide each party an opportunity (a) to be informed of the agency's view of the matter, and (b) to explain the party's view of the matter.

(3) The conduct review officer shall serve an initial decision upon the parties within ten days of the scheduled hearing. The initial decision shall contain a brief written statement of the reasons for the decision and information about how to seek review under WAC 495C-121-130.

(4) If the conduct review officer, upon review, determines that the respondent's conduct may warrant imposition of a disciplinary suspension of more than ten instructional days or a dismissal, he/she shall refer the matter to the student conduct committee for a disciplinary hearing.

NEW SECTION

WAC 495C-121-130 Brief adjudicative proceedings—Review of initial decision. (1) A party may obtain review of an initial decision by the president, by filing a written request for review with the conduct review officer within twenty-one days of service of the initial decision. That officer shall promptly forward the request to the president. If no timely request for review is filed, the initial decision shall become the final decision.

(2) The president shall not participate in any case in which he/she is a witness, has direct or personal interest, prejudice, or bias, or has previously provided significant advice or direction.

(3) During the review, the president shall give each party an opportunity to file a written statement explaining their view of the matter and shall make any inquiries to the parties which are necessary to ascertain whether the discipline should be modified or whether the proceedings should be referred to the student conduct committee for a hearing.

(4) The president shall serve a written decision on review on all parties within twenty days of the later of the filing of the request for review or any deadline for parties' explanatory statements. A request for review may be deemed to have been denied if the president does not serve a decision within those twenty days. The decision shall include a brief statement of its reasoning. The president's decision shall be the final college action in the matter, and shall include notice of any right to request reconsideration and of the right to seek judicial review under chapter 34.05 RCW.

(5) If the president, upon review, determines that the respondent's conduct may warrant imposition of a dismissal or a disciplinary suspension of more than ten instructional days, he/she shall refer the matter to the student conduct committee for a disciplinary hearing.

NEW SECTION

WAC 495C-121-140 Student conduct committee—Formation. (1) Proceedings of the student conduct committee shall be governed by the Administrative Procedure Act, chapter 34.05 RCW, and by the Model Rules of Procedure, chapter 10-08 WAC. To the extent there is a conflict between this chapter and chapter 10-08 WAC, this chapter shall control.

(2) The student conduct committee shall consist of five members:

(a) Two full-time students appointed by the student government to terms of up to one academic year;

(b) Two faculty members appointed by the president to terms of up to two academic years, beginning in alternating years;

(c) One faculty member or administrator, other than an administrator serving as a student conduct or conduct review officer, appointed as chair by the president for a term of up to two academic years.

Members may be reappointed for subsequent terms. Any member may be replaced by the appointing authority for the remainder of the term for good cause shown.

(3) The faculty member or administrator appointed as chair may take action on preliminary hearing matters prior to

convening the committee. The chair shall receive annual training on protecting victims and promoting accountability in cases involving allegations of sexual misconduct.

(4) A member of the student conduct committee shall not participate in any case in which he/she is a party, complainant, or witness, has direct or personal interest, prejudice, or bias, or has previously provided significant advice or direction. Any party may petition for disqualification of a committee member pursuant to RCW 34.05.425(4).

(5) Hearings may be heard by a quorum of three members of the committee, so long as one faculty member and one student are included on the hearing panel. Committee action may be taken upon a majority vote of all committee members attending the hearing.

NEW SECTION

WAC 495C-121-150 Student conduct committee—Prehearing proceedings. (1) The student conduct committee chair shall serve all parties with written notice of the hearing not less than seven days in advance of the hearing date, as further specified in RCW 34.05.434 and WAC 10-08-040 and 10-08-045. The chair may shorten this notice period if both parties agree, and also may continue the hearing to a later time for good cause shown.

(2) The chair may conduct prehearing conferences and/or make prehearing decisions concerning the simplification of issues, the extent and form of any discovery, issuance of protective orders, and similar procedural matters.

(3) Discovery will be available as determined by the chair and in accordance with RCW 34.05.446. Upon request, the chair shall provide reasonable assistance to a party in obtaining relevant and admissible evidence that is within the college's control.

(4) The chair may provide to the committee members in advance of the hearing copies of (a) the conduct officer's notification of imposition of discipline or referral to the committee, and (b) the notice of appeal. If doing so, however, the chair should remind the members that these documents are not evidence of any facts they may allege.

(5) Upon request filed at least five business days before the hearing by any party, or at the direction of the committee chair, the parties shall exchange, no later than the third business day prior to the hearing, lists of potential witnesses and copies of potential exhibits that they reasonably expect to present to the committee. Failure to participate in good faith in such a requested exchange may be cause for exclusion from the hearing of any witness or exhibit not disclosed, absent a showing of good cause for such failure.

(6) The parties may agree before the hearing to designate specific exhibits as admissible without objection and, if they do so, whether the chair may provide copies of these admissible exhibits to the committee members before the hearing.

(7) Communications between a committee member and any other nonmember hearing participant regarding any issue in the proceeding, other than communications necessary to procedural aspects of maintaining an orderly process, are generally prohibited without notice and opportunity for all parties to participate. Any improper "ex parte" communica-

tion shall be placed on the record, as further provided in RCW 34.05.455.

NEW SECTION

WAC 495C-121-160 Student conduct committee—

Hearings. (1) Upon the failure of any party to attend or participate in a hearing, the chair may either:

(a) Proceed with the hearing; or

(b) Serve a default order in accordance with RCW 34.05.440.

(2) The committee will ordinarily be advised by an assistant attorney general.

(3) Each party may be accompanied at the hearing by a nonattorney assistant of his/her choice. A party other than the student conduct officer may elect to be represented by an attorney at his or her own cost, but will be deemed to have waived that right unless, at least four business days before the hearing, written notice of the attorney's identity and participation is filed with the chair, with a copy to the student conduct officer. If such a party is represented by an attorney, the student conduct officer may also be represented by a second, appropriately screened, assistant attorney general.

(4) The chair shall preside at the hearing and decide procedural questions that arise during the hearing, except as overridden by majority vote of the committee. Evidence shall be admitted or excluded in accordance with RCW 34.05.452. All testimony shall be given under oath or affirmation.

(5) The hearing will ordinarily be closed to the public, in light of the Family Educational Rights and Privacy Act. However, if all parties agree on the record to open some or all of the proceedings, the chair shall determine any extent to which the hearing will be open. If any person disrupts the proceedings, the chair may exclude that person from the hearing room.

(6) The chair shall afford opportunity to all parties to present their cases, and shall cause the hearing to be recorded by a method that he/she selects, in accordance with RCW 34.05.449. That recording, or a copy, shall be made available to any party upon request. Other recording shall also be permitted, in accordance with WAC 10-08-190.

(7) The chair shall assure maintenance of the record of the proceeding which is required by RCW 34.05.476. This record shall be available upon request by any party for inspection and copying, except as limited by FERPA.

NEW SECTION

WAC 495C-121-170 Student conduct committee—

Initial decision. (1) At the conclusion of the hearing, the committee shall permit the parties to make closing arguments in whatever form it wishes to receive them. The committee also may permit each party to propose findings, conclusions, and/or a proposed decision for its consideration. Only evidence presented at the hearing will be considered by the committee.

(2) Within twenty days following the later of the conclusion of the hearing or the committee's receipt of closing arguments, the committee shall issue an initial decision in accordance with RCW 34.05.461 and WAC 10-08-210. The initial order shall include:

(a) Findings on all material issues of fact and conclusions on all material issues of law, including which, if any, provisions of WAC 495C-121-050 were violated. Any findings based substantially on the credibility of evidence or the demeanor of witnesses shall be so identified.

(b) A determination on appropriate disciplinary sanction and/or disciplinary conditions, if any. The committee may affirm, reverse, modify, or supplement any disciplinary sanction and/or disciplinary condition(s) imposed by the student conduct officer.

(c) A statement that the initial order will become final unless a party seeks review of that decision in accordance with WAC 495C-121-180.

(3) The chair shall cause copies of the initial decision to be served on the parties, including any legal counsel of record. The committee chair shall also promptly transmit the record of the committee's proceedings and a copy of its decision to the president.

NEW SECTION

WAC 495C-121-180 Student conduct committee—

Review of initial decision. (1) A party who is aggrieved by the committee's initial decision may obtain review of that decision by filing a notice of appeal with the president within twenty-one days after it was served on that party. If no timely notice of appeal is filed, the initial decision shall become the final decision.

(2) The notice of appeal must identify the specific findings of fact and/or conclusions of law in the initial decision that are challenged, and must contain an argument why the appeal should be granted.

(3) The president may ask for additional argument from the parties on the issues raised in the notice of appeal. The president's review will ordinarily be limited to those issues, and shall be restricted to the committee hearing record. The president shall not engage in ex parte communication with any of the parties regarding the appeal.

(4) The president shall serve a written decision on review on all parties within forty-five days after receipt of the notice of appeal. The decision shall include appropriate findings and conclusions. Unless it remands the case to the committee for further proceedings or gives a right to request reconsideration, the president's decision shall be the final college action in the matter and shall include notice of the right to seek judicial review under chapter 34.05 RCW.

NEW SECTION

WAC 495C-121-190 Summary suspension.

(1) Summary suspension is a temporary exclusion from specified college facilities and denial of access to all activities or privileges for which a respondent might otherwise be eligible, while an investigation, disciplinary procedures, and/or an appeal are pending.

(2) The student conduct officer may impose a summary suspension if there is probable cause to believe, i.e., there are reasonable grounds for believing, that the respondent has committed misconduct under WAC 495C-121-050 and that either:

(a) The situation involves an immediate danger to the public health, safety, or welfare which requires immediate college action; or

(b) The student's behavior poses an ongoing threat of substantial disruption of, or interference with, the operations of the college.

(3) A summary suspension shall be effective when the respondent receives written or oral notice of that suspension. If oral notice is given, a written notification must be served on the respondent within two business days of the oral notice. The written notification shall be entitled "Notice of Summary Suspension" and shall include:

(a) The reasons for imposing the summary suspension, including a description of the misconduct and specification of the provisions of WAC 495C-121-050 allegedly violated;

(b) The date, time, and location when the respondent must appear before the conduct review officer for a hearing on the summary suspension; and

(c) The conditions, if any, under which the respondent may physically access college facilities or communicate with members of the college community. If the respondent is prohibited from entering college facilities, he/she may be given a notice against trespass which warns that his/her privilege to enter college facilities has been withdrawn, subject to any specified exceptions such as an invitation to meet with the student conduct officer or conduct review officer or to attend a scheduled disciplinary hearing, and that he/she shall be considered to be trespassing and subject to arrest for criminal trespass for any violation.

(4) The hearing before the conduct review officer shall be scheduled as soon as practicable after service of the notice of summary suspension. If the respondent fails to appear at the scheduled time, the conduct review officer may order that the summary suspension remain in place. During the summary suspension hearing, the issues shall be:

(a) Whether the requirements under subsection (2) of this section are satisfied; and

(b) Whether the summary suspension should be continued pending the conclusion of disciplinary proceedings and/or should be less restrictive in scope.

(5) As soon as practicable following the hearing, the conduct review officer shall issue, and serve on the respondent and student conduct officer, a written decision which addresses the issues at the hearing. The conduct review officer shall also provide information about the decision, to the extent legally permissible under FERPA, to all persons and offices who may be bound or protected by it.

(6) The respondent may request a de novo review of the summary suspension hearing decision by the student conduct committee. The review will be scheduled promptly. Either party may request the review to be consolidated with any other disciplinary proceeding arising from the same matter.

PART 3

SUPPLEMENTAL PROCEDURES FOR CASES INVOLVING ALLEGATIONS OF SEXUAL MISCONDUCT

NEW SECTION

WAC 495C-121-200 Supplemental definitions. The following supplemental definitions apply in student disciplinary matters involving allegations of sexual misconduct by a student:

(1) A "complainant" is an alleged victim of sexual misconduct.

(2) "Sexual misconduct" has the meaning ascribed to this term in WAC 495C-121-050.

(3) "Title IX compliance officer" is the college position designated by the president as having the primary direct responsibilities related to Title IX, 20 U.S.C. §§1681-88.

NEW SECTION

WAC 495C-121-210 Supplemental sexual misconduct procedures. In student discipline matters involving allegations of sexual misconduct by a student:

(1) Both the respondent and the complainant shall be provided the same, or substantially equivalent, procedural rights to participate. For the complainant, this includes the rights to meet with the student conduct officer during the initial disciplinary process under WAC 495C-121-100 and to appeal as provided in WAC 495C-121-230.

(2) These rules shall supplement the foregoing student disciplinary rules in WAC 495C-121-010 through 495C-121-190. In the event of conflict between these supplemental sexual misconduct rules and the foregoing rules, these supplemental rules shall prevail.

NEW SECTION

WAC 495C-121-220 Supplemental complaint process. With respect to complaints or other reports of alleged sexual misconduct by a student:

(1) The college's Title IX compliance officer shall investigate, or assure investigation of, complaints or other reports of alleged sexual misconduct by a student. The investigation will be completed in a timely manner and the results of the investigation shall be referred to the student conduct officer for possible disciplinary action.

(2) Informal dispute resolution shall not be used to resolve sexual misconduct complaints without written permission from both the complainant and the respondent. If the parties elect to mediate a dispute, either party shall be free to discontinue the mediation at any time. Mediation shall not be used to resolve complaints involving allegations of sexual violence.

(3) College personnel will honor requests to keep sexual misconduct complaints confidential to the extent this can be done without unreasonably risking the health, safety, and welfare of the complainant or other members of the college community or compromising the college's duty to investigate and process such complaints.

(4) The student conduct officer, prior to serving a disciplinary decision under WAC 495C-121-100, will make a reasonable effort to contact the complainant to discuss the results of the investigation and possible disciplinary sanctions and/or disciplinary conditions that may be imposed.

(5) The student conduct officer, on the same date that a disciplinary decision is served on the respondent under WAC 495C-121-100, will serve a written notice, in compliance with FERPA, informing the complainant whether the allegations of sexual misconduct were found to have merit and describing any disciplinary sanctions and/or conditions which are being imposed upon the respondent for the complainant's protection. The notice will also inform the complainant of her/his rights to appeal as stated in WAC 495C-121-230. If protective disciplinary sanctions and/or conditions are imposed, the student conduct officer shall also make a reasonable effort to have the notice served upon the complainant prior to service upon the respondent.

NEW SECTION

WAC 495C-121-230 Supplemental appeal rights. In student discipline matters involving allegations of sexual misconduct by a student:

(1) The following actions by the student conduct officer may be appealed by the complainant:

(a) The dismissal of a sexual misconduct complaint; or

(b) Any disciplinary sanction(s) and conditions imposed against a respondent for a sexual misconduct violation, including a disciplinary warning.

(2) A complainant may appeal a disciplinary decision by filing a notice of appeal with the conduct review officer within twenty-one days of service of the notice of the disciplinary decision provided for in WAC 495C-121-220(5). The notice of appeal may include a written statement setting forth the grounds of appeal. Failure to file a timely notice of appeal constitutes a waiver of this right and the disciplinary decision shall be deemed final.

(3) If the respondent timely appeals a decision imposing discipline for a sexual misconduct violation, the college shall notify the complainant of the appeal and provide the complainant an opportunity to intervene as a party to the appeal.

(4) Except as otherwise specified in this supplemental procedure, a complainant who timely appeals a disciplinary decision or who intervenes as a party to the respondent's appeal of a disciplinary decision shall be afforded the same procedural rights as are afforded the respondent.

(5) An appeal by a complainant from the following disciplinary actions involving allegations of sexual misconduct against a student shall be handled as a brief adjudicative proceeding:

(a) Termination of the proceedings;

(b) A disciplinary warning;

(c) A written disciplinary reprimand;

(d) Disciplinary probation;

(e) Suspensions of ten instructional days or less; and/or

(f) Any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.

(6) An appeal by a complainant from disciplinary action imposing a suspension in excess of ten instructional days or

an expulsion shall be reviewed by the student conduct committee.

(7) In proceedings before the student conduct committee, respondent and complainant shall have the right to be accompanied by a nonattorney assistant of their choosing during the appeal process. Complainant may choose to be represented at the hearing by an attorney at his or her own expense, but will be deemed to have waived that right unless, at least four business days before the hearing, he or she files a written notice of the attorney's identity and participation with the committee chair, and with copies to the respondent and the student conduct officer.

(8) The complainant and respondent shall not directly question or cross-examine one another in either brief adjudicative proceedings or proceedings before the committee. In proceedings before the committee, all questions shall be directed to the chair, who will act as an intermediary and pose questions on the party's behalf.

(9) Student conduct hearings involving sexual misconduct allegations shall be closed to the public, unless respondent and complainant both waive this requirement in writing and request that the hearing be open to the public. Complainant, respondent and their respective nonattorney assistants and/or attorneys may attend portions of the hearing where argument, testimony, and/or evidence are presented to the student conduct committee.

(10) On the same date as the initial decision is served on the respondent under WAC 495C-121-120 or 495C-121-170, the conduct review officer or committee chair, as appropriate, will serve complainant with a written notice consistent with FERPA which states whether the allegations of sexual misconduct were found in the initial decision to have merit and describing any disciplinary sanction(s) and/or disciplinary condition(s) imposed upon the respondent for the complainant's protection. The notice will also inform the complainant of his/her appeal rights.

(11) Complainant, as a party, may appeal the initial decision to the president, under either WAC 495C-121-130, after a brief adjudicative proceeding, or WAC 495C-121-180, after a committee proceeding.

(12) On the same date that the president serves his/her decision on review on the other parties, under WAC 495C-121-130 or 495C-121-180, he/she shall serve complainant either with that decision, if allowed under FERPA, or with a written notice consistent with FERPA which both states whether the allegations of sexual misconduct were found to have merit and describes any disciplinary sanction(s) and/or disciplinary condition(s) imposed upon the respondent for the complainant's protection. This notice shall communicate the final college action in the matter and shall include notice of the right to seek judicial review under chapter 34.05 RCW.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 495C-120-010 Definitions.

WAC 495C-120-020 Statement of purpose.

WAC 495C-120-030 Jurisdiction.

WAC 495C-120-040 Student misconduct.
 WAC 495C-120-041 Hazing policy.
 WAC 495C-120-045 Loss of eligibility—Student participation.
 WAC 495C-120-050 Civil disturbances.
 WAC 495C-120-060 Free movement on campus.
 WAC 495C-120-070 Right to demand identification.
 WAC 495C-120-080 Dishonesty/classroom conduct.
 WAC 495C-120-090 Campus speakers.
 WAC 495C-120-100 Distribution of information.
 WAC 495C-120-110 Commercial activities.
 WAC 495C-120-120 Disciplinary process.
 WAC 495C-120-125 Summary suspension.
 WAC 495C-120-130 Disciplinary terms.
 WAC 495C-120-135 Refunds and access.
 WAC 495C-120-140 Readmission after suspension or expulsion.
 WAC 495C-120-150 Readmission into instructional program.
 WAC 495C-120-160 Hearing procedures.
 WAC 495C-120-170 Appeals.
 WAC 495C-120-180 Reporting, recording and maintaining records.

WSR 14-11-075**PERMANENT RULES****DEPARTMENT OF****LABOR AND INDUSTRIES**

[Filed May 20, 2014, 8:57 a.m., effective July 1, 2014]

Effective Date of Rule: July 1, 2014.

Purpose: The department is adopting modifications to new safety code requirements from the 2014 edition of the National Electrical Code (NEC) and to the existing electrical rules. The 2014 NEC (NFPA 70-2014), was adopted in reference by the department on March 1, 2013 (WAC 296-46B-010), and will replace the current 2008 NEC standards, effective July 1, 2014. The electrical rules are systematically reviewed to ensure consistency with national electrical safety standards and industry practice, for rule clarity, and house-keeping changes. Washington state is one code cycle behind many other states and local jurisdictions for code adoption. These rules are necessary to ensure the new code requirements that impact electrical work align with existing rules and amended as proposed, before the NEC is published.

This rule making will:

- Adopt modifications to existing rules to align with the 2014 NEC safety requirements to eliminate adverse safety implications, such as rule conflicts or acceptance of less stringent safety requirements that should have been addressed in the rules;

- Adopt exceptions to the national electrical safety standards to ensure public, worker, and structure safety;
- Adopt proposals requested by stakeholders, such as:
 - o Allow riser conduit installations to be installed at the time the foundation is poured without inspection, as opposed to inspection prior to the foundation being poured.
 - o Eliminate exceptions for receptacle installations in certain areas, such as garages, balconies, decks, etc. not readily accessible to discourage the use of extension cords and improve public safety.
 - o Align Washington's rules with the 2014 NEC requirements for residential Arc Fault protection.
- Adopt modifications for general housekeeping, grammatical and reference corrections to bring the rules up-to-date.

Citation of Existing Rules Affected by this Order: Amending WAC 296-46B-010 General adopted standards, 296-46B-100 General definitions, 296-46B-110 General—Requirements for electrical installations, 296-46B-210 Wiring and protection—Branch circuits, 296-46B-215 Wiring and protection—Feeders, 296-46B-220 Wiring and protection—Branch circuit, feeder, and service calculations, 296-46B-250 Wiring and protection—Grounding and bonding, 296-46B-410 Equipment for general use—Luminaires, 296-46B-514 Special occupancies—Motor fuel dispensing facilities, 296-46B-517 Special occupancies—Health care facilities, 296-46B-555 Special occupancies—Marinas and boatyards, 296-46B-600 Special equipment—Electric signs and outline lighting, 296-46B-690 Solar photovoltaic systems, 296-46B-700 Emergency systems, 296-46B-701 Legally required standby systems, 296-46B-702 Optional standby systems, 296-46B-900 Electrical plan review, 296-46B-901 General—Electrical work permits and fees, 296-46B-906 Inspection fees, 296-46B-908 Class B permits, 296-46B-909 Electrical/telecommunications contractor's license, administrator certificate and examination, master electrician certificate and examination, electrician certificate and examination, copy, and miscellaneous fees, 296-46B-915 Civil penalty schedule, 296-46B-925 Electrical/telecommunications contractor's license, 296-46B-935 Administrator certificate, 296-46B-940 Electrician/certificate of competency required, 296-46B-942 Training certificate required, 296-46B-945 Qualifying for master, journey level, specialty electrician examinations, 296-46B-960 Administrator and electrician certificate of competency examinations, 296-46B-970 Continuing education and classroom education requirements, 296-46B-971 Training schools, 296-46B-980 Enforcement—Installations, licensing, and certification requirements, 296-46B-990 Failure to comply with the electrical contractor licensing, administrator certification, or electrician certification laws, 296-46B-997 Engineer approval and 296-46B-999 Electrical testing laboratory requirements; new sections WAC 296-46B-694 Wind electric systems and 296-46B-705 Interconnected electric power production sources; and repealing WAC 296-46B-406 Receptacles, cord connectors, and attachment plugs, 296-46B-445 Wind driven generator equipment, and 296-46B-645 Information technology equipment.

Statutory Authority for Adoption: Chapter 19.28 RCW.

Adopted under notice filed as WSR 14-06-097 on March 4, 2014.

A final cost-benefit analysis is available by contacting Alicia Curry, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6244, fax (360) 902-5292, e-mail alicia.curry@Lni.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 2, Amended 34, Repealed 3.

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 34, Repealed 3.

Date Adopted: May 20, 2014.

Joel Sacks
Director

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-010 General. Adopted standards.

(1) The ~~((2008))~~ 2014 edition of the National Electrical Code (NFPA 70 - ~~((2008))~~ 2014) including Annex A, B, and C; Commercial Building Telecommunications Cabling Standard (ANSI/TIA-568-C series, February 2009); Commercial Building Standard for Telecommunications Pathway and Spaces (TIA-569-B, October 2004); Commercial Building Grounding and Bonding Requirements for Telecommunications (ANSI-TIA-607-B, August 2011); Residential Telecommunications Cable Standard (ANSI/TIA/EIA 570-B-2004); and the National Electrical Safety Code (NESC C2-~~((2007))~~ 2012 excluding Appendixes A and B) are hereby adopted by reference as part of this chapter. ~~((On July 1, 2014, the 2014 edition of the National Electrical Code (NFPA 70-2014) including Annex A, B, and C is hereby adopted by reference as part of this chapter and replaces the 2008 edition.))~~

This chapter will be followed where there is any conflict between this chapter and the above adopted standards.

The National Electrical Code will be followed where there is any conflict between the National Electrical Code and, ANSI/TIA/EIA 568-C, ANSI/TIA/EIA 569-B, ANSI/TIA/EIA 607-B, ANSI/TIA/EIA 570-B, or the NESC C2.

Inspections - General.

(2) Electrical inspectors will give information as to the interpretation or application of the standards in this chapter, but will not lay out work or act as consultants for contractors, owners, or users.

(3) A variance from the electrical installation requirements of chapter 19.28 RCW or this chapter may be granted by the department or the city that has electrical inspection

jurisdiction when it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

(a) Any electrical permit holder may request a variance.

(b) The permit holder must make the request in writing, using a form provided by the department, to the chief electrical inspector or to the city that has electrical inspection jurisdiction. The request must include:

(i) A description of the installation as installed or proposed;

(ii) A detailed list of the applicable code violations;

(iii) A detailed list of safety violations;

(iv) A description of the proposal for meeting equivalent objectives for code and/or safety violations; and

(v) Appropriate variance application fee as listed in chapter 296-46B WAC, Part C.

(4) Electrical wiring or equipment subject to this chapter must be sufficiently accessible, at the time of inspection, to allow the inspector to visually inspect the installation to verify conformance with the NEC and any other electrical requirements of this chapter with the exception of not more than 2.44 m (8 ft) of electrical conduit in a foundation of a one- or two-family dwelling or residential outbuilding for use as service entrance raceway.

(5) All required equipment grounding conductors installed in concealed cable or flexible conduit systems must be completely installed and made up at the time of the rough-in cover inspection.

(6) The installation of all structural elements and mechanical systems (e.g., framing, plumbing, ducting, etc.) must be complete in the area(s) where electrical inspection is requested. Prior to completion of an exterior wall cover inspection, either:

(a) The exterior shear panel/sheathing nail inspection must be completed by the building code inspector; or

(b) All wiring and device boxes must be a minimum of 63 mm (2 1/2") from the exterior surface of the framing member; or

(c) All wiring and device boxes must be protected by a steel plate a minimum of 1.6 mm (1/16") thick and of appropriate width and height installed to cover the area of the wiring or box.

(7) In order to meet the minimum electrical safety standards for installations, all materials, devices, appliances, and equipment, not exempted in chapter 19.28 RCW, must conform to applicable electrical product standards recognized by the department, be listed, or field evaluated. For any equipment that requires an amusement operating permit under chapter 67.42 RCW, the operating permit is prima facie evidence of an appropriate standard. Other than as authorized by the chief electrical inspector or a city authorized to do electrical inspection, equipment must not be energized until such standards are met.

(8) The state department of transportation is recognized as the inspection authority for telecommunications systems installations within the rights of way of state highways provided the department of transportation maintains and enforces an equal, higher or better standard of construction, and of materials, devices, appliances, and equipment than is required for telecommunications systems installations by chapter 19.28 RCW and this chapter.

Inspection move on buildings and structures.

(9) All buildings or structures relocated into or within the state:

(a) Other than residential, wired inside the United States (U.S.) must be inspected to ensure compliance with current requirements of chapter 19.28 RCW and the rules developed by the department.

(b) Wired outside the U.S. or Canada must be inspected to ensure compliance with all current requirements of chapter 19.28 RCW and the rules developed by the department.

(10) Residential buildings or structures wired in the U.S., to NEC requirements, and moved into or within a county, city, or town must be inspected to ensure compliance with the NEC requirements in effect at the time and place the original wiring was made. The building or structure must be inspected to ensure compliance with all current requirements of chapter 19.28 RCW and the rules developed by the department if:

(a) The original occupancy classification of the building or structure is changed as a result of the move; or

(b) The building or structure has been substantially remodeled or rehabilitated as a result of the move.

(11) Residential buildings or structures wired in Canada to Canadian Electrical Code (CEC) standards and moved into or within a county, city, or town, must be inspected to ensure compliance with the following minimum safety requirements:

(a) Service, service grounding, and service bonding must comply with the current chapter 19.28 RCW and rules adopted by the department.

(b) Canadian Standards Association (CSA) listed Type NMD cable is allowed with the following qualifications:

(i) CSA listed Type NMD cable, American Wire Gauge #10 and smaller installed after 1964 utilizing an equipment grounding conductor smaller than the phase conductors, must be:

(A) Replaced with a cable utilizing a full-size equipment grounding conductor; or

(B) Protected by a ground fault circuit interrupter protection device.

(ii) CSA listed Type NMD cable, #8 AWG and larger, must:

(A) Utilize an equipment grounding conductor sized according to the requirements of the NEC in effect at the time of the installation;

(B) Be protected by a ground fault circuit interrupter protection device; or

(C) Be replaced.

(c) Other types of wiring and cable must be:

(i) Replaced with wiring listed or field evaluated in accordance with U.S. standards by a laboratory approved by the department; or

(ii) Protected by a ground fault circuit interrupter protection device and arc fault circuit protection device.

(d) Equipment, other than wiring or panelboards, manufactured and installed prior to 1997 must be listed and identified by laboratory labels approved by the department or CSA labels.

(e) All panelboards must be listed and identified by testing laboratory labels approved by the department with the following qualifications:

(i) CSA listed panelboards labeled "suitable for use as service equipment" will be considered to be approved as "suitable for use only as service equipment."

(ii) CSA listed panelboards used as panelboards as described in the NEC, must meet all current requirements of the NEC and this chapter.

(f) Any wiring or panelboards replaced or changed as a result of the move must meet current requirements of chapter 19.28 RCW and this chapter.

(g) The location, type, and ground fault circuit interrupter protection of receptacles and equipment in a bathroom, kitchen, basement, garage, or outdoor area must meet the Washington requirements in effect at the time the wiring was installed.

(h) 4, 15-ampere, kitchen small appliance circuits will be accepted in lieu of 2, 20-ampere, kitchen small appliance circuits. Receptacles will not be required to be added on kitchen peninsular or island counters.

(i) Spacing requirements for all other receptacles must meet the Washington requirements in effect at the time the wiring was installed.

(j) Receptacles installed above baseboard or fixed wall space heaters must be removed and the outlet box covered with a blank cover. The receptacle is required to be relocated as closely as possible to the existing location.

(k) Lighting outlet and switch locations must meet the Washington requirements in effect at the time the wiring was installed.

(l) Dedicated 20-ampere small appliance circuits are not required in dining rooms.

(m) Electric water heater branch circuits must be adequate for the load.

(n) The location, type, and circuit protection of feeders must meet the Washington requirements in effect at the time the wiring was installed.

Wiring methods for designated building occupancies.

(12) Wiring methods in ~~((places of assembly located within))~~ educational or institutional facilities as defined ~~((or classified))~~ in this chapter must be ~~((wired in))~~ metallic or nonmetallic raceways, MI, MC, or AC cable. Places of assembly located within these facilities must comply with NEC 518.4(A).

(13) Assisted living facility generator systems may be wired and installed per NEC 517.

~~((+13))~~ (14) Lawfully installed existing electrical installations that do not comply with the provisions of this chapter and remain in compliance with the code at the time of the installation, will be permitted to be continued without change (i.e., without circuitry or occupancy change). Additions, alterations, modifications, or repairs to the electrical system must conform to the current requirements of this chapter.

~~((+14))~~ (15) Listed tamper-resistant receptacles are required in all licensed day care centers, all licensed children group care facilities, and psychiatric patient care facilities where accessible to children five years of age and under. Listed tamper-resistant receptacles are required in psychiatric patient care facilities where accessible to psychiatric patients over five years of age and the public access areas in medical facilities.

Traffic management systems.

~~((15))~~ (16) The department or city authorized to do electrical inspections will perform the electrical inspection and acceptance of traffic management systems within its jurisdiction. A traffic management system includes:

- (a) Traffic illumination systems;
- (b) Traffic signal systems;
- (c) Traffic monitoring systems;
- (d) The electrical service cabinet and all related components and equipment installed on the load side of the service cabinet supplying electrical power to the traffic management system; and
- (e) Signalization system(s) necessary for the operation of a light rail system.

A traffic management system can provide signalization for controlling vehicular traffic, pedestrian traffic, or rolling stock.

~~((16))~~ (17) The department or city authorized to do electrical inspections recognizes that traffic signal conductors, pole and bracket cables, signal displays, traffic signal controllers/cabinets and associated components used in traffic management systems are acceptable for the purpose of meeting the requirements of chapter 19.28 RCW provided they conform with the following standards or are listed on the Washington state department of transportation (WSDOT) qualified products list.

- (a) WSDOT/APWA standard specifications and plans;
- (b) WSDOT *Design Manual*;
- (c) International Municipal Signal Association (IMSA);
- (d) National Electrical Manufacturer's Association (NEMA);
- (e) Federal Standards 170/Controller Cabinets;
- (f) Manual for *Uniform Road, Bridge, and Municipal Construction*;
- (g) Institute of Transportation Engineers (ITE); or
- (h) Manual of *Uniform Traffic Control Devices (MUTCD)*.

~~((17))~~ (18) Associated induction detection loop or similar circuits will be accepted by the department or city authorized to do electrical inspections without inspection.

~~((18))~~ (19) For the licensing requirements of chapter 19.28 RCW, jurisdictions will be considered owners of traffic management systems when doing electrical work for another jurisdiction(s) under a valid interlocal agreement, as permitted by chapter 39.34 RCW. Interlocal agreements for traffic management systems must be filed with the department or city authorized to do electrical inspections prior to work being performed for this provision to apply.

~~((19))~~ (20) Jurisdictions, with an established electrical inspection authority, and WSDOT may perform electrical inspection on their rights of way for each other by interlocal agreement. They may not perform electrical inspection on other rights of way except as allowed in chapter 19.28 or 39.34 RCW.

~~((20))~~ (21) Underground installations.

(a) In other than open trenching, raceways will be considered "fished" according to the NEC and do not require visual inspection.

(b) The department or city authorized to do electrical inspections will conduct inspections in open trenching within

its jurisdiction. The electrical work permit purchaser must coordinate the electrical inspection. A written request (e.g., letter, e-mail, fax, etc.) for inspection, made to the department or city authorized to do electrical inspections office having the responsibility to perform the inspection, must be made a minimum of two working days prior to the day inspection is needed (e.g., two working days 10:00 a.m. Tuesday request for a 10:00 a.m. Thursday inspection, excluding holidays and weekends).

If, after proper written request, the department or city authorized to do electrical inspections fails to make an electrical inspection at the time requested, underground conduit may be covered after inspection by the local government jurisdiction's project inspector/designee. Written documentation of a local government jurisdiction inspection must be provided to the department or city authorized to do electrical inspections when requested. Written documentation will include:

- (i) Date and time of inspection;
- (ii) Location;
- (iii) Installing firm;
- (iv) Owner;
- (v) Type of conduit;
- (vi) Size of conduit;
- (vii) Depth of conduit; and
- (viii) Project inspector/designee name and contact information.

~~((21))~~ (22) Identification of traffic management system components. Local government jurisdictions or WSDOT may act as the certifying authority for the safety evaluation of all components.

(a) An electrical service cabinet must contain only listed components. The electrical service cabinet enclosure is not required to be listed but will conform to the standards in subsection ~~((22))~~ (23) of this section.

(b) The local government jurisdiction must identify, as acceptable, the controller cabinet or system component(s) with an identification plate. The identification plate must be located inside the cabinet and may be attached with adhesive.

~~((22))~~ (23) Conductors of different circuits in same cable, enclosure, or raceway. All traffic management system circuits will be permitted to occupy the same cable, enclosure, or raceway without regard to voltage characteristics, provided all conductors are insulated for the maximum voltage of any conductor in the cable, enclosure, or raceway.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-100 General definitions. All definitions listed in the National Electrical Code and chapter 19.28 RCW are recognized in this chapter unless other specific definitions are given in this chapter and chapter 19.28 RCW. The definitions in this section apply to all parts of this chapter. Some sections may have definitions specific to that section.

"Accreditation" is a determination by the department that a laboratory meets the requirements of this chapter and is therefore authorized to evaluate electrical products that are for sale in the state of Washington.

"Administrative law judge" means an administrative law judge (ALJ) appointed pursuant to chapter 34.12 RCW and serving in board proceedings pursuant to chapter 19.28 RCW and this chapter.

"ANSI" means American National Standards Institute. Copies of ANSI standards are available from the National Conference of States on Building Codes and Standards, Inc.

"Appeal" is a request for review of a department action by the board as authorized by chapter 19.28 RCW.

"Appellant" means any person, firm, partnership, corporation, or other entity that has filed an appeal or request for board review.

"Appliance" means household appliance.

"ASTM" means the American Society for Testing and Materials. Copies of ASTM documents are available from ASTM International.

"AWG" means American Wire Gauge.

"Basement" means that portion of a building that is partly or completely below grade plane. A basement will be considered as a story above grade plane and not a basement where the finished surface of the floor above the basement is:

- (a) More than 1829 mm (six feet) above grade plane;
- (b) More than 1829 mm (six feet) above the finished ground level for more than 50% of the total building perimeter; or

(c) More than 3658 mm (twelve feet) above the finished ground level at any point. Also see "mezzanine" and "story."

"Board" means the electrical board established and authorized under chapter 19.28 RCW.

"Chapter" means chapter 296-46B WAC unless expressly used for separate reference.

"Category list" is a list of manufacturing safety standards or product types determined by the department.

A "certified electrical product" is an electrical product to which a laboratory, accredited by the state of Washington, has the laboratory's certification mark attached.

A "certification mark" is a specified laboratory label, symbol, or other identifying mark that indicates the manufacturer produced the product in compliance with appropriate standards or that the product has been tested for specific end uses.

"Certificate of competency" includes the certificates of competency for master (~~(journeyman)~~ journey level electrician, master specialty electrician, (~~(journeyman)~~ journey level), and specialty electrician.

A laboratory "certification program" is a specified set of testing, inspection, and quality assurance procedures, including appropriate implementing authority, regulating the evaluation of electrical products for certification marking by an electrical products certification laboratory.

A "complete application" includes the submission of all appropriate fees, documentation, and forms.

"Construction," for the purposes of chapter 19.28 RCW, means electrical construction.

"Coordination (selective)" as defined in NEC 100 must be determined and documented by a professional engineer registered under chapter 18.43 RCW.

"Department" means the department of labor and industries of the state of Washington.

"Director" means the director of the department, or the director's designee.

"Egress - Unobstructed (as applied to NEC 110.26 (C)(2)(a))" means an egress path that allows a worker to travel to the exit from any other area in the room containing the equipment described in NEC 110.26 (C)(2) without having to pass through that equipment's required working space.

"Electrical equipment" includes electrical conductors, conduit, raceway, apparatus, materials, components, and other electrical equipment not exempted by RCW 19.28.006 (9). Any conduit/raceway of a type listed for electrical use is considered to be electrical equipment even if no wiring is installed in the conduit/raceway at the time of the conduit/raceway installation.

An "electrical products certification laboratory" is a laboratory or firm accredited by the state of Washington to perform certification of electrical products.

An "electrical products evaluation laboratory" is a laboratory or firm accredited by the state of Washington to perform on-site field evaluation of electrical products for safety.

"Field evaluated" means an electrical product to which a field evaluation mark is attached. Field evaluation must include job site inspection unless waived by the department, and may include component sampling and/or laboratory testing.

"Field evaluation mark" is a specified laboratory label, symbol, or other identifying mark indicating the manufacturer produced the product in essential compliance with appropriate standards or that the product has been evaluated for specific end uses.

A "field evaluation program" is a specified set of testing, inspection, and quality assurance procedures, including appropriate implementing authority regulating the testing and evaluation of electrical products for field evaluation marking.

The "filing" is the date the document is actually received in the office of the chief electrical inspector.

"Final judgment" means any money that is owed to the department under this chapter, including fees and penalties, or any money that is owed to the department as a result of an individual's or contractor's unsuccessful appeal of a citation.

"Fished wiring" is when cable or conduit is installed within the finished surfaces of an existing building or building structure (e.g., wall, floor or ceiling cavity).

"Household appliance" means utilization equipment installed in a dwelling unit that is built in standardized sizes or types and is installed or connected as a unit to perform one or more functions such as cooking and other equipment installed in a kitchen, clothes drying, clothes washing, portable room air conditioning units and portable heaters, etc. Fixed electric space-heating equipment covered in NEC 424 (furnaces, baseboard and wall heaters, electric heat cable, etc.) and fixed air-conditioning/heat pump equipment (NEC 440) are not household appliances. Household appliance does not mean any utilization equipment that:

(a) Supplies electrical power, other than Class 2, to other utilization equipment; or

(b) Receives electrical power, other than Class 2, through other utilization equipment.

HVAC/refrigeration specific definitions:

(a) "HVAC/refrigeration" means heating, ventilation, air conditioning, and refrigeration.

(b) "HVAC/refrigeration component" means electrical power and limited energy components within the "HVAC/refrigeration system," including, but not limited to: Pumps, compressors, motors, heating coils, controls, switches, thermostats, humidistats, low-voltage damper controls, outdoor sensing controls, outside air dampers, stand-alone duct smoke detectors, air monitoring devices, zone control valves and equipment for monitoring of HVAC/refrigeration control panels and low-voltage connections. This definition excludes equipment and components of non-"HVAC/refrigeration control systems."

(c) "HVAC/refrigeration control panel" means an enclosed, manufactured assembly of electrical components designed specifically for the control of a HVAC/refrigeration system. Line voltage equipment that has low voltage, NEC Class 2 control or monitoring components incidental to the designed purpose of the equipment is not an HVAC/refrigeration control panel (e.g., combination starters).

(d) "HVAC/refrigeration control system" means a network system regulating and/or monitoring a HVAC/refrigeration system. Equipment of a HVAC/refrigeration control system includes, but is not limited to: Control panels, data centers, relays, contactors, sensors, and cables related to the monitoring and control of a HVAC/refrigeration system(s).

(e) "HVAC/refrigeration equipment" means the central unit primary to the function of the "HVAC/refrigeration system." HVAC/refrigeration includes, but is not limited to: Heat pumps, swamp coolers, furnaces, compressor packages, and boilers.

(f) "HVAC/refrigeration system" means a system of HVAC/refrigeration: Wiring, equipment, and components integrated to generate, deliver, or control heated, cooled, filtered, refrigerated, or conditioned air. This definition excludes non-HVAC/refrigeration control systems (e.g., fire alarm systems, intercom systems, building energy management systems, and similar non-HVAC/refrigeration systems).

"IBC" means the International Building Code. Copies of the IBC are available from the International Code Council.

An "individual" or "party" or "person" means an individual, firm, partnership, corporation, association, government subdivision or unit thereof, or other entity.

An "installation" includes the act of installing, connecting, repairing, modifying, or otherwise performing work on an electrical system, component, equipment, or wire except as exempted by WAC 296-46B-925. An installation is not the passive testing or operational programming of an electrical system, component, equipment, or wire. See "passive testing."

An "identification plate" is suitable for the environment and is a printed or etched adhesive label approved by the department or a phenolic or metallic plate or other similar material engraved in block letters at least 1/4" (6 mm) high unless specifically required to be larger by this chapter, suitable for the environment and application. The letters and the background must be in contrasting colors. Screws, rivets, permanent adhesive, or methods specifically described in this

chapter must be used to affix an identification plate to the equipment or enclosure.

"Job site" means a specific worksite having a single address or specific physical location (e.g., a single family residence, a building, a structure, a marina, and individual apartment building with a specific address, etc.).

"Journey level electrician" means a person who has been issued a journey level electrician certificate of competency by the department. The terms "journey level" and "journey-person" in chapter 19.28 RCW are synonymous.

"License" means a license required under chapter 19.28 RCW.

"Labeled" means an electrical product that bears a certification mark issued by a laboratory accredited by the state of Washington.

A "laboratory" may be either an electrical product(s) certification laboratory or an electrical product(s) evaluation laboratory.

A "laboratory operations control manual" is a document to establish laboratory operation procedures and may include a laboratory quality control manual.

"Like-in-kind" means having the same overcurrent protection requirements and similar characteristics such as voltage requirement, current draw, short circuit characteristics, and function within the system and being in the same location. Like-in-kind also includes any equipment component authorized by the manufacturer as a suitable component replacement part.

For the purpose of WAC 296-46B-940, a "~~(lineman)~~ lineworker" is a person employed by a serving electrical utility or employed by a licensed general electrical contractor who carries, on their person, evidence that they:

(a) Have graduated from a department-approved (~~(lineman's)~~) lineworker's apprenticeship course; or

(b) Are currently registered in a department-approved (~~(lineman's)~~) lineworker's apprenticeship course and are working under the direct one hundred percent supervision of a (~~(journeyman)~~) journey level electrician or a graduate of a (~~(lineman's)~~) lineworker's apprenticeship course approved by the department. The training received in the (~~(lineman's)~~) lineworker's apprenticeship program must include training in applicable articles of the currently adopted National Electrical Code.

"Listed" means equipment has been listed and identified by a laboratory approved by the state of Washington for the appropriate equipment standard per this chapter.

"Low voltage" means:

(a) NEC, Class 1 power limited circuits at 30 volts maximum.

(b) NEC, Class 2 circuits powered by a Class 2 power supply as defined in NEC 725.121(A).

(c) NEC, Class 3 circuits powered by a Class 3 power supply as defined in NEC 725.121(A).

(d) Circuits of telecommunications systems as defined in chapter 19.28 RCW.

"Member of the firm" means the member(s) on file with the department of licensing for sole proprietorships/partnerships or with the secretary of state for corporations.

"Mezzanine" is the intermediate level or levels between the floor and ceiling of any story with an aggregate floor area

of not more than one-third of the area of the room or space in which the level or levels are located. Also see "basement" and "story."

"NEC" means National Electrical Code. Copies of the NEC are available from the National Fire Protection Association.

"NEMA" means National Electrical Manufacturer's Association. Copies of NEMA standards are available from the National Electrical Manufacturer's Association.

"NESC" means National Electrical Safety Code. Copies of the NESC are available from the Institute of Electrical and Electronics Engineers, Inc.

"NETA" means International Electrical Testing Association, Inc. Copies of the NETA standards and information are available from the International Electrical Testing Association, Inc.

"NFPA" means the National Fire Protection Association. Copies of NFPA documents are available from the National Fire Protection Association.

"NRTL" means Nationally Recognized Testing Laboratory accredited by the federal Occupational Safety and Health Administration (OSHA) after meeting the requirements of 29 C.F.R. 1910.7.

"Passive testing" (e.g., pressing of test buttons, use of testing equipment like voltage testers, clamp-on meters, removal of a device head where the wiring is terminated on a separate base plate, etc.) means testing that does not require any:

(a) Physical modification to the electrical system wiring;

or

(b) Wiring to be disconnected or terminated, except as necessary for an approved electrical testing laboratory or approved engineer performing an equipment evaluation.

"Point of contact" or "point of connection" means the service point.

"Proceeding" means any matter regarding an appeal before the board including hearings before an administrative law judge.

"Public area or square" is an area where the public has general, clear, and unrestricted access.

A "quality control manual" is a document to maintain the quality control of the laboratory's method of operation. It consists of specified procedures and information for each test method responding to the requirements of the product standard. Specific information must be provided for portions of individual test methods when needed to comply with the standard's criteria or otherwise support the laboratory's operation.

"RCW" means the Revised Code of Washington. Copies of electrical RCWs are available from the department and the office of the code reviser.

"Readily accessible" means the definition as defined in NEC 100. In addition, it means that, except for keys, no tools or other devices are necessary to gain access (e.g., covers secured with screws, etc.).

Service specific definitions replacing those found in NEC Article 100:

(a) "Service drop" means the overhead service conductors from the service point to the connection to the service-entrance conductors at the building or other structure.

(b) "Service-entrance conductors, overhead system" means the service conductors between the terminals of the service equipment and a point usually outside the building, clear of building walls, where joined by tap or splice to the service drop or service point.

(c) "Service-entrance conductors, underground system" means the service conductors between the terminals of the service equipment and the point of connection to the service lateral or service point. Where the service equipment is located outside the building walls, there may be no service-entrance conductors or they may be entirely outside the building.

(d) "Service lateral" means the underground service conductors from the service point to the point of connection to the service-entrance conductors in a terminal box, meter, or other enclosure. Where there is not a terminal box, meter, or other enclosure, the point of connection is the point of entrance of the service conductors into the building.

A "stand-alone amplified sound or public address system" is a system that has distinct wiring and equipment for audio signal generation, recording, processing, amplification, and reproduction. This definition does not apply to telecommunications installations.

"Service" or "served" means that as defined in RCW 34.05.010(19) when used in relation to department actions or proceedings.

A "sign," when required by the NEC, for use as an identification method (e.g., legibly marked, legible warning notice, marked, field marked, permanent plaque/directory, etc.) means "identification plate."

"Story" is that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. Next above means vertically and not necessarily directly above. Also see "basement" and "mezzanine."

"Structure," for the purposes of this chapter and in addition to the definition in the NEC, means something constructed either in the field or factory that is used or intended for supporting or sheltering any use or occupancy as defined by the IBC.

"Supervision" for the purpose of supervising electrical trainees, means that the appropriately certified supervising electrician is on the same job site as the trainee being supervised. The trainee is not considered to be on the same job site if the supervising electrician and the trainee are working:

(a) In separate buildings at a single address (e.g., a campus, multibuilding industrial complex, multibuilding apartment complex, etc.) except for a single-family residence; or

(b) On an outdoor project (e.g., irrigation system, farm, street lighting, traffic signalization, etc.) where the trainee is more than one thousand feet from the supervising electrician or where the trainee is more than two hundred feet from the supervising electrician and out of sight.

"System design review" means a set of design documents that include the manufacturer's installation information, a legible one-line diagram of the system design, and calculations used to determine voltage and current within the system. The one-line diagram must show the system equipment, devices, overcurrent protection, conductor sizing, grounding, ground fault protection if required, and any sys-

tem interconnection points. The review must be available to the inspector during all inspections.

A "telecommunications local service provider" is a regulated or unregulated (e.g., by the Federal Communications Commission or the utilities and transportation commission as a telephone or telecommunications provider) firm providing telecommunications service ahead of the telecommunications network demarcation point to an end-user's facilities.

"TIA/EIA" means the Telecommunications Industries Association/Electronic Industries Association which publishes the TIA/EIA Telecommunications Building Wiring Standards. Standards and publications are adopted by TIA/EIA in accordance with the American National Standards Institute (ANSI) patent policy.

A "training school" is a public community or technical college or not-for-profit nationally accredited technical or trade school licensed by the work force training and education coordinating board under chapter 28C.10 RCW.

"Under the control of a utility" for the purposes of RCW 19.28.091 and 19.28.101 is when electrical equipment is not owned by a utility and:

(a) Is located in a vault, room, closet, or similar enclosure that is secured by a lock or seal so that access is restricted to the utility's personnel; or

(b) The utility is obligated by contract to maintain the equipment and the contract provides that access to the equipment is restricted to the utility's personnel or other qualified personnel.

"UL" means Underwriters Laboratory.

"Utility" means an electrical utility.

"Utility system" means electrical equipment owned by or under the control of a serving utility that is used for the transmission or distribution of electricity from the source of supply to the point of contact and is defined in section 90.2 (b)(5) of the National Electrical Code, 1981 edition (see RCW 19.28.010(1)).

"Utilization voltage" means the voltage level employed by the utility's customer for connection to lighting fixtures, motors, heaters, or other electrically operated equipment other than power transformers.

"Variance" is a modification of the electrical requirements as adopted in chapter 19.28 RCW or any other requirements of this chapter that may be approved by the chief electrical inspector if assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

"WAC" means the Washington Administrative Code. Copies of this chapter of the WAC are available from the department and the office of the code reviser.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-110 General—Requirements for electrical installations.

003 Examination, identification, installation, and use of equipment.

(1) Listed electrical conduit can only be installed and used in accordance with its listing (i.e., as an electrical raceway for electrical conductors). If used as a sleeve for electrical conductors or other listed electrical conduits, the installa-

tion of a listed electrical conduit will be assumed to be for use as an electrical raceway and must be installed as allowed by chapter 19.28 RCW and this chapter (e.g., owner exemption, electrical contractor, etc.).

011 Deteriorating agents.

(2) Electrical equipment and wiring that has been submerged or exposed to water must comply with the following:

(a) All breakers, fuses, controllers, receptacles, lighting switches/dimmers, electric heaters, and any sealed device/equipment (e.g., relays, contactors, etc.) must be replaced.

(b) All other electrical equipment (e.g., wiring, breaker panelboards, disconnect switches, switchgear, motor control centers, boiler controls, HVAC/R equipment, electric motors, transformers, appliances, water heaters, and similar appliances) must be replaced or reconditioned by the original manufacturer or by its approved representative.

~~(016 Flash protection.~~

~~(3) The flash protection marking required by NEC 110.16 must be an identification plate.))~~

022 Identification of disconnecting means.

~~((4))~~ (3) For the purposes of legibly marking a disconnecting means, as required in NEC 110.22, an identification plate is required unless the disconnect is a circuit breaker/fused switch installed within a panelboard and the circuit breaker/fused switch is identified by a panelboard schedule. In other than dwelling units, the identification plate must include the identification designation of the circuit source panelboard that supplies the disconnecting means.

030 Over 600 volts - General.

~~((5))~~ (4) Each cable operating at over 600 volts and installed on customer-owned systems must be legibly marked in a permanent manner at each termination point and at each point the cable is accessible. The required marking must use phase designation, operating voltage, and circuit number if applicable.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-210 Wiring and protection—Branch circuits.

008(A) Dwelling units GFCI requirements.

(1) In a garage or unfinished basement, a red receptacle, with a red cover plate, supplying a fire alarm system is not required to have ground-fault circuit-interrupter protection. The receptacle must be identified for use only with the fire alarm system by an identification plate or engraved cover with letters at least 1/4" high.

(2) All fixed electrical equipment with exposed grounded metal parts within an enclosed shower area or within five feet of the top inside edge of a bathtub must have ground fault circuit interrupter protection.

008(B) Other than dwelling units - GFCI requirements.

~~((2))~~ (3) GFCI requirements.

~~((a))~~ For the purposes of NEC 210.8(B), kitchen means any area where utensils, dishes, etc., are cleaned or where food or beverages are prepared or cooked.

~~((b) All 125-volt, 15- and 20-ampere receptacles installed in wet locations must have Class A ground-fault circuit interrupter protection for personnel.))~~

011 Branch circuits.

~~((3)) (4) A raceway system or one dedicated 15-ampere minimum, 120-volt circuit must be taken to all unfinished space areas adaptable to future dwelling unit living areas that are not readily accessible to the service or branch circuit panelboard. One circuit or raceway is required for each 480 square feet or less of unfinished space area. If the total adjacent unfinished space area is less than 480 square feet, the circuit can be an extension of an existing circuit. The circuits must terminate in a suitable box(es). The box must contain an identification of the intended purpose of the circuit(s). The branch circuit panelboard must have adequate space and capacity for the intended load(s).~~

~~(012 Arc fault circuit interrupter protection.~~

~~(4) NEC 210.12(B) is amended to require AFCI protection only for dwelling unit bedroom spaces.~~

~~(a) Dwelling unit bedroom spaces include spaces that:~~

- ~~(i) Are used as the bedroom;~~
- ~~(ii) Are accessed only through the bedroom;~~
- ~~(iii) Are ancillary to the bedroom's function (e.g., closets, sitting areas, etc.);~~
- ~~(iv) Contain branch circuits that supply 125-volt, 15- and 20-ampere outlets; and~~
- ~~(v) Are not bathrooms.~~

~~(b) If a new circuit(s) is added in an existing dwelling unit bedroom, an existing outlet(s) that is not connected to the new circuit(s) does not require arc fault circuit interrupter protection if the outlet(s) was installed before December 1, 2005.~~

~~(c) If an existing circuit, installed before December 1, 2005, is extended, arc fault circuit interrupter protection is not required.~~

~~(d) Arc fault circuit interrupter protection is not required to be used for smoke or fire alarm outlets.))~~

025 Common area branch circuits.

(5) For the purpose of NEC 210.25, loads for septic or water well systems that are shared by no more than two dwelling units may be supplied from either of the two dwelling units if approved by the local building official and local health department.

052 (A)(2) Dwelling unit receptacle outlets.

(6) For the purpose of NEC 210.52 (A)(2)(1), "similar openings" include the following configurations that are a permanent part of the dwelling configuration or finish:

- (a) Window seating; and
- (b) Bookcases or cabinets that extend from the floor to a level at least 1.7 meters (five (5) feet six (6) inches) above the floor.

Any outlets eliminated by such window seating, bookcases, or cabinets must be installed elsewhere within the room.

~~(052 (E)(3) Outdoor outlets.~~

~~(7) For the purposes of NEC 210.52 (E)(3), the exception will read: Balconies, decks, or porches with an area of less than 1.86 m² (20 ft²) are not required to have a receptacle installed.~~

052(B) Receptacle outlet locations.

~~(8) Receptacle outlets installed in appliance garages may be counted as a required countertop outlet.))~~

052(C) Countertops.

~~((9)) (7) If it is impracticable to install the outlet(s) required in NEC 210.52 (C)(3), a receptacle is not required on any peninsular counter surface as required by NEC 210.52 (C)(3) so long as the peninsular counter area extends no farther than 6' from the face of the adjoining countertop. Any outlet(s) eliminated using this subsection must be installed in the wall space at the point where the peninsula connects to the wall countertop in addition to the outlets required by NEC 210.52 (C)(1).~~

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-215 Wiring and protection—Feeders.

005 Diagrams of feeders.

(1) Other than plan review projects, the installer must provide a one-line diagram showing the service and feeder details for the project before the initial inspection can be approved for all nondwelling services or feeders:

- (a) Larger than 400 amperes; or
- (b) Over 600 volts.

The diagram must be signed and dated by the project owner if the owner is doing the work, the assigned administrator or master electrician if an electrical contractor is doing the work, or stamped with an engineer's mark and signature who is registered under chapter 18.43 RCW. The diagram must show:

(c) All services including: Wire size(s), wire type(s), service size(s) (e.g., voltage, phase, ampacity), overcurrent protection, available symmetrical fault current at the service point, equipment short-circuit rating, total load before and after demand factors have been applied including any demand factors used, and a panel schedule where multiple disconnecting devices are present; and

(d) All feeders including: Wire size(s), wire type(s), feeder size(s) (e.g., voltage, phase, ampacity), overcurrent protection, total calculated load before and after demand factors have been applied including any demand factors used, and a panel schedule(s) where multiple disconnecting devices are present.

If the installer deviates, in any way, from the service/feeder design shown on the diagram, a supplemental diagram must be supplied to the inspector showing the most recent design before inspection can proceed. Load reductions and moving branch circuit locations within a panelboard do not require a supplemental diagram. Written documentation must also be provided to the inspector that the supplemental diagram was provided to the project owner at the time of submission to the inspector.

The diagram must be available on the job site during the inspection process.

010 Ground fault protection testing.

(2) Equipment ground fault protection systems required by the NEC must be tested prior to being placed into service to verify proper installation and operation of the system as determined by the manufacturer's published instructions.

This test or a subsequent test must include all system feeders unless the installer can demonstrate, in a manner acceptable to the inspector, that there are no grounded conductor connections to the feeder(s). A firm having qualified personnel and proper equipment must perform the tests required. A copy of the manufacturer's performance testing instructions and a written performance acceptance test record signed by the person performing the test must be ~~((provided for the inspector's records))~~ available at the time of inspection. The performance acceptance test record must include test details including, but not limited to, all trip settings and measurements taken during the test.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-220 Wiring and protection—Branch circuit, feeder, and service calculations.

012 Lighting load calculations.

In determining feeder and service entrance conductor sizes and equipment ratings, a building that is designed and constructed to comply with the currently adopted Washington state energy code unit lighting power allowance table and footnotes may be used in lieu of NEC 220.12. The requirements of NEC 220.12 Exception items 1, 2, and 3 do not apply.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-250 Wiring and protection—Grounding and bonding.

028 (D)(3) Separately derived system with more than one enclosure.

(1) NEC 250.28 (D)(3) is amended to read: Where a separately derived system supplies more than a single enclosure, the system bonding jumper for each enclosure shall be sized in accordance with 250.28 (D)(1) based on the largest ungrounded feeder/tap conductor serving that enclosure, or a single system bonding jumper shall be installed at the source and sized in accordance with 250.28 (D)(1) based on the equivalent size of the largest supply conductor determined by the largest sum of the areas of the corresponding conductors of each set.

052 Grounding electrodes.

(2) Except for mobile/manufactured homes, a concrete encased grounding electrode must be installed and used at each new building or structure that is built upon a permanent concrete foundation. ~~((If the concrete encased grounding electrode is not available for connections, a ground ring must be installed per NEC 250.))~~ The electrode must comply, with NEC 250.52 (A)(3). Inspection of the electrode, may be accomplished by the following methods:

(a) At the time of inspection of other work on the project, providing the concrete encased electrode is accessible for a visual inspection;

(b) At the time of the service inspection providing the installer has provided a method so the inspector can verify the continuity of the electrode conductor along its entire length, with a minimum twenty foot linear span between testing points (e.g., attaching a length of copper wire to one end of

the electrode that reaches the location of the grounding electrode conductor that will enable the inspector to measure the resistance with a standard resistance tester). The concrete encased electrode does not have to be accessible for a visual inspection; or

(c) Other method when prior approval, on a job site basis, is given by the inspector.

If a special inspection trip is required to inspect a grounding electrode conductor, a trip fee will be charged for that inspection in addition to the normal permit fee.

Exception: If the concrete encased grounding electrode is not available for connection, a ground ring must be installed per NEC 250 or other grounding electrode installed per NEC 250 verified to measure 25 ohms or less to ground. Resistance verification testing must be performed by an independent firm having qualified personnel and proper equipment. A copy of the testing procedures used and a written resistance test record signed by the person performing the test must be available at the time of inspection. The resistance test record must include test details including, but not limited to, the type of test equipment used, the last calibration date of the test equipment, and all measurements taken during the test.

~~(056)~~ 053 (A)(2) Resistance of rod, pipe, and plate electrodes.

(3) For rod, pipe and plate electrodes, if a ground resistance test is not performed to ensure a resistance to ground of twenty-five ohms or less, two or more electrodes as specified in NEC 250.52 must be installed a minimum of six feet apart. A temporary construction service is not required to have more than one made electrode.

(4) For services only, when multiple buildings or structures are located adjacent, but structurally separate from each other, any installed rod, pipe, or plate electrodes used for those services must be installed so that each building's or structure's electrodes are not less than 1.8 m (6 ft) apart from the adjacent building's or structure's electrodes.

068 Accessibility.

(5) The termination point of a grounding electrode conductor tap to the grounding electrode conductor must be accessible unless the connection is made using an exothermic or irreversible compression connection.

090 Bonding.

(6) Metallic stubs or valves used in nonmetallic plumbing systems are not required to be bonded to the electrical system unless required by an electrical equipment manufacturer's instructions.

(7) Hot and cold water plumbing lines are not required to be bonded together if, at the time of inspection, the inspector can determine the lines are mechanically and electrically joined by one or more metallic mixing valves.

094 Bonding for other systems.

(8) NEC 250.94 is not adopted.

(9) An accessible means external to enclosures for connecting intersystem bonding and grounding electrode conductors must be provided at the service equipment and at the disconnecting means for any additional buildings or structures by at least one of the following means:

(a) Exposed nonflexible metallic raceways;

(b) Exposed grounding electrode conductor or electrode;

(c) Approved means for the external connection of a copper or other corrosion-resistant bonding or grounding conductor to the grounded raceway or equipment.

104(B) Bonding - Other metal piping.

(10) For flexible metal gas piping, installed new or extended from an existing rigid metal piping system, either:

(a) Provide a copy of the manufacturer's bonding instructions to the inspector at the time of inspection and follow those instructions; or

(b) The bonding conductor for the gas system must:

(i) Be a minimum 6 AWG copper; and

(ii) Terminate at:

(A) An accessible location at the gas meter end of the gas piping system on either a solid iron gas pipe or a cast flexible gas piping fitting using a listed grounding connector; and

(B) Either the service equipment enclosure, service grounding electrode conductor or electrode, or neutral conductor bus in the service enclosure.

184 Solidly grounded neutral systems over 1 kV.

(11) In addition to the requirements of NEC 250.184(A), the following applies for:

(a) Existing installations.

(i) The use of a concentric shield will be allowed for use as a neutral conductor for extension, replacement, or repair, if all of the following are complied with:

(A) The existing system uses the concentric shield as a neutral conductor;

(B) Each individual conductor contains a separate concentric shield sized to no less than thirty-three and one-half percent of the ampacity of the phase conductor for three-phase systems or one hundred percent of the ampacity of the phase conductor for single-phase systems;

(C) The new or replacement cable's concentric shield is enclosed inside an outer insulating jacket; and

(D) Existing cable (i.e., existing cable installed directly in the circuit between the work and the circuit's overcurrent device) successfully passes the following tests:

- A cable maintenance high potential dielectric test. The test must be performed in accordance with the cable manufacturer's instruction or the 2011 NETA maintenance test specifications; and

- A resistance test of the cable shield. Resistance must be based on the type, size, and length of the conductor used as the cable shield using the conductor properties described in NEC Table 8 Conductor Properties.

An electrical engineer must provide a specific certification to the electrical plan review supervisor in writing that the test results of the maintenance high potential dielectric test and the resistance test have been reviewed by the electrical engineer and that the cable shield is appropriate for the installation. The electrical engineer must stamp the certification document with the engineer's stamp and signature. The document may be in the form of a letter or electrical plans.

Testing results are valid for a period of seven years from the date of testing. Cable will not be required to be tested at a shorter interval.

(ii) A concentric shield used as a neutral conductor in a multigrounded system fulfills the requirements of an equipment grounding conductor.

(b) New installations.

(i) New installations do not include extensions of existing circuits.

(ii) The use of the concentric shield will not be allowed for use as a neutral conductor for new installations. A listed separate neutral conductor meeting the requirements of NEC 250.184(A) must be installed.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-410 Equipment for general use—Luminaires.

010 Luminaires.

(1) All luminaires within an enclosed shower area or within five feet of the waterline of a bathtub must be enclosed, unless specifically listed for such use; these luminaires, with exposed metal parts that are grounded, must be ground fault circuit interrupter protected.

042 Exposed luminaire (fixture) parts.

(2) Replacement luminaires that are directly wired or attached to boxes supplied by wiring methods that do not provide a ready means for grounding and that have exposed conductive parts will be permitted only where the luminaires are provided with ground-fault circuit-interrupter protection and marked "no equipment ground."

062 Flexible cord connection of electric discharge luminaires.

~~((2))~~ (3) A ground-type attachment plug cap and receptacle connection at the source junction box is not required when the flexible cord complies with NEC 410.62 and the following:

(a) Connection to a source junction box must utilize an approved cable connector or clamp;

(b) The maximum length of the cord for a suspended pendant drop from a permanently installed junction box to a suitable tension take-up device above the pendant luminaire must not exceed six feet;

(c) The flexible cord must be supported at each end with an approved cord grip or strain relief connector fitting/device that will eliminate all stress on the conductor connections;

(d) The flexible cord must be a minimum #14 AWG copper;

(e) The flexible cord ampacity must be determined in NEC Table 400.5(A) column A;

(f) The flexible cord must be hard or extra hard usage; and

(g) A vertical flexible cord supplying electric discharge luminaires must be secured to the luminaire support as per NEC 334.30(A).

~~**(042 Exposed luminaire (fixture) parts.**~~

~~(3) Replacement luminaires that are directly wired or attached to boxes supplied by wiring methods that do not provide a ready means for grounding and that have exposed conductive parts will be permitted only where the luminaires are provided with ground-fault circuit-interrupter protection and marked "no equipment ground."~~

AMENDATORY SECTION (Amending WSR 03-09-111, filed 4/22/03, effective 5/23/03)

WAC 296-46B-514 Special occupancies—Motor fuel dispensing facilities.

001 General.

(1) In addition to the scope included in NEC 514.1, Article 514 NEC must be complied with for all liquified flammable gas storage or transfer facilities.

003 Classifications of locations.

(2) For the purposes of NEC 514.3 (D)(2), delete Exception No. 1 and No. 2 and replace with:

Dock, pier, or wharf sections that do not support fuel dispensers and may abut a section(s) that supports a fuel dispenser(s) are permitted to be unclassified where documented air space between the sections is provided and where flammable liquids or vapors cannot travel to these sections. See NEC 500.4(A) for documentation requirements.

011 Emergency disconnecting means - Dispensing and service stations.

~~((2))~~ (3) An emergency disconnecting means or operator must be provided to disconnect the pump or dispensing equipment serving gasoline, volatile flammable liquids, or liquefied flammable gases. The emergency disconnecting means or operator must disconnect all conductors of the circuit supplying all station dispensers and/or pumps (including the grounded conductor) simultaneously from the source(s) of supply.

~~((3))~~ (4) For installations with only one dispensing device, the emergency disconnecting means/operator may be used to satisfy subsection ~~((2))~~ (3) of this section.

~~((4))~~ (5) For multicircuit installations, an electrically held normally open contactor operated by a push-button may serve as the disconnecting means to satisfy subsection ~~((2))~~ (3) of this section. If a disconnecting pushbutton is used, the pushbutton may not function as the resetting mechanism for the electrically held contactor. The resetting means must be:

- (a) Located at least fifteen feet or out of sight from the disconnecting pushbutton;
- (b) Installed behind a cover or guard; and
- (c) Identified with an identification plate that is substantially black in color.

~~((5))~~ (6) The disconnecting means satisfying subsection ~~((2))~~ (3) of this section must be labeled with an identification plate, with letters at least one inch high, as the emergency disconnecting means. The disconnecting means or operator must be:

- (a) Substantially red in color; and
- (b) For attended facilities - Must be readily accessible and must be located outdoors and within sight of the pump or dispensing equipment it controls; or
- (c) For unattended facilities - Must be readily accessible and must be located within sight, but at least twenty feet from the pump or dispensing equipment it controls.

AMENDATORY SECTION (Amending WSR 08-24-048, filed 11/25/08, effective 12/31/08)

WAC 296-46B-517 Special occupancies—Health care facilities.

001 Health care facilities.

In health care facilities, the following methods must be used to determine adequate capacity and ratings of equipment providing electrical power for the essential electrical systems defined in Article 517 NEC:

(1) Systems in new facilities:

(a) ~~((Emergency))~~ Essential electrical system: The ~~((emergency branch))~~ essential electrical system must consist of ~~((two))~~ three branches known as:

(i) Life safety ~~((system))~~ branch: The feeder conductors and equipment used to supply electrical power to the life safety branch must be determined by summation of the connected loads as determined by Article 220 NEC and may not be subjected to any reduction due to the diversity of the loads. Feeder and equipment will be subject to a one hundred twenty-five percent multiplier for continuous loads in accordance with Article 220 NEC.

(ii) Critical branch ~~((system))~~: The feeder conductors and equipment must be calculated in accordance with Article 220 NEC, including a level of diversity as determined by such article.

~~((b))~~ (iii) Equipment branch: The feeder conductors and equipment used to supply electrical power to the equipment branch of the essential electrical system must be calculated in accordance with Article 220 NEC, including a level of diversity as determined by such article.

~~((e))~~ (b) Generator sizing: The rating of the generator(s) supplying electrical power to the essential system of a health care facility must meet or exceed the summation of the loads determined in (a) ~~((and (b)))~~ (iii) of this subsection with no additional demand factors applied. Momentary X-ray loads may be ignored if the generator is rated at least three hundred percent of the largest momentary X-ray load connected.

(2) Existing essential systems in facilities to which additional load is to be added:

(a) Existing loads: The existing loads of the separate branches of the essential electrical system may be determined by WAC 296-46B-900 (3)(j).

(b) Added loads: Added loads to the separate branches of the essential electrical system must be determined by subsection (1) of this section.

(c) Generator sizing: The rating of the generator(s) supplying electrical power to the essential electrical system must meet or exceed the summation of the loads determined by (a) and (b) of this subsection with no additional demand factors applied.

013 Wiring methods.

(3) The last sentence of NEC 517.13(A) is modified to read: The metal raceway system, or metallic cable armor, or sheath assembly shall itself qualify as an equipment grounding conductor in accordance with 250.118 with the exception of 250.118 (10)(a).

017 Ground-fault protection.

(4) The applicability of NEC 700.27 ground-fault protection of equipment, specified by NEC 517.26 for the life safety branch, will also apply to the NEC 517 essential electrical system's critical branch(es) and equipment branch(es).

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-555 Special occupancies—Marinas and boatyards. (1) For the purposes of NEC 555.1, the scope of work includes private, noncommercial docking facilities.

(2) For the purposes of NEC 555.5, transformer terminations must be located a minimum of twelve inches above the deck of a dock (datum plane requirements do not apply for this section).

(3) For the purposes of NEC 555.7, adjacent means within sight.

(4) For the purposes of NEC 555.9, all electrical connections must be installed a minimum of twelve inches above the deck of a pier unless the connections are approved for wet locations (datum plane requirements do not apply for this section).

(5) For the purposes of NEC 555.10, all enclosures must be corrosion resistant. All gasketed enclosures must be arranged with a weep hole to discharge condensation.

(6) For the purposes of NEC 555.11, gasketed enclosures are only required for wet locations.

(7) For the purposes of NEC 555.13, the following wiring methods are allowed:

(a) All wiring installed in a damp or wet location must be suitable for wet locations.

(b) Extra-hard usage portable power cables rated not less than 75°C, 600 volts, listed for wet locations and sunlight resistance and having an outer jacket rated for the environment are permitted. Portable power cables are permitted as a permanent wiring method under or within docks and piers or where provided with physical protection. The requirements of NEC 555.13 (B)(4)(b) do not apply.

(c) Overhead wiring must be installed at the perimeter of areas where boats are moored, stored, moved, or serviced to avoid possible contact with masts and other parts of boats.

(d) For the purposes of NEC 555.13 (B)(5), the wiring methods of Chapter 3 NEC will be permitted.

(8) For the purposes of NEC 555.19, receptacles must be mounted not less than twelve inches above the deck surface of the pier or dock (datum plane requirements do not apply for this section). Shore power receptacles that provide shore power for boats must be rated not less than 20 amperes and must be single outlet type and must be of the locking and grounding type or pin and sleeve type.

~~((9) For the purposes of NEC 555.21 (B)(1), delete exception No. 1 and No. 2 and replace with:~~

~~Dock, pier, or wharf sections that do not support fuel dispensers and may abut a section(s) that supports a fuel dispenser(s) are permitted to be unclassified where documented air space between the sections is provided and where flammable liquids or vapors cannot travel to these sections. See NEC 500.4(A) for documentation requirements.))~~

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-600 Special equipment—Electric signs and outline lighting.

001 Electrical signs - General.

~~(1) All electrical signs ((within the scope of UL Standard 48, the electrical sign standard, must be listed. All electrical signs outside the scope of UL Standard 48 will be inspected for compliance with)) and outline lighting, regardless of voltage, must be listed to the applicable ANSI UL Standard. Installations will be inspected for compliance with installation instructions and the NEC.~~

(2) Luminaires in outdoor awnings must be suitable for wet locations and be connected by a wiring method suitable for wet locations.

(3) Fluorescent luminaires must be located at least six inches from the awning fabric. Incandescent lamps or luminaires must be located at least eighteen inches from the awning fabric. A disconnecting means must be installed per Article 600 NEC.

(4) Listed awning signs must be installed in compliance with the manufacturer's instructions and the NEC.

~~**004 Markings.**~~

~~(5) When neon channel signs are retrofitted from neon to an LED light source, a licensed electrical contractor may make the retrofit with the channel(s) in place so long as all the retrofit components are listed and the manufacturer's instructions for making the retrofit are available for the inspector's use at the time of the inspection and physical access is provided to allow the inspector access to all components of the retrofit. A new listing mark must be applied to the sign by the electrical contractor or a field evaluation label must be applied by an approved electrical testing laboratory.)~~ (5) Retrofitting signs. When listed signs or listed outline lighting are retrofitted to an LED light source, a licensed (01) general electrical contractor or (04) sign contractor using properly certified individuals or properly supervised trainees may make the retrofit in place so long as all the retrofit components and retrofit kit are listed and installation instructions applicable to the sign for making the retrofit are available for the inspector's use at the time of the inspection and physical access is provided to allow the inspector access to all components of the retrofit kit.

004 Markings.

(6) In addition to the markings required by the NEC, retrofit signs and outline lighting shall be marked with a label made of a background color contrasting to the listed product, in a location visible during servicing near the listed retrofit subassembly that states, "This equipment contains a retrofit subassembly that may present a risk of electrical hazard. Replace parts only with same type and rating." The label's font must be Arial size 16 bold. This label may be an identification plate as described in WAC 296-46B-100 or an adhesive label approved by the electrical inspector. This label is in addition to any labeling required by the manufacturer's instructions or the UL Standard used to manufacture the retrofit kit.

007 Grounding and bonding.

~~((6))~~ (7) Remote metal parts of a section sign or outline lighting system only supplied by a remote Class 2 power supply that is listed or is a recognized component in a listed section sign or outline lighting is not required to be bonded to an equipment grounding conductor.

010 Portable or mobile outdoor electrical signs.

~~((7) A weatherproof)~~ (8) A GFCI receptacle outlet that is weatherproof with the supply cord connected must be installed within six feet of each portable or mobile electrical sign.

~~((8))~~ (9) Extension cords are not permitted to supply portable outdoor signs.

~~((9))~~ (10) All portable outdoor electrical signs must be listed ~~((or field evaluated))~~ by a qualified electrical testing laboratory accredited by the department.

030 Neon tubing.

~~((10))~~ (11) NEC 600, Part II, Field-Installed Skeleton Tubing, will apply to the installation of all neon tubing and neon circuit conductors.

(12) Field-installed skeleton tubing is not required to be listed. Installations will be inspected for compliance with installation instructions and the NEC.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-690 Solar photovoltaic systems.**002 Definitions.**

(1) Building integrated means: Photovoltaic cells, modules, panels, or arrays that are integrated into the outer surface or structure of a building and serve as the outer protective surface of that building, such as the roof, skylights, windows, or facades.

004 Installation.

(2) Support structure or foundation. For the purposes of this section, those portions of the structure support or foundation that are exclusively mechanical and are not part of a bonding or grounding path will not be considered part of the photovoltaic system as defined by this section. Such structural support or foundation may be done by the owner, registered general contractor, or licensed electrical contractor without electrical permit or inspection.

(3) A photovoltaic system design review must be ~~((provided))~~ available at the time of the first inspection.

(4) ~~((For utility interactive systems, persons making interconnections between solar photovoltaic system and the utility distribution network must consult the serving utility and are required to meet all additional utility standards.~~

~~((5))~~ The entity placing a building integrated cell, module, panel, or array is not subject to the requirements for electrical inspection, licensing, or certification so long as the work is limited to the placement and securing of the device and an electrical work permit has been previously obtained for the electrical work related to the equipment by an entity authorized to do that electrical work.

~~((6))~~ (5) All electrical work, including wiring installation, terminations, etc., necessary to complete the electrical installations must be completed by the entity authorized to do the electrical work (i.e., owner or appropriate electrical contractor).

007 Maximum voltage.

~~((7))~~ (6) The open-circuit voltage temperature coefficients supplied in the instructions of listed photovoltaic modules will be used to determine the maximum direct current photovoltaic system voltage. Otherwise the voltage will be

calculated using Table 690.7 of the NEC. For the purposes of this calculation, a temperature correction factor of 1.25 will be used unless another factor can be justified and is approved by the authority having jurisdiction.

053 Direct-current photovoltaic power source.

~~((8))~~ (7) All photovoltaic equipment and disconnecting means must be permanently identified as to their purpose, maximum voltages, and type of current within the system with an identification plate. All photovoltaic circuits must be identified at each overcurrent protection device(s) and panel directory(ies).

~~((9) Required "WARNING" labels as specified by NEC 690 are required to be an identification plate on or immediately adjacent to the pertinent equipment.)~~

NEW SECTION

WAC 296-46B-694 Wind electric systems. A wind driven generator system design review must be available at the time of the first inspection.

AMENDATORY SECTION (Amending WSR 08-24-048, filed 11/25/08, effective 12/31/08)

WAC 296-46B-700 Emergency systems.**001 Emergency systems - General.**

(1) In all health or personal care facilities defined in this chapter, educational facilities, institutional facilities, hotels, motels, and places of assembly for one hundred or more persons, all exit and emergency lights must be installed in accordance with Article 700 NEC and located as required in standards adopted by the state building code council under chapter 19.27 RCW.

~~((008))~~ **007 Signs.**

(2) The sign(s) required in NEC ~~((700.8))~~ 700.7 must be placed at the service disconnecting means and the meter base if the service disconnecting means and meter base are not located within sight and within 5' of each other.

009 Emergency systems - Equipment identification.

(3) All exit and emergency lights, whether or not required by the NEC, must be installed in accordance with Article 700 NEC.

(4) All boxes and enclosures, for Article 700 NEC systems, larger than six inches by six inches, including transfer switches, generators, and power panels for emergency systems and circuits must be permanently identified with an identification plate that is substantially orange in color, except in existing health care facilities the existing nameplate identification color scheme can be retained for transfer switches, generators, and power panels for existing emergency systems that are not being replaced or modified. All other device and junction boxes for emergency systems and circuits must be substantially orange in color, both inside and outside.

~~((027))~~ **028 Coordination.**

(5) The requirements for selective coordination described in NEC ~~((700.27))~~ 700.28 are not required where the emergency system was installed prior to June 1, 2006. For new emergency systems that are supplied from an existing emergency system installed prior to June 1, 2006, the new portion of the emergency system must comply with NEC

~~(700.27)~~ 700.28. The ground fault sensing function of overcurrent protective devices will only be required to selectively coordinate with the ground fault sensing functions of other overcurrent protective devices.

AMENDATORY SECTION (Amending WSR 08-24-048, filed 11/25/08, effective 12/31/08)

WAC 296-46B-701 Legally required standby systems.

~~((008))~~ 007 Signs.

(1) The sign(s) required in NEC ~~((701.8))~~ 701.7 must be placed at the service disconnecting means and the meter base if the service disconnecting means and meter base are not located within sight and within 5' of each other.

~~((018))~~ 027 Coordination.

(2) The requirements for selective coordination described in NEC ~~((701.18))~~ 701.27 are not required where the legally required standby system was installed prior to June 1, 2006. For new legally required standby systems that are supplied from an existing legally required standby system installed prior to June 1, 2006, the new portion of the legally required standby system must comply with NEC 701.18. The ground fault sensing function of overcurrent protective devices will only be required to selectively coordinate with the ground fault sensing functions of other overcurrent protective devices.

AMENDATORY SECTION (Amending WSR 08-24-048, filed 11/25/08, effective 12/31/08)

WAC 296-46B-702 Optional standby systems.

~~((008))~~ 007 Signs.

The sign(s) required in NEC ~~((702.8))~~ 702.7 must be placed at the service disconnecting means and the meter base if the service disconnecting means and meter base are not located within sight and within 5' of each other.

NEW SECTION

WAC 296-46B-705 Interconnected electric power production sources. For utility interactive systems, any person making interconnections between a power production source and the utility distribution network must consult the serving utility and is required to meet all additional utility standards.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-900 Electrical plan review. ~~((Classification or))~~ Definition of occupancies.

~~((Classification or))~~ Definition of occupancies.

(1) Occupancies are ~~((classified and))~~ defined as follows:

(a) Educational facility refers to a building or portion of a building used primarily for educational purposes by six or more persons at one time for twelve hours per week or four hours in any one day. Educational occupancy includes: Schools (preschool through grade twelve), colleges, academies, universities, and trade schools.

(b) Institutional facility refers to a building or portion of a building used primarily for detention or correctional occupancies where some degree of restraint or security is required for a time period of twenty-four or more hours. Such occupancies include, but are not restricted to: Penal institutions, reformatories, jails, detention centers, correctional centers, and residential-restrained care.

(c) Health or personal care facility. Health or personal care facility refers to buildings or parts of buildings that contain, but are not limited to, facilities that are required to be licensed by the department of social and health services or the department of health (e.g., hospitals, nursing homes, private alcoholism hospitals, private psychiatric hospitals, boarding homes, alcoholism treatment facilities, maternity homes, birth centers or childbirth centers, residential treatment facilities for psychiatrically impaired children and youths, and renal hemodialysis clinics) and medical, dental, or chiropractic offices or clinics, outpatient or ambulatory surgical clinics, and such other health care occupancies where patients who may be unable to provide for their own needs and safety without the assistance of another person are treated.

(i) "Hospital" means any institution, place, building, or agency providing accommodations, facilities, and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care of two or more individuals not related to the operator who are suffering from illness, injury, deformity, abnormality, or from any other condition for which obstetrical, medical, or surgical services would be appropriate for care or diagnosis.

(ii) "Nursing home," "nursing home unit" or "long-term care unit" means a group of beds for the accommodation of patients who, because of chronic illness or physical infirmities, require skilled nursing care and related medical services but are not acutely ill and not in need of the highly technical or specialized services ordinarily a part of hospital care.

(iii) "Boarding home" means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing board and domiciliary care to seven or more aged persons not related by blood or marriage to the operator. It must not include any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution, or section thereof.

(iv) "Enhanced service facility (ESF)" means a facility, or a portion of a facility, that provides treatment and services to persons for whom acute inpatient treatment is not medically necessary and who have been determined by the department to be inappropriate for placement in other licensed facilities due to the complex needs that result in behavioral and security issues. For the purposes of this chapter, an enhanced services facility is not an evaluation and treatment facility certified under chapter 71.05 RCW.

(v) "Private alcoholism hospital" means an institution, facility, building, or equivalent designed, organized, maintained, or operated to provide diagnosis, treatment, and care of individuals demonstrating signs or symptoms of alcoholism, including the complications of associated substance use and other medical diseases that can be appropriately treated and cared for in the facility and providing accommodations,

medical services, or other necessary services over a continuous period of twenty-four hours or more for two or more individuals unrelated to the operator, provided that this chapter will not apply to any facility, agency, or other entity which is owned and operated by a public or governmental body.

~~((vi))~~ (vi) "Private psychiatric hospital" means a privately owned and operated establishment or institution which: Provides accommodations and services over a continuous period of twenty-four hours or more, and is expressly and exclusively for observing, diagnosing, or caring for two or more individuals with signs or symptoms of mental illness who are not related to the licensee.

~~((vii))~~ (vii) "Maternity home" means any home, place, hospital, or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: Provided, however, that this definition will not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association, or its successor.

~~((viii))~~ (viii) "Birth center" or "childbirth center" means a type of maternity home which is a house, building, or equivalent organized to provide facilities and staff to support a birth service provided that the birth service is limited to low-risk maternal clients during the intrapartum period.

~~((ix))~~ (ix) "Ambulatory surgical facility" means a facility, not a part of a hospital, providing surgical treatment to patients not requiring inpatient care in a hospital.

~~((x))~~ (x) "Hospice care center" means any building, facility, place, or equivalent, organized, maintained, or operated specifically to provide beds, accommodations, facilities, or services over a continuous period of twenty-four hours or more for palliative care of two or more individuals, not related to the operator, who are diagnosed as being in the later stages of an advanced disease which is expected to lead to death.

~~((xi))~~ (xi) "Renal hemodialysis clinic" means a facility in a building or part of a building which is approved to furnish the full spectrum of diagnostic, therapeutic, or rehabilitative services required for the care of renal dialysis patients (including inpatient dialysis furnished directly or under arrangement). (NEC: Ambulatory Health Care ~~(Center)~~ Occupancy.)

~~((xii))~~ (xii) "Medical, dental, and chiropractic clinic" means any clinic or physicians' office where patients are not regularly kept as bed patients for twenty-four hours or more. Electrical plan review is not required.

~~((xiii))~~ (xiii) "Residential treatment facility" means a facility licensed and operated twenty-four hours per day to provide health care to persons receiving services for a mental disorder or substance abuse.

~~((xiv))~~ (xiv) "Group care facility" means a facility other than a foster-family home maintained or operated for the care of a group of children on a twenty-four-hour basis.

Plan review for educational, institutional or health care facilities/buildings.

(2) Plan review is a part of the electrical inspection process; its primary purpose is to determine:

(a) That service/feeder conductors are calculated and sized according to the proper NEC or WAC article or section;

(b) The classification of hazardous locations; and
(c) The proper design of emergency and standby systems.

(3) Electrical plan review.

(a) Electrical plan review is not required for:

(i) Low voltage systems;

~~(ii) Lighting specific projects that result in an electrical load reduction on each feeder involved in the project;~~

~~((ii) Low voltage systems;))~~

~~(ii) Heating and cooling specific retrofit projects that result in an electrical load reduction on each existing feeder involved in the project, provided there is not a corresponding increase in the available fault current in any feeder.~~

~~(iv) Stand-alone utility fed services that do not exceed 250 volts, 400 amperes where the project's distribution system does not include:~~

~~(A) Emergency systems other than listed unit equipment per NEC 700.12(F);~~

~~(B) An essential electrical system defined in NEC 517.2;~~

~~or~~

~~(C) A required fire pump system.~~

~~(v) Modifications to existing electrical installations where all of the following conditions are met:~~

~~(*) (A) Service or distribution equipment involved is rated not more than 400 amperes and does not exceed 250 volts or for lighting circuits not exceeding 277 volts to ground;~~

~~(*) (B) Does not involve emergency systems other than listed unit equipment per NEC 700.12(F);~~

~~(*) (C) Does not involve branch circuits or feeders of an essential electrical system as defined in NEC 517.2; and~~

~~(*) (D) Service and feeder load calculations are increased by 5% or less.~~

~~((iv) Stand-alone utility fed services that do not exceed 250 volts, 400 amperes where the project's distribution system does not include:~~

~~• Emergency systems other than listed unit equipment per NEC 700.12(F);~~

~~• Critical branch circuits or feeders as defined in NEC 517.2; or~~

~~• A required fire pump system.~~

~~(v) Heating and cooling specific retrofit projects that result in an electrical load reduction on each existing feeder involved in the project, provided there is not a corresponding increase in the available fault current in any feeder. Existing and new load calculations must be provided to the inspector at the time of the inspection.)~~

~~(vi) For installations outlined in (a)(ii), (iii), and (v) of this subsection to be considered, the following must be available to the electrical inspector before the work is initiated:~~

~~(A) A clear and adequate description of the project's scope;~~

~~(B) A load calculation(s);~~

~~(C) What the load changes are, providing both before and after panel schedules as needed; and~~

~~(D) Provide information showing that the service and feeder(s) supplying the panel(s) where the work is taking place has adequate capacity for any increased load and has code compliant overcurrent protection for that supply.~~

(b) Electrical plan review is required for all other new or altered electrical projects in educational, institutional, or health care occupancies (~~classified or~~) defined in this chapter.

(c) If a review is required, the electrical plan must be submitted for review and approval before the electrical work is begun.

(d) Electrical plans.

(i) The plan must be submitted for plan review prior to beginning any electrical inspection. If a plan is rejected during the plan review process, no electrical inspection(s) may proceed until the plan is resubmitted and a conditional acceptance is granted.

(ii) The submitted plan will receive a preliminary review within seven business days after receipt by the department or city authorized to do electrical inspections.

(iii) If the submitted plan:

(*) (A) Is rejected at the preliminary review, no inspection(s) will be made on the project.

(*) (B) Receives conditional acceptance, the permit holder may request a preliminary inspection(s) in writing to the department or city authorized to do electrical inspections. The request must note that the preliminary inspection(s) is conditional and subject to any alterations required from the final plan review process.

(iv) Once the submitted plan has preliminary plan review approval, a copy of the submitted plan must be available on the job site for use by the electrical inspector.

(v) The final approved plan must be available on the job site, for use by the electrical inspector, after it is approved, but no later than prior to the final electrical inspection.

(vi) If the final approved plan requires changes from the conditionally accepted plan, alterations to the project may be required to make the project comply with the approved plan.

(vii) If the installer deviates from the service/feeder design shown on the final approved plan, a supplemental plan must be submitted for review before inspection can proceed. Load reductions or moving branch circuit locations within a panelboard do not require resubmission.

(e) All electrical plans for educational facilities, hospitals, and nursing homes must be prepared by, or under the direction of, a consulting engineer registered under chapter 18.43 RCW, and chapters 246-320, 180-29, and 388-97 WAC and stamped with the engineer's mark and signature.

(f) Refer plans for review to the Electrical Section, Department of Labor and Industries, P.O. Box 44460, Olympia, Washington 98504-4460 or the city authorized to do electrical inspections.

(g) Plans for projects within cities that perform electrical inspections must be submitted to that city for review.

(h) Plans to be reviewed must be legible, identify the name and classification of the facility, clearly indicate the scope and nature of the installation and the person or firm responsible for the electrical plans. The plans must clearly show the electrical installation or alteration in floor plan view, include all switchboard and panelboard schedules and when a service or feeder is to be installed or altered, must include a riser diagram, load calculation, fault current calculation, and interrupting rating of equipment. Where existing electrical systems are to supply additional loads, the plans

must include documentation that proves adequate capacity and ratings. The plans must be submitted with a plan review submittal form available from the department or city authorized to do electrical inspections. Fees must be calculated based on the date the plans are received by the department or city authorized to do electrical inspections.

(i) The department may perform the plan review for new or altered electrical installations of other types of construction when the owner or electrical contractor makes a voluntary request for review. A city authorized to do electrical inspections may require a plan review of any electrical system.

(j) For existing structures where additions or alterations to feeders and services are proposed, NEC 220.87(1) may be used. If NEC 220.87(1) is used, the following is required:

(i) The date of the measurements.

(ii) A statement attesting to the validity of the demand data, signed by a professional electrical engineer or the electrical administrator of the electrical contractor performing the work.

(iii) A diagram of the electrical system identifying the point(s) of measurement.

(iv) Building demand measured continuously on the highest-loaded phase of the feeder or service over a thirty-day period, with the demand peak clearly identified. Demand peak is defined as the maximum average demand over a fifteen-minute interval.

Notes to Tables 900-1 and 900-2.

1. A city authorized to do electrical inspections may require plan review on facility types not reviewed by the department.

**Table 900-1
Health or Personal Care Facilities**

Health or Personal Care Facility Type	Plan Review Required
Hospital	Yes
Nursing home unit or long-term care unit	Yes
Boarding home	Yes
Assisted living facility	Yes
Private alcoholism hospital	Yes
Private psychiatric hospital	Yes
Maternity home	Yes
Ambulatory surgery facility	Yes
Renal hemodialysis clinic	Yes
Residential treatment facility	Yes
<u>Enhanced service facility</u>	<u>Yes</u>
Adult residential rehabilitation center	Yes

Table 900-2
**Educational and Institutional Facilities, Places of Assem-
 bly, or Other Facilities**

Educational, Institutional, or Other Facility Types	Plan Review Required
Educational	Yes
Institutional	Yes

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-901 General—Electrical work permits and fees.

General.

(1) When an electrical work permit is required by chapter 19.28 RCW or this chapter, inspections may not be made, equipment must not be energized, or services connected unless:

(a) A valid electrical work permit is obtained and posted per subsection (5) of this section;

(b) The classification or type of facility to be inspected and the exact scope and location of the electrical work to be performed are clearly shown on the electrical work permit;

(c) The address where the inspection is to be made is clearly identifiable from the street, road or highway that serves the premises; and

(d) Driving directions are provided for the inspectors' use.

(2) Except as allowed for annual permits, an electrical work permit is valid for only one specific job site address.

Permit - Responsibility for.

(3) Each person, firm, partnership, corporation, or other entity must furnish a valid electrical work permit for the installation, alteration, or other electrical work performed or to be performed solely by that entity. When the original purchaser is replaced, another entity may request, in writing, written approval from the chief electrical inspector to take responsibility for the work of the original installing entity under the original permit. If permission is not granted the entity must obtain a new permit for the remaining work.

Two or more entities may never work under the same permit. Each electrical work permit application must be signed by the electrical contractor's administrator (or designee) or the person, or authorized representative of the firm, partnership, corporation, or other entity that is performing the electrical installation or alteration. Permits purchased electronically do not require a handwritten signature. An entity designated to sign electrical permits must provide written authorization of the purchaser's designation when requested by the department or city that is authorized to do electrical inspections.

(4) Permits to be obtained by customers. Whenever a serving electrical utility performs work for a customer under one of the exemptions in WAC 296-46B-925 and the work is subject to inspection, the customer is responsible for obtaining all required permits.

(5) Except as allowed for Class B permits, where an electrical work permit is required, the work permit must be obtained and posted at the job site or the electrical work per-

mit number must be conspicuously posted and identified as the electrical work permit number on or adjacent to the electrical service or feeder panel supplying power to the work prior to beginning any electrical work and at all times until the electrical inspection process is completed.

Exceptions:

(a) For an owner, an electrical work permit for emergency like-in-kind repairs to an existing electrical system(s) must be obtained no later than the next business day after the work is begun.

(b) For an electrical contractor, in a city's jurisdiction where the city is authorized to do electrical inspections and does not have a provisional permit system, an electrical work permit for emergency like-in-kind repairs to an existing electrical system(s) must be obtained and posted, per the city's requirements at the job site no later than the next business day after the work is begun.

(6) Fees must be paid in accordance with the inspection fee schedule in Part C of this chapter. The amount of the fee due is calculated based on the fee effective at the date payment is made. If the project is required to have an electrical plan review, the plan review fees will be based on the fees effective at the date the plans are received by the department for review. In a city where the department is doing inspections as the city's contractor, a supplemental fee may apply.

Permit - Requirements for.

(7) As required by chapter 19.28 RCW or this chapter, an electrical work permit is required for the installation, alteration, or maintenance of all electrical systems or equipment except for:

(a) Travel trailers;

(b) Class A basic electrical work which includes:

(i) The **like-in-kind replacement** of lamps; a single set of fuses; a single battery smaller than 150 amp hour; contactors, relays, timers, starters, circuit boards, or similar control components; one household appliance; circuit breakers; single-family residential luminaires; ~~((up to))~~ a maximum of five snap switches, dimmers, receptacle outlets, thermostats, heating elements, luminaire ballasts with an exact same ballast; component(s) of electric signs, outline lighting, or skeleton neon tubing when replaced on-site by an appropriate electrical contractor and when the sign, outline lighting or skeleton neon tubing electrical system is not modified; one ten horsepower or smaller motor.

For the purposes of this section, "circuit breaker" means a circuit breaker that is used to provide overcurrent protection only for a branch circuit, as defined in NEC 100.

(ii) Induction detection loops described in WAC 296-46B-300(2) and used to control gate access devices;

(iii) Heat cable repair; and

(iv) Embedding premanufactured heat mats in tile grout where the mat is listed by an approved testing laboratory and comes from the manufacturer with preconnected lead-in conductors. All listing marks and lead-in conductor labels must be left intact and visible for evaluation and inspection by the installing electrician and the electrical inspector.

(v) The disconnection of electrical circuits from their overcurrent protection device for the specific purpose of removing the electrical wiring or equipment for disposal.

Unless specifically noted, the exemptions listed do not include: The replacement of an equipment unit, assembly, or enclosure that contains an exempted component or combination of components (e.g., an electrical furnace/heat pump, industrial milling machine, etc.) or any appliance/equipment described in this section for Class B permits.

In the department's jurisdiction, a provisional electrical work permit label may be posted in lieu of an electrical work permit. If a provisional electrical work permit label is used, an electrical work permit must be obtained within two working days after posting the provisional electrical work permit label. See WAC 296-46B-907(2) for provisional label requirements.

(c) The following types of systems and circuits are considered exempt from the requirements for licensing and permitting described in chapter 19.28 RCW. The electrical failure of these systems does not inherently or functionally compromise safety to life or property.

- (i) Low-voltage thermocouple derived circuits;
- (ii) Low-voltage circuits for built-in residential vacuum systems;
- (iii) Low-voltage circuits for underground landscape sprinkler systems;
- (iv) Low-voltage circuits for underground landscape lighting; and
- (v) Low-voltage circuits for residential garage doors.

For these types of systems and circuits to be considered exempt, the following conditions must be met:

- (A) The power supplying the installation must be derived from a listed Class 2 power supply;
- (B) The installation and termination of line voltage equipment and conductors supplying these systems is performed by appropriately licensed and certified electrical contractors and electricians;
- (C) The conductors of these systems do not pass through fire-rated walls, fire-rated ceilings or fire-rated floors in other than residential units; and
- (D) Conductors or luminaires are not installed in installations covered by the scope of Article 680 NEC (swimming pools, fountains, and similar installations).

(8) An electrical work permit is required for all installations of telecommunications systems on the customer side of the network demarcation point for projects greater than ten telecommunications outlets. All backbone installations regardless of size and all telecommunications cable or equipment installations involving penetrations of fire barriers or passing through hazardous locations require permits and inspections. For the purposes of determining the inspection threshold for telecommunications projects greater than ten outlets, the following will apply:

(a) An outlet is the combination of jacks and mounting hardware for those jacks, along with the associated cable and telecommunications closet terminations, that serve one workstation. In counting outlets to determine the inspection threshold, one outlet must not be associated with more than six standard four-pair cables or more than one twenty-five-pair cable. Therefore, installations of greater than sixty standard four-pair cables or ten standard twenty-five-pair cables require permits and inspections. (It is not the intent of the statute to allow large masses of cables to be run to worksta-

tions or spaces serving telecommunications equipment without inspection. Proper cable support and proper loading of building structural elements are safety concerns. When considering total associated cables, the telecommunications availability at one workstation may count as more than one outlet.)

(b) The installation of greater than ten outlets and the associated cables along any horizontal pathway from a telecommunications closet to work areas during any continuous ninety-day period requires a permit and inspection.

(c) All telecommunications installations within the residential dwelling units of single-family, duplex, and multi-family dwellings do not require permits or inspections. In residential multifamily dwellings, permits and inspections are required for all backbone installations, all fire barrier penetrations, and installations of greater than ten outlets in common areas.

(d) No permits or inspections are required for installation or replacement of cord and plug connected telecommunications equipment or for patch cord and jumper cross-connected equipment.

(e) Definitions of telecommunications technical terms will come from chapter 19.28 RCW, this chapter, TIA/EIA standards, and NEC.

Inspection and approval.

(9) Requests for inspections.

(a) Requests for inspections must be made no later than three business days after completion of the electrical/telecommunications installation or one business day after any part of the installation has been energized, whichever occurs first.

(b) Requests for after hours or weekend inspections must be made by contacting the local electrical inspection supervisor at least three working days prior to the requested date of inspection. The portal-to-portal inspection fees required for after hours or weekend inspections are in addition to the cost of the original electrical work permit.

(c) Inspections for annual electrical maintenance permits and annual telecommunications permits may be done on a regular schedule arranged by the permit holder with the department.

(10) Inspections will not be made until all permit fees are paid in full.

Permit - Duration/refunds.

(11) Electrical work permits will expire one year after the date of purchase unless permission is granted by the chief electrical inspector or when the permit is closed or completed by the inspector. Refunds are not available for:

- (a) Expired electrical work permits;
- (b) Electrical work permit fee items, within the department's jurisdiction, where the electrical installation has begun or an inspection requested for that work; or
- (c) The first twenty-five dollars of each permit purchase - Application fee.

All refund requests must be made using the Request for Refund application form.

Permit - Annual telecommunications.

(12) The chief electrical inspector or city that is authorized to do electrical inspections can allow annual permits for the inspection of telecommunications installations to be pur-

chased by a building owner or licensed electrical/telecommunications contractor. The owner's full-time telecommunications maintenance staff, or a licensed electrical/telecommunications contractor(s) can perform the work done under this annual permit. The permit holder is responsible for correcting all installation deficiencies. The permit holder must make available, to the electrical inspector, all records of all the telecommunications work performed and the valid electrical or telecommunications contractor's license numbers for all contractors working under the permit. Upon request, the chief electrical inspector may allow the annual permit to be used for multiple worksites or addresses.

Permit - Annual electrical.

(13) The chief electrical inspector or city that is authorized to do electrical inspections can allow annual permits for the inspection of electrical installations to be purchased by a building owner or licensed electrical contractor. This type of permit is available for commercial/industrial locations employing a full-time electrical maintenance staff or having a yearly maintenance contract with a licensed electrical contractor. Upon request, the chief electrical inspector may allow the annual permit to be used for multiple worksites or addresses.

The permit holder is responsible for correcting all installation deficiencies. The permit holder must make available, to the electrical inspector, all records of all electrical work performed.

This type of electrical permit may be used for retrofit, replacement, maintenance, repair, upgrade, and alterations to electrical systems at a plant or building location. This type of permit does not include new or increased service or new square footage.

Permit - Temporary construction project installations.

(14) For temporary electrical installations, the department will consider a permit applicant to be the owner per RCW 19.28.261 under the conditions below:

Any person, firm, partnership, corporation, or other entity registered as a general contractor under chapter 18.27 RCW will be permitted to install a single electrical service per address for the purposes of temporary power during the construction phase of a project, when all of the following conditions are met:

- (a) The installation is limited to the mounting and bracing of a preassembled pole or pedestal mounted service, the installation of a ground rod or ground plate, and the connection of the grounding electrode conductor to the ground rod or plate;
- (b) The total service size does not exceed 200 amperes, 250 volts nominal;
- (c) The service supplies no feeders;
- (d) Branch circuits not exceeding 50 amperes each are permitted, provided such branch circuits supply only receptacles that are either part of the service equipment or are mounted on the same pole;
- (e) The general contractor owns the electrical equipment;
- (f) The general contractor has been hired by the property owner as the general contractor for the project;

(g) The general contractor must purchase an electrical work permit for the temporary service, request inspection, and obtain approval prior to energizing the service.

Posting of corrections.

(15) Electrical installations found to be not in compliance with approved standards must be corrected within fifteen calendar days of notification by the department as required in RCW 19.28.101(3). The notifications will be posted electronically on the electrical permit inspection results. A printed copy of the correction notification will be posted by the inspector at the job site for permits not purchased electronically.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-906 Inspection fees. To calculate inspection fees, the amperage is based on the conductor ampacity or the overcurrent device rating. The total fee must not be less than the number of progress inspection (one-half hour) units times the progress inspection fee rate from subsection (8) of this section, PROGRESS INSPECTIONS.

The amount of the fee due is calculated based on the fee effective at the date of a department assessed fee (e.g., plan review or fee due) or when the electrical permit is purchased.

(1) Residential.

(a) Single- and two-family residential (New Construction).

Notes:

- (1) Square footage is the area included within the surrounding exterior walls of a building exclusive of any interior courts. (This includes any floor area in an attached garage, basement, or unfinished living space.)
- (2) "Inspected with the service" means that a separate service inspection fee is included on the same electrical work permit.
- (3) "Inspected at the same time" means all wiring is to be ready for inspection during the initial inspection trip.
- (4) An "outbuilding" is a structure that serves a direct accessory function to the residence, such as a pump house or storage building. Outbuilding does not include buildings used for commercial type occupancies or additional dwelling occupancies.

(i) First 1300 sq. ft.	\$90.30
Each additional 500 sq. ft. or portion of	\$28.90
(ii) Each outbuilding or detached garage - Inspected at the same time as a dwelling unit on the property	\$37.60
(iii) Each outbuilding or detached garage - Inspected separately	\$59.50
(iv) Each swimming pool - Inspected with the service	\$59.50
(v) Each swimming pool - Inspected separately	\$90.30
(vi) Each hot tub, spa, or sauna - Inspected with the service	\$37.60
(vii) Each hot tub, spa, or sauna - Inspected separately	\$59.50
(viii) Each septic pumping system - Inspected with the service	\$37.60
(ix) Each septic pumping system - Inspected separately	\$59.50

(b) Multifamily residential and miscellaneous residential structures, services and feeders (New Construction).

Each service and/or feeder		
Ampacity	Service/Feeder	Additional Feeder
0 to 200	\$97.40	\$28.90

Each service and/or feeder

Ampacity	Service/Feeder	Additional Feeder
201 to 400	\$121.10	\$59.50
401 to 600	\$166.40	\$82.80
601 to 800	\$213.50	\$113.70
801 and over	\$304.50	\$228.40

(c) Single or multifamily altered services or feeders including circuits.

(i) Each altered service and/or altered feeder

Ampacity	Service/Feeder
0 to 200	\$82.80
201 to 600	\$121.10
601 and over	\$182.60

(ii) Maintenance or repair of a meter or mast (no alterations to the service or feeder) \$44.80

(d) Single or multifamily residential circuits only (no service inspection).

Note:

Altered or added circuit fees are calculated per panelboard. Total cost of the alterations in an individual panel should not exceed the cost of a complete altered service or feeder of the same rating, as shown in subsection (1) RESIDENTIAL (c) (table) of this section.

- (i) 1 to 4 circuits (see note above) \$59.50
- (ii) Each additional circuit (see note above) \$6.40

(e) Mobile homes, modular homes, mobile home parks, and RV parks.

- (i) Mobile home or modular home service or feeder only \$59.50
- (ii) Mobile home service and feeder \$97.40

(f) Mobile home park sites and RV park sites.

Note:

For master service installations, see subsection (2) COMMERCIAL/INDUSTRIAL of this section.

- (i) First site service or site feeder \$59.50
- (ii) Each additional site service; or additional site feeder inspected at the same time as the first service or feeder \$37.60

(2) Commercial/industrial.

(a) New service or feeder, and additional new feeders inspected at the same time (includes circuits).

Note:

For large COMMERCIAL/INDUSTRIAL projects that include multiple feeders, "inspected at the same time" can be interpreted to include additional inspection trips for a single project. The additional inspections must be for electrical work specified on the permit at the time of purchase. The permit fee for such projects must be calculated using this section. However, the total fee must not be less than the number of progress inspection (one-half hour) units times the progress inspection fee rate from subsection (8) PROGRESS INSPECTIONS of this section.

Ampacity	Service/Feeder	Additional Feeder
0 to 100	\$97.40	\$59.50
101 to 200	\$118.60	\$75.80
201 to 400	\$228.40	\$90.30
401 to 600	\$266.20	\$106.30
601 to 800	\$344.30	\$144.80
801 to 1000	\$420.30	\$175.20
1001 and over	\$458.50	\$244.50

(b) Altered services/feeders (no circuits).

(i) Service/feeder

Ampacity	Service/Feeder
0 to 200	\$97.40
201 to 600	\$228.40
601 to 1000	\$344.30
1001 and over	\$382.40

(ii) Maintenance or repair of a meter or mast (no alterations to the service or feeder) \$82.80

(c) Circuits only.

Note:

Altered/added circuit fees are calculated per panelboard. Total cost of the alterations in a panel (or panels) should not exceed the cost of a new feeder (or feeders) of the same rating, as shown in subsection (2) COMMERCIAL/INDUSTRIAL (2)(a)(table) above.

- (i) First 5 circuits per branch circuit panel \$75.80
- (ii) Each additional circuit per branch circuit panel \$6.40
- (d) Over 600 volts surcharge per permit.** \$75.80

(3) Temporary service(s).

Notes:

- (1) See WAC 296-46B-590 for information about temporary installations.
- (2) Temporary stage or concert inspections requested outside of normal business hours will be subject to the portal-to-portal hourly fees in subsection (11) OTHER INSPECTIONS. The fee for such after hours inspections will be the greater of the fee from this subsection or the portal-to-portal fee.

Temporary services, temporary stage or concert productions.

Ampacity	Service/Feeder	Additional Feeder
0 to 60	\$52.10	\$26.70
61 to 100	\$59.50	\$28.90
101 to 200	\$75.80	\$37.60
201 to 400	\$90.30	\$44.90
401 to 600	\$121.10	\$59.50
601 and over	\$137.40	\$68.40

(4) Irrigation machines, pumps, and equipment.

Irrigation machines.

- (a) Each tower - When inspected at the same time as a service and feeder from (2) COMMERCIAL/INDUSTRIAL \$6.40
- (b) Towers - When not inspected at the same time as a service and feeder - 1 to 6 towers \$90.30
- (c) Each additional tower \$6.40

(5) Miscellaneous - Commercial/industrial and residential.

(a) **A Class 2 low-voltage thermostat** and its associated cable controlling a single piece of utilization equipment or a single furnace and air conditioner combination.

- (i) First thermostat \$44.90
- (ii) Each additional thermostat inspected at the same time as the first \$13.90

(b) **Class 2 or 3 low-voltage systems and telecommunications systems.** Includes all telecommunications installations, fire alarm, nurse call, energy management control systems, industrial and automation control systems, lighting control systems, and similar Class 2 or 3 low-energy circuits and equipment not included in WAC 296-46B-908 for Class B work.

- (i) First 2500 sq. ft. or less \$52.10
- (ii) Each additional 2500 sq. ft. or portion thereof \$13.90

(c) Signs and outline lighting.

- (i) First sign (no service included) \$44.90
- (ii) Each additional sign inspected at the same time on the same building or structure \$21.20

(d) Berth at a marina or dock.

Note:

Five berths or more will be permitted to have the inspection fees based on appropriate service and feeder fees from section (2) COMMERCIAL/INDUSTRIAL above.

- (i) Berth at a marina or dock \$59.50
- (ii) Each additional berth inspected at the same time \$37.60

(e) Yard pole, pedestal, or other meter loops only.

- (i) Yard pole, pedestal, or other meter loops only \$59.50
- (ii) Meters installed remote from the service equipment and inspected at the same time as a service, temporary service or other installations \$13.90

(f) ((Emergency)) Inspection((s)) appointment requested for outside of normal working hours.

Regular fee plus surcharge of: \$113.70

(g) Generators.

Note:

Permanently installed generators: Refer to the appropriate residential or commercial new/alterd service or feeder section.

Portable generators: Permanently installed transfer equipment for portable generators \$82.80

(h) Electrical - Annual permit fee.

Note:

See WAC 296-46B-901(13).

For commercial/industrial location employing full-time electrical maintenance staff or having a yearly maintenance contract with a licensed electrical contractor. Note, all yearly maintenance contracts must detail the number of contractor electricians necessary to complete the work required under the contract. This number will be used as a basis for calculating the appropriate fee. Each inspection is based on a 2-hour maximum.

	Inspections	Fee
1 to 3 plant electricians	12	\$2,189.70
4 to 6 plant electricians	24	\$4,381.80
7 to 12 plant electricians	36	\$6,572.30
13 to 25 plant electricians	52	\$8,764.40
More than 25 plant electricians	52	\$10,956.50

(i) Telecommunications - Annual permit fee.

Notes:

- (1) See WAC 296-46B-901(12).
- (2) Annual inspection time required may be estimated by the purchaser at the rate for "OTHER INSPECTIONS" in this section, charged portal-to-portal per hour.

For commercial/industrial location employing full-time telecommunications maintenance staff or having a yearly maintenance contract with a licensed electrical/telecommunications contractor.

- 2-hour minimum \$181.00
- Each additional hour, or portion thereof, of portal-to-portal inspection time \$90.30

(j) Permit requiring ditch cover inspection only.

Each 1/2 hour, or portion thereof \$44.90

(k) Cover inspection for elevator/conveyance installation. This item is only available to a licensed/registered elevator contractor. \$75.80

(6) Carnival inspections.

(a) First carnival field inspection each calendar year.

- (i) Each ride and generator truck \$21.20
- (ii) Each remote distribution equipment, concession, or gaming show \$6.40
- (iii) If the calculated fee for first carnival field inspection above is less than \$100.50, the minimum inspection fee will be: \$113.70

(b) Subsequent carnival inspections.

- (i) First ten rides, concessions, generators, remote distribution equipment, or gaming show \$113.70
- (ii) Each additional ride, concession, generator, remote distribution equipment, or gaming show \$6.40

(c) Concession(s) or ride(s) not part of a carnival.

- (i) First field inspection each year of a single concession or ride, not part of a carnival \$90.30
- (ii) Subsequent inspection of a single concession or ride, not part of a carnival \$59.50

(7) Trip fees.

- (a) Requests by property owners to inspect existing installations. (This fee includes a maximum of one hour of inspection time. All inspection time exceeding one hour will be charged at the rate for progressive inspections.) \$90.30
- (b) Submitter notifies the department that work is ready for inspection when it is not ready. \$44.90
- (c) Additional inspection required because submitter has provided the wrong address or incomplete, improper or illegible directions for the site of the inspection. \$44.90
- (d) More than one additional inspection required to inspect corrections; or for repeated neglect, carelessness, or improperly installed electrical work. \$44.90
- (e) Each trip necessary to remove a noncompliance notice. \$44.90
- (f) Corrections that have not been made in the prescribed time, unless an exception has been requested and granted. \$44.90
- (g) Installations that are covered or concealed before inspection. \$44.90

(8) Progress inspections.

Note:

The fees calculated in subsections (1) through (6) of this section will apply to all electrical work. This section will be applied to a permit where the permit holder has requested additional inspections beyond the number supported by the permit fee calculated at the rate in subsections (1) through (6) of this section.

On partial or progress inspections, each 1/2 hour. \$44.90

(9) Plan review.

- (a) Plan review fee is 35% of the electrical work permit fee as determined by WAC 296-46B-906. 35%
- (b) Plan review submission fee. \$75.80
- (c) Supplemental submissions of plans per hour or fraction of an hour of review time. \$90.30
- (d) Plan review ((shipping and)) handling fee. \$21.20

(10) Out-of-state inspections.

- (a) Permit fees will be charged according to the fees listed in this section.
- (b) Travel expenses:

All travel expenses and per diem for out-of-state inspections are billed following completion of each inspection(s). These expenses can include, but are not limited to: Inspector's travel time, travel cost and per diem at the state rate. Travel time is hourly based on the rate in subsection (11) of this section.

(11) Other inspections.

Inspections not covered by above inspection fees must be charged portal-to-portal per hour: \$90.30

(12) Variance request processing fee.

Variance request processing fee. This fee is nonrefundable once the transaction has been validated. \$90.30

(13) Marking of industrial utilization equipment.

(a) Standard(s) letter review (per hour of review time). \$90.30

(b) Equipment marking - Charged portal-to-portal per hour: \$90.30

(c) All travel expenses and per diem for in/out-of-state review and/or equipment marking are billed following completion of each inspection(s). These expenses can include, but are not limited to: Inspector's travel time, travel cost and per diem at the state rate. Travel time is hourly based on the rate in (b) of this subsection.

(14) Class B basic electrical work labels.

(a) Block of twenty Class B basic electrical work labels (not refundable). \$248.00

(b) Reinspection of Class B basic electrical work to assure that corrections have been made (per 1/2 hour timed from leaving the previous inspection until the reinspection is completed). See WAC 296-46B-908(5). \$44.90

(c) Reinspection of Class B basic electrical work because of a failed inspection of another Class B label (per 1/2 hour from previous inspection until the reinspection is completed). See WAC 296-46B-908(5). \$44.90

(15) Provisional electrical work permit labels.

Block of twenty provisional electrical work permit labels. \$248.00

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-908 Class B permits.

Class B electrical work permit - Use.

(1) The Class B basic electrical random inspection process (Class B process) may only be used by:

(a) Licensed electrical/telecommunication contractors;
or

(b) Health care, commercial, or industrial facilities using an employee(s) who is an appropriately certified electrician(s) after requesting, in writing, and receiving permission from the chief electrical inspector.

Each entity doing work must use a separate label.

(2) Before beginning the work:

(a) For Class B labels obtained after February 28, 2013:

(i) Immediately upon posting the Class B label/number, the purchaser must use the department's online Class B system to enter the job site information for an unused Class B label obtained by the purchaser. If the posting occurs on a weekend or a federal/state holiday, the purchaser must use the online system to enter the information no later than the first business day after posting the label/number;

(ii) The person identified as the installer on the Class B label must post the Class B label or label number, in a conspicuous permanent manner, at the:

(A) Main service/feeder location supplying the structure or system; or

(B) Purchaser's equipment, or on the equipment conductors if the equipment is not in place.

(ii) The Class B label is valid immediately upon the purchaser completing the job site information in the department's online Class B system.

(b) For Class B labels obtained before March 1, 2013:

(i) The purchaser must fully enter the job site information on the job site and contractor portions of the Class B label.

(ii) The person identified as the installer on the Class B label must post the completed job site copy, in a conspicuous permanent manner, at the:

(A) Main service/feeder location supplying the structure or system;

(B) Purchaser's equipment, or on the conductors if the equipment is not available.

(iii) The purchaser must return the contractor copy to the Department of Labor and Industries, Electrical Section, Chief Electrical Inspector, P.O. Box 44460, Olympia, WA 98504-4460 within fifteen working days after the job site portion of the Class B installation label is affixed.

(iv) The Class B label is valid immediately upon posting on the job site.

(3) Class B labels will be sold in blocks and are nonrefundable and nontransferable.

(4) Class B label installations will be inspected on a random basis as determined by the department.

(5) A progress inspection fee is required for any inspection required when a correction(s) is issued as a result of the inspection of a Class B label.

(6) Any entity using the Class B process may be audited for compliance with the provisions for purchasing, inspection, reporting of installations, and any other requirement of usage.

(7) A separate label is required for each line item listed below in subsection (10) of this section. For example, if the work includes an item under subsection (10)(a) and (b)(i) of this section, two labels are required.

(8) An entity using a Class B basic inspection label is restricted to using no more than two labels per week per job site.

(9) All Class B work must be completed within fifteen days after the label is validated. If the work is not completed, another Class B may be posted.

Except that, in a one- or two-family residential structure, a label is valid for ninety days after the label is validated, so long as all work described on the label is performed by the purchaser.

(10) Class B work includes the following:

(a) Extension of not more than one branch electrical circuit limited to 120 volts and 20 amps each where:

(i) No cover inspection is necessary. For the purposes of this section, cover inspection does not include work covered by any surface that may be removed for inspection without damaging the surface; and

- (ii) The extension does not supply more than two outlets as defined by the NEC.
- (b) Single like-in-kind replacement of:
 - (i) A motor larger than 10 horsepower; or
 - (ii) The internal wiring of a furnace, air conditioner, refrigeration unit or household appliance; or
 - (iii) An electric/gas/oil furnace not exceeding 240 volts and 100 amps and associated Class 2 low voltage wiring when the furnace is connected to an existing branch circuit. For the purposes of this section, a boiler is not a furnace; or
 - (iv) An individually controlled electric room heater (e.g., baseboard, wall, fan forced air, etc.), air conditioning unit, heat pump unit, or refrigeration unit not exceeding 240 volts, 40 minimum circuit amps and associated Class 2 low voltage wiring when the unit is connected to an existing branch circuit; or
 - (v) Circuit modification required to install not more than five residential load control devices in a residence where installed as part of an energy conservation program sponsored by an electrical utility and where the circuit does not exceed 240 volts and 40 amps.
- (c) The following low voltage systems:
 - (i) Repair and replacement of devices not exceeding 100 volt-amperes in Class 2, Class 3, or power limited low voltage systems in one- and two-family dwellings; or
 - (ii) Repair and replacement of devices not exceeding 100 volt-amperes in Class 2, Class 3, or power limited low voltage systems in other buildings, provided the equipment is not for fire alarm or nurse call systems and is not located in an area classified as hazardous by the NEC; or
 - (iii) The installation of Class 2 or 3 device(s) or wiring for thermostat, audio, security, burglar alarm, intercom, amplified sound, public address, or access control systems where the installation does not exceed twenty devices or five thousand square feet. This does not include fire alarm, nurse call, lighting control, industrial automation/control or energy management systems; or
 - (iv) Telecommunications cabling and equipment requiring inspection in RCW 19.28.470 where the installation does not exceed twenty devices or five thousand square feet;
- (d) The replacement of not more than ten standard receptacles with GFCI receptacles;
- (e) The conversion of not more than ten snap switches to dimmers or occupancy sensors for the use of controlling a luminaire(s) conversion;
- (f) The like-in-kind replacement of ~~((up to))~~ a maximum of twenty: Paddle fans, luminaires not exceeding 277 volts and 20 amperes; snap switches, dimmers, receptacle outlets, line voltage thermostats, heating elements, or luminaire ballasts ~~((-circuit breakers, contractors, relays, timers, starters, circuit boards, fuses, or similar control components))~~;
- (g) The replacement of not more than two luminaires with paddle fans if a listed fan box has been previously installed to support the luminaires;
- (h) The replacement of not more than four batteries rated not larger than 150 amp hours each that supply power to a single unit of equipment (e.g., uninterruptable power supply, photovoltaic storage system, control panel, etc.);
- (i) The installation or repair of equipment powered by a stand-alone solar photovoltaic source where the:

- (i) Electrical equipment requires no field assembly except for the attachment and electrical connection of the solar photovoltaic source to the equipment, the installation and attachment to a grounding electrode, and the placement of the equipment on a pad, pole, or other structure;
- (ii) Solar photovoltaic source and the equipment operates at less than 15 volts DC;
- (iii) Solar photovoltaic source is the only source of external power; and
- (iv) Equipment and the solar photovoltaic source are appropriately labeled as a single unit. The label must be by an approved electrical testing laboratory or for equipment used for traffic control labeled according to WAC 296-46B-010(21).
- (11) Class B basic electrical work does not include any work in:
 - (a) Areas classified as Class I, Class II, Class III, or Zone locations per NEC 500; or
 - (b) Areas regulated by NEC 517 or 680; or
 - (c) Any work where electrical plan review is required; or
 - (d) Fire alarm, nurse call, lighting control, industrial automation/control or energy management systems.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-909 Electrical/telecommunications contractor's license, administrator certificate and examination, master electrician certificate and examination, electrician certificate and examination, copy, and miscellaneous fees.

- Notes:**
- (1) The department will deny renewal of a license, certificate, or permit if an individual owes money as a result of an outstanding final judgment(s) to the department or is in revoked status. The department will deny application of a license, certificate, or permit if an individual is in suspended status or owes money as a result of an outstanding final judgment(s) to the electrical program.
 - (2) Certificates may be prorated for shorter renewal periods in one-year increments. Each year or part of a year will be calculated to be one year.
 - (3) The amount of the fee due is calculated based on the fee effective at the date payment is made.

(1) General or specialty contractor's license per twenty-four month period. (Nonrefundable after license has been issued.)

- (a) **Initial application or renewal made in person, by mail, or by fax** \$266.20
- (b) **Renewal fully completed using the online web process** \$230.20
- (c) **Reinstatement of a general or specialty contractor's license after a suspension** \$53.90

(2) Master electrician/administrator/electrician/trainee certificate.

- (a) **Examination application (nonrefundable)**
- Administrator certificate examination application. (Required only for department administered examinations.) (Not required when testing with the department's contractor.) \$33.30

(b) Examination fees (nonrefundable)

Note:

Normal examination administration is performed by a state authorized contractor. The fees for such examinations are set by contract with the department. For written examinations administered by the department, use the following fee schedule.

(i) Master electrician or administrator first-time examination fee (when administered by the department)	\$80.40
(ii) Master electrician or administrator retest examination fee (when administered by the department)	\$94.20
(iii) ((Journeyman)) <u>Journey level</u> or specialty electrician examination fee (first test or retest when administered by the department)	\$60.50
(iv) Certification examination review fee	\$124.60
(c) Original certificates (nonrefundable after certificate has been issued)	
(i) Electrical administrator original certificate (except 09 telecommunication)	\$120.40
(ii) Telecommunications administrator original certificate (for 09 telecommunications)	\$80.10
(iii) Master electrician exam application (includes original certificate and application processing fee) (\$33.30 is nonrefundable after application is submitted)	\$154.00
(iv) ((Journeyman)) <u>Journey level</u> or specialty electrician application (includes original certificate and application processing fee) (\$33.30 is nonrefundable after application is submitted)	\$86.30
(v) Training certificate	
(A) Initial application made in person, by mail, or by fax	\$42.30
(B) Initial application fully completed online using the online web process	\$36.40
(C) 0% supervision modified training certificate. Includes trainee update of hours (i.e., submission of affidavit of experience) (\$51.20 is nonrefundable after application is submitted)	\$77.00
(D) 75% supervision modified training certificate.	\$51.20
(E) Unsupervised training certificate as allowed by RCW 19.28.161 (4)(b).	\$25.40
(d) Certificate renewal (nonrefundable)	
(i) Master electrician or administrator certificate renewal	
(A) Renewal made in person, by mail, or by fax	\$152.20
(B) Renewal fully completed using the online web process	\$132.20
(ii) Telecommunications (09) administrator certificate renewal	
(A) Renewal made in person, by mail, or by fax	\$101.40
(B) Renewal fully completed using the online web process	\$87.50
(iii) Late renewal of master electrician or administrator certificate	
(A) Renewal made in person, by mail, or by fax	\$304.40
(B) Renewal fully completed using the online web process	\$264.50
(iv) Late renewal of telecommunications (09) administrator certificate	
(A) Renewal made in person, by mail, or by fax	\$202.90
(B) Renewal fully completed using the online web process	\$175.00
(v) ((Journeyman)) <u>Journey level</u> or specialty electrician certificate renewal	
(A) Renewal made in person, by mail, or by fax	\$80.10
(B) Renewal fully completed using the online web process	\$69.70

(vi) Late renewal of ((journeyman)) journey level or specialty electrician certificate

(A) Renewal made in person, by mail, or by fax	\$160.30
(B) Renewal fully completed using the online web process	\$139.50
(vii) Trainee update of hours outside of renewal period (i.e., submission of affidavit of experience outside of the timeline in WAC 296-46B-942 (8)(d))	\$51.20
(viii) Trainee certificate renewal	
(A) Renewal made in person, by mail, or by fax	\$51.20
(B) Renewal fully completed using the online web process when the affidavit of experience is submitted per WAC 296-46B-942 (8)(d)	\$44.70
(ix) Late trainee certificate renewal	
(A) Renewal made in person, by mail, or by fax	\$71.80
(B) Renewal fully completed using the online web process	\$62.50
(e) Certificate - Reinstatement (nonrefundable)	
(i) Reinstatement of a suspended master electrician or administrator's certificate (in addition to normal renewal fee)	\$53.90
(ii) Reinstatement of suspended ((journeyman)) <u>journey level</u> , or specialty electrician certificate (in addition to normal renewal fee)	\$25.40
(f) Assignment/unassignment of master electrician/administrator designation (nonrefundable)	
(3) Certificate/license.	
(a) Replacement for lost or damaged certificate/license. (Nonrefundable.)	\$17.50
(b) Optional display quality General Master Electrician certificate.	\$28.40
(4) Continuing education courses or instructors. (Nonrefundable.)	
(a) If the course or instructor review is performed by the electrical board or the department	
The course or instructor review	\$51.30
(b) If the course or instructor review is contracted out by the electrical board or the department	
(i) Continuing education course or instructor submittal and approval (per course or instructor)	As set in contract
(ii) Applicant's request for review, by the chief electrical inspector, of the contractor's denial	\$124.90
(5) Copy fees. (Nonrefundable.)	
(a) Certified copy of each document (maximum charge per file):	\$56.70
(i) First page:	\$25.40
(ii) Each additional page:	\$2.10
(b) RCW or WAC printed document:	\$5.60
(6) Training school program review fees. Initial training school program review fee. (Nonrefundable.)	
(a) Initial training school program review fee submitted for approval. Valid for three years or until significant changes in program content or course length are implemented (see WAC 296-46B-971(4)).	\$589.90
(b) Renewal of training school program review fee submitted for renewal. Valid for 3 years or until significant changes in program content or course length are implemented (see WAC 296-46B-971(4)).	\$294.90

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-915 Civil penalty schedule.

Notes: Each day that a violation occurs on a job site may be a separate offense.
Once a violation of chapter 19.28 RCW or chapter 296-46B WAC becomes a final judgment, any additional violation within three years becomes a "second" or "additional" offense subject to an increased penalty as set forth in the following tables.
In case of a serious violation of the provisions of chapter 19.28 RCW or as described in WAC 296-46B-990, the department may double the penalty amount, up to ten thousand dollars shown in subsections (1) through (13) of this section.
A person, firm, partnership, corporation or other entity who violates a provision of chapter 19.28 RCW or chapter 296-46B WAC is liable for a civil penalty based upon the following schedule.

(1) Offering to perform, submitting a bid for, advertising, installing or maintaining cables, conductors or equipment:

- (a) That convey or utilize electrical current without having a valid electrical contractor's license.
 - (b) Used for information generation, processing, or transporting of signals optically or electronically in telecommunications systems without having a valid telecommunications contractor's license.
- | | |
|--------------------------|---------|
| First offense: | \$500 |
| Second offense: | \$1,500 |
| Third offense: | \$3,000 |
| Each offense thereafter: | \$6,000 |

(2) Employing an individual for the purposes of chapter 19.28 RCW who does not possess a valid certificate of competency or training certificate to do electrical work.

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|--------------------------|-------|
| First offense: | \$250 |
| Each offense thereafter: | \$500 |

(3) Performing electrical work without having a valid certificate of competency or electrical training certificate.

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|--------------------------|-------|
| First offense: | \$250 |
| Each offense thereafter: | \$500 |

(4) Employing electricians and electrical trainees for the purposes of chapter 19.28 RCW in an improper ratio. Contractors found to have violated this section three times in a three-year period must be the subject of an electrical audit in accordance with WAC 296-46B-975.

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|--------------------------|-------|
| First offense: | \$250 |
| Each offense thereafter: | \$500 |

(5) Failing to provide proper supervision to an electrical trainee as required by chapter 19.28 RCW. Contractors found to have violated this section three times in a three-year period must be the subject of an electrical audit in accordance with WAC 296-46B-975.

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|--------------------------|-------|
| First offense: | \$250 |
| Each offense thereafter: | \$500 |

(6) Working as an electrical trainee without proper supervision as required by chapter 19.28 RCW.

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|--------------------------|-------|
| First offense: | \$50 |
| Second offense: | \$250 |
| Each offense thereafter: | \$500 |

(7) Offering, bidding, advertising, or performing electrical or telecommunications installations, alterations or maintenance outside the scope of the firm's specialty electrical or telecommunications contractors license.

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|--------------------------|---------|
| First offense: | \$500 |
| Second offense: | \$1,500 |
| Third offense: | \$3,000 |
| Each offense thereafter: | \$6,000 |

(8) Selling or exchanging electrical equipment associated with spas, hot tubs, swimming pools or hydromassage bathtubs which are not listed by an approved laboratory.

- | | |
|--------------------------|---------|
| First offense: | \$500 |
| Second offense: | \$1,000 |
| Each offense thereafter: | \$2,000 |

Definition:

The sale or exchange of electrical equipment associated with hot tubs, spas, swimming pools or hydromassage bathtubs includes to: "Sell, offer for sale, advertise, display for sale, dispose of by way of gift, loan, rental, lease, premium, barter or exchange."

(9) Covering or concealing installations prior to inspection.

- | | |
|--------------------------|---------|
| First offense: | \$250 |
| Second offense: | \$1,000 |
| Each offense thereafter: | \$2,000 |

(10) Failing to make corrections within fifteen days of notification by the department.

Exception:

Where an extension has been requested and granted, this penalty applies to corrections not completed within the extended time period.

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|--------------------------|---------|
| First offense: | \$250 |
| Second offense: | \$1,000 |
| Each offense thereafter: | \$2,000 |

(11) Failing to get an inspection or obtain an electrical/telecommunications work permit or post a provisional electrical work permit label prior to beginning the electrical/telecommunications installation or alteration.

Exception:

In cases of emergency repairs, for owners, to existing electrical/telecommunications systems, this penalty will not be charged if the permit is obtained and posted no later than the business day following beginning work on the emergency repair.

Standard/provisional permit offenses:

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|--------------------------|---------|
| First offense: | \$250 |
| Second offense: | \$1,000 |
| Each offense thereafter: | \$2,000 |

Class B offenses:

Failure to post a Class B label or number for Class B eligible work:

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|--------------------------|---------|
| First offense: | \$100 |
| Second offense: | \$250 |
| Each offense thereafter: | \$1,000 |

For other Class B offenses:

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|--------------------------|---------|
| First offense: | \$100 |
| Second offense: | \$250 |
| Each offense thereafter: | \$1,000 |

(12) Violating chapter 19.28 RCW duties of the electrical/telecommunications administrator or master electrician.

(a) Failing to be a member of the firm or a supervisory employee and must be available during working hours to carry out the duties of an administrator or master electrician.

First offense:	\$1,000
Second offense:	\$1,500
Each offense thereafter:	\$3,000

(b) Failing to ensure that all electrical work complies with the electrical installation laws and rules of the state.

First offense:	\$100
Second offense:	\$250
Third offense:	\$1,000
Each offense thereafter:	\$3,000

(c) Failing to ensure that the proper electrical safety procedures are used.

First offense:	\$500
Second offense:	\$1,500
Each offense thereafter:	\$3,000

(d) Failing to ensure that inspections are obtained and that all electrical labels, permits, and certificates required to perform electrical work are used.

Standard/provisional permit offenses:

First offense:	\$250
Each offense thereafter:	\$500

~~((Failure to obtain a Class B label or number for Class B eligible work:))~~

Class B offenses:

First offense:	\$100
Second offense:	\$250
Each offense thereafter:	\$1,000

(e) Failing to ensure that all electrical licenses, required to perform electrical work are used (i.e., work performed must be in the allowed scope of work for the contractor).

First offense:	\$500
Second offense:	\$1,500
Third offense:	\$3,000
Each offense thereafter:	\$6,000

(f) Failing to see that corrective notices issued by an inspecting authority are complied with within fifteen days.

Exception: Where an extension has been requested and granted, this penalty applies to corrections not completed within the extended time period.

First offense:	\$250
Second offense:	\$1,000
Each offense thereafter:	\$2,000

(g) Failing to notify the department in writing within ten days if the master electrician or administrator terminates the relationship with the electrical contractor.

First offense:	\$500
Second offense:	\$1,000
Each offense thereafter:	\$3,000

(13) Violating any of the provisions of chapter 19.28 RCW or chapter 296-46B WAC which are not identified in subsections (1) through (12) of this section.

RCW 19.28.161 through 19.28.271 and the rules developed pursuant to them.

First offense:	\$250
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Each offense thereafter:	\$500
All other chapter 19.28 RCW provisions and the rules developed pursuant to them.	
First offense:	\$250
Second offense:	\$750
Each offense thereafter:	\$2,000

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-925 Electrical/telecommunications contractor's license. General.

(1) The department will issue an electrical/telecommunications contractor's license that will expire twenty-four months following the date of issue to a person, firm, partnership, corporation or other entity that complies with requirements for such license in chapter 19.28 RCW. An electrical/telecommunications contractor's license will not be issued to or renewed for a person, firm, or partnership unless the Social Security number, date of birth, and legal address of each member(s) (see WAC 296-46B-100 definition for member), are submitted with the application. The department may issue an electrical/telecommunications contractor's license for a period greater or less than twenty-four months for the purpose of equalizing the number of electrical contractor's licenses that expire each month. The department may prorate the electrical/telecommunications contractor's license fee according to the license period.

The applicant, upon application and renewal, must provide the department with the Social Security number, date of birth, and legal address of each member(s).

(2) Combination specialty contractor's license. The department may issue a combination specialty contractor's license to a firm that qualifies for more than one specialty electrical contractor's license. The assigned administrator must be certified in all specialties applicable to the combination specialty contractor's license. The license will plainly indicate the specialty licenses' codes included in the combination license. An administrator assigned to a telecommunications contractor must be certified as a telecommunications administrator. A combination license will not be issued for telecommunications **(09)**.

(3) See RCW 19.28.041(7) for a contractor doing domestic pumping work as defined in RCW 18.106.010 (10)(c).

(4) The department may deny application, renewal, or reinstatement of an electrical/telecommunications contractor's license if a firm, an owner, partner, member, or corporate officer owes money as a result of an outstanding final judgment(s) to the department.

Electrical/telecommunications contractor bond, cash or securities deposit.

(5) Bond, cash, or securities deposit.

(a) The electrical/telecommunications contractor may furnish the department with a cash or security deposit to meet the bond requirements in lieu of posting a bond. A cash or security deposit assigned to the department for bond requirements will be held in place for one year after the contractor's license is expired, revoked, or the owner notifies the department in writing that the company is no longer doing business

in the state of Washington as an electrical/telecommunications contractor. Upon written request, the cash or security deposit will then be released by the department providing there is no pending legal action against the contractor under chapter 19.28 RCW of which the department has been notified.

(b) See RCW 19.28.041(7) for a contractor doing domestic pumping work as defined in RCW 18.106.010 (10)(c).

Telecommunications contractor insurance.

(6) To obtain a telecommunications contractor's license, the applicant must provide the department with an original certificate of insurance naming the department of labor and industries, electrical section as the certificate holder. Insurance coverage must be no less than twenty thousand dollars for injury or damages to property, fifty thousand dollars for injury or damage including death to any one person, and one hundred thousand dollars for injury or damage including death to more than one person. The insurance will be considered a continuing obligation unless canceled by the insurance company. The insurance company must notify the department in writing ten days prior to the effective date of said cancellation or failure to renew.

(7) The telecommunications contractor may furnish the department with an assigned account to meet the insurance requirements in lieu of a certificate of insurance. An account assigned to the department for insurance requirements will be held in place for three years after the contractor's license is expired, revoked, or the owner notifies the department in writing that the company is no longer doing business in the state of Washington as a telecommunications contractor. Upon written request, the account then will be released by the department providing there is no pending legal action against the contractor under chapter 19.28 RCW of which the department has been notified.

Electrical/telecommunications contractor exemptions.

(8) The following types of systems and circuits are considered exempt from the requirements for licensing and permitting described in chapter 19.28 RCW. The electrical failure of these systems does not inherently or functionally compromise safety to life or property.

Low-voltage thermocouple derived circuits and low-voltage circuits for:

- (a) Built-in residential vacuum systems;
- (b) Underground landscape sprinkler systems;
- (c) Underground landscape lighting; and
- (d) Residential garage doors.

For these types of systems and circuits to be considered exempt, the following conditions must be met:

(e) The power supplying the installation must be derived from a listed Class 2 power supply;

(f) The installation and termination of line voltage equipment and conductors supplying these systems is performed by appropriately licensed and certified electrical contractors and electricians;

(g) The conductors of these systems do not pass through fire-rated walls, fire-rated ceilings or fire-rated floors in other than residential units; and

(h) Conductors or luminaires are not installed in installations covered by the scope of Article 680 NEC (swimming pools, fountains, and similar installations).

(9) Firms who clean and/or replace lamps in luminaires are not included in the requirements for licensing in chapter 19.28 RCW. This exemption does not apply to electric signs as defined in the NEC.

(10) Firms who install listed plug and cord connected utilization equipment are not included in the requirements for licensing in chapter 19.28 RCW. The plug and cord must be a single listed unit consisting of a molded plug and cord and not exceeding 250 volt 60 ampere single phase. The plug and cord can be field installed per the manufacturer's instructions and the product listing requirements. The utilization equipment must be a single manufactured unit, including the plug and cord, that does not require any electrical field assembly except for the installation of the plug and cord and is allowed to be plug and cord connected by the NEC. Firms who perform field electrical servicing, maintaining, or repairing of plug-in equipment or household appliances are not included in this exemption.

(11) Firms regulated by the Federal Communications Commission or the utilities and transportation commission, supplying telecommunications service to an end-user's property, are not required to be licensed as a telecommunications contractor under chapter 19.28 RCW for telecommunications installations made ahead of the telecommunications network demarcation point.

(12) Unregulated firms, supplying telecommunications service to an end-user's property, are not required to be licensed as a telecommunications contractor under chapter 19.28 RCW for telecommunications installations made ahead of the telecommunications network demarcation point.

(13) Leaseholders. For electrical installations, maintenance, or alterations to existing buildings only, any person, firm, partnership, corporation, or other entity holding a valid, signed lease from the property owner authorizing the leaseholder to perform electrical work, on the property the leaseholder occupies, will be allowed to purchase an electrical permit(s) and do electrical work on or within the property described in the lease. The lessee and/or his or her regularly employed employees must perform the electrical installation, maintenance and alteration.

The lessee who performs the electrical maintenance or installation work must be the sole occupant of the property or space. Property owners or leaseholders cannot perform electrical work on new buildings for rent, sale, or lease, without the proper electrical licensing and certification. Refer to RCW 19.28.261 for exemptions from licensing and certification.

(14) Assisting a householder. A friend, neighbor, relative, or other person (including a certified electrician) may assist a householder, at his/her residence in the performance of electrical work on the condition that the householder is present when the work is performed and the person assisting the householder does not accept money or other forms of compensation for the volunteer work. For the purposes of this subsection, a residence is a single-family residence.

(15) Volunteering to do electrical work. There are no exceptions from the electrical contractor's license or electrician's

cian certification requirements to allow persons to perform volunteer electrical work for anyone other than a householder or a nonprofit organization as allowed by RCW 19.28.091(7). For the purpose of this section, volunteer means that there is no remuneration or receiving of goods or services in return for electrical installations performed.

(16) Farms or place of business. See RCW 19.28.261 for licensing/certification exemptions allowed for the owner(s) of a farm or other place of business and for the employees of the owner.

(17) The licensing and certification requirements of chapter 19.28 RCW do not apply to persons or firms who remove electrical wiring and/or equipment for the purpose of disposal when all conductors, raceways, and equipment to be disposed of have been physically separated from the source of power by a properly certified electrician employed by a licensed electrical contractor, or person(s) meeting the exemptions listed in RCW 19.28.261. Removal of a component or only a portion of an equipment unit is considered electrical maintenance and does not qualify for this exemption.

Exemptions - Electrical utility and electrical utility's contractor.

~~((17))~~ (18) Electrical utility exemptions.

(a) Utility system exemption - RCW 19.28.010(1) and 19.28.091(1).

(i) Neither a serving electrical utility nor a contractor or subcontractor employed by the serving electrical utility is required to have an electrical contractor's license for work on the "utility system" or on service connections or on meters or other apparatus used to measure the consumption of electricity.

(ii) Exemption from inspection. The work of a serving electrical utility and its contractor(s) on the work exempted by NEC 90.2 (b)(5), 1981 edition, is not subject to inspection.

(b) Street/area lighting exemption - RCW 19.28.091(2)(a).

(i) On:

(A) Publicly owned streets, parks, athletic/play fields, beaches, and similar areas where the public has general, clear, and unrestricted access; or

(B) Outside area lighting installed on a utility owned pole(s) that is used to support the utility's electric distribution wiring or equipment that supplies a private property owner's property, the serving electrical utility is considered to be an owner and is not required to have an electrical contractor's license or electrical permit to install or work on wiring or equipment, owned by the utility and used in the lighting of those streets/areas.

(ii) On other privately or publicly owned property (e.g., private streets, parking lots, businesses, schools, etc.), the serving utility is not required to have an electrical contractor's license or electrical permit to install or work on outside street/area lighting where the light(s) is supplied directly from the utility system and installed according to the NESC or NEC.

This work is considered to be utility type work.

An electric utility is not allowed to install or work on street/area lighting:

(A) When the area is privately or publicly owned and the public does not have general, clear, and otherwise unrestricted access such as: Industrial property, residential property, or other property where the public's access is restricted in any manner.

(B) Where the lighting is supplied from a source of power derived from a customer-owned electrical system.

(C) Where the lighting or wiring is attached to a building or other customer-owned structure.

(D) If the utility does not directly perform the installation or work, it may only contract the work to an appropriately licensed electrical contractor(s). See RCW 19.28.091(3).

(c) Customer-owned equipment exemption - RCW 19.28.091 (2)(b). A serving electrical utility is not required to have an electrical contractor's license to work on electrical equipment owned by a commercial, industrial, or public institution customer if:

(i) The utility has not solicited such work; and

(ii) Such equipment:

(A) Is located outside a building or structure; and

(B) The work performed is ahead of the secondary side of the customer's transformer(s) which supplies power at the customer's utilization voltage.

If the utility does not directly perform the installation or work, it may only contract the work to an appropriately licensed electrical contractor(s). See RCW 19.28.091(3).

This work is considered to be utility type work.

The owner will provide the electrical work permit and be responsible for requesting inspections and for ensuring the work is installed per chapter 19.28 RCW and this chapter.

Exemptions - Electrical utility telecommunications transition equipment installations, maintenance and repair.

~~((18))~~ (19) No license, inspection or other permit will be required by the department of any electric utility or, of any person, firm, partnership or corporation or other entity employed or retained by an electric utility or its contractor, because of work in connection with the installation, maintenance, or repair of telecommunications transition equipment located ahead of the utility's telecommunications network demarcation point on the outside of a building or other structure when the work is performed by a qualified person consistent with the requirements of the National Electric Code (NEC) except as provided in (a) and (b) of this subsection:

(a) The following exceptions to the NEC will be permitted:

(i) An additional service disconnect supplying power to the transition equipment can be connected on the supply side of the main service disconnect supplying general power to the building;

(ii) Service entrance disconnects may be separated when clearly labeled;

(iii) The service disconnect used for supplying power to the transition equipment must be connected to the grounding electrode system using:

(A) # 8 AWG copper or larger grounding electrode conductor if protected from physical damage; or

(B) # 6 AWG copper or larger grounding electrode conductor if not protected from physical damage;

(iv) Use of equipment or materials that have been listed/field evaluated by a recognized independent testing laboratory or the department;

(v) Low-voltage circuits do not require a separate disconnecting means and may be grounded to the transition equipment grounding system;

(vi) Any other variance to the NEC must be approved by the department.

(b) A variance recommended by a joint utility standards group composed of representatives of both public and private utilities or certified by a professional engineer will be approved by the department unless the recommendation is inconsistent with meeting equivalent objectives for public safety.

(c) For the purposes of this section, a qualified worker is employed by a utility or its contractor and is familiar with the construction or operation of such lines and/or equipment that concerns his/her position and who is proficient with respect to the safety hazards connected therewith, or, one who has passed a journey status examination for the particular branch of the electrical trades with which he/she may be connected or is in a recognized training or apprenticeship course and is supervised by a journey level person.

(d) Although the utility is responsible for inspection and approval of the installation, including the selection of material and equipment, the department reserves the right to audit worker qualifications and inspect such installations semi-annually for conformance with the requirements of (a), (b) and (c) of this subsection but will not collect a permit fee for such inspection or audit.

(e) If a utility fails to meet the requirements of this section, the department may require the utility to develop and submit a remedial action plan and schedule to attain compliance with this section which may be enforced by the department.

(f) This exemption will be in addition to any other exemption provided in chapter 19.28 RCW, this chapter or other applicable law.

Exemptions - Independent electrical power production equipment exemption.

~~((19))~~ (20) An independent electrical power production entity is not required to have an electrical contractor's license to work on electrical equipment used to produce or transmit electrical power if:

(a) The entity is:

(i) The owner or operator of the generating facility is regulated by the Federal Energy Regulatory Commission (FERC);

(ii) A municipal utility, or other form of governmental electric utility, or by an electrical cooperative or mutual corporation; or

(iii) The owner or operator of the generating facility is an independent electrical power producer and the facility generates electrical power only for sale to one or more:

(A) Electrical utilities regulated by FERC, municipal utility, or other form of governmental utility, or to an electric cooperative or mutual corporation; and

(B) The electrical power generated by the facility is not used for self-generation or any other on- or ~~(off-site)~~ off-site

function other than sale to one or more utilities regulated by FERC or by one or more state public utilities commissions, or to a PUD, municipal utility, or other form of governmental electric utility, or to an electric cooperative or mutual corporation.

(b) The entity must supply the chief electrical inspector a valid master business license issued by the department of licensing, state of Washington so that the entity's status as a revenue generating business can be confirmed.

(c) The entity has entered into an agreement to sell electricity to a utility or to a third party; and

(d) The electrical equipment is used to transmit electricity from the terminals of an electrical generating unit located on premises to the point of interconnection with a utility system.

(e) The electrical power production facility's generation capacity exceeds 100 KVA.

(f) Notwithstanding that a generating facility may be granted an exemption pursuant to this section, the facility will be subject to all the requirements of chapter 19.28 RCW if the facility at any time in the future ceases to comply with the requirements for exemption. All site facilities not exclusively and directly required to generate and/or distribute the electrical power generated on the site are subject to all the licensing and inspection requirements of chapter 19.28 RCW. All facility services, feeders, and circuits not exclusively and directly required to generate and/or distribute the electrical power (e.g., lights, outlets, etc.) must comply with all requirements of chapter 19.28 RCW for licensing and inspection. Facility circuits supplied to equipment required for the function of generation equipment (e.g., block heaters, power supplies, wind generator tower circuits, etc.) must comply with all requirements of chapter 19.28 RCW for licensing and inspection up to and including the equipment termination point.

(g) The generation equipment must not be mounted on or in any building or structure not required for generation of power (e.g., schools, offices, residences, apartment buildings, hospitals, etc.).

Exemptions - Telegraph and telephone utility and telegraph and telephone utility's contractor.

~~((20))~~ (21) Telegraph and telephone utility exempted equipment and installations. No person, firm, partnership, corporation, or other entity is required to have an electrical contractor's license for work on electrical equipment and installations thereof that are exempted by RCW 19.28.151. For the purposes of this exemption, "building or buildings used exclusively for that purpose" may mean any separate building or space of a building where the space is separated from the remainder of the building by a two-hour fire wall. The telecommunications or telegraph equipment within such a space must supply telephone or telegraph service to other customer's buildings (i.e., telecommunications or telegraph equipment cannot solely supply the building containing the telephone/telegraph space).

Exemptions - Manufacturers of electrical/telecommunications products.

~~((21))~~ (22) Manufacturers of electrical/telecommunications systems products will be allowed to utilize a manufac-

turer's authorized factory-trained technician to perform initial calibration, testing, adjustment, modification incidental to the startup and checkout of the equipment, or replacement of components within the confines of the specific product, without permit or required licensing:

- (a) Provided the product:
 - (i) Has not been previously energized;
 - (ii) Has been recalled by the Consumer Product Safety Commission;
 - (iii) Is within the manufacturer's written warranty period;
- or
- (iv) The manufacturer is working under the written request and supervision of an appropriately licensed electrical contractor.

(b) Except for the replacement of individual components, as allowed above, this exemption does not include the initial installation, removal, or replacement of the electrical product. Modifications to the equipment, as designated above, must not include any changes to the original intended configuration nor changes or contact with external or field-connected components or wiring.

(c) The manufacturer will be responsible for obtaining any required reapproval/recertification from the original listing or field evaluation laboratory.

(d) The manufacturer must notify the department if any modifications have been made or reapproval/recertification is required.

Premanufactured electric power generation equipment assemblies and control gear.

~~((22))~~ (23) Premanufactured electric power generation equipment assemblies and control gear.

(a) Manufacturers of premanufactured electric power generation equipment assemblies and control gear will be allowed to utilize a manufacturer's authorized factory-trained technician to perform initial calibration, testing, adjustment, modification incidental to the startup and checkout of the equipment, or replacement of components within the confines of the specific product, without permit or required licensing, provided:

(i) For transfer equipment, the product has not been previously energized or is within the manufacturer's written warranty period;

(ii) Modifications to the equipment, as designated above, must not include any changes to the original intended configuration nor changes or contact with external or field-connected components or wiring;

(iii) The manufacturer will be responsible for obtaining any required reapproval/recertification from the original listing or field evaluation laboratory; or

(iv) The manufacturer must notify the department if any modifications have been made or reapproval/recertification is required.

(b) Premanufactured electric power generation equipment assemblies are made up of reciprocating internal combustion engines and the associated control gear equipment. Control gear equipment includes control logic, metering, and annunciation for the operation and the quality of power being generated by the reciprocating internal combustion engine and does not have the function of distribution of power.

(c) Modifications of a transfer switch must not include changes to the original intended configuration or changes or contact with externally field-connected components.

(d) For the purposes of this subsection, the following work on premanufactured electric power generation equipment assemblies is not exempt from the requirements of chapter 19.28 RCW:

(i) Installation or connection of conduit or wiring between the power generation unit, transfer switch, control gear;

(ii) Installation of the transfer switch;

(iii) Connections between the power generation unit, transfer switch, control gear, and utility's transmission or distribution systems;

(iv) Connections between the power generation unit, transfer switch, control gear, and any building or structure;

(v) Test connections with any part of:

(A) The utility's transmission or distribution system; or

(B) The building or structure.

~~((23))~~ (24) The installation, maintenance, or repair of a medical device deemed in compliance with chapter 19.28 RCW is exempt from licensing requirements under RCW 19.28.091, certification requirements under RCW 19.28.161, and inspection and permitting requirements under RCW 19.28.101. This exemption does not include work providing electrical feeds into the power distribution unit or installation of conduits and raceways. This exemption covers only those factory engineers or third-party service companies with equivalent training who are qualified to perform such service.

~~((24))~~ (25) Coincidental electrical/plumbing work. See RCW 19.28.091(8) for the plumber exemption.

~~((25))~~ (26) Nothing in this section will alter or amend any other exemptions from or requirement for licensure or inspection, chapter 19.28 RCW or this chapter.

Photovoltaic equipment.

~~((26))~~ (27) See WAC 296-46B-690 for specific exemptions related to photovoltaic installations.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-935 Administrator certificate. General.

(1) The department will deny application, renewal, change of assignment, or reinstatement of ~~((*)~~ an administrator or master electrician certificate if an individual owes money as a result of an outstanding final judgment(s) to the department.

(2) For special accommodation see WAC 296-46B-960.

(3) An applicant will not be issued a specialty administrator certificate that is a subspecialty of a certificate the applicant currently holds (i.e., the applicant is not eligible to take the domestic well administrator examination if the applicant currently possesses a pump and irrigation administrator certificate).

Qualifying for examination.

(4) There are no qualification requirements for taking an administrator certificate examination. Applicants should contact the testing agency directly.

Original - Administrator certificates.

(5) The scope of work for electrical administrators is described in WAC 296-46B-920. The department will issue an original administrator certificate to a general administrator, or specialty administrator who:

(a) Successfully completes the appropriate administrator examination; and

(b) Submits the appropriate examination passing report from the testing agency with the applicant's: Date of birth, mailing address, and Social Security number; and

(c) Pays all appropriate fees as listed in WAC 296-46B-909.

For an examination report to be considered, all the above must be submitted within ninety days after the completion of the examination. After ninety days, the applicant will be required to successfully retake the complete examination. An individual's original administrator certificate will expire on their birth date at least one year, and not more than three years, from the date of original issue.

Combination - Specialty administrator certificate.

(6) The department may issue a combination specialty administrator certificate to an individual who qualifies for more than one specialty administrators' certificate. The combination specialty administrators' certificate will plainly indicate the specialty administrator's certificate(s) the holder has qualified for. Telecommunications cannot be issued a combination because the renewal requirements are different from those required for electrical administrators.

Renewal - Administrator certificate.

(7) An individual must apply for renewal of their administrator certificate on or before the expiration date of the certificate. The individual may not apply for renewal more than ninety days prior to the expiration date. Renewed certificates are valid for three years, with the exception of telecommunications administrators, who will be renewed for two years.

(8) An individual may renew their administrator certificate within ninety days after the expiration date without reexamination if the individual pays the late renewal fee listed in WAC 296-46B-909.

(9) All renewals received more than ninety days after the expiration date of the certificate will be denied. The administrator will be required to pass the appropriate administrator examination before being recertified.

(10) All applicants for certificate renewal must:

(a) Submit a complete renewal application;

(b) Pay all appropriate fees as listed in WAC 296-46B-909; and

(c) Provide accurate evidence on the renewal form that the individual has completed the continuing education requirements described in WAC 296-46B-970. If an individual files inaccurate or false evidence of continuing education

information when renewing a certificate, the individual's certificate may be suspended or revoked.

Telecommunications administrators are not required to provide continuing education information.

Continuing education for pump and irrigation (03) and domestic pump (03A) administrators may be comprised of fifty percent electrical and fifty percent plumbing instruction.

(11) An individual who has not completed the required hours of continuing education can renew an administrator's certificate if the individual applies for renewal on or before the certificate expires and pays the appropriate renewal fee. However, the certificate will be placed in an inactive status.

When the certificate is placed in inactive status, an assigned administrator will be automatically unassigned from the electrical contractor. The electrical contractor will be notified of the unassignment and has ninety days to replace the administrator. An assignment fee will then be required per WAC 296-46B-909.

The inactive certificate will be returned to current status upon validation, by the department, of the required continuing education requirements. If the certificate renewal date occurs during the inactive period, the certificate must be renewed on or before the renewal date to allow the return to current status.

(12) An individual may renew a suspended administrator's certificate by submitting a complete renewal application including obtaining and submitting the continuing education required for renewal. However, the certificate will remain in a suspended status for the duration of the suspension period.

(13) An individual may not renew a revoked administrator's certificate.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-940 Electrician/certificate of competency required.**General.**

(1) The department will deny application, renewal, or reinstatement of a certificate or permit if an individual owes money as a result of an outstanding final judgment(s) to the department.

(2) The scope of work for electricians is described in WAC 296-46B-920.

Electrician - Certificate of competency required.

(3) To work in the electrical construction trade, an individual must possess, wear, and visibly display on the front of the upper body, a current valid:

(a) Master (~~journeyman~~) journey level electrician certificate of competency issued by the department;

(b) (~~Journeyman~~) Journey level electrician certificate of competency issued by the department;

(c) Master specialty electrician certificate of competency issued by the department;

(d) Specialty electrician certificate of competency issued by the department; or

(e) Electrical training certificate, learning the trade in the proper ratio, per RCW 19.28.161, under the supervision of a certified master (~~journeyman~~) journey level electrician,

((~~journeyman~~)) journey level electrician, master specialty electrician working in their specialty, or specialty electrician working in their specialty.

The certificate may be worn inside the outer layer of clothing when outer protective clothing (e.g., rain gear when outside in the rain, arc flash, welding gear, etc.) is required. The certificate must be worn inside the protective clothing so that when the protective clothing is removed, the certificate is visible. A cold weather jacket or similar apparel is not protective clothing.

The certificate may be worn inside the outer layer of clothing when working in an attic or crawl space or when operating equipment (e.g., drill motor, conduit threading machine, etc.) where wearing the certificate may pose an unsafe condition for the individual.

The certificate must be immediately available for examination at all times.

When working as a certified electrician, the electrician must not display a training certificate.

When supervising a trainee(s), the supervising electrician's certificate must be appropriate for the work being performed by the trainee(s).

Any person working as an electrician or trainee must also possess a government issued photo identification and immediately present that identification when requested by the inspector.

(4) The department issues master electrician and electrician certificates of competency in the following areas of electrical work:

- (a) General ((~~journeyman~~)) journey level (01);
- (b) Specialties:
 - (i) Residential **(02)**;
 - (ii) Pump and irrigation **(03)**;
 - (iii) Domestic pump **(03A)**;
 - (iv) Signs **(04)**;
 - (v) Limited energy system **(06)**;
 - (vi) HVAC/refrigeration **(06A)**;
 - (vii) HVAC/refrigeration - Restricted **(06B)**;
 - (viii) Nonresidential maintenance **(07)**;
 - (ix) Nonresidential lighting maintenance and lighting retrofit **(07A)**;
 - (x) Residential maintenance **(07B)**;
 - (xi) Restricted nonresidential maintenance **(07C)**;
 - (xii) Appliance repair **(07D)**;
 - (xiii) Equipment repair **(07E)**; and
 - (xiv) Door, gate, and similar systems **(10)**.

Original certificates of competency.

(5) The department will issue an original certificate of competency to master, ((~~journeyman~~)) journey level, or specialty electricians who meet the eligibility requirements listed in:

- (a) RCW 19.28.191 (1)(a) or (b) and chapter 19.28 RCW; and
 - (i) Submit an application for an original master electrician certificate including: Date of birth, mailing address and Social Security number; and
 - (ii) Pay all appropriate fees, as listed in WAC 296-46B-909;
- (b) RCW 19.28.191 (1)(d) and (e);

- (i) Submit an original master electrician certification examination application including: Date of birth, mailing address and Social Security number; and

- (ii) Pay all appropriate fees, as listed in WAC 296-46B-909; or

- (c) RCW 19.28.191 (1)(f) through (g);

- (i) Submit an original electrician certification examination application including: Date of birth, mailing address and Social Security number; and

- (ii) Pay all appropriate fees, as listed in WAC 296-46B-909.

(6) An individual's original electrician certificate of competency will expire on their birth date at least two years, and not more than three years, from the date of original issue.

Renewal - Master electrician, ((~~journeyman~~)) journey level, and specialty electrician certificates of competency.

(7) An individual must apply for renewal of their electrician certificate of competency on or before the expiration date of the certificate. The individual may not apply for renewal more than ninety days prior to the expiration date. Renewed certificates are valid for three years.

(8) An individual may renew their certificate of competency within ninety days after the expiration date without reexamination if the individual pays the late renewal fee listed in WAC 296-46B-909.

(9) All applications for renewal received more than ninety days after the expiration date of the certificate of competency require that the electrician pass the appropriate competency examination before being recertified.

(10) All applicants for certificate of competency renewal must:

- (a) Submit a complete renewal application;

- (b) Pay all appropriate fees; and

- (c) Provide accurate evidence on the renewal form that the individual has completed the continuing education requirements described in WAC 296-46B-970. Continuing education classes are only valid when all the requirements of WAC 296-46B-970 are completed. If an individual files inaccurate or false evidence of continuing education information when renewing a certificate of competency, the individual's certificate of competency may be suspended or revoked.

Continuing education for pump and irrigation **(03)** and domestic pump **(03A)** electricians may be comprised of fifty percent electrical and fifty percent plumbing instruction.

(11) An individual who has not completed the required hours of continuing education can renew a certificate of competency if the individual applies for renewal before the certificate of competency expires and pays the appropriate renewal fee. However, the certificate of competency will be placed in an inactive status. The inactive certificate of competency will be returned to current status upon validation, by the department, of the required continuing education. If the certificate renewal date occurs during the inactive period, the certificate must be renewed on or before the renewal date to allow the return to current status.

(12) An individual may renew a suspended certificate of competency by submitting a complete renewal application including obtaining and submitting the continuing education

required for renewal. However, the certificate will remain in a suspended status for the duration of the suspension period.

(13) An individual may not renew a revoked certificate of competency.

Exemptions - ((Linemen)) Lineworker.

(14) When performing the work described and allowed in WAC 296-46B-925 (17)(a) or (b)(i), when employed by the serving utility or its contractor or subcontractor(s), a ((lineman)) lineworker is exempt from the requirements of chapter 19.28 RCW.

(15) When performing the work described and allowed in WAC 296-46B-925 (17)(b)(ii) or (c), when employed by the serving utility or its licensed electrical contractor or subcontractor(s), a ((lineman)) lineworker must meet the requirements of RCW 19.28.261 (5)(b) or be an appropriately certified electrician. See the definition of a ((lineman)) lineworker in WAC 296-46B-100.

Exemptions - Plumbers.

(16) Coincidental electrical/plumbing work. See RCW 19.28.091(8) for the plumber exemption.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-942 Training certificate required.

General.

(1) To work in the electrical construction trade as an electrical trainee, an individual must possess, wear, and visibly display a current valid electrical training certificate, learning the trade in the proper ratio, per RCW 19.28.161, under the supervision of a certified master ((journeyman)) journey level electrician, ((journeyman)) journey level electrician, master specialty electrician working in their specialty, or specialty electrician working in their specialty.

The trainee must meet all the requirements of WAC 296-46B-940 related to visibly displaying a current certificate and having a valid photo identification on his/her person.

(2) A training certificate is required for all individuals throughout the individual's enrollment and matriculation in an approved construction electrician training school program described in RCW 19.28.191. A training certificate is required to work in the electrical construction trade if an individual does not:

(a) Possess a current ((journeyman)) journey level certificate of competency issued by the department;

(b) Possess a current specialty electrician certificate of competency issued by the department while working in that specialty's scope of work; or

(c) Is not working in exempt status as allowed by chapter 19.28 RCW.

(3) Trainees who have had their training certificates revoked or suspended (during the duration of the revocation or suspension) will not be issued a training certificate.

Original training certificates.

(4) The department will issue an original training certificate when the trainee applicant submits a complete training certificate application including:

(a) Date of birth, mailing address, Social Security number; and

(b) All appropriate fees as listed in WAC 296-46B-909.

All applicants for an electrical training certificate must be at least sixteen years of age. The original training certificate will be valid for two years. ((=)) If an individual has previously held an electrical training certificate, then that individual is not eligible for a subsequent original training certificate.

Specialty specific - Zero percent and seventy-five percent supervision modified training certificates.

(5) For specialties as allowed in Table 945-1 (i.e., specialties with seven hundred twenty minimum hours of work experience required to be eligible for examination):

(a) The department will approve the trainee to take the appropriate specialty competency examination necessary to qualify for a zero percent supervision modified training certificate. To qualify, the trainee applicant must submit a complete zero percent supervision modified training certificate application including:

(i) Date of birth, mailing address, Social Security number;

(ii) Affidavit of experience fulfilling the minimum work experience hours required to qualify for the specialty examination described in Table 945-1; and

(iii) All appropriate fees as listed in WAC 296-46B-909.

Upon successful completion of the appropriate examination, the trainee will be issued a nonrenewable zero percent supervision modified training certificate for the appropriate specialty. The zero percent supervision modified training certificate will be restricted in duration to the time allowed in Table 945-1, note 2.

(b) Prior to the expiration of the zero percent supervision modified training certificate, the individual must submit a complete application for a seventy-five percent supervision modified training certificate for the appropriate specialty including:

(i) Seventy-five percent supervision training certificate application including: Date of birth, mailing address, Social Security number; and

(ii) All appropriate fees as listed in WAC 296-46B-909.

(c) A trainee may possess multiple (i.e., in different specialties) modified supervision training certificates for specialties where reduced supervision is allowed in Table 945-1. Combination training certificates will not be issued.

Renewal of training certificates.

(6) An individual must apply for renewal of their training certificate on or before the expiration date of the certificate. The individual may not apply for renewal more than ninety days prior to the expiration date. Renewed certificates are valid for two years.

(7) An individual may renew their training certificate after the expiration date if the individual pays the late renewal fee listed in WAC 296-46B-909.

(8) All applicants for training certificate renewal must:

(a) Submit a complete renewal application;

(b) Pay all appropriate fees; and

(c) Provide accurate evidence on the renewal form that the individual has completed the continuing education requirements described in WAC 296-46B-970. Basic trainee classes are only valid when all the requirements of WAC 296-46B-970 are completed. If an individual files inaccurate or false evidence of basic trainee class information when renewing a training certificate, the individual's training certificate may be suspended.

~~((Basic trainee classes for trainees seeking pump and irrigation (03) and domestic pump (03A) experience credit may be comprised of fifty percent electrical and fifty percent plumbing instruction.))~~

(d) Within thirty days after renewing an electrical training certificate, the individual, if not enrolled in a department approved apprenticeship program, must submit a completed, signed, and notarized affidavit(s) of experience for all hours of experience gained since the individual's last training certificate was effective.

Employers are required to provide the necessary documentation and signed affidavit of experience to the trainee within twenty days after the trainee requests the affidavit. See WAC 296-46B-942(12). See WAC 296-46B-985(4) for the penalty for providing a false or inaccurate affidavit of experience. If the individual is enrolled in a department approved apprenticeship program, the program may submit the required affidavit(s) of experience upon the individual's completion of the required experience hours without cost to the individual. The affidavit of experience must accurately attest to:

(i) The electrical installation work performed for each employer the individual worked for in the electrical trade during the previous period;

(ii) The correct electrical category the individual worked in; and

(iii) The actual number of hours worked in each category under the proper supervision of a Washington certified, master ~~((journeyman))~~ journey level electrician, ~~((journeyman))~~ journey level electrician or appropriate master specialty electrician or specialty electrician under that specific training certificate. If a trainee possesses multiple training certificates, an affidavit must be submitted for each training certificate for the hours worked under that specific training certificate.

If the individual is enrolled in a department approved apprenticeship program, the program may submit the required affidavit(s) of experience upon the individual's completion of the required experience hours without cost to the individual.

(9) An individual who has not completed the required hours of basic trainee class education can renew a training certificate if the individual applies for renewal before the training certificate expires and pays the appropriate renewal fee. However, the training certificate will be placed in an inactive status. The inactive training certificate will be

returned to current status upon validation, by the department, of the required basic trainee class education.

(10) An individual may renew a suspended training certificate by submitting a complete renewal application including obtaining and submitting the basic trainee class education required for renewal. However, the certificate will remain in a suspended status for the duration of the suspension period.

(11) An individual will not be issued a renewed or reinstated training certificate if the individual owes the department money as a result of an outstanding final judgment.

(12) The individual should ask each employer and/or apprenticeship training director for an accurately completed, signed, and notarized affidavit of experience for the previous certification period. The employer(s) or apprenticeship training director(s) must provide the previous period's affidavit of experience to the individual within twenty days of the request. If an individual is enrolled in an approved electrical construction trade apprenticeship program under chapter 49.04 RCW when the individual renews an electrical training certificate, the individual and their apprenticeship training director and/or each employer must give the department an accurately completed, signed, and notarized affidavit of experience accurately attesting to:

(a) The electrical installation work the individual performed in the electrical trade during the previous certification period;

(b) The correct electrical category the individual worked in; and

(c) The actual number of hours worked in each category under the proper supervision of a Washington certified master ~~((journeyman))~~ journey level electrician, ~~((journeyman))~~ journey level electrician or appropriate master specialty or specialty electrician for each employer. For apprentices enrolled in a registered apprenticeship program, the applicant and the training director are the only authorized signatures the department will accept on affidavits of experience.

(13) The individual and their employer(s) and/or apprenticeship training director(s) must sign and have notarized the affidavit of experience attesting to the accuracy of all information contained in the affidavit.

(14) The trainee, supervising electrician, contractor, and assigned administrator or master electrician are responsible for ensuring compliance with subsection (13) of this section. See WAC 296-46B-985 and 296-46B-990 (3)(c) and (f) for information about failing to submit or submitting false/fraudulent documents. Falsifying documents may be considered perjury and might result in criminal prosecution, civil penalty, or certificate revocation or suspension.

Trainees without supervision present on the job site.

(15) When the supervising electrician is found to not be present on the job site, the trainee ~~((with))~~ may be given a form by the inspector that must be fully completed and returned or postmarked within twenty-four hours to the inspector. The supervising electrician must sign the statement for the trainee if appropriate supervision was provided. If the supervising electrician fails or refuses to assist the trainee in completing the form, the trainee must return the form with a signed and dated statement stating the supervising electrician

cian's name and saying that the supervising electrician refused to assist.

Trainees seeking a ((journeyman)) journey level electrician certificate - Working with no supervision.

(16) Trainee seeking a general (01) ((journeyman)) journey level electrician certificate of competency. After review by the department, a trainee may be issued a six-month, non-renewable unsupervised electrical training certificate that will allow the individual to work without supervision if the trainee:

- (a) Has submitted a complete application for an unsupervised electrical training certificate;
- (b) Has worked over seven thousand hours properly supervised not to include more than four thousand of specialty experience;
- (c) Has successfully completed or is currently enrolled in an approved apprenticeship program or an electrical construction trade program in a school approved by the board of community and technical colleges;
- (d) Has paid all appropriate training certificate fees listed in WAC 296-46B-909; and
- (e) Is currently working for and continues to work for a licensed electrical contractor that employs at least one certified ((journeyman)) journey level or specialty electrician in the appropriate specialty.

Trainees seeking certain specialty electrician certificates - Working with reduced or no supervision.

(17) After review by the department, a trainee may be issued a nonrenewable zero percent supervision training certificate that will allow the individual to work without supervision if the trainee meets the requirements in subsection (4) of this section.

(18) Electrical trainees may work unsupervised when installing HVAC/R thermostat cable when the HVAC/R system consists of a single thermostat in one- and two-family dwelling units where line voltage power has not been connected to the dwelling's electrical system.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-945 Qualifying for master, ((journeyman)) journey level, specialty electrician examinations.

(1) General.

- (a) All applicants must be at least sixteen years of age.
- (b) All applicants, from in or out of state, must demonstrate the completion of basic trainee classes described in WAC 296-46B-970 (4)(c)(ii)(D).
 - (i) Twenty-four hours where two thousand or more; but less than four thousand hours of work experience is required.
 - (ii) Forty-eight hours where four thousand or more; but less than six thousand hours of work experience is required.
 - (iii) Seventy-two hours where six thousand or more; but less than eight thousand hours of work experience is required.
 - (iv) Ninety-six hours where eight thousand or more of work experience is required.

Qualifying for the master electrician examination.

(2) An individual may take the master electrician's certificate of competency examination if the individual meets the requirements described in RCW 19.28.191 (1)(d) or (e).

Qualifying for the master electrician examination from out-of-state.

(3) No credit may be applied from out-of-state toward qualifying for a master electrician certificate of competency examination.

Qualifying for the ((journeyman)) journey level electrician competency examination.

(4) An individual may take the ((journeyman)) journey level electrician's certificate of competency examination if the individual held a current electrical training certificate and has worked for an employer who employs at least one certified master electrician, ((journeyman)) journey level, or specialty electrician on staff and the individual:

(a) Has been employed, in the electrical construction trade, under the direct supervision of a master electrician, ((journeyman)) journey level electrician or specialty electrician working in the appropriate specialty in the proper ratio, per RCW 19.28.161, for four years (eight thousand hours). Of the eight thousand hours:

(i) At least two years (four thousand hours) must be in new industrial and/or new commercial electrical installation (excluding all work described for specialty electricians or technicians) under the direct supervision of a master ((journeyman)) journey level electrician or ((journeyman)) journey level electrician while working for a general electrical contractor; and

(ii) Not more than a total of two years (four thousand hours) may be for work described as an electrical specialty in WAC 296-46B-920(2).

(b) Has completed a four-year apprenticeship program in the electrical construction trade that is registered with the state apprenticeship council while working under the direct supervision of a master ((journeyman)) journey level or ((journeyman)) journey level electrician in the proper ratio, per RCW 19.28.161; or

(c) Has completed a two-year electrical construction training program as described in RCW 19.28.191 for ((journeyman)) journey level electricians, and two years (four thousand hours) of work experience in new industrial and/or new commercial electrical installations (excluding work described for specialty electricians or electrical technicians) under the direct supervision of a ((journeyman)) journey level electrician while working for a general electrical contractor in the proper ratio, per RCW 19.28.161. See WAC 296-46B-971 for additional training school information.

Electrical construction training hours gained in specialties requiring less than two years (i.e., four thousand hours) will not be credited towards qualification for ((journeyman)) journey level electrician.

The trainee and their employer and/or apprenticeship training director must attest to the accuracy of all information contained on affidavits of experience and apprenticeship

graduation certificates used to verify eligibility for the examination.

Qualifying for a specialty electrician certificate of competency or examination.

(5) After review and approval by the department, an individual may qualify for a specialty electrician's examination and certificate of competency if the individual held a current

electrical training certificate, and has worked for an employer who employs at least one certified master (~~(journeyman)~~) journey level electrician, (~~(journeyman)~~) journey level electrician, appropriate master specialty electrician, or appropriate specialty electrician on staff and the individual:

(a) Has been employed, in the electrical construction trade, under the direct supervision of an appropriate electrician in the appropriate specialty as follows:

Table 945-1 Experience Hours

Specialty	Minimum Hours of Work Experience Required to be Eligible for Examination ⁽⁴⁾⁽⁵⁾	Minimum Hours of Work Experience Required for Certification
Residential certificate (02)	4,000 ⁽³⁾	4,000
Pump and irrigation certificate (03)	4,000 ⁽³⁾	4,000
Domestic pump certificate (03A)	720 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Signs certificate (04)	4,000 ⁽³⁾	4,000
Limited energy system certificate (06)	4,000 ⁽³⁾	4,000
HVAC/refrigeration system certificate (06A)	4,000 ⁽³⁾	4,000 ⁽⁷⁾
HVAC/refrigeration – Restricted (06B)	1,000 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Nonresidential maintenance certificate (07)	4,000 ⁽³⁾	4,000
Nonresidential lighting maintenance and lighting retrofit certificate (07A)	720 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Residential maintenance certificate (07B)	720 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Restricted nonresidential maintenance certificate (07C)	1,000 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Appliance repair certificate (07D)	720 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Equipment repair certificate (07E)	1,000 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾
Door, gate, and similar systems certificate (10)	720 ⁽¹⁾⁽²⁾	2,000 ⁽⁶⁾

- Notes:
- (1) Until the examination is successfully completed, the trainee must work under one hundred percent supervision. Once the appropriate examination is successfully completed, the modified supervision trainee may work under zero percent supervision.
 - (2) The trainee may have only one zero percent supervision certificate in a specialty (valid for no more than two years). If the trainee has not gained the required work experience by the time the zero percent supervision certificate has expired, the trainee must get a seventy-five percent supervision certificate and work under supervision until all required work experience hours are gained and credited towards the minimum work experience requirement.
 - (3) This specialty is not eligible for unsupervised trainee status as allowed in chapter 19.28 RCW.
 - (4) The trainee and their employer and/or apprenticeship training director must attest to the accuracy of all information contained on affidavits of experience used to verify eligibility for the examination.
 - (5) Neither previous work experience credit nor training school credit is allowed as a substitute for the initial hours of minimum work experience required to be eligible for examination unless the trainee's work experience hours under direct supervision are provided as required in RCW 19.28.191 (1)(g)(ii).

(6) Electrical construction training hours gained in specialties requiring (~~less than two years~~) two thousand hours or less for certification (~~may~~) will not be credited towards qualification for (~~journeyman~~) journey level electrician or any of the four thousand hour specialties, except as allowed by ⁽⁷⁾, below.

(7) The two thousand minimum hours of work experience required for certification as an HVAC/refrigeration-restricted **(06B)** specialty electrician may be credited as two thousand hours towards the four thousand minimum hours of work experience required for certification as an HVAC/refrigeration **(06A)** specialty electrician. Hours of work experience credited from the HVAC/refrigeration-restricted **(06B)** specialty cannot be credited towards qualification for taking the general electrician **(01)** examination or minimum work experience requirements.

(8) Experience hours may be coincidentally credited towards qualifying for electrician and plumber certifications. See RCW 19.28.191 (1)(g)(iv).

(b) Or has completed an appropriate two-year apprenticeship program in the electrical construction trade that is registered with the state apprenticeship council while working under the direct supervision of an electrician in the appropriate specialty in the proper ratio, per RCW 19.28.161.

Qualifying for a certificate of competency when the Washington electrical work experience is exempt from certification requirements in RCW 19.28.261.

(6) After review and approval by the department, an individual may be granted work experience credit to take the ((journeyman/specialty)) journey level/specialty electrician's competency examination when an original notarized letter of work experience accompanied by verifiable documentation is provided. - See subsection (7) of this section.

For the purposes of this section, exempt work does not include work performed on property owned, in whole or part, by the individual seeking credit.

All exempt individuals must have a valid electrical training certificate when working to gain electrical work experience.

Work experience requested by an individual for telecommunications work must be gained while working for (01) general electrical, (02) residential, or (06) limited energy system electrical contractors as allowed by those scopes of work. When the work was performed, the individual must have a valid training certificate, be under the supervision of an appropriately certified ((journeyman)) journey level, residential or limited energy electrician, and be in compliance with RCW 19.28.191.

General - Qualifying hours gained by applicants seeking work experience credit without a Washington electrician training certificate.

(7) The type of on-the-job work experience must be similar to the credit being applied for and lawfully gained in the state or other entity where the work was performed. The individual must submit verifiable documentation (e.g., payroll, time sheets, permits, supervision, etc.) that the department may use to ascertain the type of work performed and the number of hours worked for each type (i.e., specialty) of work.

Training hours credited for specialties requiring less than two years (i.e., four thousand hours) may not be credited towards qualification for general ((journeyman)) journey level electrician.

The documentation must include a complete description of the individual's usual duties with percentages attributed to each type (e.g., wiring, material handling, shop, low voltage, etc.)

The department may reduce the number of hours allowed if the:

- (a) Individual did not have supervision during the training period;
- (b) Training hours are not related to electrical construction;
- (c) Training hours are not related to the specialty being applied for;
- (d) Documentation submitted by the individual does not fully verify the requested work experience; or
- (e) Work credit was not lawfully gained.

Training school credit.

(8) No more than fifty percent of the minimum work experience needed to qualify for specialty electrician certification is allowed for any training school program (e.g., a specialty requiring two thousand hours of minimum required work experience may receive no more than one thousand

hours credit from an electrical construction training program).

See RCW 19.28.191 (1)(h) for training school credit allowed for ((journeyman)) journey level applicants.

See WAC 296-46B-971 for additional information on training schools.

Qualifying for the ((journeyman/specialty)) journey level/specialty electrician competency examination when work was performed in a state requiring electrician certification.

(9) After review and approval by the department, an individual may be granted on-the-job work experience towards qualifying to take the ((journeyman/specialty)) journey level/specialty electrician's competency examination for hours worked in the other state when the state certifies to the department:

(a) The type and number of hours of work performed within the state. Credit will not be allowed for work not done within the certifying state.

(b) That the work was legally performed under the other state's licensing and certification requirements; and

(c) The other state's certificate of competency was obtained by examination.

If the experience is for other than a new commercial or industrial installation, the individual must identify the specialty credit desired and provide verifiable documentation identifying the other state's allowed scope of work for the specialty, see subsection (7) of this section.

Qualifying for the ((journeyman/specialty)) journey level/specialty electrician competency examination when work was performed in a state that does not require electrician certification.

(10) After review and approval by the department, an individual may be granted work experience credit to take the ((journeyman/specialty)) journey level/specialty electrician's competency examination when an original notarized letter of work experience accompanied by documentation, see subsection (7) of this section, that can be used to verify the individual has worked the hours being requested is provided by:

- (a) An appropriately state licensed electrical contractor;
- (b) Registered apprenticeship training director;
- (c) Nationally recognized contractor/labor organization;

or

- (d) The individual's lawful employer.

Military/shipyard experience.

(11) After review and approval by the department, an individual who has worked in the electrical construction trade performing work described in WAC 296-46B-920 while serving in the armed forces of the United States may be eligible to take the examination for the certificate of competency as a ((journeyman)) journey level or specialty electrician. Credit may be allowed for hours worked or training received.

If an individual has military experience in a specialized electrical field (e.g., rating) that is similar to a specialty electrician category listed in WAC 296-46B-920, credit may be allowed toward the appropriate specialty certificate. Nuclear, marine, shipyard, shipboard, radar, weapons, aeronautical

experience, or similar experience may be acceptable for no more than fifty percent of the minimum required work experience for qualifying for electrician examination.

The department will evaluate and determine whether the submitted experience is related specifically to the electrical construction/maintenance trade regulated by chapter 19.28 RCW.

Experience in another country.

(12) After review and approval by the department, and if an individual has a ((~~journeyman~~)) journey level electrician certificate from a country outside the United States that requires that at least four years of electrical construction training and certification is obtained by examination, the individual may be eligible for four thousand hours of the specialty credit allowed towards the qualification to take the Washington ((~~journeyman~~)) journey level electrician examination.

No more than two years of the required training to become a Washington ((~~journeyman~~)) journey level electrician may be for work described for specialty electricians or technicians in WAC 296-46B-920. In addition to the maximum of four thousand hours credit that may be allowed by this subsection, an additional four thousand hours of new commercial/industrial experience must be obtained using a training certificate in the state while under the supervision of a master ((~~journeyman~~)) journey level electrician or ((~~journeyman~~)) journey level electrician.

Documentation substantiating the individual's out of country experience must be submitted in English.

(13) Out of country experience credit is not allowed toward a specialty electrician certificate.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-960 Administrator and electrician certificate of competency examinations. General.

(1) The minimum passing score on any examination or examination section is seventy percent. If examination is requested to be administered by the department, an application is required and the examination must be successfully completed within one year of application or the individual must submit a new application for exam including all appropriate fees.

(2) All examinations are open book.

(a) Candidates may use:

(i) Any original copyrighted material;

(ii) A silent, nonprinting, nonprogrammable calculator that is not designed for preprogrammed electrical calculations;

(iii) Copies of chapter 19.28 RCW and this chapter; or

(iv) A foreign language dictionary that does not contain definitions.

(b) Candidates may not use:

(i) Copies of copyrighted material;

(ii) Copies of internet publications, except for RCWs or WACs;

(iii) Personal notes; or

(iv) A personal computing device of any type other than the calculator in (a)(ii) of this subsection.

(3) Administrator, master electrician, and electrician examinations may consist of multiple sections. For all administrator examinations, all sections must be successfully completed within a one-year examination period after beginning the examination. For all master electrician and electrician examinations, all sections must be successfully completed within a one-year examination period beginning with the date of the examination approval. Within the one-year examination period, the candidate does not have to retake any sections successfully completed within the examination period. If all sections are not successfully completed within the one-year period, the candidate must begin a new examination period and retake all sections.

Special accommodations for examination.

(4) An applicant for an examination who, due to a specific physical, mental, or sensory impairment, requires special accommodation in examination procedures, may submit a written request to the chief electrical inspector for the specific accommodation needed.

(a) The applicant must also submit to the department a signed and notarized release, authorizing the specifically identified physician or other specialist to discuss the matter with the department representative. The applicant must also submit an individualized written opinion from a physician or other appropriate specialist:

(i) Verifying the existence of a specific physical, mental, or sensory impairment;

(ii) Stating whether special accommodation is needed for a specific examination;

(iii) Stating what special accommodation is necessary; and

(iv) Stating if extra time for an examination is necessary and if so, how much time is required. The maximum allowance for extra time is double the normal time allowed.

(b) The written request for special accommodation and individualized written opinion must be submitted to the department at least six weeks in advance of the examination date and must be accompanied by a completed application and fees as described in WAC 296-46B-909.

(c) Only readers and interpreters provided from the administrative office of the courts and/or approved by the department may be used for reading or interpreting the examination. The applicant will be required to bear all costs associated with providing any reading or interpretive services used for an examination.

(d) Applicants who pass the examination with the assistance of a reader or interpreter will be issued a certificate with the following printed restriction: "Requires reading supervision for product usage." A competent reader or interpreter must be present on any job site where a person with this restriction is performing electrical work as described in chapter 19.28 RCW.

Applicants who pass the examination with the assistance of a mechanical device (e.g., magnifier, etc.) will be issued a certificate with the following printed restriction: "Requires mechanical reading assistance for product usage." Appropriate mechanical reading assistance must be present on any job

site where a person with this restriction is performing electrical work as described in chapter 19.28 RCW.

If a candidate successfully retakes the examination without the assistance of a reader or translator, a new certificate will be issued without the restriction.

(5) Applicants who wish to use a foreign language dictionary during an examination must obtain approval at the examination site prior to the examination. Only dictionaries without definitions will be approved for use.

Failed examination appeal procedures.

(6) Any candidate who takes an examination and does not pass the examination may request a review of the examination.

(a) The department will not modify examination results unless the candidate presents clear and convincing evidence of error in the grading of the examination.

(b) The department will not consider any challenge to examination grading unless the total of the potentially revised score would result in a passing score.

(7) The procedure for requesting an informal review of examination results is as follows:

(a) The request must be made in writing to the chief electrical inspector and must be received within twenty days of the date of the examination and must request a rescore of the examination. The written request must include the appropriate fees for examination review described in WAC 296-46B-909.

(b) The following procedures apply to a review of the results of the examination:

(i) The candidate will be allowed one hour to review their examination.

(ii) The candidate must identify the challenged questions of the examination and must state the specific reason(s) why the results should be modified with multiple published reference material supporting the candidate's position.

(iii) Within fifteen days of the candidate's review, the department will review the examination and candidate's justification and notify the candidate in writing of the department's decision.

Failing an administrator certificate exam or electrician certificate of competency examination.

(8) Anyone failing an administrator or electrician competency examination may retake the examination by making arrangements with the testing agency and paying the retesting fee.

(9) If the individual makes a failing score, the individual must wait two weeks before being eligible to retake.

(10) If the individual fails an electrician examination or a part of an administrator or master electrician examination three times within a one-year period, the individual must wait three months to retake the failed portion of the examination.

(11) Anyone failing an electrician competency examination may continue to work in the electrical trade if they have a valid electrical training certificate and work under the direct supervision of a certified (~~journeyman~~) journey level or specialty electrician in the proper ratio, per RCW 19.28.161.

Cheating on an examination.

(12) Anyone found cheating on an examination, attempting to bribe a proctor or other agent involved in administering an examination, or using inappropriate materials/equipment during an examination will be required to wait at least eleven months before being allowed to reexamine. All such reexaminations will be administered by the department in Tumwater, Washington and the candidate will be required to apply and schedule for the examination with the chief electrical inspector. The department may also file a civil penalty action under chapter 19.28 RCW.

Examination confidentiality.

(13) All examination questions are confidential. Examination candidates and persons who have taken an examination are not allowed to copy or otherwise make note of or share examination content, in any manner, outside the individual's examination environment. Examination candidates must agree, prior to beginning an examination, to keep all examination content confidential. The department may also file a civil penalty action under chapter 19.28 RCW.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-970 Continuing education and classroom education requirements. (1) DEFINITIONS - For purposes of this section.

"Applicant" means the entity submitting an application for review.

"Application" means a submittal made by an applicant seeking instructor or class approval.

"Calendar day" means each day of the week, including weekends and holidays.

"Class" means continuing education or basic trainee class.

"Currently adopted code," for this section means the code adopted in WAC 296-46B-010(1) or any more recently published National Electric Code.

"Date of notification" means the date of a request for additional information from the department or the approval/denial letter sent to the applicant by the department.

"Examination" is any examination required by this section. Each examination must be unique and must provide randomized questions, except for classroom training. Each examination question bank must be at least two times larger than the number of questions in any individual examination. Examinations must not direct or point the individual to a correct answer or reference. Individuals must be responsible to determine the correct answer without the assistance of the sponsor. No more than twenty percent of an examination's questions may have a true/false answer. Competency is demonstrated by scoring at least seventy-five percent on the examination.

"Individual" means a master electrician, administrator or electrician seeking credit for continuing education or a trainee seeking credit for basic trainee class for renewal or certification.

"Instructor" means an individual who is authorized to instruct an approved continuing education or basic trainee class.

"Working day" means Monday through Friday, excluding state of Washington holidays.

(2) GENERAL.

(a) The department and the electrical board have the right to monitor all approved classes without notice and at no charge.

If the department or electrical board determines that the class or instructor does not meet or exceed the minimum requirements for approval, course length, or instructor qualifications, the department may revoke the class and/or instructor approval and/or reduce the number of credited hours for the class.

(b) Department-offered classes and the instructors used for department classes are automatically approved.

(c) Instructors who meet the minimum requirements using subsection (5)(d)(iv) of this section may only instruct classes sponsored by the manufacturer(s) who verified the instructors' qualifications.

(d) An individual will not be given credit for the same approved continuing education class taken more than once. A course sponsor may not submit an individual's name on a roster(s) for multiple classes (i.e., multiple class numbers) when the classes are given simultaneously (e.g., code update, industry related, and/or basic trainee class that have similar class content given during the same class session). Credit will not be granted for a class that is not approved per this section.

(e) Electrical administrators, master electricians, and electricians:

(i) To be eligible for renewal of an administrator certificate, master electrician or electrician certificate of competency, the individual must have completed at least eight hours of approved continuing education for each year of the prior certification period. The individual is not required to take the classes in separate years.

(A) At least eight hours of the total required continuing education must be on the changes in the currently adopted code.

(B) Four hours of the required continuing education must be on the currently adopted chapter 19.28 RCW and/or its related WAC.

(ii) An individual changing an electrical administrator and an electrician certificate of competency into a master electrician's certificate of competency as allowed in RCW 19.28.191 (1)(a) or (b) must have completed at least eight hours of approved continuing education for each year of the electrician's prior certificate period. The individual is not required to take the classes in separate years.

(A) At least eight hours of the total required continuing education must be on the changes in the currently adopted code.

(B) Four hours of the required continuing education must be on the currently adopted chapter 19.28 RCW and/or its related WAC.

(iii) Any portion of a year of a prior administrator or electrician certificate period is equal to one year for the purposes of the required continuing education.

(iv) An individual who has both an electrician certificate and an administrator certification may use the same class to fulfill the requirements for continuing education.

(f) Training certificates: ~~((+))~~ To be eligible for renewal of a training certificate, the individual must have completed:

~~((A) At least thirty-two hours of approved basic trainee classes and effective July 1, 2013;)~~ (i) At least forty-eight hours of approved basic trainee classes. The individual cannot use a basic trainee class as credit for the continuing education requirements for renewing an electrician or administrator certificate(s) when the class is also used to satisfy the training certificate renewal requirements; or

~~((B))~~ (ii) Equivalent electrical training classes taken as a part of an approved:

- Apprenticeship program under chapter 49.04 RCW; or
- Electrical training program under RCW 19.28.191

(1)(h).

Equivalent classes must be submitted to and approved by the chief electrical inspector thirty calendar days prior to offering the class.

~~((ii) Only trainees seeking experience credit in the pump and irrigation (03) or domestic pumping (03A) specialties may receive credit for pumping industry basic trainee classes;~~

~~Trainees working in the pump and irrigation (03) or domestic pump (03A) specialties may be credited for courses approved as a part of the requirements for plumber trainees required in RCW 18.106.070(5).)~~

(g) A continuing or basic trainee class attended or completed by an individual before the class's effective date cannot be used to meet the certificate renewal/certification requirements.

(3) CLASS AND INSTRUCTOR - GENERAL APPROVAL PROCESS.

(a) The department will:

(i) Review the application for completeness and conformance with the requirements in this section.

(ii) If the application is incomplete, notify the applicant within seven working days of the status of the review and if additional information is required.

(iii) Complete the review and approval/denial process within fifteen working days upon receipt of a complete application or additional requested information.

(b) The department will deny approval of applications that do not meet the minimum requirements.

(c) All applications will be considered to be new applications (i.e., Classes and instructors may not be renewed. All applications must include all information necessary to show conformance with the minimum requirements).

(d) Application process:

(i) The applicant must submit a complete application to the department at least thirty calendar days prior to offering or instructing a class.

(ii) The department will only consider material included with the application when reviewing an application.

(iii) All applications must include:

(A) Applicant's name, address, contact name, e-mail address, and telephone number;

(B) All required fees;

(e) Review process:

(i) When the application is received:

(A) The department must review the application for completeness within seven working days after receipt.

(B) If the application is incomplete, the department must, within two working days, notify the applicant of the status of the review and what additional information is required.

- The applicant must provide any additional information requested by the department within five working days after the date of notification.

- The department will deny the application if the additional required information is not received within the five working days after the date of notification for additional information.

(C) The department must complete the review and approval/denial process within fifteen working days upon receipt of a complete application or additional requested information and within two working days notify the applicant of the approval/denial in writing or electronically.

(ii) A notification of denial must include:

(A) Applicant's name and telephone number;

(B) Date of denial;

(C) Sponsor's name and class title if applicable;

(D) Instructor's name if applicable; and

(E) The reason for denial.

(iii) A notification of approval:

(A) For classes must include:

- Applicant's name and telephone number;

- Sponsor's name and telephone number;

- Sponsor number;

- Class title;

- Class number;

- Number of hours approved for the class. The department may reduce the hours requested in the application if the review shows that the requested number of hours is excessive;

- Effective date for this class;

- Expiration date of class;

- Category for which the class is approved (i.e., code update, RCW/WAC update, industry related, basic trainee class, ~~or pumping industry basic trainee class~~);

- Type of class (i.e., classroom, correspondence, internet); and

- Whether the class is open to the public.

(B) For instructors, must include:

- Applicant's name and telephone number;

- Instructor's name and telephone number;

- Effective date for the approval; and

- Expiration date of the approval.

(iv) The applicant may request a review, by the electrical board, of the department's denial or modification of the application. The applicant must submit a written request for review to the Secretary of the Electrical Board - Chief Electrical Inspector - Within twenty days of notification of the denial/modification. The request must include a review fee of one hundred nine dollars and fifty cents. The review fee is nonrefundable.

(4) CLASS APPROVAL PROCESS.

(a) Class applications must include:

(i) Sponsor's name, address, contact name, e-mail address, telephone number, and sponsor's number (if a class was previously approved);

(ii) Class title;

(iii) Number of education hours requested for the class;

(iv) Category of class for which approval is sought (e.g., code update, RCW/WAC update, industry related, basic trainee class, ~~or pumping industry basic trainee class~~);

(v) Statement that all requirements of this section will be complied with;

(vi) Statement of whether the class is open to the public;

(vii) Class syllabus (e.g., presentation method(s), description of the training, specific NEC/RCW/WAC articles taught, theory subjects, time allowed for various subject matter components, examination question samples, etc.) describing how the class meets the minimum requirements, described below, for the type of class being offered;

(viii) The applicant must show that the sponsor regularly employs at least one staff member who meets the requirements for instructors in this section;

(ix) List of resources (e.g., texts, references, etc.);

(b) Class approval will be valid for three years except:

(i) If the class is "code update" and a new NEC is adopted by the department within the class approval period, the class approval will be considered automatically revoked; or

(ii) If the class is modified after the application is approved, the class approval will be considered automatically revoked (i.e., change in syllabus, hours, examination, etc.).

(c) Minimum requirements:

(i) Class length:

(A) The minimum allowed length of a class is two hours; however, the minimum length for a basic trainee class (~~or pumping industry basic trainee class is eight~~) is four hours that may be delivered in multiple classroom components of not less than two hours each.

(B) Class length must be based on two-hour increments (e.g., 2, 4, 6, 8, etc.)

(C) Class length must be based on the following:

- Classroom instruction will be based on the total hours the individual is in the classroom. A continuing education class may be divided into multiple components so long as each component is not less than two hours in length and all components are completed within a one-month period. A basic trainee class may be divided into multiple components so long as each component is not less than two hours in length and all components are completed within a two-month period.

- Distance learning continuing education classes (i.e., correspondence and internet continuing education classes) will be based on clock hours necessary to complete the class if it was presented in a classroom setting.

(ii) Class content:

(A) Industry-related classes must be based on:

- Codes or rules included in the currently adopted National Electrical Code (see definition of currently adopted), the electrical law/rule;

- Electrical theory based on currently published documents that are readily available for retail purchase; and/or

- Materials and methods that pertain to electrical construction, building management systems, electrical maintenance, or workplace electrical safety such as *NFPA 70E - Handbook for Electrical Safety in the Workplace*. First aid type classes must be approved and will be limited to four hours of credit towards the individual's total continuing education requirement.

(B) Code update classes must be based on the currently adopted (see definition) National Electrical Code and must specify the code articles to be addressed in the class presentation.

(C) RCW/WAC update classes must be based on the latest adopted versions of chapter 19.28 RCW and/or chapter 296-46B WAC.

(D) All basic trainee classes (~~(and pumping industry basic trainee classes)~~) must be classroom instruction only and based upon basic electrical theory, currently adopted (see definition for currently adopted) National Electrical Code, and/or use of the electrical laws or rules. Correspondence and internet classes are not allowed. All basic trainee classes must include an appropriate written competency examination(s) to ensure the participant mastered the basic concepts of the class. The examination must consist of at least five questions per two hours of class credit.

(E) For all pumping industry classes, curriculum must include fifty percent electrical and fifty percent plumbing instruction.

(F) The sponsor of any distance learning class (e.g., correspondence/internet continuing education) must provide the following additional information with the application:

- How the sponsor will provide an orientation session with the instructor or an affiliated representative of the sponsor.
- The application must include a complete description of any hardware, software, or other technology to be used by the provider and needed by the student to effectively engage in the delivery and completion of the class material.
- In the case of internet based continuing education classes, describe how the class software addresses automatic shutdown after a period of inactivity.
- How will the sponsor provide security to ensure that the student who receives credit for the class is the student who enrolled in and completed the class. The approved sponsor and the student must certify that the student has completed the class and the required number of clock hours.
- The application must describe the process and the acceptable methods of how students can contact approved instructors to answer questions regarding the class.
- The application must describe the consistent and regular interactive events appropriate to the delivery method. The interactive elements must be designed to promote student involvement in the learning process and must directly support the student's achievement of the class learning objectives.
- The application must demonstrate that the class includes the same or reasonably similar information content as a course that would otherwise qualify for the requisite number of clock hours of classroom-based instruction.
- The application must demonstrate how the sponsor determined the number of clock hours requested.

- The application must demonstrate how mastery of the material is evaluated (e.g., describing how the material is divided into major learning units and describing how these learning units are divided into modules of instruction, describing how the student's progress toward completion of the mastery requirement will be measured, and describing how the class will provide a mechanism of individual remediation to correct any deficiencies in each module of instruction).

(5) INSTRUCTOR APPROVAL PROCESS:

(a) Except first-aid training, all instructors must be approved per this section.

(b) The instructor application will include:

(i) Instructor's name, address, telephone number, e-mail address;

(ii) Copies of credentials or other information showing conformance with the instruction minimum qualifications.

(c) Instructor approval will be valid for three years except:

(i) If the instructor's credentials are invalidated (e.g., suspension or revocation by the issuing entity) for any reason, approval will be automatically revoked.

(ii) When the instructor approval expires or is revoked, a new application must be submitted to regain approved instructor status.

(d) Minimum requirements:

The application must show that the instructor meets one of the following:

(i) Has a valid Washington administrator, master electrician, or electrician's certificate and has appropriate knowledge of and experience working as an electrical/electronic trainer; or

(ii) Is currently an instructor in a two-year program in the electrical construction trade licensed by the Washington work force training and education coordinating board. The instructor's normal duties must include providing electrical/electronic education; or

(iii) Is a high school vocational teacher, community college, college, qualified instructor with a state of Washington approved electrical apprenticeship program, or university instructor. The instructor's normal duties must include providing electrical/electronic education; or

(iv) Works for and is approved by a manufacturer of electrical products to teach electrical continuing education; or

(v) Is an electrical engineer registered under chapter 18.43 RCW.

(6) FORMS:

(a) The department will develop an appropriate form(s) for the applicant's use when submitting for instructor or class approval;

(b) Applicants must use the department's form when submitting an application for review.

(7) CLASS ATTENDANCE:

(a) The department is not responsible for providing verification of an individual's continuing education or basic trainee classroom training history with the class sponsor;

(b) Electrical approved classes offered in Washington:

(i) The sponsor must provide the department with an accurate online course attendance/completion roster for each class given. Class attendance will only be verified based on

the online attendance/completion roster provided by the sponsor.

(A) Within seven days of a student completing the class, the course sponsor must provide the attendance/completion roster in an internet format provided by the department.

(B) The attendance/completion roster must show each individual's name, Washington certificate number, class number, and date of completion.

(ii) Individuals will not be granted credit for a class unless the sponsor's online attendance/completion roster shows the individual successfully completed the class.

(c) For classes approved under chapter 18.106 RCW for the pumping industry, a class number will be created for electrical continuing education. Sponsors for these classes must verify attendance for the electrical credit using the format described in subsection (b) of this section.

(8) Noncompliance with this section by a course sponsor or instructor.

(a) Before a course sponsor or instructor is revoked or suspended for noncompliance with this section, the course sponsor or instructor will be given written notice of the department's intention to suspend or revoke. The notification will describe the allegations and provide the necessary procedures to request a hearing before the electrical board as described in RCW 19.28.341.

(b) The department may also file a civil penalty action under chapter 19.28 RCW for fraudulent, inaccurate, or material misrepresentation activity.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-971 Training schools. (1) The department must evaluate and approve training school programs in the electrical trade as regulated by chapter 19.28 RCW for equivalency to hours of supervised work experience. Approved training programs must be from a Washington state public community or technical college, or a not-for-profit nationally accredited technical or trade school licensed by the work force training and education coordinating board under chapter 28C.10 RCW.

(2) The minimum total hours for an electrical technical training program must be determined per RCW 19.28.191.

(3) Training school programs must be approved before their graduates may request credit for equivalent work experience hours toward ((journeyman)) journey level or specialty electrician certification. Until December 31, 2003, existing electrical training programs, in effect after January 1, 2000, may apply for retroactive approval of their program to determine the number of hours that will be credited for the program graduates. After December 31, 2003, all training programs must be approved by the department prior to beginning instruction.

(4) Training schools must submit the curriculum of each ((journeyman)) journey level or specific specialty electrical training program to the department for approval. The curriculum must include a detailed description of each course that is included in the total training hours required by RCW 19.28.191. The curriculum must be reviewed by the department whenever significant changes in program content or

course length are implemented or at an interval not to exceed three years. After department review, the program may be renewed. In evaluating the relevance of the curriculum, the department will consider the following criteria:

(a) Scope of work for the appropriate electrician certification.

(b) Understanding whole systems related to and integrated with electrical equipment installation, maintenance, troubleshooting, and appliance repair (e.g., refrigeration, pumps, hydraulics, thermodynamics, compressed air, and similar systems).

(c) Courses not directly related to electrical technical instruction or specific scope of work, but required to complete the specific training program (i.e., mathematics, technical writing, business, safety, first aid, ergonomics, etc.), must not exceed ten percent of the total student/instructor contact time of the program.

(5) Within thirty days after beginning a program, the program sponsor must supply the department with a roster of individuals enrolled in the program. The roster must show each student's name, date of enrollment, Washington training or electrician certificate number, and the training program number. Within thirty days after each graduation cycle, approved training school programs must provide the department with a roster of individuals that have successfully completed the program. The roster must show each student's name, date of completion, Washington training or electrician certificate number, and the training program title. An individual must provide a copy of the certificate of completion or proof of graduation from the electrical training program when making application to the department for an electrician examination.

(6) All school training activities involving electrical work or appliance repair done outside of in-school lab facilities must be done under a valid Washington electrical contractor's license. All students performing such work must have a valid training certificate and work under a supervising ((journeyman)) journey level or specialty electrician in a ratio, per RCW 19.28.161, in compliance with RCW 19.28-161.

(7) Individuals in a two-year electrical construction trade training program for ((journeyman)) journey level electrician must obtain the additional two years of work experience required in new industrial or commercial installation prior to the beginning, or after the completion, of the technical school program.

All student electrical training hours obtained when working for contractors or other employers in intern programs arranged by the school must be evaluated as part of the training program hours. Additional work experience credit gained in an intern program is not allowed.

This does not prohibit trainees in a training program for specialty electricians from having concurrent employment and obtaining additional specialty work experience while attending school. All such concurrent work must be documented in an affidavit of experience per WAC 296-46B-942(8).

The following supervision requirements must be met when working as an intern or student:

(a) Intern when working for contractors or other employers as a:

(i) General electrician, there must be not more than one noncertified individual for every certified master (~~(journeyman)~~) journey level electrician or (~~(journeyman)~~) journey level electrician.

(ii) Specialty electrician, there must be not more than two noncertified individuals for every certified master specialty electrician working in that electrician's specialty, specialty electrician working in that electrician's specialty, master (~~(journeyman)~~) journey level electrician, or (~~(journeyman)~~) journey level electrician.

(b) Student when working for a public community or technical college, or not-for-profit nationally accredited trade or technical school licensed by the work force training and education coordinating board under chapter 28C.10 RCW as a (~~(journeyman)~~) journey level or specialty electrician in the training program, the ratio requirements are one certified master specialty electrician working in that electrician's specialty, specialty electrician working in that electrician's specialty, master (~~(journeyman)~~) journey level electrician, or (~~(journeyman)~~) journey level electrician working as a specialty electrician to no more than four students enrolled in and working as part of an electrical construction program. All such work will be considered to be an integral part of the training program and work experience credit will not be allowed except as a part of the program.

When the ratio of certified electricians to noncertified individuals on a job site is one certified electrician to three or four noncertified individuals, the certified electrician must:

(i) Directly supervise and instruct the noncertified individuals and the certified electrician may not directly make or engage in an electrical installation; and

(ii) Be on the same job site as the noncertified individual for a minimum of one hundred percent of each working day.

The public community or technical colleges, or not-for-profit nationally accredited trade or technical schools must be an appropriately licensed electrical contractor when performing work outside the classroom.

(8) The department will use the criteria in this section to evaluate the hours of credit that may be allowed for United States armed forces experience and training in the electrical construction, electrical maintenance, and appliance repair trades. See WAC 296-46B-945.

AMENDATORY SECTION (Amending WSR 09-20-032, filed 9/29/09, effective 10/31/09)

WAC 296-46B-980 Enforcement—Installations, licensing, and certification requirements. (1) The department inspects the electrical worksites of individuals, employers, and employees with respect to the methods and installation requirements of chapter 19.28 RCW and this chapter. The department's electrical inspectors and electrical auditors make electrical work inspections. The department's electrical inspectors, electrical auditors, and compliance officers make electrical licensing/certification inspections.

(2) The department ensures that individuals, employers, and employees comply with the electrical licensing and certification requirements of chapter 19.28 RCW and this chapter.

To do this, inspections are made by the department's electrical inspectors/auditors and compliance officers.

Compliance officers or electrical inspectors/auditors determine whether:

(a) Each person or entity advertising to do electrical work or doing electrical work on an electrical worksite has a proper license or certificate;

(b) The ratio, per RCW 19.28.161, of certified (~~(journeyman/specialty)~~) journey level/specialty electricians to the certified trainees on the job site is correct; and

(c) Each certified trainee is directly supervised by an individual who possesses an appropriate certificate of competency for the type of electrical work being performed.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-990 Failure to comply with the electrical contractor licensing, administrator certification, or electrician certification laws. General.

(1) If the compliance officer or electrical inspector/auditor determines that an individual, employer, or employee has violated chapter 19.28 RCW or this chapter, the department will issue a citation that describes the violation.

Suspension or revocation - Of an electrical contractor's license, administrator's certificate, master electrician's certificate of competency, electrician's certificate of competency, or training certificate.

(2) The department may revoke or suspend, for such time as it determines appropriate, an electrical contractor's license, administrator's certificate, master electrician's certificate of competency, electrician's certificate of competency, or training certificate if:

(a) The license, certificate, or permit was obtained through error or fraud;

(b) The license, certificate, or permit holder is judged to be incompetent to work in the electrical construction trade as a master electrician, (~~(journeyman)~~) journey level electrician, specialty electrician, electrical technician, or electrical trainee;

(c) For serious noncompliance as described below. See RCW 19.28.241 and 19.28.341 for other grounds and procedures.

(d) The license or certificate holder incompletely or inaccurately reported continuing or basic trainee class education units on an application for renewal; or

(e) The certificate holder falsely, incompletely, or inaccurately reported previous work experience.

The department will deny an application for any license/certificate during the period of revocation or suspension of the same or another license/certificate under chapter 19.28 RCW.

(3) For the purposes of this section, serious noncompliance includes, but is not limited to, any of the following:

(a) Failure to correct a serious violation. A serious violation is a violation of chapter 19.28 RCW or chapter 296-46B WAC that creates a hazard of fire or a danger to life safety. A serious violation is also a violation that presents imminent danger to the public. Imminent danger to the public is present

when installations of wire and equipment that convey or utilize electric current have been installed in such a condition that a fire-hazard or a life-safety hazard is present. Imminent danger to the public is also present when unqualified, uncertified, or fraudulently certified electricians or administrators; or unlicensed or fraudulently licensed contractors are continuously or repeatedly performing or supervising the performance of electrical work covered under chapter 19.28 RCW. For the purposes of this section, a certified electrician is considered qualified, provided the electrician is working within his or her certification;

(b) The license or certificate was obtained through error or fraud;

(c) Submitting a fraudulent document to the department;

(d) Continuous noncompliance with the provisions of chapter 19.28 RCW or this chapter. For the purposes of this section, continuous noncompliance will be defined as three or more citations demonstrating a disregard of the electrical law, rules, or regulations within a period of three years, or where it can be otherwise demonstrated that the contractor, master electrician, electrician, or administrator has continuously failed to comply with the applicable electrical standards;

(e) Failure to make any books or records, or certified copies thereof, available to the department for an audit to verify the hours of experience submitted by an electrical trainee;

(f) Making a false statement or material misrepresentation on an application, statement of hours, or signed statement required by the department;

(g) The certificate holder falsely or inaccurately reported continuing or basic trainee class education units on an application for renewal;

(h) Installing a shortened rod/pipe grounding electrode, improper splicing of conductors in conduits/raceways or concealed within walls, or installing a fake equipment grounding conductor.

For any act of serious noncompliance, the person, firm, partnership, corporation, or other entity may be referred to the county prosecutor for criminal prosecution under chapter 9A.72 RCW. The department may also file a civil action under chapter 19.28 RCW.

(4) Before a license or certificate is revoked or suspended, the certificate holder will be given written notice of the department's intention to suspend or revoke. Notification will be sent by registered mail to the certificate holder's last known address. The notification will list the allegations against the certificate holder, and provide the certificate holder with the procedures necessary to request a hearing before the electrical board as described in WAC 296-46B-995.

Confiscation - Of an electrical contractor's license, administrator certificate, electrician certificate of competency, or training certificate.

(5) The department may confiscate a license or certificate that is counterfeit, revoked, expired, suspended, or altered. The individual may be referred to the county prosecutor for criminal prosecution under chapter 9A.72 RCW. The department may also file a civil action under chapter 19.28 RCW.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-997 Engineer approval. (1) This section describes the methods required to obtain recognition and accreditation of professional engineers registered under chapter 18.43 RCW to approve industrial utilization equipment. This section provides assurance to the general consuming public that electrical products have been tested for safety and identified for their intended use.

(2) Industrial utilization equipment is considered to be safe when it is certified by an engineer accredited by the department.

(a) The department may declare industrial utilization equipment unsafe if:

(i) The equipment is not being manufactured or produced in accordance with all standards of design and construction and all terms and conditions set out in the certification report for the equipment referred to in this chapter;

(ii) The equipment has been shown by field experience to be unduly hazardous to persons or property;

(iii) An examination of the equipment or of the certification report for the equipment shows that the equipment does not comply with all applicable standards; or

(iv) An examination of the certification report or the equipment shows that the equipment cannot be installed in accordance with this chapter.

(b) When the department declares industrial utilization equipment unsafe, the department will notify the product owner and the certifying engineer in writing.

Accreditation - General.

(3) The department's chief electrical inspector's office reviews requests for accreditation. Applicants must submit supporting data to document and verify the requirements of this section have been met.

(4) The accreditation of an engineer will be valid for the period of three years.

(5) On-site inspection of an engineer's facilities.

(a) On-site inspection of the facility(ies) may be required during the initial application process or the renewal process. Representative(s) of the department will evaluate for compliance with accreditation criteria.

(b) The applicant must pay all costs associated with the on-site inspection.

(6) For purposes of chapter 19.28 RCW, all engineers who certify industrial utilization equipment offered for sale in the state of Washington must be accredited by the department.

(7) Fees are payable as required in WAC 296-46B-911.

(8) The engineer must apply for renewal of accreditation at least thirty days prior to the accreditation expiration date. The department will renew accreditation for the period of three years or notify the renewing engineer of the department's reason(s) of refusal following receipt of the completed form and renewal fee.

(9) The department accepts or denies engineer accreditation for engineers seeking to evaluate industrial utilization equipment within the state. Accreditation is determined when an engineer provides evidence to the department that all the requirements of this chapter are met. Accreditation is deter-

mined by the department and prior to making a determination, the department may require information and documentation to be provided by the engineer.

(a) Accreditation is subject to review when deemed necessary by the department. The engineer must pay all costs associated with on-site review.

(b) Every accredited engineer must continue to satisfy all the conditions specified in this chapter during the period of the accreditation. An engineer must furnish the department an annual report detailing the extent of its activities for the year. The report must include, but not be limited to:

(i) The number of industrial utilization equipment items approved;

(ii) Organizational structure of the engineer's company;

(iii) Statement of ownership of the engineer's company; and

(iv) Reports of litigation, which in any way were the result of or may affect any accreditation or testing of products covered by this chapter.

(c) The department will notify the applicant of the accreditation results. A letter of accreditation from the department is proof of the accreditation of the engineer.

(10) The engineer will be approved to certify industrial utilization equipment.

Suspension or revocation.

(11) The department may suspend, revoke, or refuse to renew the department's accreditation of any engineer found to be in noncompliance with requirements of this chapter, the laws of the state of Washington, or submitting false information.

(12) The department will serve written notice of intent prior to suspension, revocation, or refusal to renew the accreditation of an engineer.

(13) An engineer, whose accreditation has been suspended, may not reapply for accreditation during the period of such suspension. An engineer, whose accreditation has been revoked, may reapply for accreditation no sooner than two years after the date of revocation of accreditation.

Business structure, practices, and personnel.

(14) The engineer must be an independent, third-party organization with no organizational, managerial, financial, design, or promotional affiliation with owners, manufacturers, suppliers, installers, or vendors of products covered under the engineer's certification or evaluation programs.

The engineer must have an adequate diversity of clients or activity so that the loss or award of a specific contract regarding certification or evaluation would not be a deciding factor in the financial well-being of the engineer.

(15) The engineer must adequately meet the following business practices:

(a) Perform the examinations, tests, evaluations, and inspections required under the certifications programs in accordance with the designated standards and procedures;

(b) Assure that reported values accurately reflect measured and observed data;

(c) Limit work to that for which competence and capacity is available;

(d) Treat test data, records, and reports as proprietary information;

(e) Respond to and attempt to resolve complaints contesting certifications and evaluation results;

(f) Maintain an independent relationship between its clients, affiliates, and other organizations so the engineer's capacity to give certifications and evaluations objectively and without bias is not adversely affected; and

(g) Notify the department within thirty calendar days should it become unable to conform to any of the requirements of this chapter.

(16) Engineers accredited under this chapter must notify the department within thirty calendar days of any of the following:

(a) Change in company name and/or address;

(b) Changes in major test equipment which affect the ability to perform work for which accredited; or

(c) Change in independent status.

(17) The engineer must develop and maintain a certification or evaluation program plan that includes, but is not limited to:

(a) The procedures and authority to ensure the product complies with the standard(s) established by the program;

(b) A quality control system;

(c) Verification and maintenance of facilities and/or equipment; or

(d) Sample selection as applicable for product certifications, and for component testing as necessary for evaluations.

The plan must demonstrate that the engineer has adequate facilities, and equipment to perform all certifications and testing for which it is accredited by the state of Washington. These elements must be contained in the engineer's operations control manual.

(18) The engineer must develop and maintain a quality control system adequate to assure the accuracy and technical integrity of its work as follows:

(a) The engineer's quality control system must include a quality control or engineer's operations control manual;

(b) The quality control or engineer's operations control manual must be adequate to guide a testing technician or inspector in conducting the inspection, evaluation, and/or test in accordance with the test methods and procedures required for the engineer's certification and/or evaluation program(s); and

(c) The engineer must have a current copy of the quality control or engineer operations control manual available for the engineer's use.

(19) The engineer must have training, technical knowledge, and experience adequate to perform the tests, examinations, and evaluations for the certification and/or evaluation activities for which recognition is sought.

(20) The engineer must:

(a) Provide adequate safeguards protecting the engineer's status from the influence or control of manufacturers, vendors, owners, or installers of electrical products certified or tested by the engineer; and

(b) Develop and maintain an adequate training program assuring that the engineer will be able to perform tasks properly and uniformly.

Recordkeeping and reporting - General.

(21) The engineer must develop and maintain records and reports of those testing, inspection, certification, and evaluation activities associated with each piece of industrial utilization equipment. The engineer must retain these records for a minimum of three years.

(22) The engineer must make available to the department, upon request, all records required by the department to verify compliance with this chapter.

(23) See WAC 296-46B-906 for fee information. The engineer's evaluation report must include:

- (a) Name and address of the engineer;
- (b) Name of client;
- (c) Address where the evaluated product is or will be installed;
- (d) Designation of standards used to certify or test the product including edition and latest revision (e.g., UL 508, 16th Edition, Feb. 1993, Revision Oct. 9, 1997);
- (e) Description of the overall product evaluated to include full nameplate data and equipment type;
- (f) A statement as to whether or not the results comply with the requirements of the standard;
- (g) Pertinent test evaluation data and identification of tests or inspections including anomalies;
- (h) The engineer's stamp; and
- (i) Any condition of acceptability or restrictions on use/relocation.

(24) Within ten calendar days after affixing the evaluation mark, the engineer must submit a copy of the evaluation report to their:

- (a) ~~((The department's chief electrical inspector submitted electronically in a format approved by the department;~~
- ~~(b))~~ Local electrical inspection office submitted electronically in a format approved by the department; and
- ~~((c))~~ (b) Client submitted in any format acceptable to the client and engineer.

AMENDATORY SECTION (Amending WSR 13-03-128, filed 1/22/13, effective 3/1/13)

WAC 296-46B-999 Electrical testing laboratory requirements. General.

(1) This section describes the methods required to obtain recognition and accreditation of electrical product(s) certification and/or field evaluation laboratories by the state of Washington. This section provides assurance to the general consuming public that electrical products have been tested for safety and identified for their intended use.

(2) An electrical product is considered to be safe when it is either certified by a laboratory accredited by the department or labeled with a field evaluation mark by a laboratory accredited by the department.

(a) The department may declare electrical equipment unsafe if:

- (i) The equipment is not being manufactured or produced in accordance with all standards of design and construction and all terms and conditions set out in the certification report for the equipment referred to in this chapter;
- (ii) The equipment has been shown by field experience to be unduly hazardous to persons or property;

(iii) An examination of the equipment or of the certification report for the equipment shows that the equipment does not comply with all applicable standards; or

(iv) An examination of the certification report or the equipment shows that the equipment cannot be installed in accordance with this chapter.

(b) When the department declares an electrical product unsafe, the department will:

- (i) Notify the product manufacturer and the appropriate testing laboratory in writing;
- (ii) Notify the general public by:
 - (A) Report to the Consumer Product Safety Commission;
 - (B) A published article in the *Electrical Currents*;
 - (C) Internet web site posting; and/or
 - (D) News release.

Accreditation - General.

(3) The department's chief electrical inspector's office reviews requests for accreditation or evaluation. Applicants must submit supporting data to document and verify the requirements of this section have been met.

(4) The accreditation of a NRTL will be valid for the period of the laboratory's current OSHA NRTL accreditation. The accreditation of a non-NRTL will be valid for the period of five years from the date of the department's accreditation.

(5) On-site inspection of a laboratory.

(a) On-site inspection of the laboratory may be required during the initial application process or the renewal process. Technically qualified representative(s) of the department will evaluate for compliance with accreditation criteria.

(b) On-site inspection is not required for NRTL-recognized laboratories requesting approval as certification laboratories using standards for which NRTL recognition has been approved.

(c) The department may waive on-site inspection for:

(i) Laboratories recognized or accredited by another state determined to provide an accreditation program acceptable to the department; or

(ii) NRTL-recognized laboratories requesting approval as certification laboratories for using other standards for which NRTL recognition has not been approved.

(d) The applicant must pay all costs associated with the on-site inspection.

(6) For purposes of chapter 19.28 RCW, all laboratories which certify and/or field evaluate electrical products offered for sale in the state of Washington must be accredited by the department. A NRTL requesting approval as a certification laboratory will be approved for accreditation by the department upon completion of the application process.

(7) Fees are payable as required in WAC 296-46B-911.

(8) The laboratory must apply for renewal of accreditation at least thirty days prior to the accreditation expiration date. The department will renew accreditation for the period specified in subsection (4) of this section or notify the renewing laboratory of the department's reason(s) of refusal following receipt of the completed form and renewal fee. Accreditation may be renewed or refused for one or more electrical product category(ies).

(9) The department accepts or denies laboratory accreditation for all laboratories within the state. Accreditation is determined when a laboratory provides evidence to the department that all the requirements of this chapter are met. Accreditation is determined by the department and prior to making a determination, the department may require information and documentation to be provided by the laboratory.

(a) Accreditation is subject to review when deemed necessary by the department. The laboratory must pay all costs associated with on-site review.

(b) Every accredited laboratory must continue to satisfy all the conditions specified in this chapter during the period of the accreditation. A non-NRTL accredited laboratory must furnish the department an annual report detailing the extent of its activities for the year. The report must include, but not be limited to:

- (i) The number of factory inspections;
- (ii) Organizational structure of the laboratory;
- (iii) Statement of ownership of the laboratory;
- (iv) Laboratory equipment verification;
- (v) Client accreditation programs;

(vi) Reports of litigation, which in any way were the result of or may affect any accreditation or testing of products covered by this chapter; or

(vii) Assessment of recordkeeping (i.e., certification/evaluation plans, certification/evaluation reports).

(c) The department will notify the applicant of the accreditation results. A letter of accreditation from the department is proof of the accreditation of a laboratory.

(10) The laboratory will be approved to certify only those categories identified and authorized by the department. The department will approve and list electrical product category(ies) the laboratory is qualified to certify or evaluate. The accreditation letter will indicate the electrical product category(ies) for which accreditation is issued.

(11) The department may exclude specific electrical products from acceptance. When required, the laboratory must provide evidence, acceptable to the department, that the laboratory is qualified to certify or field evaluate the specific electrical product. Laboratory recognition as an NRTL for the standard(s) used to certify or field evaluate an electrical product will be acceptable evidence. The standards used for certification or field evaluation must be determined by the department to be acceptable and applicable to the electrical product being certified or field evaluated.

If a laboratory chooses to add additional standards prior to its expiration date, it must submit a Request Approval for Additional Standards form to the chief electrical inspector.

Suspension or revocation.

(12) Any laboratory failing to comply with the requirements of this chapter or submitting false information may have accreditation revoked or suspended for one or more electrical product category(ies).

(13) The department may suspend, revoke, or refuse to renew the accreditation of any laboratory found to be in non-compliance with this chapter or the laws of the state of Washington.

(14) The department will serve written notice of intent prior to suspension, revocation, or refusal to renew the accreditation of a laboratory.

(15) The laboratory must immediately notify all manufacturers whose products are covered by the accreditation that such products manufactured subsequent to the departmental revocation and offered for sale in the state of Washington can no longer bear the laboratory's label that identified it as a certified product in the state of Washington. A laboratory, whose accreditation has been suspended, may not reapply for accreditation during the period of such suspension. A laboratory, whose accreditation has been revoked, may reapply for accreditation no sooner than one year after the date of revocation of accreditation.

Business structure, practices, and personnel.

(16) The laboratory must be an independent, third-party organization with no organizational, managerial, financial, design, or promotional affiliation with manufacturers, suppliers, installers, or vendors of products covered under its certification or evaluation programs.

The laboratory must have an adequate diversity of clients or activity so that the loss or award of a specific contract regarding certification or evaluation would not be a deciding factor in the financial well-being of the laboratory.

(17) The laboratory must adequately meet the following business practices:

(a) Perform the examinations, tests, evaluations, and inspections required under the certifications programs in accordance with the designated standards and procedures;

(b) Assure that reported values accurately reflect measured and observed data;

(c) Limit work to that for which competence and capacity is available;

(d) Treat test data, records, and reports as proprietary information;

(e) Respond and attempt to resolve complaints contesting certifications and evaluation results;

(f) Maintain an independent relationship between its clients, affiliates, and other organizations so the laboratory's capacity to give certifications and evaluations objectively and without bias is not adversely affected; and

(g) Notify the department within thirty calendar days should it become unable to conform to any of the requirements of this chapter.

(18) Laboratories accredited under this chapter must notify the department within thirty calendar days of any of the following:

(a) Change in company name and/or address;

(b) Changes in major test equipment which affect the ability to perform work for which accredited;

(c) Changes in principal officers, key supervisory and responsible personnel in the company including the director of testing and engineering services, director of follow-up services, and the laboratory supervisor; or

(d) Change in independent status.

(19) The laboratory must develop and maintain a certification or evaluation program plan that includes, but is not limited to:

- (a) The procedures and authority to ensure the product complies with the standard(s) established by the program;
- (b) A quality control system;
- (c) Adequate personnel to perform the certification or evaluation;
- (d) Verification and maintenance of facilities and/or equipment; or
- (e) Sample selection as applicable for product certifications, and for component testing as necessary for field evaluations.

The plan must demonstrate that the laboratory has adequate personnel, facilities, and equipment to perform all certifications and testing for which it is accredited by the state of Washington. These elements must be contained in the laboratory operations control manual.

(20) The laboratory must develop and maintain a quality control system adequate to assure the accuracy and technical integrity of its work as follows:

- (a) The laboratory's quality control system must include a quality control or laboratory operations control manual;
- (b) The quality control or laboratory operations control manual must be adequate to guide a testing technician or inspector in conducting the inspection, evaluation, and/or test in accordance with the test methods and procedures required for the laboratory's certification and/or evaluation program(s); and
- (c) The laboratory must have a current copy of its quality control or laboratory operations control manual available in the laboratory for use by laboratory personnel.

(21) Competent personnel who must have training, technical knowledge, and experience adequate to perform the tests, examinations, and evaluations for the certification and/or evaluation activities for which recognition is sought must staff the laboratory.

(22) The laboratory must:

- (a) Provide adequate safeguards protecting the employment status of personnel from the influence or control of manufacturers, vendors, or installers of electrical products certified or tested by the laboratory;
- (b) Develop and maintain a job description for each technical position category;
- (c) Ensure the competency of its staff to perform assigned tasks through individual yearly observation and/or examination by a person(s) qualified by the person who has technical responsibility for the laboratory;
- (d) Develop and maintain records of the results and dates of the observation or examination of personnel performance;
- (e) Maintain information on the training, technical knowledge, and experience of personnel; and
- (f) Develop and maintain an adequate training program assuring that new or untrained personnel will be able to perform assigned tasks properly and uniformly.

Recordkeeping and reporting - General.

(23) The laboratory must develop and maintain records and reports of those testing, inspection, certification, and evaluation activities associated with each program for which accreditation is sought. The laboratory must retain these records for a minimum of three years.

(24) The laboratory must make available to the department, upon request, all records required by the department to verify compliance with this chapter.

Recordkeeping and reporting - Certification.

- (25) Certification reports must contain, as applicable:
- (a) Name and address of the laboratory;
 - (b) Pertinent data and identification of tests or inspections;
 - (c) Name of client;
 - (d) Appropriate product title;
 - (e) Designation of standards used to certify or test the product including edition and latest revision (e.g., UL 508, 16th Edition, Feb. 1993, Revision Oct. 9, 1997);
 - (f) Description and identification of the sample including, as necessary, where and how the sample was selected;
 - (g) Identification of the test, inspection, or procedure as specified for certification or evaluation by the standard;
 - (h) Known deviations, additions to, or exclusions from evaluation and certification activities in order to be appropriate for new or innovative products not contemplated by the standard;
 - (i) Measurements, examinations, derived results, and identification of test anomalies;
 - (j) A statement as to whether or not the results comply with the requirements of the standard;
 - (k) Name, contact information, and signature of person(s) having responsibility for the report;
 - (l) Raw data, calculations, tables, graphs, sketches, and/or photographs generated during certification or evaluation must be maintained if not included in the report;
 - (m) Control forms documenting the receipt, handling, storage, shipping, and testing of samples;
 - (n) Laboratory records of its quality control checks and audits for monitoring its test work associated with its certification programs, including:
 - (i) Records of products assurance (follow-up) test results; and
 - (ii) Records of detected errors and discrepancies and actions taken subsequent to such detection.
 - (o) Record of written complaints and disposition thereof; and
 - (p) A statement that records required by these criteria will be maintained for a minimum of three years after cessation of the certification or evaluation.

Recordkeeping and reporting - Field evaluation.

- (26) The evaluation report must include:
- (a) Name and address of the laboratory;
 - (b) Name of client;
 - (c) Address where the evaluated product is or will be installed;
 - (d) Designation of standards used to certify or test the product including edition and latest revision (e.g., UL 508, 16th Edition, Feb. 1993, Revision Oct. 9, 1997);
 - (e) Description and identification of the nonlisted and nonlabeled component(s) requiring evaluation by applicable standard(s);
 - (f) Description of the overall product evaluated to include full nameplate data and equipment type;

- (g) A statement as to whether or not the results comply with the requirements of the standard;
- (h) Pertinent test evaluation data and identification of tests or inspections including anomalies;
- (i) Signature of person(s) having responsibility for the report;
- (j) Any condition of acceptability or restrictions on use/relocation;
- (k) Serial number(s) of the field evaluation label(s) applied must be included with the equipment identification; and
- ~~(l) ((The labor and industries department file identification number; and~~
- ~~(m)))~~ Date the equipment label was affixed.
- (27) Within thirty calendar days after affixing the evaluation mark, the laboratory must submit a copy of the evaluation report to their:
- ~~(a) ((The department's chief electrical inspector submit~~
- ~~ted electronically in a format approved by the department;~~
- ~~(b)))~~ Local electrical inspection office submitted electronically in a format approved by the department; and
- ~~((e)))~~ (b) Client submitted in any format acceptable to the client and testing laboratory.

Facilities and equipment.

- (28) The laboratory must provide adequate evidence of the calibration, verification, and maintenance of the facilities and equipment specified for each certification or evaluation.
- (29) Verification and maintenance of facilities and equipment must include as applicable, but not be limited to:
 - (a) Equipment description;
 - (b) Name of manufacturer;
 - (c) Model, style, serial number, or other identification;
 - (d) Equipment variables subject to calibration and verification;
 - (e) Statement of the equipment's allowable error and tolerances of readings;
 - (f) Calibration or verification procedure and schedule;
 - (g) Dates and results of last calibrations or verifications;
 - (h) Specified maintenance practices;
 - (i) Calibration and/or verification of equipment used;
 - (j) Name and contact information of personnel or outside contractor providing the calibration or verification service; and
 - (k) Traceability to National Institute of Standards and Technology or other equivalent standard reference authority.

Standards.

- (30) The laboratory must have copies available, for laboratory personnel use, of applicable standards and other documents referred to or used in performing each certification or test for which approval is sought.
- (31) If a laboratory desires to use a standard other than an ANSI standard, the department will evaluate the proposed standard to determine that it provides an adequate level of safety. The National Electrical Code, NFPA 70, will not be allowed to be the primary standard used to evaluate a product.

Product certification.

- (32) The electrical product certification program must contain test procedure(s), standard(s) used, certification agreement(s), method(s) of identification of products, follow-up inspection, and other laboratory procedures and authority necessary to ensure that the product complies with the standards (requirements) established by the program.
- (33) All components of certified or tested products must be labeled or evaluated for compliance with all standards and conditions of use applicable to such components.
- (34) The laboratory must publish an *Annual Product Directory* identifying products that are authorized to bear the laboratory's certification mark. The products directory must briefly describe the program, the products covered, the name of the manufacturer or vendor of the certified products, and the identification of the published standards or the compiled requirements on which the program is based. The product directory must be available to the public. Supplemental up-to-date information must be available to the public at the office of the laboratory during normal business hours.

Certification laboratory/manufacturer - Agreement.

- (35) Measures to provide for manufacturer compliance with the provisions of the product standard and laboratory control of the use of the certification mark must be embodied in an agreement between the manufacturer and the certification laboratory. The certification agreement must:
 - (a) Require the manufacturer to provide information and assistance as needed by the laboratory to conduct the necessary product conformity and production assurance evaluation;
 - (b) Allow the laboratory's representative(s) access to the manufacturer's facilities during working hours for inspection and may allow audit activities without prior notice;
 - (c) Restrict the manufacturer's application of certification marks to products that comply with requirements of the product standard;
 - (d) Secure the manufacturer's agreement to the publication of notice by the certification laboratory for any product already available in the marketplace that does not meet the safety standard;
 - (e) Require reevaluation of products whenever the standard covering the product is revised;
 - (f) Require the laboratory to notify the manufacturer's personnel responsible for and authorized to institute product recall in the case of a hazard;
 - (g) Provide for control of certification marks by the laboratory;
 - (h) Require that the laboratory provide the manufacturer with a report of original product evaluation. The report must document conformity with applicable product standards by test results and other data; and
 - (i) Require the identification of the manufacturer(s) of the product and the location(s) where the product is produced.

Certification mark.

- (36) The laboratory owns the certification mark.

(37) The certification mark must be registered as a certification mark with the United States Patent and Trademark Office.

(38) The certification mark must:

(a) Not be readily transferable from one product to another;

(b) Be directly applied to each unit of production in the form of labels or markings suitable for the environment and use of the product. When the physical size of the unit does not permit individual marking, markings may be attached to the smallest package in which the unit is marketed;

(c) Include the name or other appropriate identification of the certification laboratory;

(d) Include the product category; and

(e) The laboratory must have a system of controls and records for all marks. The records must include marks removed or otherwise voided. See WAC 296-46B-999(25).

(39) The certification mark may be applied to the product prior to authorizing the use of a certification mark on a product. The laboratory must:

(a) Determine by examination and/or tests that representative samples of the product comply with the requirements (standards). Components of certified products must comply with the applicable safety requirements (standards) or be listed. Evaluation of the product design must be made on representative production samples or on prototype product samples with subsequent verification that factory productions are the same as the prototype;

(b) Determine that the manufacturer has the necessary facilities, test equipment, and control procedures to ensure that continuing production of the product complies with the requirements; and

(c) If the certification mark is not applied at the manufacturing facility, the laboratory must provide prior notification to the department of its intent to affix the certification mark in the field.

Certification laboratory product - Assurance/follow up.

(40) To verify continued product acceptability, the laboratory must develop and maintain a factory follow-up inspection program and manual to determine continued compliance of certified products with the applicable standard.

(41) The follow-up inspection file must include the:

(a) Conditions governing the use of the certification mark on products;

(b) Identification of the products authorized for certification;

(c) Identification of manufacturer and plant location at which manufacture and certification are authorized;

(d) Description, specifications, and requirements applicable to the product;

(e) Description of processes needed for control purposes;

(f) Description of the manufacturer's quality assurance program when used as part of the follow-up program;

(g) Description of inspections and tests to be conducted by the manufacturer and the laboratory; and

(h) Description of follow-up tests to be conducted in the laboratory.

(42) Follow-up procedures and activities must include:

(a) Periodic inspections at the factory with testing at the factory or certification laboratory of representative samples selected from production and, if appropriate, from the market;

(b) Periodic auditing or surveillance of the manufacturer's quality assurance program through the witnessing of manufacturer's tests, review of the manufacturer's records, and verification of the manufacturer's produced data;

(c) Investigation of alleged field failures upon department request; and

(d) Procedures for control of the use of the certification mark by:

(i) Keeping records of the release and use of certification marks;

(ii) Removal of marks from noncomplying products;

(iii) Return or destruction of unused marks when the authority to use the marks is terminated; and

(iv) Legal action.

(43) The frequency of laboratory follow-up inspections must not be less than four times per year during production, unless adequate data is provided to the department to justify less frequent inspections. If there is no production during the year, at least one follow-up inspection is to be completed. The frequency of follow-up inspections must be sufficient to provide a reasonable check on the method(s) the manufacturer exercises to assure that the product bearing the certification mark complies with the applicable standards.

Field evaluation - Requirements.

(44) The field evaluation laboratory may perform evaluations on any products or product categories previously approved by the department. NRTL recognition may be accepted by the department as a basis for approval to perform field evaluations. Since OSHA does not review or recognize laboratories for field evaluation purposes, laboratories seeking accreditation from the department for field evaluation may be required to provide additional justification of capability such as, but not limited to: Recordkeeping, employee standards and proficiency, equipment requirements, and other requirements described in this chapter.

(45) The scope of a field evaluation will depend on the status of the item to be evaluated as follows:

(a) A new piece of equipment must have a complete evaluation of all components and the assembly as provided by the manufacturer. For example: An industrial machine with a control panel, remote motors, sensors, controls, and other utilization equipment; and

(b) A product that has been modified internally or by an addition need have only those portions evaluated that were affected by the modification. For example: A switchboard with multiple sections that has a section added would only need the new section, the one section immediately adjacent, and any control modifications evaluated.

(46) Each unit that receives a field evaluation mark applied by the field evaluation laboratory must have sufficient inspections and/or testing completed to ensure it is in essential conformance with the applicable product standard(s).

(47) The laboratory may perform the preliminary evaluation in the manufacturer's facility. Final evaluation and

acceptance of the product must be made on-site at the location of final installation, unless waived by the department.

Field evaluation mark.

(48) Only laboratory personnel may apply the field evaluation mark after final acceptance of the product. The field evaluation label must be applied on-site at the location of the final installation, unless waived by the department.

(49) The field evaluation laboratory must have a system of controls and records for all field evaluation marks it applies. The records must include labels removed or otherwise voided.

(50) A field evaluated product may be relocated or fed from a different power source if not prohibited by the field evaluation mark or the field evaluation report.

(51) The field evaluation mark must:

(a) Not be readily transferable from one product to another;

(b) Be directly applied by the laboratory personnel to each unit of production in the form of labels or markings suitable for the environment and use of the product;

(c) Include the name or other appropriate identification of the certification laboratory;

(d) Include a unique evaluation laboratory reference number; and

(e) Include a reference to the evaluation report or other notation if there are any limitations of use noted within the report.

(52) The field evaluation laboratory must have a system of controls and records for all field evaluation marks it applies. The records must include labels removed or otherwise voided. See subsection (26) of this section.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-46B-406 Receptacles, cord connectors, and attachment plugs.
 WAC 296-46B-445 Wind driven generator equipment.
 WAC 296-46B-645 Information technology equipment.

**WSR 14-11-076
 PERMANENT RULES
 PROFESSIONAL EDUCATOR
 STANDARDS BOARD**

[Filed May 20, 2014, 10:02 a.m., effective June 20, 2014]

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

Purpose: Amends WAC 181-79A-130 to comply with statute requirements for an electronic certification process. Adjusts fee requirements changed by the electronic system.

Citation of Existing Rules Affected by this Order: Amending WAC 181-79A-130.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 14-07-022 on March 7, 2014.

A final cost-benefit analysis is available by contacting David Brenna, 600 Washington Street South, Room 252, Olympia, WA 98504-7236, phone (360) 725-6238, fax (360) 586-4548, e-mail david.brenna@k12.wa.us.

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

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

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

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

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

Date Adopted: May 20, 2014.

David Brenna
 Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 13-20-027, filed 9/23/13, effective 10/24/13)

WAC 181-79A-130 Fee for certification. (1) In accordance with provisions of RCW 28A.410.060 and 28A.415-010, the fee for certificates which are valid for more than one year, issued by authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be as follows:

(a) The first issue of the residency certificate, five dollars for each year of validity;

(b) The continuing certificate, seventy dollars;

(c) The reinstatement, additional endorsement on the teaching certificate, ~~((duplicate certificates,))~~ substitute certificates, ~~((and certificates issued for the purpose of showing a name change,))~~ fifteen dollars;

(d) The first peoples' language, culture, and oral tribal traditions teacher certificate, twenty-five dollars; and

(e) Any other certificate or credential or any renewal thereof, five dollars for each year of validity:

(i) Provided, That the fee for all career and technical education certificates shall be one dollar(=);

(ii) Provided, That a one-time late fee for a renewed initial or continuing certificate issued under the provisions of WAC 181-79A-123 (7), (8), or (9) for those whose initial certificate had already expired shall be one hundred dollars.

(2) The fee for any other certificate/credential, or for any renewal thereof, issued by the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be five dollars.

(3) Officials authorized to collect certification fees are educational service district superintendents, deans and directors of education at colleges and universities, or their designees. Sovereign tribal governments may collect certification fees for first peoples' language, culture, and oral tribal traditions certificates. The fee must accompany the application for

a certificate and shall be transmitted by the receiving district, college or university, sovereign tribal government or program unit designee at least quarterly to the educational service district within which the application is filed for disposition in accordance with provisions of RCW 28A.410.060 or to the office of the superintendent of public instruction.

(4) Beginning September 1, 2013, the office of the superintendent of public instruction may collect certification fees.

(5) The fee shall not be refunded unless the application is withdrawn before it is finally considered (i.e., the issuance of a certificate or a written communication denying such issuance) by the superintendent of public instruction or his or her designee. ~~((Fees not refunded shall apply as credit toward certificate fees if such applicant reapplies within twenty-four months of the date of denial.))~~ Moneys accrued from certification fees shall be divided in the following manner:

(a) No less than fifty percent of the funds accruing within the boundaries of an educational service district shall be used to support program activities related to statewide precertification professional preparation and evaluation.

(b) The remaining funds shall be used to support professional in-service training programs, program evaluation and/or provision of certification services by educational service districts.

WSR 14-11-094

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

[Filed May 21, 2014, 7:23 a.m., effective June 21, 2014]

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

Purpose: WAC 388-02-0025(2) currently gives the Spokane office of administrative hearings as "Old City Hall Building, 5th Floor, 221 N. Wall Street, Suite 540, Spokane, WA 99201." The address has been changed to "16201 E. Indiana Avenue, Suite 5600, Spokane Valley, WA 99216." The phone numbers and fax numbers remain the same. WAC 388-02-0025(2) needs to be amended to correct the address for the Spokane office of administrative hearings.

Citation of Existing Rules Affected by this Order: Amending WAC 388-02-0025.

Statutory Authority for Adoption: RCW 34.05.020, 34.05.353.

Adopted under notice filed as WSR 13-23-099 on November 20, 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 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: May 15, 2014.

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 11-04-074, filed 1/31/11, effective 3/3/11)

WAC 388-02-0025 Where is the office of administrative hearings located? (1)(a) The office of administrative hearings (OAH) headquarters location is:

Office of Administrative Hearings
2420 Bristol Court SW
P.O. Box 42488
Olympia WA 98504-2488
(360) 664-8717
(360) 664-8721 (fax)

(b) The headquarters office is open from 8:00 am to 5:00 p.m. Mondays through Friday, except legal holidays.

(2) OAH field offices are at the following locations:

Olympia

Office of Administrative Hearings
2420 Bristol Court SW
P.O. Box 42489
Olympia, WA 98504-2489
(360) 753-2531
1-800-583-8271
fax: (360) 586-6563

Seattle

Office of Administrative Hearings
One Union Square
600 University Street, Suite 1500
Mailstop: TS-07
Seattle, WA 98101-1129
(206) 389-3400
1-800-845-8830
fax: (206) 587-5135

Vancouver

Office of Administrative Hearings
5300 MacArthur Blvd., Suite 100
Vancouver, WA 98661
(360) 690-7189
1-800-243-3451
fax: (360) 696-6255

Spokane

Office of Administrative Hearings
~~((Old City Hall Building, 5th Floor
221 N. Wall Street, Suite 540))~~
16201 E. Indiana Avenue, Suite 5600
Spokane Valley, WA ~~((99204))~~ 99216
(509) 456-3975
1-800-366-0955
fax: (509) 456-3997

Yakima

Office of Administrative Hearings
32 N 3rd Street, Suite 320
Yakima, WA 98901-2730
(509) 575-2147
1-800-843-3491
fax (509) 454-7281

(3) You should contact the Olympia field office, under subsection (2), if you do not know the correct field office.

(4) You can obtain further hearing information at the OAH web site: www.oah.wa.gov.

WSR 14-11-102
PERMANENT RULES
DEPARTMENT OF
ENTERPRISE SERVICES

[Filed May 21, 2014, 10:23 a.m., effective June 21, 2014]

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

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Under RCW 34.05.353 Expedited rule making, an agency may adopt the rule if no objections were filed with the agency or if all filed objections have been withdrawn.

No objections were filed with the department of enterprise services.

Purpose: The purpose of this rule making is to repeal WAC 200-320-006 and amend WAC 200-320-010 in order to comply with a court decision that invalidates WAC 236-51-006 (recodified as WAC 200-320-006) and WAC 236-51-010(11) (recodified as WAC 200-320-010(11)). See *Wash Fed'n of State Empl. v. Wash Dep't of Gen. Admin.*, 152 Wn. App. 368, 216 p.3d 1061 (Div. 2, 2009).

In regard to the repeal of WAC 200-320-006 and amendment of WAC 200-320-010, agencies must apply the text of RCW 41.06.142 (1)(b) to their specific situation to determine if they have "employees in the classified service whose positions or work would be displaced by the contract." If so, agencies must follow the competitive contracting requirements.

Citation of Existing Rules Affected by this Order: Repealing WAC 200-320-006 If state employees will not be displaced; and amending WAC 200-320-010 Definitions.

Statutory Authority for Adoption: RCW 41.06.142 (1)(b).

Adopted under notice filed as WSR 14-06-099 on March 5, 2014.

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 1.

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

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

Date Adopted: May 20, 2014.

Jack Zeigler
Policy and Rules Manager

AMENDATORY SECTION (Amending WSR 11-23-093, filed 11/17/11, effective 11/17/11)

WAC 200-320-010 Definitions. The following words, terms, and phrases, used in this chapter shall have the following meanings, unless the context clearly indicates otherwise.

(1) "Agency" means an office, department, board, commission, institution of higher education, or other separate unit or division, however designated, of the state government and all personnel thereof; it includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature.

(2) "Appeal" means both a request for an adjudicative proceeding or the actual adjudicative proceeding presided over by an administrative law judge from the office of administrative hearings in accordance with chapter 34.05 RCW.

(3) "Award" means to grant a contract to a successful bidder or bidders, which occurs on the date as specified in the award notice.

(4) "Bid" means a written offer to perform services by contract in response to a solicitation.

(5) "Bidder" means a party who submits a bid or proposal for consideration by an agency issuing a solicitation.

(6) "Competitive contracting" means the process by which classified employees compete with businesses, individuals, nonprofit organizations, or other entities for the performance of services those employees have customarily and historically performed.

(7) "Complainant" means bidder or potential bidder who files a complaint about the bidding process to the agency head or designee on allowable grounds.

(8) "Conflict of interest" means having a personal or financial interest that is in conflict with the proper discharge of state duties, including the transaction of state business with an entity or individual in which a state employee has an interest.

(9) "Date of award" means the date on which the agency and the successful bidder sign the contract.

(10) "Day," whether calendar or business day, means 8:00 a.m. to 5:00 p.m. Pacific Standard Time or Pacific Daylight Time, whichever is in effect. Business day excludes weekends and state holidays. Calendar day is every day including weekends and state holidays. If the end of a period calculated using calendar days falls on a weekend or state holiday, it will be extended to 5:00 p.m. of the next business day.

~~((11))~~ ~~("Displaced employee" means a classified employee whose position or work would be eliminated, resulting in the employee being laid off or assigned to a different job classification, as a result of an award via the competitive contracting process.~~

~~((12))~~ "Efficiency improvement" means the enhanced value and/or quality that an agency achieves as a result of a change to a service or the ways a service is provided. This enhancement may come at a higher cost but its relative value offsets it. Such improvements may include, but are not limited to:

- (a) Reduced preparation or process time;
- (b) Greater accessibility or availability of service; or
- (c) Improved data quality and timeliness.

~~((13))~~ (12) "Employee business unit" means a group of employees who perform services for which an agency proposes to competitively contract and who:

(a) Notify the agency of their intent to submit a bid for the performance of those services through competitive contracting; or

(b) Receive award of a contract from the agency as a result of being the successful bidder.

~~((14))~~ (13) "Employee business unit leader" means a member of the employee business unit chosen and granted authority by the other employee business unit members to represent the interests of the employee business unit in the bid process.

~~((15))~~ (14) "Employee notice" means the notice the agency is required to provide in RCW 41.06.142 (4)(a), "At least ninety calendar days prior to the date the contracting agency requests bids from private entities for a contract for services provided by classified employees, the contracting agency shall notify the classified employees whose positions or work would be displaced by the contract."

~~((16))~~ (15) "Fully allocated costs" means those costs associated with a service, including the cost of employees' salaries and benefits, space, equipment, materials, and other costs necessary to perform the service but does not include the state or agency's indirect overhead costs unless those costs can be attributed directly to the function in question and would not exist if that function were not performed by the state.

~~((17))~~ (16) "In writing" means written communication from one party to another including, but not limited to, electronic means.

~~((18))~~ (17) "Indirect costs" means state or agency costs linked to services which may not be assigned directly. Indirect costs include various administrative and support activities provided to a service by other units from within the agency or by other state government entities. These indirect costs are generally assigned to a service through cost allocation methods.

~~((19))~~ (18) "Notice of intent to award" means a written announcement of the apparent awardee(s) and the expected date of award.

~~((20))~~ (19) "Performance work statement" means a statement of the technical, functional and performance characteristics or requirements of the work to be performed. The statement identifies essential functions to be performed, determines performance factors, including the location of the

work, the units of work, the quantity of work units, and the quality and timeliness of the work units.

~~((21))~~ (20) "Potential bidder" means a business, individual, nonprofit organization, employee business unit, or other entity capable of providing the services being considered for competitive contracting.

~~((22))~~ (21) "Quality assurance plan" means a plan by which an agency will monitor a contract awardee's performance to ensure that the standards of the performance work statement are met within the costs, quality of service, delivery, and other standards of the contract.

~~((23))~~ (22) "Resource plan" means a detailed written plan created by potentially displaced employees or the employee business unit and submitted to the agency for approval of the use of state resources including, but not limited to: State funds, facilities, tools, property, employees and their time requested for:

(a) Potentially displaced employees to prepare an alternative within the sixty calendar day window, as described in RCW 41.06.142 (4)(a), using state resources other than those offered by an agency; or

(b) The employee business unit to prepare its bid.

~~((24))~~ (23) "Responsible bidder" means a bidder who has the capability in all respects to perform in full the contract requirements and meet the elements of responsibility. In determining the "lowest responsible bidder," in addition to cost, the following elements shall be given consideration:

(a) The ability, capacity, and skill of the bidder to perform the contract or provide the service required;

(b) The character, integrity, reputation, judgment, experience, and efficiency of the bidder;

(c) Whether the bidder can perform the contract within the time specified;

(d) The quality of performance of previous contracts or services;

(e) The previous and existing compliance by the bidder with laws relating to the contract or services; and

(f) Such other information as may be secured having a bearing on the decision to award the contract.

~~((25))~~ (24) "Sealed bid" means a bid that is submitted in a manner to prevent its contents from being revealed or known before the deadline for submission of all bids.

~~((26))~~ (25) "Solicitation" means the process of notifying potential bidders that the agency desires to receive competitive bids or proposals for furnishing services. This includes references to the actual document used in that process, such as the bid or request for proposal and any amendments to such documents.

~~((27))~~ (26) "State employee" or "employee" mean an employee in the classified service subject to the provisions of chapter 41.06 RCW.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 200-320-006 If state employees will not be displaced.

WSR 14-11-106
PERMANENT RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed May 21, 2014, 10:57 a.m., effective June 21, 2014]

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

Purpose: Amends WAC 181-82-105 and 181-82-110 to reflect change in assignment requirements for districts. Removes compliance and waiver rules with guidance and reporting rules. Adds new section describing professional educator standards board requirements to report on student numbers enrolled in courses with matching teacher endorsements.

Citation of Existing Rules Affected by this Order: Amending WAC 181-82-105, 181-82-110 and a new section.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 14-07-065 on March 17, 2014.

Changes Other than Editing from Proposed to Adopted Version: Change citation for Title 329 WAC, to correct Title 392 WAC. Added back portions of WAC 181-82-110 related to special education.

A final cost-benefit analysis is available by contacting David Brenna, 600 Washington Street South, Room 400, Olympia, WA 98504-7236, phone (360) 725-6238, fax (360) 586-4548, e-mail david.brenna@k12.wa.us.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 1, Amended 2, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 1, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 16, 2014.

David Brenna
Senior Policy Analyst

NEW SECTION

WAC 181-82-100 Professional educator standards board annual teacher assignment reporting. (1) Beginning September 1, 2014, the professional educator standards board shall annually make publicly available:

(a) A report on the number of students in courses assigned to a teacher of record with or without a matching endorsement appropriate to that course by district and statewide.

(b) Publish and update a board-approved table of teaching certificate endorsements appropriate for assignment to each state-approved course code.

(2) No later than September 1, 2017, the professional educator standards board shall adopt performance targets related to teacher assignments match to state course codes and report annually to the house of representatives and senate education committees of the Washington state legislature those districts failing to meet these targets.

AMENDATORY SECTION (Amending WSR 08-12-056, filed 6/2/08, effective 7/3/08)

WAC 181-82-105 Assignment of classroom teachers within districts. In addition to holding teaching permits or certificates as required by WAC 180-16-220(2), the assignment of classroom teachers in the basic program of education shall comply with the following:

(1) Classroom teachers with standard or unendorsed continuing teacher certificates may be assigned to ~~((any grade or~~) subject areas for which certification is required.

(2) Classroom teachers with initial, residency, endorsed continuing, or professional teacher certificates ~~((may be))~~ are best assigned ((only)) to the ((specified grades and specified subject areas stated as)) courses with course codes that, according to the table published by the professional educator standards board, match with an endorsement((s upon)) on their respective certificates or permits.

(3) ~~((Classroom teachers with initial, residency, endorsed continuing, or professional teacher certificates who have an elementary education endorsement may be assigned to teach any subject in grades K-8.~~

(4) ~~Any certificated teacher who has completed twenty-four quarter hours (sixteen semester hours) of academic study in a content area that will be offered in grades four through nine may be assigned to that course even if the teacher does not hold an endorsement in that area.~~

(5) ~~Any certificated teacher may be assigned to a middle school or junior high school block program, which for the purpose of this section shall be defined as the same teacher assigned to teach two or more subject areas to the same group of students, if the teacher has an endorsement in one of the subject areas and has completed or will complete within one year nine quarter hours in each of the other subject areas.~~

(6) ~~Upon determination by school districts that teachers have the competencies to be effective teachers in alternative settings, individuals with initial, residency, endorsed continuing, or professional teacher certificates may be assigned to teach in alternative schools.~~

(7) ~~Any certificated teacher may be assigned to courses offered in basic education subject areas not included with the list of endorsements specified in WAC 181-82A-202.~~

(8) ~~Any certificated teacher may be assigned to serve as a substitute classroom teacher at any grade level or in any subject area for a period not to exceed thirty consecutive school days in any one assignment.~~

(9) ~~Any certificated person holding a limited certificate as specified in WAC 181-79A-230 or a career and technical education certificate as specified in chapter 181-77 WAC may be assigned as per the provisions of such section or chapter.~~

(10)) If a teacher is assigned to provide special education, then the district must also comply with chapter 392-172A WAC ((392-172-200 and 392-172-202)).

~~((11)(a) For the purpose of this section, the term "specified subject areas" shall mean courses or classes with the same subject area title as specified by the classroom teacher's endorsement and courses or classes which the board of directors of the district, using the endorsement-related assignment table published by the professional educator standards board as a nonbinding guideline, determines to substantially include the same subject area as the endorsement—e.g., a classroom teacher with a health endorsement may be assigned to any course, regardless of course title, which substantially includes health as the subject area.~~

~~(b) The endorsement-related assignment table published by the professional educator standards board may not be changed without prior professional educator standards board approval. Endorsement-related assigned classroom teachers must be evaluated annually specific to the assignment and achieve a satisfactory rating to continue in the assignment.~~

~~(12) Exceptions to the assignment requirements of subsection (1) of this section must comply with WAC 181-82-110.~~

~~(13) School district compliance with this section shall be subject to the state staff review process specified in WAC 180-16-195(2).))~~

(4) The endorsement to course code table may be changed by the PESB.

AMENDATORY SECTION (Amending WSR 12-16-107, filed 8/1/12, effective 9/1/12)

WAC 181-82-110 ((Exceptions to classroom teacher assignment policy.)) School district response and support for nonmatched endorsements to course assignment of teachers. ((Exceptions to the classroom teacher assignment policy specified in WAC 181-82-105 shall be limited to the following:

~~(1) Upon determination by school districts that teachers have the competencies to be effective teachers in areas other than their endorsed areas,))~~ Individuals with initial, residency, endorsed continuing, or professional teacher certificates who have completed provisional status with a school district under RCW 28A.405.220 may be assigned to classes other than in their areas of endorsement. If teachers are so assigned, the following shall apply:

~~((a))~~ (1) A designated representative of the district and any such teacher so assigned shall mutually develop a written plan which provides for necessary assistance to the teacher, and which provides for a reasonable amount of planning and study time associated specifically with the out-of-endorsement assignment;

~~((b))~~ (2) Such teachers shall not be subject to nonrenewal or probation based on evaluations of their teaching effectiveness in the out-of-endorsement assignments;

~~((c))~~ (3) Such teaching assignments shall be approved by a formal vote of the local school board for each teacher so assigned;

~~((d))~~ The assignment of such teachers for the previous school year shall be reported annually to the professional

educator standards board by the employing school district as required by WAC 180-16-195. Included in the report shall be the number of teachers in out-of-endorsement assignments and the specific assistance being given to the teachers; and

~~(e) Teachers providing instruction to a cohort of students in two consecutive years may be assigned subject to (b), (c), and (d) of this subsection, provided they are properly endorsed in at least one of the two years they instruct the cohort class.~~

~~(2) Teachers with initial, residency, endorsed continuing, or professional teacher certificates who have not completed provisional status with a school district under RCW 28A.405.220 may be assigned to one out-of-endorsement assignment for a maximum of two periods (not more than forty percent full-time equivalent) a day. Conditions described in subsection (1)(a) through (d) of this section shall apply to teachers so assigned.~~

~~(3) After August 31, 2000, a teacher who has completed twenty-four quarter credit hours (sixteen semester credit hours) of course work applicable to a special education endorsement shall be eligible for a waiver from the special education office which will allow that person to be employed as a special education teacher. All remaining requirements shall be completed within five years of service as a special education teacher. Teachers who hold certificates endorsed in special education or who have received waivers from the special education office prior to September 1, 2000, shall not be affected by the requirements of this subsection.~~

~~(4) After September 1, 2009, a teacher who has completed eighteen quarter credit hours (twelve semester credit hours) of course work applicable to an endorsement, other than special education for which subsection (3) of this section applies, shall be eligible for a conditional waiver from the professional educator standards board. Approved conditional waivers will allow a teacher to be employed in the subject matter area for which they do not hold the endorsement as long as they verify enrollment in an endorsement program within six months of their assignment and attain the full endorsement within four years. Application for a conditional waiver shall be made by both teachers and districts to the professional educator standards board.))~~ (4) A teacher who has completed twenty-four quarter credit hours (sixteen semester credit hours) of course work applicable to a special education endorsement shall be eligible for a preendorsement waiver from the special education office per chapter 392-172A WAC which will allow that person to be employed as a special education teacher. All remaining requirements for special education endorsement shall be completed within five years.