

WSR 17-10-076
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 17-10—Filed May 3, 2017, 11:25 a.m., effective June 3, 2017]

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

Purpose: WAC 232-12-021 Importation and retention of dead nonresident wildlife, 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits, 232-28-299 Mandatory report of hunting activity, and 232-28-358 2015-2017 Elk general seasons and definitions: The proposed changes to these four rules are limited to corrections to WAC headings or internal references to other WAC that are subject to the recodification of Title 232 WAC. This is part of the department's effort to cleanup and better organize Washington department of fish and wildlife's (WDFW) administrative code and provides the public and department staff with a more logical and navigable code. It will also consolidate all rules under one WAC title and should accomplish a streamlined, legally accurate, and legally adequate administrative code.

WAC 232-28-248 Special closures and firearm restriction areas: The changes to the special closures and firearm restriction areas WAC that were recommended by department staff are administrative changes that clarify road names and game management unit (GMU) names. Special closures and firearm restriction areas allow the fish and wildlife commission to restrict or close hunting activity in certain areas and during certain time periods to optimize safety, discourage trespass on restricted lands, and protect sensitive species.

WAC 232-28-273 Moose seasons, permit quotas, and areas: Department staff recommended (1) reducing any moose permits in the combined GMU 127 and 130 hunting unit ("Hangman") from 7 to 4; (2) reducing antlerless-only moose permits in GMU 127 from 7 to 4; (3) extending season length of the Parker Lake archery (moose area 3) hunt from Sept. 1-26 to Sept. 1-30; (4) extending season length of Parker Lake muzzleloader from Sept. 27-Oct. 5 to Oct. 1-31; and (5) increasing the number of hunter education instructor incentive permits from 2 to 4, but expanding the GMUs open to these permit holders to include GMUs 101, 105, 108, 111, 113, and 121.

Feedback from hunters during seasons 2015 and 2016 indicated it has been increasingly difficult to find moose in GMUs 127 and 130. Feedback from hunters has indicated that more time has been needed to successfully hunt in the Parker Lake area, and military officials have suggested these specific season dates. Increasing the hunter education instructor incentive permits will help incentivize instructors to meet program goals and public demand.

WAC 232-28-291 Special hunting season permits: WDFW staff recommended allowing the department to restore points to hunters that draw a damage hunt administered by a WDFW designated hunt coordinator, but do not get called to participate.

Feedback from hunters since the inception of this type of hunt suggests that this is a problem that can be fixed by the proposed changes.

WAC 232-28-296 Landowner hunting permits: Department staff recommended modifying hunt dates on properties

enrolled in WDFW's landowner hunting permit (LHP) program for the 2017 hunting seasons. These sites offer special hunting opportunities to the public through permits issued by WDFW, raffles, or selection by the landowner.

Several years ago, the fish and wildlife commission developed a policy to expand the private lands available to the general public for hunting. One of the programs authorized was the LHP program. This program encourages landowners to provide opportunity to the general hunter in exchange for customized hunting seasons and the ability to generate funding to offset the cost of providing public access.

WAC 232-28-337 Elk area descriptions: Department staff recommended the removal of six elk areas (EA) in Grays Harbor, Mason, Clallam, and Jefferson counties. These EAs (6012, 6062, 6066, 6068, 6072, and 6073) are no longer needed to mitigate wildlife conflict.

Elk areas allow the fish and wildlife commission to adopt hunting seasons that can be conducted at a smaller scale than the GMU. Setting seasons at this scale allows for more strategic wildlife management using hunting as a tool to control populations and mitigate wildlife conflict. When the need for a particular EA subsides, the fish and wildlife commission adopts amendments to the rule that removes those particular EAs.

WAC 232-28-342 Small game and other wildlife seasons and regulations: Department staff recommended changing the wildlife area name South L. T. Murray to Wenas. The wildlife area name Wenas will now be consistent with WDFW publications including web site pages, the pamphlet, and brochures.

The wildlife area name South L. T. Murray changed to Wenas in 1997. The name change was due to the different funding sources. The southern portion of the L. T. Murray wildlife area is funded by federal Bonneville Power Administration money where as L. T. Murray proper is funded by wildlife state money.

WAC 232-28-357 2015-2017 Deer general seasons and definitions: Department staff recommended retaining general season deer hunting opportunity for 2017. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when deer populations allow, and reduces the opportunity when declining deer numbers warrant a change.

These recommendations provide for recreational deer hunting opportunity and protect deer from overharvest. They also help address deer agricultural damage problems and provide for deer population control when needed.

WAC 232-28-359 2017 Deer special permits: Department staff recommended retaining special permit deer hunting opportunity for 2017. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when deer populations allow, and reduces the opportunity when declining deer numbers warrant a change.

These recommendations provide for recreational deer hunting opportunity and protect deer from overharvest. They also help address deer agricultural damage problems and provide for deer population control when needed.

WAC 232-28-360 2017 Elk special permits: Department staff recommended retaining elk special permit hunting

opportunity for 2017. The purpose is to balance the elk hunting opportunity between user groups. The proposal also increases elk hunting opportunity when elk populations allow, and reduces elk hunting opportunity when declining elk numbers warrant a change.

These recommendations provide for recreational elk hunting opportunity and protect elk from overharvest. They also help address elk agricultural damage problems and provide for elk population control when needed.

WAC 232-28-436 2016-2017 Migratory waterfowl seasons and regulations: Department staff recommended amending WAC 232-28-436 2016-2017 Migratory waterfowl seasons and regulations, to specify legal season dates, bag limits, and open areas to hunt waterfowl, coot, snipe, band-tailed pigeon, and mourning dove for the 2017-2018 hunting season. In this proposal goose bag limits are changed from a bag limit of 4 geese (not including brant) to allow harvest of 4 Canada geese, 10 white-fronted geese, and 6 white geese statewide during specified season dates. Dusky Canada Goose remains closed to harvest. The proposal opens Whatcom and Clallam counties to limited brant harvest dates.

Migratory game bird seasons and regulations are developed based on cooperative management programs among states of the Pacific Flyway and the United States Fish and Wildlife Service, considering population status and other biological parameters. The rule establishes migratory game bird seasons and regulations to provide recreational opportunity, control waterfowl damage, and conserve the migratory game bird resources of Washington.

WAC 232-28-622 Bighorn sheep seasons, permit quotas, and areas: WDFW staff recommended (1) temporarily eliminating the bighorn sheep ram permit for the Vulcan Mountain herd; (2) reducing the number of bighorn ram permits for the Lincoln Cliffs herd from 2 to 1; and (3) adjusting the beginning date of the late bighorn sheep ewe season at Cleman Mountain.

The Vulcan Mountain bighorn sheep herd may be increasing slowly but remains small, and there are few mature rams in the herd at this time. WDFW comanages this herd with the Colville Confederated Tribes, who have similarly instituted a temporary moratorium on harvest in this herd. WDFW is attempting to bolster this herd via translocations, and we hope to be able to offer a ram permit in future, in cooperation with our tribal partners, but for now, ram harvest is not advisable.

At the March commission meeting and in the CR-102 filing, the department was recommending increasing ewe permits in the Cleman Mountain herd by adding a second season. Since that time, the department has determined that the over-winter mortality in this herd is sufficient to reach management objectives. Therefore, the department is withdrawing its initial recommendation for increased opportunity in the Cleman Mountain herd.

WAC 232-28-624 Deer area descriptions: Department staff recommended changes to the deer area descriptions rule to create a new deer area in Klickitat County. The proposed new deer area will expand deer hunting opportunity on newly acquired wildlife area land.

Deer areas allow the fish and wildlife commission to adopt hunting seasons that can be conducted at a smaller

scale than the GMU. Setting seasons at this scale allows for more strategic wildlife management, expanding hunting opportunity using hunting as a tool to control deer populations and mitigating wildlife conflict.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-021, 232-28-248, 232-28-273, 232-28-283, 232-28-291, 232-28-296, 232-28-299, 232-28-337, 232-28-342, 232-28-357, 232-28-358, 232-28-359, 232-28-360, 232-28-436, 232-28-622, and 232-28-624.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090.

Adopted under notice filed as WSR 17-04-103 on February 1, 2017.

Changes Other than Editing from Proposed to Adopted Version: WAC 232-12-021, 232-28-248, 232-28-283, 232-28-291, 232-28-296, 232-28-299, 232-28-337, 232-28-342, 232-28-358, and 232-28-624: None.

WAC 232-28-273, the title of the WAC was changed to "2017 Moose seasons, permit quotas, and areas" to reflect the current year.

WAC 232-28-357:

- Under Modern Firearm, the title of the "Hunters 65 and Over, Disabled, or Youth General Seasons" was changed to "Hunters 65 and Over, Disabled, and Youth General Seasons" to clarify the opportunity provided is for each of the three user groups.
- Under Modern Firearm, Eastern Washington White-tailed Deer, Hunters 65 and Over, Disabled, and Youth General Seasons, the line that includes 2017 Dates - Oct. 19-22, GMUs 101, 105, 108, 111, 113, 117, and 121 with the Legal Deer—Any white-tailed deer was removed. Under Modern Firearm, Eastern Washington White-tailed Deer, a new line was added for Disabled and Youth General Seasons with 2017 Dates to include Oct. 14-15 and Oct. 21-22, and to include GMUs 101, 105, 108, 111, 113, 117, and 121 with the Legal Deer being Any white-tailed deer. These two changes constitute a reduction in antlerless hunting opportunity for senior hunters while maintaining some opportunity for youth and disabled hunters. These changes reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under Late Archery General Deer Seasons, Eastern Washington White-tailed Deer, Nov. 10-Dec. 15, GMU 101, the Legal Deer was changed from Any white-tailed deer to White-tailed, any buck. Under Late Archery General Deer Seasons, Eastern Washington White-tailed Deer, GMUs 105, 108, 117, and 121, White-tailed any buck, the dates were changed from Nov. 22-Dec. 9 to Nov. 22-Dec. 15. Under Late Archery General Deer Seasons, Eastern Washington White-tailed Deer, the line was removed that includes 2017 Dates Dec. 10-15, GMUs 105, 108, 117, and 121, Legal Deer—Any white-tailed deer. These three changes constitute a reduction in antlerless hunting opportunity for late season archery while maintaining the season for white-tailed deer bucks. These changes reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

WAC 232-28-359:

- Under Quality, Modern Firearm, the permit numbers were changed for the following hunts:
 - Manson, the permit number was changed from 10 to 7;
 - Chiwawa, the permit number was changed from 27 to 19;
 - Slide Ridge, the permit number was changed from 10 to 7;
 - Entiat, the permit number was changed from 25 to 18;
 - Swakane, the permit number was changed from 15 to 11;
 - Mission, the permit number was changed from 10 to 7.

These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

- Under Quality, Modern Firearm, the permit numbers were changed for the following hunts:
 - Quilomene, the permit number was changed from 14 to 13;
 - Teanaway, the permit number was changed from 20 to 21.

These permit changes reflect adjustments resulting from the special permit allocation formula.

- Under Quality, Archery, the permit numbers were changed for the following hunts:
 - Chiwawa, the permit number was changed from 10 to 7;
 - Slide Ridge, the permit number was changed from 3 to 2;
 - Entiat, the permit number was changed from 50 to 35.

These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

- Under Quality, Archery, the permit numbers were changed for the following hunts:
 - Desert, Sept. 1-Oct. 7, the permit number was changed from 15 to 12;
 - Desert, Nov. 25-Dec. 12, the end date was changed to Dec. 10 and the permit number was changed from 14 to 12;
 - Naneum, the permit number was changed from 7 to 8;
 - Teanaway, the permit number was changed from 8 to 10.

These permit changes reflect adjustments resulting from the special permit allocation formula and also prevents an overlap with a modern firearm special permit hunt.

- Under Quality, Muzzleloader, the permit numbers were changed for the following hunts:
 - Chiwawa, the permit number was changed from 3 to 2;
 - Mission, the permit number was changed from 15 to 11.

These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

- Under Quality, Muzzleloader, the permit numbers were changed for the following hunts:

- Teanaway, the permit number was changed from 2 to 3;
- Quilomene, the permit number was changed from 2 to 1.

These permit changes reflect adjustments resulting from the special permit allocation formula.

- Under Bucks, Archery, the permit numbers were changed for the following hunts:
 - Ritzville, the permit number was changed from 10 to 21;
 - Alkali, the permit number was changed from 3 to 2.
- These permit changes reflect adjustments resulting from the special permit allocation formula.
- Under Antlerless, Archery, the Entiat hunt was deleted. These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under Antlerless, Archery, the Swakane hunt was deleted. These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under 2nd Deer, Modern, the Mission hunt was deleted. These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under 2nd Deer, Modern, Desert hunt, the dates were changed from Dec. 9-25 to Dec. 11-25. This change avoids an overlap with an archery special permit hunt.
- Under 2nd Deer, Muzzleloader, the Chiwawa hunt, the Swakane hunt, and the Mission hunt were deleted. These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under Youth, Modern, the second Couse hunt, Oct. 14-24, GMU 181, the Special Restriction was changed from Antlerless to Any Deer. This change corrects an error in the initial filing and differentiates between the first and second Couse hunts.
- Under Youth, Modern:
 - Chiwawa, the permit number was changed from 10 to 5;
 - Entiat, the permit number was changed from 10 to 5;
 - Swakane, the permit number was changed from 5 to 3;
 - Mission, the permit number was changed from 15 to 8.

These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

- Under Youth, Muzzleloader, Mission, the number of permits were changed from 5 to 3. These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under Senior 65+, Modern, the permit numbers were changed for the following hunts:
 - Chiwawa, the permit number was changed from 10 to 5;
 - Entiat, the permit number was changed from 10 to 5;
 - Swakane, the permit number was changed from 10 to 5;
 - Mission, the permit number was changed from 10 to 5.

These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

- Under Hunters with Disabilities, Modern, the permit numbers were changed for the following hunts:
 - Chiwawa, the permit number was changed from 5 to 3;
 - Entiat, the permit number was changed from 5 to 3;
 - Mission, the permit number was changed from 5 to 3.

These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

- Under Hunters with Disabilities, Muzzleloader, the permit numbers were changed for the following hunts:
 - Chiwawa, the permit number was changed from 5 to 3;
 - Entiat, the permit number was changed from 5 to 3;
 - Mission, the permit number was changed from 5 to 3.

These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

WAC 232-28-360:

- Under the Quality, Modern Firearm (EF and WF), the permit numbers were changed for the following hunts:
 - Wenaha West, the permit number was changed from 10 to 9;
 - Wenaha East, the permit number was changed from 11 to 10;
 - Lick Creek, the permit number was changed from 7 to 6;
 - Colockum, Oct. 23-Nov. 5, the permit number was changed from 23 to 22;
 - Observatory, the permit number was changed from 5 to 3;
 - Little Naches, the permit number was changed from 15 to 10;
 - Nooksack, the permit number was changed from 10 to 12;
 - Toutle, the permit number was changed from 49 to 46.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective, or they are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Under the Quality, Archery (EA and WA), the permit numbers were changed for the following hunts:
 - Blue Creek, the permit number was changed from 5 to 6;
 - Ten Ten, the permit number was changed from 3 to 4;
 - Tucannon, the permit number was changed from 7 to 6;
 - Wenaha East, the permit number was changed from 6 to 4;
 - Mountain View, the permit number was changed from 13 to 14;
 - Couse, the permit number was changed from 3 to 2;
 - Colockum, the permit number was changed from 17 to 13;
 - Teanaway, the permit number was changed from 6 to 4;

- Peaches Ridge, the permit number was changed from 134 to 104;
- Observatory, the permit number was changed from 134 to 104;
- Goose Prairie, the permit number was changed from 93 to 109;
- Bethel, the permit number was changed from 46 to 66;
- Rimrock, the permit number was changed from 71 to 85;
- Nooksack, the permit number was changed from 5 to 7;
- Toutle, the permit number was changed from 37 to 34;
- White River, the permit number was changed from 24 to 19.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective, or they are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Under Quality, Muzzleloader (EM and WM), the permit numbers were changed for the following hunts:
 - Dayton, the permit number was changed from 4 to 5;
 - Wenaha East, the permit number was changed from 3 to 4;
 - Colockum, the permit number was changed from 9 to 7;
 - Teanaway, the permit number was changed from 3 to 2;
 - Peaches Ridge, the permit number was changed from 34 to 33;
 - Observatory, the permit number was changed from 31 to 27.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective, or they are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Under Quality, Muzzleloader (EM and WM), the permit numbers were changed for the following hunts:
 - Goose Prairie, the permit number was changed from 16 to 24;
 - Bethel, the permit number was changed from 14 to 20;
 - Rimrock, the permit number was changed from 9 to 10;
 - Cowiche, the permit number was changed from 9 to 5;
 - Nooksack, the permit number was changed from 5 to 7;
 - Toutle, the permit number was changed from 12 to 13.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective, or they are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Under the Bulls, Modern Firearm (EF and WF), the permit numbers were changed for the following hunts:
 - Peaches Ridge, the permit number was changed from 118 to 110;
 - Observatory, the permit number was changed from 86 to 71;
 - Goose Prairie, the permit number was changed from 84 to 106;
 - Bethel, the permit number was changed from 64 to 76;
 - Rimrock, the permit number was changed from 83 to 77;
 - Cowiche, the permit number was changed from 13 to 12;
 - Olympic, the permit number was changed from 8 to 7;
 - White River, the permit number was changed from 34 to 35.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective, or they are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Under Bulls, Western Archery (WA), Olympic, the permit number was changed from 6 to 5. This permit change reflects adjustments resulting from the special permit allocation formula.
- Under Bulls, Western Muzzleloader (WM), Skokomish, the permit number was changed from 2 to 1. This permit change reflects adjustments resulting from the special permit allocation formula.
- Under Antlerless, Modern Firearm (EF) the permit numbers were changed for the following hunts:
 - Dayton, the permit number was changed from 25 to 8;
 - Lick Creek, the permit number was changed from 5 to 3.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under Antlerless, Modern Firearm (EF and WF) the permit numbers were changed for the following hunts:
 - Colockum, the permit number was changed from 510 to 100;
 - Taneum, the permit number was changed from 350 to 35;
 - Manastash, the permit number was changed from 300 to 30;
 - Umtanum, the permit number was changed from 250 to 25;
 - Little Naches, the permit number was changed from 350 to 35;
 - Nile, the permit number was changed from 100 to 10;
 - Bumping, the permit number was changed from 200 to 20;
 - Bethel, the permit number was changed from 100 to 10;
 - Rimrock, the permit number was changed from 110 to 15;

- Cowiche, the permit number was changed from 110 to 15;
- Winston, the permit number was changed from 40 to 25;
- Margaret, the permit number was changed from 40 to 25;
- Coweeman, the permit number was changed from 75 to 50;
- Toutle, the permit number was changed from 35 to 25;
- Lewis River, the permit number was changed from 60 to 40;
- Mudflow, the permit number was changed from 10 to 7.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under Antlerless, Archery (EA and WA), the permit numbers were changed for the following hunts:
 - Dayton, the permit number was changed from 15 to 5;
 - Margaret, the permit number was changed from 30 to 20;
 - Toutle, the permit number was changed from 50 to 30.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under Antlerless, Muzzleloader (EM and WM) the permit numbers were changed for the following hunts:
 - Dayton, the permit number was changed from 25 to 8;
 - Lick Creek, the permit number was changed from 5 to 3;
 - Colockum, the permit number was changed from 140 to 50;
 - Taneum, the permit number was changed from 270 to 25;
 - Manastash, the permit number was changed from 250 to 25;
 - Umtanum, the permit number was changed from 215 to 20;
 - Nile, the permit number was changed from 75 to 10;
 - Bumping, the permit number was changed from 55 to 10;
 - Bethel, the permit number was changed from 40 to 10;
 - Cowiche, the permit number was changed from 80 to 10;
 - Mudflow, the permit number was changed from 5 to 4;
 - Winston, the permit number was changed from 20 to 15;
 - Margaret, the permit number was changed from 20 to 10;
 - Coweeman, the permit number was changed from 40 to 25;
 - Toutle, the permit number was changed from 40 to 25;

- Lewis River, the permit number was changed from 20 to 15.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under Youth, the permit numbers were changed for the following hunts:
 - Colockum, EF, the permit number was changed from 60 to 15;
 - Yakima North, EF, the permit number was changed from 145 to 15;
 - Yakima Central, EF, the permit number was changed from 50 to 5;
 - Yakima South, EF, the permit number was changed from 30 to 5;
 - Colockum, EM, the permit number was changed from 30 to 5;
 - Yakima North, EM, the permit number was changed from 50 to 10;
 - Yakima Central, EM, the permit number was changed from 30 to 10;
 - Yakima South, EM, the permit number was changed from 30 to 10;
 - Mudflow, WF, Oct. 28 - Nov. 3, the permit number was changed from 4 to 3;
 - Coweeman, WF, the permit number was changed from 25 to 15;
 - Toutle, WF, the permit number was changed from 40 to 25;
 - Lewis River, WF, the permit number was changed from 15 to 10.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under 65+ Senior, the permit numbers were changed for the following hunts:
 - Colockum, EF, the permit number was changed from 15 to 5;
 - Yakima North, EF, the permit number was changed from 40 to 10;
 - Yakima Central, EF, the permit number was changed from 10 to 5;
 - Yakima South, EF, the permit number was changed from 10 to 5;
 - Yakima North, EM, the permit number was changed from 25 to 5;
 - Yakima Central, EM, the permit number was changed from 15 to 5.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under Hunters with Disabilities, the permit numbers were changed for the following hunts:
 - Colockum, the permit number was changed from 15 to 5;
 - Yakima North, the permit number was changed from 40 to 10;
 - Yakima Central, the permit number was changed from 20 to 5;

- Yakima South, the permit number was changed from 10 to 5;
- Mudflow, Oct. 20 - 26, the permit number was changed from 4 to 3.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under the Master Hunter category, Region 2, the dates were changed from Aug. 1, 2016 - Mar. 31, 2017, to Aug. 1, 2017 - Mar. 31, 2018. The change corrects the hunt dates so that they fall within the proper license year for the upcoming season.
- Under the Master Hunter category, Region 4 North, the dates were changed from July 1, 2016 - Mar. 31, 2017, to July 1, 2017 - Mar. 31, 2018. The change corrects the hunt dates so that they fall within the proper license year for the upcoming season.
- Under Master Hunter, the permit numbers were changed for the following hunt: Region 4 North, the number of permits was changed from 10 to 12. This permit change reflects permit levels agreed upon with stakeholders and tribes.

WAC 232-28-436:

- Under Goose Management Area 2, Regular Season, the season dates and stipulations were changed to read as follows:

Regular Season

Open in all areas except Ridgefield NWR from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, 7-days per week during Oct. 14-29, 2017; Saturdays, Sundays, and Wednesdays only, Nov. 25, 2017 - Jan. 14, 2018; and Feb. 10 - Mar. 10, 2018. During Feb. 10 - Mar. 10, 2018, U.S. Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas are closed to goose hunting in Goose Management Area 2. Ridgefield NWR open from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, Tuesdays, Thursdays, and Saturdays only, Oct. 14-21, 2017 and Nov. 25, 2017 - Jan. 13, 2018.

This changes the first 9-day window of the season to 16-days, Oct. 14-29, and allows goose hunting 7-days per week during this period. In a second period, from Nov. 25 - Jan. 14, hunting is allowed on Saturdays, Sundays, and Wednesdays only, except on Ridgefield NWR which is allowed official hunt days on Tuesdays, Thursdays, and Saturdays only. The final period, from Feb. 10 - Mar. 10 was modified to take advantage of the Saturday, March 10 date, which is the final allowable hunting day under the Migratory Bird Treaty Act. This results in a net increase of 9 allowable hunting days, and aligns hunting period dates closely with Oregon's NW Permit Zone to reduce confusion to hunters hunting both areas. These changes maximize harvest opportunity during a period of time when the presence of Dusky Canada Goose is minimal (prior to October 30) by allowing a 16-consecutive day opening hunting period and maximizes the final

period to address concerns related to agricultural degradation.

WAC 232-28-622:

- The "Cleman Mountain B" late ram hunt and the "Cleman Mountain C" early ewe hunt were removed. There has been sufficient over-winter mortality in the Cleman Mountain bighorn sheep herd so these additional removals are no longer needed to move the herd toward its desired abundance.
- The number of bighorn sheep ram permits for the Lincoln Cliffs herd was changed from 2 to 1. This is advisable because although a recent survey documented many rams, fewer than hoped for were of the old, mature type that we wish to recruit into the population.
- Under the description of Sheep Unit 18 Chelan Butte, the spelling of "Antoine Creek" was corrected.

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 16, 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 14, 2017.

Brad Smith, Chair
Fish and Wildlife Commission

AMENDATORY SECTION (Amending WSR 16-12-087, filed 5/31/16, effective 7/1/16)

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 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.

(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))) <u>Battle Ground</u>) That portion of GMU 554 (<u>Yale</u>) in Clark County.
Cowlitz	GMU 554 (Yale) GMU 504 (Stella) That portion of GMU 564 ((((Battleground))) <u>Battle Ground</u>) in Cowlitz County.
Grays Harbor	The following ((((Chehalis Valley)))) restriction applies only during modern firearm deer and elk seasons: 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))) <u>Cranberry Road</u>); 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.

COUNTY	AREA
Grays Harbor	The following ((((Chehalis Valley)))) restriction applies only during modern firearm elk seasons: That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to State Street in Oakville; south on State Street to its merge with Oakville Road; west on Oakville Road to its merge with South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to the Chehalis River; west along the Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 to the point of beginning.
Island	GMUs 421 (Camano) and 420 (Whidbey).
Jefferson	Indian and Marrowstone islands.
King	The area west of Highway 203 (Monroe-Fall City, then Fall City-Preston Road) to Interstate 90 (I-90), I-90 to Highway 18, Highway 18 to Interstate 5 (I-5), I-5 to the Pierce-King County line; 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.
Kitsap	East of State Highway 16 originating at the Tacoma Narrows Bridge to Gorst, and east of Highway 3 to Newbury Hill Road, north of Newbury Hill Road and the Bremerton-Seabeck Highway to Big Beef Creek Bridge; all of Bainbridge Island, and Bangor Military Reservation.
Kittitas	GMU 334 (Ellensburg) Closed to centerfire rifles during deer and elk seasons except for those areas designated in writing by WDFW wildlife conflict staff.
Klickitat	Elk Area 5062 (Trout Lake) closed to centerfire rifles, handguns, and muzzleloaders October 1 to January 30.

COUNTY	AREA	COUNTY	AREA
Mason	GMU 633 (Mason Lake) south of Hammersley Inlet; and all of Harstine Island.	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.
Pacific	GMU 684 (Long Beach) the following Long Beach Peninsula restriction applies only during modern firearm deer and elk seasons: Beginning at the end of Outer Harbor Way in the City of Ilwaco to U.S. Highway 101, west and north on Highway 101 to Sandridge Road; north on Sandridge Road to 95th Street; west on 95th Street to Tarlatt Slough; out Tarlatt Slough to Willapa Bay, north along the shoreline of Willapa Bay, then west to the Pacific Ocean. South along the west coast of the peninsula to Cape Disappointment State Park; east along state park boundary to Baker Bay; east along Baker Bay to the point of beginning. 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 (Chinook Valley) beginning at confluence of Wallacut River, east along the Columbia River to the Astoria-Megler bridge; west along U.S. Highway 101 to Houtchen Road, north on Houtchen Road to the Chinook River; west on the Chinook River to the Chinook Valley Road; west on the Chinook Valley Road to Highway 101 and Wallacut River bridge; southwest on Wallacut River to point of beginning.	Skamania	That portion of GMU 564 (Battle Ground) in Skamania County.
		Thurston	GMU 666 (Deschutes) north of U.S. Highway 101 and Interstate 5 between Oyster Bay and the mouth of the Nisqually River.
		Whatcom	All mainland areas and islands of Whatcom County that are west of I-5. This restriction applies to big game hunting only.
			(b) Archery tag holders may only hunt during established archery seasons with archery equipment as defined under WAC ((232-12-054) <u>220-414-070</u>).
			(c) Muzzleloader tag holders may only hunt during established muzzleloader seasons with muzzleloader equipment or archery equipment as defined by department rule.
			(d) Modern firearm tag holders may hunt during established modern firearm seasons with bows and arrows; crossbows; muzzleloaders; revolver-type handguns; semiautomatic handguns of .40 (10 mm) caliber or larger; 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.
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. GMU 627 (Kitsap) south of Highway 302 on the Longbranch Peninsula is a firearm restriction area.		<u>AMENDATORY SECTION</u> (Amending WSR 15-10-048, filed 4/29/15, effective 5/30/15)
			WAC 232-28-273 ((2012-2014) <u>2017</u> 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:
			(i) Any moose category: An individual may only harvest one moose under the "any moose" category during his or her lifetime. Applications will not be accepted from hunters having previously harvested a moose in the "any moose" category.
			(ii) Antlerless only, youth antlerless, over-65 antlerless, disabled-antlerless, master-hunter any moose, hunter-education antlerless, auction moose, raffle moose: Anyone may apply.
			(b) Bag Limit: One moose.
			(c) Weapon Restrictions: Permit holders may use any legal weapon.
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.		

Hunt Name	Notes	Permit Season	GMU or boundary	Permits
Any moose				
Kettle Range-East Okanogan		Oct. 1 - Nov. 30	GMUs 101, 105, 204	10
Douglas A - Early		Oct. 1-31	GMU 108	3
Douglas A - Late		Nov. 1-30	GMU 108	3
Aladdin A - Early		Oct. 1-31	GMU 111	3
Aladdin A - Late		Nov. 1-30	GMU 111	3
Selkirk		Oct. 1 - Nov. 30	GMU 113	15
49 Degrees North A - Early		Oct. 1-31	GMU 117	15
49 Degrees North A - Late		Nov. 1-30	GMU 117	15
Parker Lake A - Archery	e,W	Sept. ((1-26)) <u>1-30</u>	Moose area 3	2
Parker Lake A - Muzzleloader	e,X	((Sept. 27 - Oct. 5)) <u>Oct. 1-31</u>	Moose area 3	2
Huckleberry A - Early	((*)	Oct. 1-31	GMU 121	6
Huckleberry A - Late	((*)	Nov. 1-30	GMU 121	6
Spokane West A	((*)	Oct. 1 - Nov. 30	GMU 124 w of Hwy 395	1
Mt Spokane South A		Oct. 1 - Nov. 30	Moose Area 1 (within 124)	8
Mt Spokane North A		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	8
Hangman	((*)	Oct. 1 - Nov. 30	GMU 127 & 130	((7)) <u>4</u>
Antlerless only				
Douglas B		Oct. 1 - Nov. 30	GMU 108	2
Aladdin B		Oct. 1 - Nov. 30	GMU 111	2
49 Degrees North B		Oct. 1 - Nov. 30	GMU 117	2
Huckleberry B	((*)	Oct. 1 - Nov. 30	GMU 121	3
Spokane West B	((*)	Oct. 1 - Nov. 30	GMU 124 w of Hwy 395	2
Mt Spokane South B		Oct. 1 - Nov. 30	Moose Area 1 (within 124)	8
Mt Spokane North B		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	7
Mica Peak	((*)	Oct. 1 - Nov. 30	GMU 127	((7)) <u>4</u>
Cheney B	((**))	Oct. 1 - Nov. 30	GMU 130	2
Youth Only - antlerless				
	a			
49 Degrees North Y		Oct. 1 - Nov. 30	GMU 117	2
Mt Spokane South Y		Oct. 1 - Nov. 30	Moose Area 1 (within 124)	8
Mt Spokane North Y		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	8
65 Year and over - antlerless				
	c			
49 Degrees North V		Oct. 1 - Nov. 30	GMU 117	2
Huckleberry V		Oct. 1 - Nov. 30	GMU 121	2

Hunt Name	Notes	Permit Season	GMU or boundary	Permits
Disabled hunter - antlerless				
	b			
49 Degrees North D		Oct. 1 - Nov. 30	GMU 117	3
Mt Spokane North D		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	1
Hunter Education antlerless				
	d			
((Selkirk)) District 1 HE	HEII	Oct. 1 - Nov. 30	GMU ((413)) 101, 105, 108, 111, 113, 121	((2)) 4
Master Hunter - Any moose				
Spokane District MH	HC	Aug. 1 - Mar. 31	GMUs 124-142	10

^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.

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

^wArchery only.

^zMuzzleloader only.

^{HEII}Only qualifying hunter education instructors may apply.

(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 16-12-087, filed 5/31/16, effective 7/1/16)

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

AUCTION PERMITS

- (1) BLACK-TAILED DEER AUCTION PERMIT
 - (a) Season dates: September 1 - December 31
 - (b) 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.
 - (c) Weapon type: Any legal weapon.
 - (d) Bag limit: One additional any buck black-tailed deer.
 - (e) Number of permit hunters selected: 1
- (2) MULE DEER AUCTION PERMIT
 - (a) Season dates: September 1 - December 31
 - (b) Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.
 - (c) Weapon type: Any legal weapon.
 - (d) Bag limit: One additional any buck mule deer.
 - (e) Number of permit hunters selected: 1
- (3) WHITE-TAILED DEER AUCTION PERMIT
 - (a) Season dates: September 1 - December 31
 - (b) 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.
 - (c) Weapon type: Any legal weapon.
 - (d) Bag limit: One additional any buck white-tailed deer.
 - (e) Number of permit hunters selected: 1
- (4) THREE-DEER AUCTION PERMIT
 - (a) 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.
 - (b) 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 com-

mission. 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.

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(5) WESTSIDE ELK AUCTION PERMIT

(a) Season dates: September 1 - December 31

(b) 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.

(c) Weapon type: Any legal weapon.

(d) Bag limit: One additional any bull elk.

(e) Number of permit hunters selected: 1

(6) EASTSIDE ELK AUCTION PERMIT

(a) Season dates: September 1 - December 31

(b) 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.

(c) Weapon type: Any legal weapon.

(d) Bag limit: One additional any bull elk.

(e) Number of permit hunters selected: 1

(7) CALIFORNIA BIGHORN SHEEP AUCTION PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1.

(c) Weapon: Any legal weapon.

(d) Bag limit: One California bighorn ram.

(e) Number of permit hunters selected: 1

(8) MOOSE AUCTION PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Any open moose unit, and hunt areas identified by the department before December 1 for the following year, and posted on the department's web site no later than January 1.

(c) Weapon: Any legal weapon.

(d) Bag limit: One moose of either sex.

(e) Number of permit hunters selected: 1

(9) MOUNTAIN GOAT AUCTION PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1.

(c) Weapon: Any legal weapon.

(d) Bag limit: One mountain goat of either sex.

(e) Number of permit hunters selected: 1

RAFFLE PERMITS

(10) BLACK-TAILED DEER RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) 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.

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 1

(11) MULE DEER RAFFLE PERMIT

(a) Season dates: September 1 - December 31

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

(c) Weapon: Any legal weapon.

(d) Bag limit: One additional any buck mule deer.

(e) Number of permit hunters selected: 1

(12) WHITE-TAILED DEER RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) 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.

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 1

(13) WESTSIDE ELK RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) 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.

(c) Weapon: Any legal weapon.

(d) Bag limit: One additional any bull elk.

(e) Number of permit hunters selected: 1

(14) EASTSIDE ELK RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) 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.

(c) Weapon: Any legal weapon.

(d) Bag limit: One additional any bull elk.

(e) Number of permit hunters selected: 1

(15) CALIFORNIA BIGHORN SHEEP RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1 except that sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.

(c) Weapon: Any legal weapon.

(d) Bag limit: One California bighorn ram.

(e) Number of permit hunters selected: 1

(16) MOOSE RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Any open moose unit.

(c) Weapon: Any legal weapon.

- (d) Bag limit: One moose of either sex.
- (e) Number of permit hunters selected: 2

(17) MOUNTAIN GOAT RAFFLE PERMIT

- (a) Season dates: September 1 - December 31

(b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1.

- (c) Weapon: Any legal weapon.
- (d) Bag limit: One mountain goat of either sex.
- (e) Number of permit hunters selected: 1

(18) TURKEY RAFFLE PERMIT

- (a) Season dates: April 1 - May 31 and September 1 - December 31

(b) Hunt Area: Statewide.

(c) Weapon: Archery or shotgun only.

(d) Bag limit: Three additional wild turkeys, but not to exceed more than one turkey in Western Washington or two turkeys in Eastern Washington.

- (e) Number of permit hunters selected: 1

(19) ROCKY MOUNTAIN BIGHORN SHEEP RAFFLE PERMIT

- (a) Bag limit: One Rocky Mountain bighorn ram.
- (b) Hunt Area: GMUs 113, 172.
- (c) Season dates: September 1 - December 31
- (d) Weapon: Any legal weapon.

- (e) Number of permit hunters selected: 1

(20) THREE-DEER RAFFLE PERMIT

(a) 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.

(b) 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.

- (c) Season dates: September 1 - December 31
- (d) Weapon: Any legal weapon.
- (e) Number of permit hunters selected: 1

(21) NORTHEAST WASHINGTON BIG GAME RAFFLE PERMIT

(a) 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.

- (b) Hunt Area: GMUs 101-124.

- (c) Season dates:

(i) September 1 - December 31 for white-tailed deer, elk, and moose.

(ii) April 15 - May 31 and September 1 - December 31 for black bear.

(ii) September 1 - March 31 for cougar. April 15 - May 31 for turkey.

(d) Weapon: Any legal weapon EXCEPT archery and shotgun only for turkey.

- (e) Number of permit hunters selected: 1

(22) SOUTH-CENTRAL WASHINGTON BIG GAME RAFFLE PERMIT

(a) 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.

(b) 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, the director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1. For bighorn sheep, any bighorn herd located south of U.S. Highway 2 in Chelan County and west of the Columbia River in Kittitas and Yakima counties.

- (c) Season dates: September 1 - December 31

- (d) Weapon: Any legal weapon.

- (e) Number of permit hunters selected: 1

(23) SOUTHEAST WASHINGTON BIG GAME RAFFLE PERMIT

(a) 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.

- (b) Hunt Area: GMUs 139-154 and 162-186.

(c) 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

- (d) Weapon: Any legal weapon.

- (e) Number of permit hunters selected: 1

(24) NORTH-CENTRAL WASHINGTON BIG GAME RAFFLE PERMIT

(a) 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.

(b) 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, the director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1 in Okanogan or Chelan counties north of US Highway 2.

(c) Season dates:

(i) September 1 - December 31 for white-tailed deer, mule deer, and California bighorn sheep.

(ii) April 15 - May 15 and September 1 - December 31 for black bear.

(iii) September 1 - March 31 for cougar.

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

SPECIAL INCENTIVE PERMITS

(25) WESTERN WASHINGTON ELK INCENTIVE PERMITS

(a) 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.

(b) Season dates: September 1 - December 31

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

(d) Bag limit: One additional elk.

(e) Number of permit hunters selected: 2

(26) EASTERN WASHINGTON ELK INCENTIVE PERMITS

(a) 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.

(b) Season dates: September 1 - December 31

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

(d) Bag limit: One additional elk.

(e) Number of permit hunters selected: 2

(27) DEER INCENTIVE PERMITS

(a) 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.

(b) Season dates: September 1 - December 31

(c) Weapon: Any legal weapon, EXCEPT hunters 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.

(d) Bag limit: One additional any deer.

(e) Number of permit hunters selected: 5

PERMIT ISSUANCE PROCEDURE

(28) 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~~) 220-412-060).

(29) 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~~) 220-412-040).

(30) 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~~) 220-413-100).

(31) 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:

(32) Permittees 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.

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

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

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

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

(37) 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.

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

(39) 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.

~~((40) 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 10-10-061, filed 4/30/10, effective 5/31/10)

WAC 232-28-291 Special hunting season permits.

The commission may establish special hunting seasons and may set the conditions for each category and hunt.

1. Deer, elk, cougar, or black bear special hunting season permit applications:

A. To apply for special hunting season permits for all categories of deer, elk, cougar, or black bear, applicants must have a valid Washington big game hunting license and a valid transport tag for the appropriate species. To apply for a particular hunt, each applicant for deer or elk must have the proper transport tag as identified in the special deer or elk permit regulations.

B. Multiple season deer and elk permit applications may be purchased without additional licenses or tags. Persons who are successfully drawn must purchase a multiple season permit for deer or elk and may also apply for archery, muzzleloader, or modern firearm special hunting season permits for the species drawn.

2. Mountain goat, moose, and bighorn sheep special hunting season permit applications:

A. Persons who have previously harvested a mountain goat, bighorn sheep ram, or bull moose in Washington are ineligible for a special hunting season permit for that category. This lifetime harvest restriction does not apply to individuals who harvested a mountain goat before 1999, raffle or auction hunt authorizations, ewe-only bighorn sheep hunts, or antlerless-only moose hunts.

B. Successful applicants under this section must purchase the appropriate hunting license by the deadline established by the department (a minimum of 15 days). Failure to purchase forfeits the permit to an alternate applicant.

3. Wild turkey special hunting season permit applications

A. To apply for wild turkey special hunting season permits, each applicant must have a valid small game hunting license.

B. Fall wild turkey special hunting season permit holders must have a valid turkey transport tag in possession to hunt turkeys in fall special hunting seasons.

4. Special hunting season permit applications:

A. Maximum group sizes are determined for each category. If a group application is drawn, all hunters in the group will receive a special hunting season permit and each hunter in the group can take an animal. If the number of permits available in a hunt category is less than the maximum group size, then the maximum group size is equal to the number of permits.

- i. Maximum group size for deer categories is 8.
- ii. Maximum group size for elk categories is 8.
- iii. Maximum group size for bear categories is 2.
- iv. Maximum group size for cougar categories is 2.
- v. Maximum group size for mountain goat categories is 2.

vi. Maximum group size for bighorn sheep categories is 2.

- vii. Maximum group size for fall turkey categories is 4.
- viii. Maximum group size for moose categories is 2.
- ix. Maximum group size for multiple season deer is 2.
- x. Maximum group size for multiple season elk is 2.

B. An applicant may purchase only one application for a special hunting season permit for each category.

C. Permit applications will allow four choices for all categories except the quality category for deer and elk will allow two choices.

D. Permits will be drawn by computer selection using a weighted point selection system.

i. Applicants will receive one point for each application category purchased.

ii. Once drawn for a permit, the applicant's points will be reduced to zero in that category. Applicants who are drawn for a damage hunt administered by a WDFW designated hunt coordinator and not given a chance to participate shall get their points restored. Those that decline to participate for any reason are not eligible for point restoration.

iii. An applicant's accumulated point totals, immediately prior to sales of the 2010 permit applications, will be replicated across all categories for that species. The point replication will only occur in 2010, during the transition from single

species categories to multiple categories of the same species. Applicants for any new category added in the future will begin with the point awarded at the time of the initial application purchase.

E. Incomplete, ineligible, or inaccurate applications will not be accepted or entered into the drawing.

F. Permits will be voided if the applicant is found to be ineligible or to have provided an application based on inaccurate information.

G. The purchase of an application will result in one accrued point for the category purchased.

H. If an applicant makes a mistake, applies for the wrong hunt, and is successfully drawn, the special hunting season permit can be returned to the department of fish and wildlife Olympia headquarters before the opening day of the special hunting season. The applicant's points will be restored to the level prior to the permit drawing.

I. Anyone may apply for a special hunting season permit for deer, elk, bear, cougar, and wild turkey.

5. In addition to requirements for special hunting season permit applications, following are application requirements for:

A. Special hunting seasons for persons of disability: Only applicants with a Washington disabled hunter permit are eligible to apply for any special hunting season permits for persons of disability.

B. Special hunting seasons for youth: Only persons who are eligible to lawfully purchase a youth special hunt application are eligible to apply for special hunting season permits for youth.

C. Special hunting seasons for hunters age 65 and older: Only applicants sixty-five years of age or older on or before March 31 of the current license year will be eligible to apply for special hunting season permits for hunters age 65 and older.

D. Special hunting seasons for master hunter program graduates: Only persons who hold a valid certificate from the Washington department of fish and wildlife's master hunter program are eligible to apply for special hunting season permits for master hunters.

6. Citizen reward for reporting violations - bonus points: A person who provides information which contributes substantially to the arrest of another person for illegally hunting or killing big game or an endangered species as defined by Title 77 RCW is eligible to receive ten bonus points toward the special hunting permit drawing for one application category of deer or elk special hunting season permits.

A. Only ten bonus points can be awarded for providing information for each person charged regardless of the number of violations involved.

B. Selection of bonus points is in lieu of application for a cash award.

AMENDATORY SECTION (Amending WSR 16-12-087, filed 5/31/16, effective 7/1/16)

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

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

(ii) 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

(ii) Deer Seasons:

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. 25 - Dec. 31	Any deer	Buckrun

(c) Buckrun special hunting permits

(i) 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 with the landowner or their designee. Hunts must be scheduled in advance by calling 509-345-2577.

(ii) Deer Seasons:

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

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

(ii) Elk Seasons:

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

(i) Hunters must apply to the department for the Silver Dollar Association's special hunting permits.

(ii) Elk Seasons:

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

generally expect one-day hunts during the permit seasons with written authorization from the Buckrun manager. All hunters must check in and out with the landowner or their designee on hunt day. Hunts are scheduled on a first-come basis by calling 509-345-2577 in advance.

(b) Buckrun landowner hunting permits

(i) 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.

(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

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

(ii) Elk Seasons:

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

(i) Hunters must apply to the department for Blackrock Ranches' special hunting permits. To apply, hunters must have an eastside elk tag.

(ii) Elk Seasons:

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

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

(ii) Deer Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	3	Nov. ((7)) <u>6</u> - Dec. 31	Any Buck	Pine Mountain Ranch

(iii) Elk Seasons:

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	Aug. 1 - Nov. ((6)) <u>5</u>	Antlerless	Pine Mountain Ranch

(c) Pine Mountain Ranch special hunting permits

(i) Hunters must apply to the department for Pine Mountain Ranch's special hunting permits.

(ii) Deer Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	3	Nov. ((7)) <u>6</u> - Dec. 31	Youth Only, Any Buck	Pine Mountain Ranch

(iii) Elk Seasons:

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. ((6)) <u>5</u>	Antlerless	Pine Mountain Ranch

(7)(a) Bennett Lumber LHP

(i) The Bennett Lumber property is located in Asotin, Columbia, Garfield, and Walla Walla counties (GMUs 154, 162, 166, 172, and 178). A legal description of the property is in the contract between Bennett Lumber and the department.

(ii) Special hunting permits are not issued by the department for the Bennett Lumber LHP. Instead, Bennett Lumber will be enrolling in the hunt by reservation program to provide regulated public access to all of their property. The landowner and the department will develop a framework for scheduling reservation hunts on the property which will result in hunting opportunity exceeding that which otherwise would be available using the standard allocation guidelines for LHPs.

(b) Bennett Lumber landowner hunting permits

(i) Bennett Lumber's manager will distribute the ranch's landowner hunting permits. Bennett Lumber may charge an access fee for these permits. Holders of the 10 antlerless elk permits are eligible to purchase second elk tags that may only be used on lands included in the Bennett Lumber LHP.

(ii) Deer Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Bennett Lumber A	2	Nov. 14-28	Mule Deer, 3 pt. min	Bennett Lumber
Bennett Lumber B	4	Nov. 14-28	White-tailed, 3 pt. min	Bennett Lumber

(iii) Elk Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Bennett Lumber A	1	Sept. 15-30	Any Bull	Bennett Lumber
Bennett Lumber B	5	Sept. 15-30	Antlerless	Bennett Lumber
Bennett Lumber C	5	Nov. 14-28	Antlerless	Bennett Lumber

(8)(a) ZMI Ranch

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

(b) ZMI Ranch landowner hunting permits

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

(ii) Deer Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
ZMI A	3	Oct. ((26-30)) <u>25-29</u>	3 pt. min	ZMI
ZMI B	3	Nov. 14-30	3 pt. min	ZMI

(c) ZMI Ranch special hunting permits

(i) Hunters must apply to the department for ZMI Ranch's special hunting permits. Only hunters possessing a modern fire-arm deer tag are eligible for ZMI special permits. Hunters must contact ZMI Ranch's manager to schedule a hunt time. All hunters must check in and out with the landowner or their designee on the day they hunt.

(ii) Deer Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
ZMI ((A)) <u>C</u>	2	Nov. ((2-6)) <u>1-5</u>	3 pt. min	ZMI
ZMI ((B)) <u>D</u>	6	Dec. ((3-11)) <u>2-10</u>	Antlerless	ZMI

(9)(a) Columbia Plateau Wildlife Management Association

(i) The Columbia Plateau Wildlife Management Association (CPWMA) landowner hunting permit area is located in Spokane County (GMU 130) near Turnbull National Wildlife Refuge. A legal description of the property is in the contract between the CPWMA and the department.

(ii) Landowner permit hunts are primarily damage hunts but are managed for a quality experience by keeping the number of hunters in the field low.

(b) Columbia Plateau Wildlife Management Association landowner hunting permits

(i) 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 with CPWMA's designee at the beginning and ending of the scheduled hunting dates. Successful applicants will receive a packet of information with forms to complete and a map showing the hunt area. These applicants must complete the forms and return them before September 30. Applicants should see CPWMA's web site at www.cpwma.org or contact the hunt manager at 509-263-4616. Holders of landowner permits selected through raffle, including 13 antlerless elk and 2 any elk permits, are eligible to purchase second elk tags that may only be used on lands included in the CPWMA LHP.

(ii) Elk Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA	2	Jan. 1 - Mar. 31	Antlerless	CPWMA
CPWMA Raffle 1	4	Jan. 1-31	Antlerless	CPWMA
CPWMA Raffle 2	4	Feb. 1-28	Antlerless	CPWMA
CPWMA Raffle 3	5	Mar. 1-31	Antlerless	CPWMA
CPWMA Raffle 4	2	Jan. 1-31	Any elk	CPWMA

(c) Columbia Plateau Wildlife Management Association special hunting permits

(i) Hunters must apply to the department 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 with CPWMA's designee at the beginning and ending of the scheduled hunting dates. Successful applicants will receive a packet of required information with forms to complete and a map showing the hunt area. These applicants must complete the forms and return them before September 30. Applicants should see CPWMA's web site at www.cpwma.org or contact the hunt manager at 509-263-4616.

(ii) Elk Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA 1	5	Jan. 1-31	Antlerless	CPWMA
CPWMA 2	5	Feb. 1-28	Antlerless	CPWMA
CPWMA 3	5	Mar. 1-31	Antlerless	CPWMA
CPWMA 4	1	Jan. 1-31	Any elk	CPWMA

AMENDATORY SECTION (Amending WSR 16-12-087, filed 5/31/16, effective 7/1/16)

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 and the 4-O Ranch Wildlife Area.

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 managed as the 4-O Ranch Wildlife Area.

Elk Area No. 1081 (Asotin County): All of GMU 181 Couse, including the portion of GMU 172 starting at the intersection of Mill Road and Highway 129 in Anatone, south along Hwy 129 to Smyth Rd, west and then north on Smyth Rd to the intersection of E Mountain Rd, west along E Mountain Rd to the intersection of W Mountain Rd, north along W Mountain Rd to Mill Road, east on Mill Rd to the starting point.

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 southern shore of Columbia River (Priest Rapids Lake) to Priest Rapids Dam; east along Columbia River to the Hanford Reach National Monument's (HRNM) western boundary; south along the HRNM boundary to the Rattlesnake Ridge Road; west on Rattlesnake Ridge Road to SR 241; south on SR 241 to the Yakima River Bridge just north of Mabton; west along Yakima River to SR 823 (Harrison Road) south of town of Pomona; east along SR 823 (Harrison Road) to SR 821; southeast on SR 821 to Firing Center Road at I-82; east on Firing Center Road to main gate of Yakima Training Center; south and east along Yakima Training Center boundary to southern corner of Yakima Training Center boundary on Columbia River and point of beginning.

Elk Area No. 3911 Fairview (Kittitas County): Beginning at the intersection of the BPA Power Lines in T20N, R14E, Section 36 and Interstate 90; east along the power lines to Highway 903 (Salmon La Sac Road); northwest along Highway 903 to Pennsylvania Avenue; northeast along Pennsylvania Avenue to No. 6 Canyon Road; northeast along No. 6 Canyon Road to Cle Elum Ridge Road; north along Cle Elum Ridge Road to Carlson Canyon Road; northeast along Carlson Canyon Road to West Fork Teanaway River; east along West Fork Teanaway River to North Fork Teanaway River; north along North Fork Teanaway River to Teanaway Road; southeast on Teanaway Road to Ballard Hill Road; east on Ballard Hill Rd and Swauk Prairie Road to Hwy 970; northeast on Hwy 970 to Hwy 97; south on Hwy 97 to the power lines in T20N, R17E, Section 34; east on the power lines to Naneum Creek; south on Naneum Creek approximately 1/2 mile to power lines in T19N, R19E, Section 20; east along BPA power lines to Colockum Pass Road in T19N, R20E, Section 16; south on Colockum Pass Road to BPA power lines in T18N, R20E, Section 6; east and south along power lines to 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 Deggle Road; north on Deggle 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 1.5 miles of agricultural land in the Grays River Valley and Eden Valley within the following sections: 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 GMU 578 (West Klickitat) beginning at the intersection of SR 141 and Sunnyside Road; north on Sunnyside Road to Mount Adams Recreational Area Road; (including agricultural land on the Trout Lake Valley floor north of Sunnyside Road within T06N R10E in Sections 13 and 14); south on Mount Adams Recreational Area Road to the intersection of SR 141 and south on 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. 5066 Norway Pass (Lewis and Skamania counties): That part of GMU 524 beginning at the U.S. Forest Service (USFS) Trail 211 (Lakes Trail) and USFS Trail 230 (Coldwater Trail) junction; NE to Minnie Peak; W to the USFS property boundary in the SE 1/4 of Section 20, T10N, R5E; N along the USFS property boundary to the Green River; E up the Green River to the USFS Rd 2612; E on the USFS Rd 2612 to USFS Rd 26; S on USFS Rd 26 to USFS Trail 1 (Boundary Trail); W on USFS Trail 1 to USFS Trail 214 (Whittier Trail); N on USFS Trail 214 to USFS Trail 211 (Lakes Trail); W on USFS Trail 211 to the USFS Trail 211, Trail 230 junction and 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 intersection with power transmission line in T20 R6 Section 18. West along power transmission line to intersection with 226th Ave E. South on 226th Ave East to intersection with 40th St E, east on 40th St E to 230th Ave E, South on 230th Ave E to Radke Road. Southwest on Radke to Barkubine Road, South on Barkubine Road to Connells Prairie; West on Connells Prairie Rd to 214th Ave E, South on 214th Ave E to Highway 410; westerly on Highway 410 to Highway 167 and the point of beginning.

Elk Area No. 6014 (Pierce County): Starting at Highway 164 intersection with power transmission line in T20 R6 Section 18; W along power transmission line to intersection with 226th Ave E; S on 226th Ave East to intersection with 40th St E; E on 40th St E to 230th Ave E; S on 230th Ave E to Radke Rd; SW on Radke to Barkubine Rd; S on Barkubine Rd to Connells Prairie; W on Connells Prairie Rd to 214th Ave E; S on 214th Ave E to South Prairie Road; SE on South Prairie Road to Highway 162; E on Hwy 162 to Hwy 165; NE on Hwy 165 to Hwy 410; NE on Hwy 410 to White River; SE along White River to intersection with power transmission lines in T19N R7E S; NE on power transmission lines to intersection with Hwy 410 West on SR 410 to Hwy 164; NW on Highway 164 to starting point.

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 intersection with Highway 7 at Elbe; NW on Highway 7 to Alder Cutoff Rd; N on Alder Cutoff 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. 6064 Quinault Valley (Grays Harbor and Jefferson counties): That portion of GMU 638 (Quinault) within the Quinault River watershed east of Gatton Creek and Lake Quinault excluding US Forest Service (USFS) Colonel Bob Wilderness Area beginning at the mouth of the Quinault River; NE on the Olympic National Park boundary, which is along the Quinault River, to the intersection with USFS Colonel Bob Wilderness Area; then SW along the Colonel Bob Wilderness Area Western boundary to its intersection with Haas Creek; then downstream along Haas Creek to its intersection with USFS Olympic National Forest boundary; then SW along USFS boundary to the Lake Quinault shoreline; then N along the East shore of Lake Quinault to the mouth of Quinault River and the point of the beginning.

~~**(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. 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 Dean Creek on Sequim Bay; south and west up Dean Creek to the power

transmission line; west on the power transmission line 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 16-12-087, filed 5/31/16, effective 7/1/16)

WAC 232-28-342 2015-16, 2016-17, 2017-18 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) DAILY BAG LIMIT: 4 grouse per day, to include not more than 3 Blue Grouse, 3 Spruce Grouse, and 3 Ruffed Grouse.

(b) POSSESSION LIMIT: 12 grouse, to include not more than 9 Blue Grouse, 9 Spruce Grouse, and 9 Ruffed Grouse.

(c) SEASON DATES: Sept. 1 - Dec. 31 during the current license year.

(2) BOBCAT

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.

(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 during the current license year.

(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.

(c) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.

(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: Sept. 1 - Mar. 15 during the current license year.

(7) CROWS

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES: Sept. 1 - Dec. 31 during the current license year.

(8) JACKRABBIT:

Closed statewide.

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

Closed statewide.

(10) WILD TURKEY:

(a) YOUTH SEASON: Open only to youth hunters accompanied by an adult 18 years of age or older.

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

(ii) SEASON DATES:

(A) April 4-5, 2015;

(B) April 2-3, 2016;

(C) April 1-2, 2017; and

(D) April 7-8, 2018.

(b) SPRING SEASON

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

(ii) SEASON DATES: April 15 - May 31 during the current license year.

(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) EARLY FALL GENERAL SEASON

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

(ii) OPEN AREA: GMUs 101-154 and 162-186.

(iii) SEASON DATES:

(A) Sept. 19 - Oct. 16, 2015;

(B) Sept. 17 - Oct. 14, 2016, (GMUs 145-154, 162-186);

(C) Sept. 17 - Oct. 31, 2016, (GMUs 101-142);

(D) Sept. 23 - Oct. 13, 2017, (GMUs 145-154, 162-186);

(E) Sept. 23 - Oct. 31, 2017, (GMUs 101-142).

(iv) BAG LIMIT: Three (3) turkeys during the early fall general season with the following area restrictions:

Game Management Units (GMUs)	Legal Bird and Limit
105-121	Two (2) beardless turkeys
101, 145-154, 162-186	One (1) either sex turkey
124-142	Two (2) beardless plus one (1) either sex turkey

(d) 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. 19 - Oct. 16, 2015, Sept. 17 - Oct. 14, 2016, Sept. 23 - Oct. 13, 2017	Either sex	GMUs 382, 388, 568-578	150	1
Methow	Nov. 15 - Dec. 15, 2015, 2016, 2017	Either sex	GMUs 218-231 and 242	50	1
Teanaway	Nov. 15 - Dec. 15, 2015, 2016, 2017	Either sex	GMU 335	50	1

*BAG LIMIT: During the fall permit hunting seasons.

- (e) **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:** Nov. 20 - Dec. 15 during the current license year.
- (v) **BAG LIMIT:** One (1) turkey.
- (f) **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.
- (iii) **OPEN AREA:** Statewide.
- (iv) **SEASON DATES:** April 1 - May 31 during the current license year.
- (v) **PERMITS:** 2 individuals will be drawn for this permit per year.
- (vi) **BAG LIMIT:** 1 male turkey or turkey with visible beard in addition to other spring season turkey harvest.
- (g) **OFFICIAL HUNTING HOURS FOR WILD TURKEY:**
1/2 hour before sunrise to sunset during spring and fall seasons.
- (h) **SPECIAL RULES FOR WILD TURKEY:**
- (i) It is unlawful to hunt turkey unless the hunter possesses a turkey tag.
- (ii) It is unlawful to hunt turkeys with dogs.
- (iii) 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. 19-20, 2015;
 - (ii) Sept. 17-18, 2016; and
 - (iii) Sept. 23-24, 2017.
- (c) **HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER AND HUNTERS WITH DISABILITIES SEASON DATES:**
 - (i) Sept. 21-25, 2015;
 - (ii) Sept. 19-23, 2016; and

- (iii) Sept. 25-29, 2017.
- (d) **REGULAR SEASON DATES:**
 - (i) Oct. 24, 2015 - Jan. 18, 2016;
 - (ii) Oct. 22, 2016 - Jan. 16, 2017; and
 - (iii) Oct. 21, 2017 - Jan. 15, 2018.
- (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. 19-20, 2015;
 - (ii) Sept. 17-18, 2016; and
 - (iii) Sept. 23-24, 2017.
- (c) **REGULAR SEASON DATES:**
 - (i) Oct. 3, 2015 - Jan. 18, 2016;
 - (ii) Oct. 1, 2016 - Jan. 16, 2017; and
 - (iii) Oct. 7, 2017 - Jan. 15, 2018.
- (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. 19-20, 2015;
 - (ii) Sept. 17-18, 2016; and
 - (iii) Sept. 23-24, 2017.
- (c) **REGULAR SEASON DATES:**
 - (i) Oct. 3, 2015 - Jan. 18, 2016;
 - (ii) Oct. 1, 2016 - Jan. 16, 2017; and
 - (iii) Oct. 7, 2017 - Jan. 15, 2018.
- (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. 19-20, 2015;
 - (ii) Sept. 17-18, 2016; and
 - (iii) Sept. 23-24, 2017.
- (c) **REGULAR SEASON DATES:**
 - (i) Oct. 3, 2015 - Jan. 18, 2016;
 - (ii) Oct. 1, 2016 - Jan. 16, 2017; and
 - (iii) Oct. 7, 2017 - Jan. 15, 2018.

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. 19-20, 2015;

(ii) Sept. 17-18, 2016; and

(iii) Sept. 23-24, 2017.

(c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER AND HUNTERS WITH DISABILITIES SEASON DATES:

(i) Sept. 21-25, 2015;

(ii) Sept. 19-23, 2016; and

(iii) Sept. 25-29, 2017.

(d) REGULAR SEASON DATES: 8:00 a.m. to 4:00 p.m.

(i) Sept. 26 - Nov. 30, 2015;

(ii) Sept. 24 - Nov. 30, 2016; and

(iii) Sept. 30 - Nov. 30, 2017.

(e) EXTENDED SEASON DATES:

(i) Dec. 1-15, during the current license year.

(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 possessing a valid disabled hunter permit, 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. 26 - Nov. 30, 2015;

(ii) Sept. 24 - Nov. 30, 2016; and

(iii) Sept. 30 - Nov. 30, 2017.

(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. 26 - Nov. 30, 2015;

(ii) Sept. 24 - Nov. 30, 2016; and

(iii) Sept. 30 - Nov. 30, 2017.

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: Aug. 1 - Mar. 15 during the current license year.

(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: Sept. 1 - Feb. 15 during the current license year.

(21) 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: Aug. 1 - Mar. 15 during the current license year.

OTHER SEASONS:**(22) 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~~)) 220-450-010 and 220-416-110).

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Aug. 1 - Mar. 31 during the current license year.

(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~~)) Wenas 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.

(23) YAKAMA INDIAN RESERVATION:

The 2015-16, 2016-17, and 2017-18 upland bird seasons within the Yakama Indian Reservation are the same as the season established by the Yakama Indian Nation.

(24) COLVILLE INDIAN RESERVATION:

The 2015-16, 2016-17, and 2017-18 upland bird seasons within the Colville Indian Reservation are the same as the season established by the Colville Indian Tribe.

AMENDATORY SECTION (Amending WSR 16-15-045, filed 7/14/16, effective 8/14/16)

WAC 232-28-357 2015-2017 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.

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.

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, crossbow, or muzzleloader, but only during modern firearm seasons.

Hunt Season	2015 Dates	2016 Dates	2017 Dates	Game Management Units (GMUs)	Legal Deer
HIGH BUCK HUNTS					
	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Mount Baker, 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. 17-31	Oct. 15-31	Oct. 14-31	407, 418, 426, 437, 448, 450, 454, 460, 466, 501 through 520, 524 through 556, 560, 568, 572, 574, 601 through 621, 624 (except Deer Area 6020), 627 through 654, 658 through 699	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.
Eastern Washington White-tailed Deer	Oct. 17-30	Oct. 15-28	Oct. 14-27	101, 105, 108, 111, 113, 124	Any white-tailed buck
	Oct. 17-27	Oct. 15-25	Oct. 14-24	203 through 284	Any white-tailed buck
	Oct. 17-27	Oct. 15-25	Oct. 14-24	127 through 154, 162 through 186 (except Deer Area 1040)	White-tailed, 3 pt. min.
	Oct. 17-27	Oct. 15-25	Oct. 14-24	373, 379, 381	Any white-tailed deer

Hunt Season	2015 Dates	2016 Dates	2017 Dates	Game Management Units (GMUs)	Legal Deer
Eastern Washington White-tailed Deer in GMUs 117 and 121	Oct. 17-30	Oct. 15-28	Oct. 14-27	117, 121	Any white-tailed buck
Eastern Washington Mule Deer	Oct. 17-27	Oct. 15-25	Oct. 14-24	101 through 154, 162 through 169, 172 (except Deer Area 1040), 175 through 186, 203 through 284, 328, 330 through 368, 372, 373, 379, 381, 382 (except Deer Area 5382), 388	Mule deer, 3 pt. min.
LATE GENERAL SEASON					
Western Washington Black-tailed Deer	Nov. 19-22	Nov. 17-20	Nov. 16-19	407, 454, 466, 501 through 520, 524 through 560, 568, 572, 601 through 621, 624 (except Deer Area 6020), 627 through 654, 658 through 699	Any buck
	Nov. 19-22	Nov. 17-20	Nov. 16-19	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. 7-19	Nov. 5-19	Nov. 11-19	105, 108, 111, 113, 124	Any white-tailed buck
Eastern Washington White-tailed Deer in GMUs 117 and 121	Nov. 7-19	Nov. 5-19	Nov. 11-19	117, 121	Any white-tailed buck
HUNTERS 65 AND OVER, DISABLED, ((OR)) AND YOUTH GENERAL SEASONS					
Eastern Washington White-tailed Deer	Oct. 17-30	Oct. 15-28	Oct. 14-27	124	Any white-tailed deer
		((Oct. 20-23	Oct. 19-22	101, 105, 108, 111, 113, 117, 121	Any white-tailed-deer))
	Nov. 7-19	Nov. 5-19	Nov. 11-19	Deer Area 1050	Any white-tailed deer
	Nov. 7-19	Nov. 5-19	Nov. 11-19	Deer Areas 1060, 1070, 1080	White-tailed, antlerless only
	Oct. 17-27	Oct. 15-25	Oct. 14-24	127 through 142, 145, 149, 154, Deer Area 1010, and 178	White-tailed, 3 pt. min. or antlerless
DISABLED AND YOUTH GENERAL SEASONS					
			Oct. 14-15 and Oct. 21-22	101, 105, 108, 111, 113, 117, 121	Any white-tailed deer

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)) 220-414-070).

Hunt Area	2015 Dates	2016 Dates	2017 Dates	Game Management Units (GMUs)	Legal Deer
EARLY ARCHERY GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Sept. 1-30	Sept. 1-30	Sept. 1-29	407 through 426, 437, 448, 450, 454, 466, 501, 504, 505, 524, 554, 564, 568, 621 through 636, 648 through 652, 654 through 673, 684	Any deer
				460, 503, 574, 601 through 618, 638, 642, 653, 681 and 699	Any buck
				578	3 pt. min.
	Sept. 1-27	Sept. 1-25	Sept. 1-24	510, 513, 516, 520, 556	Any deer
				506, 530, 550, 560, 572	Any buck

Hunt Area	2015 Dates	2016 Dates	2017 Dates	Game Management Units (GMUs)	Legal Deer
Eastern Washington Mule Deer	Sept. 1-30	Sept. 1-30	Sept. 1-29	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 (except Deer Area 5382), 388, Deer Area 3334	3 pt. min. or antlerless
	Sept. 1-27	Sept. 1-25	Sept. 1-24	154, 162, 163, 178	3 pt. min. or antlerless
	Sept. 1-27	Sept. 1-25	Sept. 1-24	251, 328, 335, 336, 340, 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. 16-30	Sept. 16-30	Sept. 16-29	101, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284	3 pt. min. or antlerless
Eastern Washington White-tailed Deer	Sept. 1-30	Sept. 1-30	Sept. 1-29	101, 105, 108, 111, 113, 117, 121	White-tailed, any buck
	Sept. 1-30	Sept. 1-30	Sept. 1-29	124, 204 through 250, 254 through 284, 373, 379, 381	Any white-tailed deer
	Sept. 1-30	Sept. 1-30	Sept. 1-29	127 through 149, 166, 172 (except Deer Area 1040), 181, 186	White-tailed, 3 pt. min. or antlerless
	Sept. 1-27	Sept. 1-25	Sept. 1-24	154, 162, 163, 178	White-tailed, 3 pt. min. or antlerless
	Sept. 1-27	Sept. 1-25	Sept. 1-24	169, 175	White-tailed, 3 pt. min.
LATE ARCHERY GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - Dec. 15	437, 466, 510 through 520, 524	Any deer
	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - Dec. 15	448, 460, 506, 530, 560, 572, 601, 603 through 618, 638, 642, 681, and 699	Any buck
	Nov. 25 - Dec. 31	Nov. 23 - Dec. 31	Nov. 22 - Dec. 31	407, 410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 505, 564, 624, 627, 636, 648, 652, 654, 655, 660 through 672	Any deer
Eastern Washington Mule Deer	Nov. 21-30	Nov. 21-30	Nov. 21-30	209, 215, 233, 243, 250	3 pt. min.
	Nov. 25 - Dec. 8	Nov. 23 - Dec. 8	Nov. 22 - Dec. 8	336, 342, 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, 272, 278, 373, Deer Area 3372	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)) White-tailed, any buck
		((Nov. 21-30	Nov. 21-30	204, 209	Any white-tailed-deer))
	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	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, 272, 278	White-tailed, 3 pt. min. or antlerless
	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - Dec. 15	215, 233, 243, 373, 204, 209	Any white-tailed deer
		Nov. 23 - Dec. 9	Nov. 22 - Dec. ((9) 15	105, 108, 117, 121	White-tailed, any buck
	((Dec. 10-15	Dec. 10-15	105, 108, 117, 121	Any white-tailed-deer))	

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 ((232-12-054)) 220-414-060) or archery equipment (WAC ((232-12-054)) 220-414-070).

Hunt Area	2015 Dates	2016 Dates	2017 Dates	Game Management Units (GMUs)	Legal Deer
High Buck Hunts	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Mount Baker, 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	Oct. 3-11	Oct. 1-9	Sept. 30 - Oct. 8	407, 418, 426, 437, 448, 450, 501, 503, 504, 505, 506, 510, 513, 516, 520, 530, 550, 554, 560, 568, 572, 574, 603, 607, 612, 615, 624 (except Deer Area 6020), 636, 638, 642, 648, 660, 663, 672, 673	Any buck
				410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 564, 627, 652, 655, 666, 684, and Deer Area 6020	Any deer
				578	3 pt. min.
Eastern Washington White-tailed Deer	Oct. 3-11	Oct. 1-9	Sept. 30 - Oct. 8	101, 105, 108, 111, 113, 117, 121, 203, 204, 209, 215, 231, 233, 239, 242, 243, 244, 245, 246, 248, 250, 251, 260, 272, 278, 284	White-tailed, any buck
				124	Any white-tailed deer
				127, 142, 145, 149	White-tailed, 3 pt. min. or antlerless
				130, 133, 136, 139, 175, 181, 186	White-tailed, 3 pt. min.
Eastern Washington Mule Deer	Oct. 3-11	Oct. 1-9	Sept. 30 - Oct. 8	373, 379	Any white-tailed deer
				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, 278, 284, 328, 330 through 342, 352 through 368, 373, 379	Mule deer, 3 pt. min.
Eastern Washington Mule Deer	Oct. 3-11	Oct. 1-9	Sept. 30 - Oct. 8	Deer Areas 3334 and 3372	3 pt. min. or antlerless
LATE MUZZLELOADER GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - Dec. 15	407, 410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 504, 564, 633, 666, 684, and Deer Area 6020	Any deer
				448, 460, 501, 602, 621, 651, 654, 658, 667, and 673	Any buck
Eastern Washington White-tailed Deer	Nov. 25 - Dec. 8	Nov. 23 - Dec. 8	Nov. 22 - 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, Deer Area 3372	3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	379, 382 (except Deer Area 5382)	3 pt. min.

AMENDATORY SECTION (Amending WSR 16-12-087, filed 5/31/16, effective 7/1/16)

WAC 232-28-358 2015-2017 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, 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, 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

Modern Firearm General Elk Seasons

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

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

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

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2015 Dates	2016 Dates	2017 Dates	Legal Elk
Eastern Washington	EF	101, 105, 108, 111, 113, 117, 121, 204	Oct. 31 - Nov. 8	Oct. 29 - Nov. 6	Oct. 28 - Nov. 5	Any bull
		145 through 154, 162 through 169, 172 (except Elk Area 1040), 175 through 186, 249, 336 through 368	Oct. 31 - Nov. 8	Oct. 29 - Nov. 6	Oct. 28 - Nov. 5	Spike bull
		251, 328, 329, 334, 335	Oct. 31 - Nov. 8	Oct. 29 - Nov. 6	Oct. 28 - Nov. 5	True spike bull
		Elk Area 3722*	Sept. 8-23	Sept. 7-22	Sept. 6-21	Antlerless only
		124 through 142, 372, 382, 388	Oct. 31 - Nov. 8	Oct. 29 - Nov. 6	Oct. 28 - Nov. 5	Any elk
		203, 209 through 248, 250, 254 through 290, 373, 379, 381	Oct. 31 - Nov. 15	Oct. 29 - Nov. 15	Oct. 28 - Nov. 15	Any elk
		Master Hunters Only: 371, Elk Area 3912	Aug. 1 - Jan. 20, 2016	Aug. 1 - Jan. 20, 2017	Aug. 1 - Jan. 20, 2018	Antlerless only
		Master Hunters Only: Elk Area 3911**	Nov. 14 - Dec. 15	Nov. 12 - Dec. 15	Nov. 11 - Dec. 15	Antlerless only
		Master Hunters Only: Elk Area 3911** 2nd tag.	Aug. 1 - Oct. 30	Aug. 1 - Oct. 28	Aug. 1 - Oct. 27	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.						

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2015 Dates	2016 Dates	2017 Dates	Legal Elk
		**Master hunters who hunt in Elk Area 3911 during the August to October early master hunter season must purchase a master hunter, Elk Area 3911, second elk transport tag. Only master hunters with an eastside elk tag can purchase this tag. Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 30, 2015, August 1 - October 28, 2016, and August 1 - October 27, 2017. Only one antlerless elk may be taken from Elk Area 3911, unless drawn for an antlerless elk special permit. Master hunters who hunt in Elk Area 3911 during the November to December late master hunter season may use their unused general season elk tag, but are not eligible to use an Elk Area 3911, master hunter, second elk transport tag. Any legal weapon may be used during either master hunter Elk Area 3911 hunt. All master hunters participating in an Elk Area 3911 hunt must wear hunter orange.				
Western Washington	WF	460, 466, 503, 505 through 520, 524 (except Elk Area 5066), 530, 550, 560, 568, 572, 574, 578, 601 through 618, 624 (except for Elk Area 6071), 627, 633, 638 through 651, 652 (except for Elk Area 6014), 654 through 684. Except master hunters only in Elk Area 6064 portion of GMU 638.	Nov. 7-18	Nov. 5-16	Nov. 4-15	3 pt. min.
		501, 504, Elk Area 6014	Nov. 7-18	Nov. 5-16	Nov. 4-15	3 pt. min. or antlerless
		407, 448, 564, 666	Nov. 7-18	Nov. 5-16	Nov. 4-15	Any elk
		454	Nov. 7-18	Nov. 5-16	Nov. 4-15	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~~) 220-414-070).

Special Notes: Archery tag holders can hunt only during archery seasons and must hunt with archery equipment (WAC ((~~232-12-054~~) 220-414-070)). 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)	2015 Dates	2016 Dates	2017 Dates	Legal Elk
Early Archery General Elk Seasons						
Eastern Washington	EA	101 through 142, 204, 243, 247, 249, 250, 373, 379, 381, 388	Sept. 12-24	Sept. 10-22	Sept. 9-21	Any elk
		162, 166, 169, 172 (except Elk Area 1040), 186	Sept. 12-24	Sept. 10-22	Sept. 9-21	Spike bull
		328, 329, 335	Sept. 12-24	Sept. 10-22	Sept. 9-21	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. 12-24	Sept. 10-22	Sept. 9-21	Spike bull or antlerless
Western Washington	WA	448, 454, 564, 652 (except Elk area 6013), 666, 684	Sept. 12-24	Sept. 10-22	Sept. 9-21	Any elk
		407	Sept. 12-24	Sept. 10-22	Sept. 9-21	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, 699	Sept. 12-24	Sept. 10-22	Sept. 9-21	3 pt. min. or antlerless

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2015 Dates	2016 Dates	2017 Dates	Legal Elk
		460, 466, 506, 510, 513, 516, 524 (except Elk Area 5066), 530, 601 through 618, 627, 633, 638 (except Master Hunters only in Elk Area 6064), 642 through 651, 658, 663	Sept. 12-24	Sept. 10-22	Sept. 9-21	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, 2016	Dec. 9 - Jan. 30, 2017	Dec. 9 - Jan. 30, 2018	Antlerless only
		203, 209 through 248, 250, 254 through 290, 379, 381. Must wear hunter orange.	Oct. 31 - Nov. 15	Oct. 29 - Nov. 15	Oct. 28 - Nov. 15	Any elk
		Master Hunters Only: 371, Elk Area 3912. Must wear hunter orange.	Aug. 1 - Jan. 20, 2016	Aug. 1 - Jan. 20, 2017	Aug. 1 - Jan. 20, 2018	Antlerless only
		Master Hunters Only: Elk Area 3911**. Must wear hunter orange.	Nov. 14 - Dec. 15	Nov. 12 - Dec. 15	Nov. 11 - Dec. 15	Antlerless only
		Master Hunters Only: Elk Area 3911** 2nd tag. Must wear hunter orange.	Aug. 1 - Oct. 30	Aug. 1 - Oct. 28	Aug. 1 - Oct. 27	Antlerless only
		Master Hunters Only: 127, 130	Dec. 9-31	Dec. 9-31	Dec. 9-31	Antlerless only
		328, 334, 335	Nov. 25 - Dec. 8	Nov. 23 - Dec. 8	Nov. 22 - Dec. 8	True spike bull or antlerless
		336, 342, 346, 352, 364, Elk Area 3681	Nov. 25 - Dec. 8	Nov. 23 - Dec. 8	Nov. 22 - Dec. 8	Spike bull or antlerless
Western Washington	WA	Elk Area 4601, 503, 505, 652 (except Elk Area 6013), 667, 672, 681, and 699. Master hunters only in Elk Area 6064 portion of GMU 638.	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - Dec. 15	3 pt. min. or antlerless
		407, 448, 454, 564, 666	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - Dec. 15	Any elk
		603, 612, 615, 638 (except for Elk Area 6064), 648	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - Dec. 15	3 pt. min.
		506, 520, 530	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - 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 during the August to October early master hunter season must purchase a master hunter, Elk Area 3911, second elk transport tag. Only master hunters with an eastside elk tag can purchase this tag. Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 30, 2015, August 1 - October 28, 2016, and August 1 - October 27, 2017. Only one antlerless elk may be taken from Elk Area 3911, unless drawn for an antlerless elk special permit. Master hunters who hunt in Elk Area 3911 during the November to December late master hunter season may use their unused general season elk tag, but are not eligible to use an Elk Area 3911, master hunter, second elk transport tag. Any legal weapon may be used during either master hunter Elk Area 3911 hunt. All master hunters participating in an 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 ((232-12-05+)) 220-414-060, or bow and arrow, as defined under WAC ((232-12-054)) 220-414-070.

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)	2015 Dates	2016 Dates	2017 Dates	Legal Elk
Early Muzzleloader General Elk Seasons						
Eastern Washington	EM	101 through 121, 204, 247	Oct. 3-9	Oct. 1-7	Oct. 7-13	Any bull
		124 through 142, 245, 250	Oct. 3-9	Oct. 1-7	Oct. 7-13	Any elk
		145, 149, 154, 162, 163, 166, 172 (except Elk Area 1040), 175, 178, 181, 336 through 342, 352 through 368	Oct. 3-9	Oct. 1-7	Oct. 7-13	Spike bull
		328, 329, 335, Elk Area 2051	Oct. 3-9	Oct. 1-7	Oct. 7-13	True spike bull
Western Washington	WM	407	Oct. 3-9	Oct. 1-7	Oct. 7-13	Any elk
		Elk Area 4601	Oct. 3-9	Oct. 1-7	Oct. 7-13	3 pt. min. or antlerless
		448, 454, 564, 666, 684	Oct. 3-9	Oct. 1-7	Oct. 7-13	Any elk
		460, 466, 505, 506, 510, 513, 516, 520, 524 (except Elk Area 5066), 530, 550, 554, 560, 568, 572, 574, 578, 602, 603, 607, 612, 615, 624 (except for Elk Area 6071), 627, 633, 638 (except for Elk Area 6064), 642, 648, 660, 663, 672, 673, 681	Oct. 3-9	Oct. 1-7	Oct. 7-13	3 pt. min.
		501, 503, 504, 652 (except Elk Area 6013 closed to antlerless), 654, 667	Oct. 3-9	Oct. 1-7	Oct. 7-13	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
		203, 209 through 248, 250, 254 through 290, 373, 379, 381. Must wear hunter orange.	Oct. 31 - Nov. 15	Oct. 29 - Nov. 15	Oct. 28 - Nov. 15	Any elk
		Master Hunters Only: 371, Elk Area 3912. Must wear hunter orange.	Aug. 1 - Jan. 20, 2016	Aug. 1 - Jan. 20, 2017	Aug. 1 - Jan. 20, 2018	Antlerless only
		Master Hunters Only: Elk Area 3911**. Must wear hunter orange.	Nov. 14 - Dec. 15	Nov. 12 - Dec. 15	Nov. 11 - Dec. 15	Antlerless only
		Master Hunters Only: Elk Area 3911** 2nd tag. Must wear hunter orange.	Aug. 1 - Oct. 30	Aug. 1 - Oct. 28	Aug. 1 - Oct. 27	Antlerless only
		Master Hunters Only: 127, 130	Dec. 9-31	Dec. 9-31	Dec. 9-31	Antlerless only
Western Washington	WM	407	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - Dec. 15	3 pt. min. or antlerless
		501, 503, 504, 505, 652 (except Elk Area 6013 closed to antlerless).	Nov. 25 - Dec. 8	Nov. 23 - Dec. 8	Nov. 22 - Dec. 8	3 pt. min. or antlerless
		448, 454, 564, 666, 684	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - Dec. 15	Any elk
		568, 574, 578	Nov. 25-30	Nov. 23-30	Nov. 22-30	3 pt. min.
		601, 618, 651, 658, 667	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - Dec. 15	3 pt. min.
		<p>**Master hunters who hunt in Elk Area 3911 during the August to October early master hunter season must purchase a master hunter, Elk Area 3911, second elk transport tag. Only master hunters with an eastside elk tag can purchase this tag. Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 30, 2015, August 1 - October 28, 2016, and August 1 - October 27, 2017. Only one antlerless elk may be taken from Elk Area 3911, unless drawn for an antlerless elk special permit. Master hunters who hunt in Elk Area 3911 during the November to December late master hunter season may use their unused general season elk tag, but are not eligible to use an Elk Area 3911, master hunter, second elk transport tag. Any legal weapon may be used during either master hunter Elk Area 3911 hunt. All master hunters participating in an Elk Area 3911 hunt must wear hunter orange.</p>				

AMENDATORY SECTION (Amending WSR 16-12-087, filed 5/31/16, effective 7/1/16)

WAC 232-28-359 ((2016)) 2017 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. ((22)) <u>21</u> - Nov. 22	White-tailed, Any buck	GMU 105	5
Kelly Hill Mule Deer Buck	Modern	Any	Nov. ((5-22)) <u>4-22</u>	Mule deer, 3 pt. min.	GMU 105	1
Douglas White-tailed Buck	Modern	Any	Oct. ((22)) <u>21</u> - Nov. 22	White-tailed, Any buck	GMU 108	5
Douglas Mule Deer Buck	Modern	Any	Nov. ((5-22)) <u>4-22</u>	Mule deer, 3 pt. min.	GMU 108	1
Aladdin White-tailed Buck	Modern	Any	Oct. ((22)) <u>21</u> - Nov. 22	White-tailed, Any buck	GMU 111	5
Aladdin Mule Deer Buck	Modern	Any	Nov. ((5-22)) <u>4-22</u>	Mule deer, 3 pt. min.	GMU 111	1
Selkirk Mule Deer Buck	Modern	Any	Nov. ((5-22)) <u>4-22</u>	Mule deer, 3 pt. min.	GMU 113	1
49 Degrees North White-tailed Buck	Modern	Any	Oct. ((22)) <u>21</u> - Nov. 22	White-tailed, Any buck	GMU 117	5
49 Degrees North Mule Deer Buck	Modern	Any	Nov. ((5-22)) <u>4-22</u>	Mule deer, 3 pt. min.	GMU 117	1
Huckleberry White-tailed Buck	Modern	Any	Oct. ((22)) <u>21</u> - Nov. 22	White-tailed, Any buck	GMU 121	5
Huckleberry Mule Deer Buck	Modern	Any	Nov. ((5-22)) <u>4-22</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
Step toe	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
Wenaha West	Modern	Any	Nov. 7-14	Mule deer, 3 pt. min.	Dear Area 1008	2
Wenaha East	Modern	Any	Nov. 7-14	Mule deer, 3 pt. min.	Deer Area 1009	5
Lick Creek	Modern	Any	Nov. 20-24	3 pt. min.	GMU 175	1
Ten-Forty	Modern	Any	Nov. 7-14	3 pt. min.	Deer Area 1040	((±)) 2
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	15
Gardner	Modern	Any	Nov. 1-20	Any buck	GMU 231	15
Pogue	Modern	Any	Nov. 1-20	Any buck	GMU 233	((±)) 15

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Alta	Modern	Any	Nov. 1-20	Any buck	GMU 242	10
Manson	Modern	Any	Nov. 1-20	Any buck	GMU 243	((40)) 7
Chiwawa	Modern	Any	Nov. 1-20	Any buck	GMU 245	((27)) 19
Slide Ridge	Modern	Any	Nov. 1-20	Any buck	GMU 246	((40)) 7
Entiat	Modern	Any	Nov. 1-20	Any buck	GMU 247	((25)) 18
Swakane	Modern	Any	Nov. 1-20	Any buck	GMU 250	((45)) 11
Mission	Modern	Any	Nov. 1-20	Any buck	GMU 251	((40)) 7
Desert	Modern	Any	Oct. ((22-30)) 21-29	Any buck	GMU 290	14
Desert	Modern	Any	Nov. ((42-20)) 11-19	Any buck	GMU 290	5
Naneum	Modern	Any	Nov. ((44-22)) 13-19	Any buck	GMU 328	14
Qilomene	Modern	Any	Nov. ((7-22)) 6-19	Any buck	GMU 329	((44)) 13
Teanaway	Modern	Any	Nov. ((44-22)) 13-19	Any buck	GMU 335	((20)) 21
L. T. Murray	Modern	Any	Nov. ((44-22)) 13-19	Any buck	GMUs 336, 340	5
Bethel	Modern	Any	Nov. ((7-22)) 6-19	Any buck	GMU 360	5
Cowiche	Modern	Any	Nov. ((7-22)) 6-19	Any buck	GMU 368	10
Alkali	Modern	Any	((Oct. 15-31)) Nov. 4-19	Any buck	GMU 371	4
Kahlotus	Modern	Any	Nov. 8-17	Any buck	GMU 381	10
Simcoe	Modern	Any	Oct. 14-24	3 pt. min.	Dear Area 5382	3
Grayback	Modern	Any	Nov. ((7-22)) 6-21	3 pt. min.	GMU 388	40
Nooksack	Modern	Any	Nov. ((44-19)) 11-16	Any buck	GMU 418	25
Skagit	Modern	Any	Nov. ((44-19)) 11-16	Any buck	GMU 426	10
Sauk	Modern	Any	Nov. ((44-19)) 11-16	Any buck	GMU 437	25
Stillaguamish	Modern	Any	Nov. ((44-19)) 11-16	Any buck	GMU 448	10
Snoqualmie	Modern	Any	Nov. ((42-17)) 11-16	Any buck	GMU 460	10
Green River	Any tag	Any	((Oct. 22-28)) Nov. 4-10	Any buck	GMU 485	5
Lincoln	Modern	Any	Nov. ((4-16)) 1-15	Any buck(-)	GMU 501	4
Mossyrock	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 505	4
Willapa Hills	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 506	4
Stormking	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 510	1
South Rainier	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 513	1
Packwood	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 516	1
Winston	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 520	4
Ryderwood	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 530	4
Coweeman	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 550	4
Toutle	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 556	1
Lewis River	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 560	1
Washougal	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 568	2
Siouxon	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 572	1
Wind River	Modern	Any	Nov. ((47-22)) 16-21	Any buck	GMU 574	40
West Klickitat	Modern	Any	Nov. ((47-23)) 16-22	3 pt. min.	GMU 578	((40)) 25
Mason	Modern	Any	Nov. ((4-16)) 1-15	Any buck	GMU 633	10

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Wynoochee	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 648	10
Satsop	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 651	10
White River	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 653	10
Mashel	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 654	10
Capitol Peak	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 663	10
Skookumchuck	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 667	10
Chiliwist	Archery	Any	Nov. 21-30	Any buck	GMU 239	15
Chiwawa	Archery	Any	Dec. 1-8	Any buck	GMU 245	((40)) <u>7</u>
Slide Ridge	Archery	Any	Dec. 1-8	Any buck	GMU 246	((3)) <u>2</u>
Entiat	Archery	Any	Nov. 21-30	Any buck	GMU 247	((50)) <u>35</u>
Desert	Archery	Any	Sept. 1 - Oct. 7	Any buck	GMU 290	((15)) <u>12</u>
Desert	Archery	Any	Nov. 25 - Dec. ((42)) <u>10</u>	Any buck	GMU 290	((44)) <u>12</u>
Naneum	Archery	Any	Nov. ((23)) <u>20</u> - Dec. 8	Any buck	GMU 328	((7)) <u>8</u>
Quilomene	Archery	Any	Nov. ((23)) <u>20</u> - Dec. 8	Any buck	GMU 329	6
Teanaway	Archery	Any	Nov. ((23)) <u>20</u> - Dec. 8	Any buck	GMU 335	((8)) <u>10</u>
<u>Simcoe</u>	<u>Archery</u>	<u>Any</u>	<u>Sept. 1-29</u>	<u>3 pt. min.</u>	<u>Dear Area 5382</u>	<u>3</u>
West Klickitat	Archery	Any	Nov. ((24-30)) <u>23-29</u>	3 pt. min.	GMU 578	((75)) <u>40</u>
Kitsap	Archery	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 627	10
Skokomish	Archery	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 636	10
Blue Mtns. Foothills	Muzzleloader	Any	Nov. 20 - Dec. 8	White-tailed, 3 pt. min.	GMUs 149, 154, 162, 166	70
Alta	Muzzleloader	Any	Nov. ((25-30)) <u>21-30</u>	Any buck	GMU 242	15
Chiwawa	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 245	((3)) <u>2</u>
Slide Ridge	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 246	1
Mission	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 251	((15)) <u>11</u>
Desert	Muzzleloader	Any	Oct. ((8-16)) <u>7-15</u>	Any buck	GMU 290	2
Teanaway	Muzzleloader	Any	Nov. ((7-13)) <u>6-12</u>	Any buck	GMU 335	((2)) <u>3</u>
L.T. Murray	Muzzleloader	Any	Nov. ((7-13)) <u>6-12</u>	Any buck	GMUs 336, 340	1
Bald Mountain	Muzzleloader	Any	Nov. ((7-22)) <u>6-19</u>	Any buck	GMUs 342, 346	2
Naneum	Muzzleloader	Any	Nov. ((7-13)) <u>6-12</u>	Any buck	GMU 328	1
Quilomene	Muzzleloader	Any	((Oct. 1-10)) <u>Sept. 30 - Oct. 8</u>	Any buck	GMU 329	((2)) <u>1</u>
<u>Simcoe</u>	<u>Muzzleloader</u>	<u>Any</u>	<u>Nov. 20-30</u>	<u>3 pt. min.</u>	<u>Dear Area 5382</u>	<u>3</u>
West Klickitat	Muzzleloader	Any	((Dec. 1-7)) <u>Nov. 30 - Dec. 6</u>	3 pt. min.	GMU 578	((75)) <u>40</u>
Olympic	Muzzleloader	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 621	10

Bucks						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Palouse	Modern	Any	Nov. ((5-19)) <u>11-19</u>	White-tailed, 3 pt. min.	GMUs 127-142	750
Blue Mtns. Foothills West	Modern	Any	Nov. 9-19	White-tailed, 3 pt. min.	GMUs 149, 154, 162-166	110

Bucks						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Blue Mtns. Foothills East	Modern	Any	Nov. 9-19	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
Ten Forty	Modern	Any	Oct. ((15-23)) <u>14-22</u>	3 pt. min.	Deer Area 1040	2
East Okanogan	Modern	Any	Nov. 1-20	Any white-tailed ((buck)) <u>deer</u>	GMU 204	40
Sinlahekin	Modern	Any	Nov. 1-20	Any white-tailed ((buck)) <u>deer</u>	GMU 215	((40)) <u>50</u>
Chewuch	Modern	Any	Nov. 1-20	Any white-tailed ((buck)) <u>deer</u>	GMU 218	15
Pearrygin	Modern	Any	Nov. 1-20	Any white-tailed ((buck)) <u>deer</u>	GMU 224	15
Gardner	Modern	Any	Nov. 1-20	Any white-tailed ((buck)) <u>deer</u>	GMU 231	15
Pogue	Modern	Any	Nov. 1-20	Any white-tailed ((buck)) <u>deer</u>	GMU 233	15
Chiliwist	Modern	Any	Nov. 1-20	Any white-tailed ((buck)) <u>deer</u>	GMU 239	15
Alta	Modern	Any	Nov. 1-20	Any white-tailed ((buck)) <u>deer</u>	GMU 242	15
Ritzville	Modern	Any	Nov. 1-20	Any buck	GMU 284	9
Hoko	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 601	5
Sol Duc	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 607	5
Goodman	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 612	5
Clearwater	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 615	5
Quinault Ridge	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 638	5
North River	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 658	10
Williams Creek	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 673	10
Bear River-Long Beach	Modern	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMUs 681, 684	5
Parker Lake	Archery	Any	Sept. 1-30 and Nov. ((25-Dec-15)) <u>20 - Dec. 2</u>	((White-tailed, 4 pt. min. or antlerless)) <u>Any white-tailed deer</u>	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
Ritzville	Archery	Any	Dec. 1-8	Any buck	GMU 284	((40)) <u>21</u>
Alkali	Archery	Any	Sept. ((1-23)) <u>1-24</u>	Any buck	GMU 371	((3)) <u>2</u>
Whitcomb	Archery	Any	Oct. 1-10	Any buck	Deer Area 3071	10
Paterson	Archery	Any	Oct. 1-10	Any buck	Deer Area 3072	10
Whitcomb	Muzzleloader	Any	Nov. 19-27	Any buck	Deer Area 3071	5
Paterson	Muzzleloader	Any	Nov. 19-27	Any buck	Deer Area 3072	5
Parker Lake	Muzzleloader	Any	Oct. ((3-11)) <u>1-31 and Dec. 3-15</u>	((White-tailed, 4 pt. min. or antlerless)) <u>Any white-tailed deer</u>	Deer Area 1031	5
Roosevelt	Muzzleloader	Any	((Oct. 1-14)) <u>Sept. 30 - Oct. 13</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 133	25
Harrington	Muzzleloader	Any	((Oct. 1-14)) <u>Sept. 30 - Oct. 13</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 136	25
Steptoe	Muzzleloader	Any	((Oct. 1-14)) <u>Sept. 30 - Oct. 13</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 139	25
Almota	Muzzleloader	Any	((Oct. 1-14)) <u>Sept. 30 - Oct. 13</u>	ONLY 2 pt. x 2 pt. mule deer bucks	GMU 142	25

Bucks						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Dayton	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	3 pt. min.	GMU 162	25
Tucannon	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	3 pt. min.	GMU 166	10
Wenaha	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	3 pt. min.	GMU 169	15
Mountain View	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	3 pt. min.	GMU 172 (except Deer Area 1040)	15
Ten Forty	Muzzleloader	Any	((Sept. 24 - Oct. 2)) <u>Sept. 30 - Oct. 8</u>	3 pt. min.	Deer Area 1040	2
Ritzville	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 284	1
Alkali	Muzzleloader	Any	((Sept. 24 - Oct. 9)) <u>Sept. 25 - Oct. 15</u>	Any buck	GMU 371	1
Kahlotus	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Any buck	GMU 381	20
Dickey	Muzzleloader	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 602	5
Copalis-Matheny	Muzzleloader	Any	Nov. ((1-16)) <u>1-15</u>	Any buck	GMUs 618, 642	5

Antlerless						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Mayview	Modern	Any	Nov. 1-12	Antlerless	GMU 145	((65)) <u>50</u>
Mayview	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 145	25
Prescott	Modern	Any	Nov. 1-12	Antlerless	GMU 149	((100)) <u>80</u>
Prescott	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 149	20
Blue Creek	Modern	Any	Nov. 9-19	White-tailed, antlerless	GMU 154	50
Dayton	Modern	Any	Nov. 9-19	White-tailed, antlerless	GMU 162	100
Ten Ten	Modern	Any	Nov. ((8-19)) <u>9-19</u>	Antlerless	Deer Area 1010	30
Marengo	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 163	50
Marengo	Modern	Any	Nov. 1-12	Antlerless	GMU 163	40
Peola	Modern	Any	Nov. 1-12	Antlerless	GMU 178	((50)) <u>75</u>
<u>Couse</u>	<u>Modern</u>	<u>Any</u>	<u>Nov. 1-12</u>	<u>Antlerless</u>	<u>GMU 181</u>	<u>25</u>
East Klickitat	Modern	Any	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 382 (except Dear Area 5382)	5
Grayback	Modern	Any	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 388	5
Lincoln	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 501	15
Stella	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 504	15
Mossyrock	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 505	30
South Rainier	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 513	10
Winston	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 520	20
<u>Ryderwood</u>	<u>Modern</u>	<u>Any</u>	<u>Oct. 14-31</u>	<u>Antlerless</u>	<u>GMU 530</u>	<u>10</u>
Lewis River	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 560	3
Siouxon	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 572	3
Wind River	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 574	3
West Klickitat	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 578	5
Olympic	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 621	((45)) <u>40</u>
Coyle	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 624	20
Kitsap	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 627	15
Mason	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 633	35

Antlerless						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Skokomish	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 636	((15)) <u>20</u>
Wynoochee	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 648	20
Satsop	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 651	20
Mashel	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 654	30
North River	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 658	15
Minot Peak	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 660	20
Capitol Peak	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 663	15
Skookumchuck	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 667	30
Williams Creek	Modern	Any	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 673	5
((Entiat	Archery	Any	Nov. 21-30	Antlerless	GMU 247	40
Swakane	Archery	Any	Nov. 21-30	Antlerless	GMU 250	50))
Whitcomb	Archery	Any	Oct. 20-30	Antlerless	Deer Area 3071	10
Paterson	Archery	Any	Oct. 20-30	Antlerless	Deer Area 3072	10
Grayback	Archery	Any	Nov. ((23)) <u>22</u> - Dec. 8	Antlerless	GMU 388	75
Whitcomb	Muzzleloader	Any	Nov. 29 - Dec. 5	Antlerless	Deer Area 3071	10
Paterson	Muzzleloader	Any	Nov. 29 - Dec. 5	Antlerless	Deer Area 3072	10
Selkirk	Muzzleloader	Any	Nov. 25 - Dec. 8	White-tailed, antlerless	GMU 113	15
Prescott	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 149	35
Blue Creek	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 154	20
Mossyrock	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 505	10
Stormking	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 510	5
South Rainier	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 513	5
Packwood	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 516	5
Winston	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 520	5
Ryderwood	Muzzleloader	Any	<u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 530	<u>10</u>
Cowecman	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 550	10
Yale	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 554	2
West Klickitat	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 578	5
Olympic	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 621	40
Coyle	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 624	((20)) <u>25</u>
Kitsap	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 627	15
Mason	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 633	((30)) <u>35</u>
Skokomish	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 636	((15)) <u>20</u>
Wynoochee	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 648	15
Satsop	Muzzleloader	Any	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 651	((20)) <u>25</u>

Antlerless						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Mashel	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8	Antlerless	GMU 654	35
North River	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8	Antlerless	GMU 658	15
Minot Peak	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8	Antlerless	GMU 660	5
Capitol Peak	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8	Antlerless	GMU 663	20
Williams Creek	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8	Antlerless	GMU 673	5

2nd Deer

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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, ((2017)) 2018	Antlerless	Deer Area 2011	15
Methow	Any	Any	((Sept. 8 - Oct. 9)) Sept. 7 - Oct. 8	Antlerless	Deer Area 2012	((20)) 15
North Okanogan	Any	Any	((Sept. 8 - Oct. 9)) Sept. 7 - Oct. 8	Antlerless	Deer Area 2013	((30)) 20
Central Okanogan	Any	Any	((Sept. 8 - Oct. 9)) Sept. 7 - Oct. 8	Antlerless	Deer Area 2014	((30)) 20
Omak	Any	Any	((Sept. 8 - Oct. 9)) Sept. 7 - Oct. 8	Antlerless	Deer Area 2015	((25)) 15
Conconully	Any	Any	((Sept. 8 - Oct. 9)) Sept. 7 - Oct. 8	Antlerless	Deer Area 2016	((25)) 15
Lake Chelan North	Any	Any	Aug. 1-31	Antlerless	Deer Area 2017	45
Mt. Spokane	Modern	Any	Oct. ((15-28)) 14-27 and Nov. ((5-19)) 11-19	Antlerless	GMU 124	50
Spokane North	Modern	Any	Oct. ((15-28)) 14-27 and Nov. ((5-19)) 11-19	Antlerless	Deer Area 1050	350
Mica Peak	Modern	Any	Oct. ((15-25)) 14-24	Antlerless	GMU 127	25
Spokane South	Modern	Any	Oct. ((15-25)) 14-24	Antlerless	Deer Area 1060	75
Cheney	Modern	Any	Oct. ((15-25)) 14-24	Antlerless	GMU 130	100
Spokane West	Modern	Any	Oct. ((15-25)) 14-24	Antlerless	Deer Area 1070	100
Roosevelt	Modern	Any	Oct. ((15-25)) 14-24	Antlerless	GMU 133	150
Harrington	Modern	Any	Oct. ((15-25)) 14-24	Antlerless	GMU 136	150
Steptoe	Modern	Any	Oct. ((15-25)) 14-24	Antlerless	GMU 139	200
Colfax	Modern	Any	Oct. ((15-25)) 14-24	Antlerless	Deer Area 1080	150
Almota	Modern	Any	Oct. ((15-25)) 14-24	Antlerless	GMU 142	150
Mayview	Modern	Any	Nov. 1-12	Antlerless	GMU 145	35
Blue Creek	Modern	Any	Nov. 9-19	White-tailed, antlerless	GMU 154	30
Ten Ten	Modern	Any	Nov. 9-19	Antlerless	Deer Area 1010	30
East Okanogan	Modern	Any	Oct. ((15-25)) 14-24	White-tailed, antlerless	GMU 204	100
Sinlahekin	Modern	Any	Oct. ((15-25)) 14-24	White-tailed, antlerless	GMU 215	60
Chewuch	Modern	Any	Oct. ((15-25)) 14-24	White-tailed, antlerless	GMU 218	((40)) 15
Pearygin	Modern	Any	Oct. ((15-25)) 14-24	White-tailed, antlerless	GMU 224	((20)) 15
Gardner	Modern	Any	Oct. ((15-25)) 14-24	White-tailed, antlerless	GMU 231	((40)) 15
Pogue	Modern	Any	Oct. ((15-25)) 14-24	White-tailed, antlerless	GMU 233	30

2nd Deer						
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Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Chiliwist	Modern	Any	Oct. ((15-25)) <u>14-24</u>	White-tailed, antlerless	GMU 239	20
Alta	Modern	Any	Oct. ((15-25)) <u>14-24</u>	White-tailed, antlerless	GMU 242	((20)) <u>15</u>
Big Bend	Modern	Any	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 248	35
(Mission-	Modern	Any	Oct. 15-25	Antlerless	GMU 251	40))
St. Andrews	Modern	Any	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 254	20
Foster Creek	Modern	Any	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 260	20
Withrow	Modern	Any	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 262	20
Badger	Modern	Any	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 266	15
Desert	Modern	Any	Dec. ((40-25)) <u>11-25</u>	Antlerless	GMU 290	25
Kahlotus	Modern	Any	Dec. 1-9	Antlerless	GMU 381	20
Orcas	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 411	40
Shaw	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 412	20
San Juan	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 413	40
Lopez	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 414	40
Blakely	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 415	30
Decatur	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 416	5
Cypress	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 417	30
Guemes	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 419	20
Whidbey	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 420	100
Camano	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 421	30
Vashon-Maury	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 422	100

2nd Deer						
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Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Anderson	Modern	Any	((Oct. 15-31 and Nov. 17-20)) Oct. 14-31 and Nov. 16-19	Antlerless	GMU 655	40
Deschutes	Modern	Any	Oct. ((15-31)) 14-31	Antlerless	GMU 666	40
Mt. Spokane	Archery	Any	Sept. ((1-30)) 1-29 and Nov. 25 - Dec. 15	Antlerless	GMU 124	25
Spokane North	Archery	Any	Sept. ((1-30)) 1-29 and Nov. 25 - Dec. 15	Antlerless	Deer Area 1050	75
Mica Peak	Archery	Any	Sept. ((1-30)) 1-29 and Nov. 25 - Dec. 15	Antlerless	GMU 127	25
Spokane South	Archery	Any	Sept. ((1-30)) 1-29 and Nov. 25 - Dec. 15	Antlerless	Deer Area 1060	75
Clarkston	Archery	Any	Nov. 20 - Dec. 31	Antlerless	Deer Area 1021	30
Orcas	Archery	Any	((Sept. 1-30 and Nov. 23 - Dec. 31)) Sept. 1-29 and Nov. 22 - Dec. 31	Antlerless	GMU 411	25
Shaw	Archery	Any	((Sept. 1-30 and Nov. 23 - Dec. 31)) Sept. 1-29 and Nov. 22 - Dec. 31	Antlerless	GMU 412	20
San Juan	Archery	Any	((Sept. 1-30 and Nov. 23 - Dec. 31)) Sept. 1-29 and Nov. 22 - Dec. 31	Antlerless	GMU 413	20
Lopez	Archery	Any	((Sept. 1-30 and Nov. 23 - Dec. 31)) Sept. 1-29 and Nov. 22 - Dec. 31	Antlerless	GMU 414	20
Blakely	Archery	Any	((Sept. 1-30 and Nov. 23 - Dec. 31)) Sept. 1-29 and Nov. 22 - Dec. 31	Antlerless	GMU 415	10
Decatur	Archery	Any	((Sept. 1-30 and Nov. 23 - Dec. 31)) Sept. 1-29 and Nov. 22 - Dec. 31	Antlerless	GMU 416	5
Cypress	Archery	Any	((Sept. 1-30 and Nov. 23 - Dec. 31)) Sept. 1-29 and Nov. 22 - Dec. 31	Antlerless	GMU 417	20
Guemes	Archery	Any	((Sept. 1-30 and Nov. 23 - Dec. 31)) Sept. 1-29 and Nov. 22 - Dec. 31	Antlerless	GMU 419	10
Whidbey	Archery	Any	((Sept. 1-30 and Nov. 23 - Dec. 31)) Sept. 1-29 and Nov. 22 - Dec. 31	Antlerless	GMU 420	30
Camano	Archery	Any	((Sept. 1-30 and Nov. 23 - Dec. 31)) Sept. 1-29 and Nov. 22 - Dec. 31	Antlerless	GMU 421	25
Vashon-Maury	Archery	Any	((Sept. 1-30 and Nov. 23 - Dec. 31)) Sept. 1-29 and Nov. 22 - Dec. 31	Antlerless	GMU 422	30

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
Miller	Archery	Any	Dec. 15-31	Antlerless	Deer Area 6020	40
Anderson	Archery	Any	Sept. ((1-30)) 1-29 and Dec. 19-31	Antlerless	GMU 655	10
Mt. Spokane	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8	Antlerless	GMU 124	25
Spokane North	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8 and Dec. 9-31	Antlerless	Deer Area 1050	100
Cheney	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8 and Nov. 25 - Dec. 8	Antlerless	GMU 130	25
Roosevelt	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8 and Nov. 25 - Dec. 8	Antlerless	GMU 133	25
Harrington	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8 and Nov. 25 - Dec. 8	Antlerless	GMU 136	25
Colfax	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8 and Nov. 25 - Dec. 8	Antlerless	Deer Area 1080	50
Mayview	Muzzleloader	Any	((Oct. 3-11)) Sept. 30 - Oct. 30	Antlerless	GMU 145	30
((Chiwawa	Muzzleloader	Any	Oct. 1-9	Antlerless	GMU 245	40
Swakane	Muzzleloader	Any	Oct. 1-9	Antlerless	GMU 250	5
Mission	Muzzleloader	Any	Oct. 1-9	Antlerless	GMU 251	5))
Foster Creek	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8	Antlerless	GMU 260	10
Moses Coulee	Muzzleloader	Any	((Oct. 1-9)) Sept. 30 - Oct. 8	Antlerless	GMU 269	10
Lakeview	Muzzleloader	Any	Nov. 1-18	Antlerless	Deer Area 2011	5
Orcas	Muzzleloader	Any	((Oct. 1-9 and Nov. 23- Dec. 15)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 15	Antlerless	GMU 411	20
Shaw	Muzzleloader	Any	((Oct. 1-9 and Nov. 23- Dec. 15)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 15	Antlerless	GMU 412	20
San Juan	Muzzleloader	Any	((Oct. 1-9 and Nov. 23- Dec. 15)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 15	Antlerless	GMU 413	20
Lopez	Muzzleloader	Any	((Oct. 1-9 and Nov. 23- Dec. 15)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 15	Antlerless	GMU 414	20
Blakely	Muzzleloader	Any	((Oct. 1-9 and Nov. 23- Dec. 15)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 15	Antlerless	GMU 415	5
Decatur	Muzzleloader	Any	((Oct. 1-9 and Nov. 23- Dec. 15)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 15	Antlerless	GMU 416	5
Cypress	Muzzleloader	Any	((Oct. 1-9 and Nov. 23- Dec. 15)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 15	Antlerless	GMU 417	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
Guemes	Muzzleloader	Any	((Oct. 1-9 and Nov. 23- Dec. 15)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 15	Antlerless	GMU 419	10
Whidbey	Muzzleloader	Any	((Oct. 1-9 and Nov. 23- Dec. 15)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 15	Antlerless	GMU 420	20
Camano	Muzzleloader	Any	((Oct. 1-9 and Nov. 23- Dec. 15)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 15	Antlerless	GMU 421	20
Vashon-Maury	Muzzleloader	Any	((Oct. 1-9 and Nov. 23- Dec. 15)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 15	Antlerless	GMU 422	20
Anderson	Muzzleloader	Any	((Oct. 1-9 and Nov. 24- Dec. 11)) Sept. 30 - Oct. 8 and Nov. 22 - Dec. 11	Antlerless	GMU 655	5

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Blue Mtns. Foothills West	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMUs 149, 154, 163, Deer Area 1010	60
Blue Mtns. Foothills East	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMUs 145, 172 (except Deer Area 1040)-181	40
<u>Mayview</u>	<u>Modern</u>	<u>Youth</u>	Oct. <u>14-24</u>	<u>Any deer</u>	<u>GMU 145</u>	<u>15</u>
<u>Prescott</u>	<u>Modern</u>	<u>Youth</u>	Oct. <u>14-24</u>	<u>Any deer</u>	<u>GMU 149</u>	<u>20</u>
<u>Peola</u>	<u>Modern</u>	<u>Youth</u>	Oct. <u>14-24</u>	<u>Any deer</u>	<u>GMU 178</u>	<u>20</u>
Tucannon	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	White-tailed, antlerless	GMU 166	10
Ten Forty	Modern	Youth	Oct. ((15-23)) <u>14-22</u>	Antlerless	Deer Area 1040	5
Couse	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 181	((20)) <u>15</u>
<u>Couse</u>	<u>Modern</u>	<u>Youth</u>	Oct. <u>14-24</u>	<u>Any deer</u>	<u>GMU 181</u>	<u>5</u>
East Okanogan	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 204	60
Wannacut	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 209	10
Sinlahekin	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 215	30
Chewuch	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 218	10
Pearrygin	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 224	((30)) <u>20</u>
Gardner	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 231	10
Pogue	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 233	30
Chiliwist	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 239	20
Alta	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 242	((30)) <u>20</u>
Chiwawa	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 245	((40)) <u>5</u>
Entiat	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 247	((40)) <u>5</u>
Swakane	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 250	((5)) <u>3</u>
Mission	Modern	Youth	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 251	((15)) <u>8</u>

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Bridgeport	Modern	Youth	Oct. ((15-25)) 14-24	Antlerless	GMUs 248, 260	20
Palisades	Modern	Youth	Oct. ((15-25)) 14-24	Antlerless	GMUs 266, 269	20
Beezley	Modern	Youth	Oct. ((15-25)) 14-24	Antlerless	GMU 272	50
Ritzville	Modern	Youth	Oct. ((15-25)) 14-24	Antlerless	GMU 284	50
Benge	Modern	Youth	Oct. 30 - Nov. 7	Antlerless	Deer Area 2010	30
Desert	Modern	Youth	Dec. ((10-25)) 9-24	Antlerless	GMU 290	5
Horse Heaven Hills	Modern	Youth	Oct. ((15-25)) 14-24	Antlerless	GMU 373	10
Ringold	Modern	Youth	Oct. ((15-25)) 14-24	Antlerless	GMU 379	10
Kahlotus	Modern	Youth	Oct. ((15-25)) 14-24	Antlerless	GMU 381	10
Simcoe	Modern	Youth	Oct. 14-24	Antlerless	Deer Area 5382	2
East Klickitat	Modern	Youth	Oct. ((15-25)) 14-24	Any buck	GMU 382 (except Deer Area 5382)	5
East Klickitat	Modern	Youth	Oct. ((15-25)) 14-24	Antlerless	GMU 382 (except Deer Area 5382)	10
East Klickitat	Modern	Youth	Dec. ((17)) 16 - Jan. 1, ((2017)) 2018	Antlerless	GMU 382 (except Deer Area 5382)	10
East Klickitat	Modern	Youth	Jan. ((16-31, 2017)) 13-28, 2018	Antlerless	GMU 382 (except Deer Area 5382)	10
Grayback	Modern	Youth	Oct. ((15-25)) 14-24	Any buck	GMU 388	5
Grayback	Modern	Youth	Oct. ((15-25)) 14-24	Antlerless	GMU 388	10
Green River	Modern	Youth	Nov. 4-10	Any Buck	GMU 485	5
Lincoln	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 501	10
Randle	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 503	5
Stella	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 504	10
Mossyrock	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 505	10
Stormking	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 510	10
South Rainier	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 513	10
Packwood	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 516	10
Winston	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 520	10
Ryderwood	Modern	Youth	Oct. 14-31	Antlerless	GMU 530	10
Coweeman	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 550	10
Yale	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 554	10
Toutle	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 556	10
Lewis River	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 560	5
Washougal	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 568	10
Siouxon	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 572	5
Wind River	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 574	10
West Klickitat	Modern	Youth	Oct. ((15-31)) 14-31	Any buck	GMU 578	5
West Klickitat	Modern	Youth	Oct. ((15-31)) 14-31	Antlerless	GMU 578	10
Pysht	Modern	Youth	Nov. ((1-16)) 1-15	Any buck	GMU 603	5
Olympic	Modern	Youth	Oct. ((8-31)) 7-31	Any deer	GMU 621	25
Coyle	Modern	Youth	Oct. ((10-31)) 9-31	Antlerless	GMU 624	((10)) 15
Kitsap	Modern	Youth	Oct. ((10-31)) 9-31	Any deer	GMU 627	10
Mason	Modern	Youth	Nov. ((1-16)) 1-15	((Antlerless)) Any deer	GMU 633	20
Skokomish	Modern	Youth	Oct. ((8-31)) 9-31	Antlerless	GMU 636	10
Wynoochee	Modern	Youth	Oct. ((8-31)) 9-31	Antlerless	GMU 648	15
Satsop	Modern	Youth	Oct. ((8-31)) 7-31	Antlerless	GMU 651	((10)) 15
Mashel	Modern	Youth	Oct. ((8-31)) 7-31	Antlerless	GMU 654	15

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
North River	Modern	Youth	Oct. ((8-31)) <u>7-31</u>	Antlerless	GMU 658	10
Minot Peak	Modern	Youth	Oct. ((8-31)) <u>9-31</u>	Antlerless	GMU 660	10
Minot Peak	Modern	Youth	Nov. ((1-16)) <u>1-15</u>	Any buck	GMU 660	10
Capitol Peak	Modern	Youth	Oct. ((8-31)) <u>9-31</u>	Antlerless	GMU 663	10
Skookumchuck	Modern	Youth	Oct. ((8-31)) <u>7-31</u>	Antlerless	GMU 667	15
Skookumchuck	Modern	Youth	Oct. ((8-31)) <u>7-31</u>	Any buck	GMU 667	20
East Okanogan	Muzzleloader	Youth	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 204	10
Wannacut	Muzzleloader	Youth	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 209	5
Pogue	Muzzleloader	Youth	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 233	10
Chiliwist	Muzzleloader	Youth	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 239	10
Alta	Muzzleloader	Youth	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 242	((40)) <u>5</u>
Mission	Muzzleloader	Youth	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 251	((5)) <u>3</u>
Whitcomb	Muzzleloader	Youth	Nov. 1-13	Antlerless	Deer Area 3071	5
Paterson	Muzzleloader	Youth	Nov. 1-13	Antlerless	Deer Area 3072	5
Region 5	Modern	Youth with mentor	Aug. 1, ((2016)) <u>2017</u> - Mar. 31, ((2017)) <u>2018</u>	Antlerless	Designated Areas in Region 5	10 ^{HC}

Senior 65+						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Blue Mtns. Foothills	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMUs 145, 149, 154, 163, Deer Area 1010	30
East Okanogan	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 204	30
Wannacut	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 209	5
Sinlahekin	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 215	((30)) <u>15</u>
Chewuch	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 218	5
Pearygin	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 224	((20)) <u>10</u>
Gardner	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 231	5
Pogue	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 233	20
Chiliwist	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 239	((20)) <u>15</u>
Alta	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 242	((20)) <u>15</u>
Chiwawa	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 245	((40)) <u>5</u>
Entiat	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 247	((40)) <u>5</u>
Swakane	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 250	((40)) <u>5</u>
Mission	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 251	((40)) <u>5</u>
Bridgeport	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMUs 248, 260	10
Palisades	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMUs 266, 269	10
Rattlesnake Hills	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 372	10
Horse Heaven Hills	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 373	10
Kahlotus	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 381	10

Senior 65+						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
East Klickitat	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 382 (<u>except Deer Area 5382</u>)	5
Grayback	Modern	65+	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 388	5
Lincoln	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 501	5
Stella	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 504	5
Mossyrock	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 505	15
Stormking	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 510	5
South Rainier	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 513	5
Packwood	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 516	5
Winston	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 520	5
Yale	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 554	5
Toutle	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 556	10
Lewis River	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 560	5
Washougal	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 568	5
Siouxon	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 572	5
Wind River	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 574	5
West Klickitat	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 578	5
Olympic	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 621	((30)) <u>25</u>
Coyle	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 624	15
Kitsap	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 627	((15)) <u>10</u>
Mason	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 633	((25)) <u>20</u>
Skokomish	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 636	10
Wynoochee	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 648	10
Satsop	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 651	15
Mashel	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 654	15
North River	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 658	10
Minot Peak	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 660	10
Capitol Peak	Modern	65+	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 663	15

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Blue Mtns. Foothills	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMUs 145, 149, 154, 163, Deer Area 1010	20
East Okanogan	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 204	30
Wannacut	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 209	5
Sinlahekin	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 215	((30)) <u>15</u>
Chewuch	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 218	5
Pearrygin	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 224	((20)) <u>10</u>
Gardner	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 231	5
Pogue	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 233	20
Chiliwist	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 239	((20)) <u>15</u>

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Alta	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 242	((20)) <u>15</u>
Chiwawa	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 245	((5)) <u>3</u>
Entiat	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 247	((5)) <u>3</u>
Mission	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 251	((5)) <u>3</u>
Saint Andrews	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 254	5
Bridgeport	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMUs 248, 260	5
Palisades	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMUs 266, 269	5
Beezley	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 272	10
Ritzville	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 284	10
Horse Heaven Hills	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 373	10
Kahlotus	Modern	Hunter with Disability	Oct. 28 - Nov. 5	Antlerless	GMU 381	10
East Klickitat	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 382 <u>(except Deer Area 5382)</u>	5
Grayback	Modern	Hunter with Disability	Oct. ((15-25)) <u>14-24</u>	Antlerless	GMU 388	5
((Green River	Modern	Hunter with Disability	Oct. 22-28	Any Buck	GMU 485	5))
Lincoln	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 501	2
Stella	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 504	2
Mossyrock	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 505	3
Stormking	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 510	2
South Rainier	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 513	2
Packwood	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 516	2
Winston	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 520	2
Yale	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 554	2
Toutle	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 556	3
Lewis River	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 560	1
Washougal	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 568	5
Siouxon	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 572	2
Wind River	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 574	1
West Klickitat	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 578	2

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Olympic	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 621	15
Kitsap	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 627	5
Mason	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 633	10
Skokomish	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 636	5
Satsop	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 651	5
Mashel	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 654	10
North River	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 658	5
Minot Peak	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 660	5
Capitol Peak	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 663	5
Skookumchuck	Modern	Hunter with Disability	Oct. ((15-31)) <u>14-31</u>	Antlerless	GMU 667	10
Fall River	Modern	Hunter with Disability	Nov. ((4-16)) <u>1-15</u>	Any buck	GMU 672	10
Wind River	Archery	Hunter with Disability	Sept. ((1-30)) <u>1-29</u>	Antlerless	GMU 574	1
West Klickitat	Archery	Hunter with Disability	Sept. ((1-30)) <u>1-29</u>	Antlerless	GMU 578	1
East Okanogan	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 204	5
Sinlahekin	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 215	5
Gardner	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 231	5
Chiwawa	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 245	((5)) <u>3</u>
Entiat	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 247	((5)) <u>3</u>
Mission	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 251	((5)) <u>3</u>
Saint Andrews	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 254	5
Bridgeport	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMUs 248, 260	5
Palisades	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMUs 266, 269	5
Olympic	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 621	5
Mason	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 633	5
Wynoochee	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 648	5
Mashel	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 654	10
North River	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 658	5
Capitol Peak	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 663	10

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Skookumchuck	Muzzleloader	Hunter with Disability	((Oct. 1-9)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMU 667	10

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)) <u>Region 1</u>	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	((Sept. 1 - Dec. 31)) <u>Aug. 1, 2017 - March 31, 2018</u>	((Any deer)) <u>Antlerless</u>	Designated ((properties within Deer Area 1030)) <u>Areas in Region 1</u>	((25)) <u>30^{HC}</u>
Region 1	Archery/2nd deer tag	Master Hunter deer tag required	Master Hunter	Aug. 1, ((2016)) <u>2017 - March 31, ((-2017)) 2018</u>	Antlerless	Designated Areas in Region 1	((50)) <u>20^{HC}</u>
Region 2	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	Aug. 1, ((2016)) <u>2017 - March 31, ((-2017)) 2018</u>	Antlerless	Designated Areas in Region 2	((30)) <u>10^{HC}</u>
Region 3	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	Aug. 1, ((2016)) <u>2017 - March 31, ((-2017)) 2018</u>	Antlerless	Designated Areas in Region 3	40 ^{HC}
Region 5	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	Aug. 1, ((2016)) <u>2017 - March 31, ((-2017)) 2018</u>	Antlerless	Designated Areas in Region 5	10 ^{HC}
Region 6	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	July 1, ((2016)) <u>2017 - March 31, ((2017)) 2018</u>	Antlerless	Designated Areas in Region 6	20 ^{HC}

Hunter Education Instructor Incentive Permits

- 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 and chief instructor 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.
 - 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 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, 233, 239	((2)) <u>1</u>
<u>Region 2</u>		<u>Any white-tailed deer</u>	GMUs 218, 224, 231, 242	<u>1</u>
Region 2		Any deer	GMUs ((215-251)) <u>218, 231</u>	1
<u>Region 2</u>		<u>Any deer</u>	<u>GMUs 245, 247</u>	<u>1</u>
Region 2		Any deer	GMU 290	1
Region 3		Any deer	GMUs 335-368 ((, 382, 388))	((4)) <u>2</u>
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)) <u>Any deer</u>	((Any)) 382, 388, all 500 series GMUs ((open for a general deer hunting season or a special deer permit hunting season)) EXCEPT GMU 522	((6)) <u>4</u>
Region 6		((Legal buck for GMU of choice)) <u>Any deer</u>	GMUs 654, 660, 672, 673, 681	((4)) <u>2</u>

AMENDATORY SECTION (Amending WSR 16-12-087, filed 5/31/16, effective 7/1/16)

WAC 232-28-360 ((2016) 2017 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. 17 - Nov. 24)) Oct. 1-15 and Nov. 9 - Dec. 6	Any bull	Elk Area 1015	1
Prescott	EF	Any	Sept. ((26-30)) 25-29	Any bull	GMU 149	1
Prescott	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 149	2
Blue Creek	EF	Any	Sept. ((26-30)) 25-29	Any bull	GMU 154	1
Blue Creek	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 154	6
Watershed	EA, EF, EM	Any	((Oct. 29 - Nov. 6)) Oct. 23 - Nov. 5	3 pt. min.	GMU 157	40
Dayton	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 162	14
Ten Ten	EF	Any	Sept. ((26-30)) 25-29	Any bull	Elk Area 1010, GMU 163	1
Ten Ten	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	Elk Area 1010, GMU 163	4
Tucannon	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 166	14
Wenaha West	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	Elk Area 1008	((10)) 9
Wenaha East	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	Elk Area 1009	((11)) 10
Mountain View	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 172, EXCEPT Elk Area 1040	16
Ten Forty	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	Elk Area 1040	2
Lick Creek	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 175	((7)) 6
Peola	EF	Any	Sept. ((26-30)) 25-29	Any bull	GMU 178	1
Peola	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 178	1
Couse	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 181	3
Mission	EF	Any	Sept. ((23-30)) 23-29	Any bull	GMU 251	((4)) 3
Colockum	EF	Any	Sept. ((23-30)) 25-29	Any bull	GMUs 328, 329	1
Colockum	EF	Any	((Oct. 24 - Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMUs 328, 329	((23)) 22
Teanaway	EF	Any	Sept. ((23-30)) 25-29	Any bull	GMU 335	2
Peaches Ridge	EF	Any	Sept. ((23-30)) 25-29	Any bull	GMUs 336, 346	3
Observatory	EF	Any	Sept. ((23-30)) 25-29	Any bull	GMUs 340, 342	((5)) 3

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Little Naches	EF	Any	((Oct. 1-10)) Sept. 30 - Oct. 8	Any bull	GMU 346	((15)) 10
Goose Prairie	EF	Any	Sept. ((23-30)) 25-29	Any bull	GMUs 352, 356	5
Bethel	EF	Any	Sept. ((23-30)) 25-29	Any bull	GMU 360	3
Rimrock	EF	Any	Sept. ((23-30)) 25-29	Any bull	GMU 364	3
Cowiche	EF	Any	Sept. ((23-30)) 25-29	Any bull	GMU 368	3
Nooksack	WF	Any	((Oct. 8 - Nov. 18)) Oct. 7 - Nov. 17	Any bull	GMU 418 and Elk Area 4941	((40)) 12
Green River	WF	Any	((Oct. 22-28)) Nov. 4-10	Any bull	GMU 485	8
Wahkiakum	WF	Any	Sept. ((26-30)) 25-29	Any bull	GMUs 506, 530	1
South Rainier	WF	Any	Sept. ((26-30)) 25-29	Any bull	GMUs 510, 513	1
Packwood	WF	Any	Sept. ((26-30)) 25-29	Any bull	GMU 516	1
Winston	WF	Any	Sept. ((26-30)) 25-29	Any bull	GMU 520	1
Coweeman	WF	Any	Sept. ((26-30)) 25-29	Any bull	GMU 550	1
Toutle	WF	Any	Sept. ((26-30)) 25-29 and Nov. ((5-16)) 4-15	Any bull	GMU 556	3
Toutle	WF	Any	Nov. ((5-16)) 4-15	Any bull	GMU 556	((49)) 46
Lewis River	WF	Any	Sept. ((26-30)) 25-29	Any bull	GMU 560	2
Siouxon	WF	Any	Sept. ((26-30)) 25-29	Any bull	GMU 572	2
Carlton	WF	Any	Sept. ((26-30)) 25-29	Any bull	Elk Area 5057	5
West Goat Rocks	WF	Any	Sept. ((26-30)) 25-29	Any bull	Elk Area 5058	5
Mt. Adams	WF	Any	Sept. ((26-30)) 25-29	Any bull	Elk Area 5059	5
Mudflow	WF	Any	Nov. ((5-16)) 4-15	Any bull	Elk Area 5099	5
Peninsula	WF	Any	Sept. ((26-30)) 25-29	3 pt. min.	GMUs 602, 607, 612	1
Clearwater	WF	Any	Sept. ((26-30)) 25-29	3 pt. min.	GMU 615	2
Matheny	WF	Any	Sept. ((26-30)) 25-29	3 pt. min.	GMU 618	3
Quinault	WF	Any	Sept. ((26-30)) 25-29	3 pt. min.	GMU 638	5
Wynoochee	WF	Any	Sept. ((26-30)) 25-29	3 pt. min.	GMU 648	1
White River	WF	Any	Sept. ((26-30)) 25-29	Any bull	GMU 653	2
Prescott	EA	Any	Sept. ((5-22)) 2-21	Any bull	GMU 149	1
Blue Creek	EA	Any	Sept. ((5-22)) 2-21	Any bull	GMU 154	((5)) 6
Dayton	EA	Any	Sept. ((5-22)) 2-21	Any bull	GMU 162	7
Ten Ten	EA	Any	Sept. ((5-22)) 2-21	Any bull	Elk Area 1010, GMU 163	((3)) 4
Tucannon	EA	Any	Sept. ((5-22)) 2-21	Any bull	GMU 166	((7)) 6
Wenaha West	EA	Any	Sept. ((5-22)) 2-21	Any bull	Elk Area 1008	3
Wenaha East	EA	Any	Sept. ((5-22)) 2-21	Any bull	Elk Area 1009	((6)) 4
Mountain View	EA	Any	Sept. ((5-22)) 2-21	Any bull	GMU 172, EXCEPT Elk Area 1040	((13)) 14
Ten Forty	EA	Any	Sept. ((10-23)) 11-24	Any bull	Elk Area 1040	2
Lick Creek	EA	Any	Sept. ((5-22)) 2-21	Any bull	GMU 175	13
Peola	EA	Any	Sept. ((5-22)) 2-21	Any bull	GMU 178	2
Couse	EA	Any	Sept. ((5-22)) 2-21	Any bull	GMU 181	((3)) 2
Colockum	EA	Any	Sept. ((10-22)) 9-21	Any bull	GMUs 328, 329	((17)) 13
Teanaway	EA	Any	Sept. ((10-22)) 9-21	Any bull	GMU 335	((6)) 4

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Peaches Ridge	EA	Any	Sept. ((10-22)) 9-21	Any bull	GMUs 336, 346	((134)) 104
Observatory	EA	Any	Sept. ((10-22)) 9-21	Any bull	GMUs 340, 342	((134)) 104
Goose Prairie	EA	Any	Sept. ((10-22)) 9-21	Any bull	GMUs 352, 356	((93)) 109
Bethel	EA	Any	Sept. ((10-22)) 9-21	Any bull	GMU 360	((46)) 66
Rimrock	EA	Any	Sept. ((10-22)) 9-21	Any bull	GMU 364	((74)) 85
Cowiche	EA	Any	Sept. ((10-22)) 9-21	Any bull	GMU 368	21
Nooksack	WA	Any	Aug. ((29)) 28 - Sept. ((17)) 16 and Dec. 1-31	Any bull	GMU 418 and Elk Area 4941	((5)) 7
Toutle	WA	Any	Sept. ((10-22)) 9-21 and Dec. 1-15	Any bull	GMU 556	((37)) 34
Mudflow	WA	Any	Sept. ((10-16)) 15-21 and Nov. 16-21	Any bull	Elk Area 5099	5
White River	WA	Any	Sept. ((10-22)) 9-21	Any bull	GMU 653	((24)) 19
Prescott	EM	Any	Oct. ((1-10)) 1-13	Any bull	GMU 149	1
Blue Creek	EM	Any	Oct. ((1-10)) 1-13	Any bull	GMU 154	2
Dayton	EM	Any	Oct. ((1-10)) 1-13	Any bull	GMU 162	((4)) 5
Ten Ten	EM	Any	Oct. ((1-10)) 1-13	Any bull	Elk Area 1010, GMU 163	1
Tucannon	EM	Any	Oct. ((1-10)) 1-13	Any bull	GMU 166	3
Wenaha West	EM	Any	Oct. ((1-10)) 1-13	Any bull	Elk Area 1008	2
Wenaha East	EM	Any	Oct. ((1-10)) 1-13	Any bull	Elk Area 1009	((3)) 4
Mountain View	EM	Any	Oct. ((1-10)) 1-13	Any bull	GMU 172, EXCEPT Elk Area 1040	5
Ten Forty	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 8	Any bull	Elk Area 1040	2
Lick Creek	EM	Any	Oct. ((1-10)) 1-13	Any bull	GMU 175	2
Peola	EM	Any	Oct. ((1-10)) 1-13	Any bull	GMU 178	1
Couse	EM	Any	Oct. ((1-10)) 1-13	Any bull	GMU 181	1
Mission	EM	Any	Oct. 1-10	Any bull	GMU 251	((1)) 3
Colockum	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 8	Any bull	GMUs 328, 329	((9)) 7
Teanaway	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 8	Any bull	GMU 335	((3)) 2
Peaches Ridge	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 8	Any bull	GMUs 336, 346	((34)) 33
Observatory	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 8	Any bull	GMUs 340, 342	((31)) 27
Goose Prairie	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 8	Any bull	GMUs 352, 356	((16)) 24
Bethel	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 8	Any bull	GMU 360	((14)) 20
Rimrock	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 8	Any bull	GMU 364	((9)) 10
Cowiche	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 8	Any bull	GMU 368	((9)) 5

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Nooksack	WM	Any	((Sept. 21 – Oct. 2 and Nov. 19-30)) Sept. 20 - Oct. 1 and Nov. 18-29	Any bull	GMU 418 and Elk Area 4941	((5)) 7
Toutle	WM	Any	Oct. ((1-7)) 7-13	Any bull	GMU 556	((12)) 13
Mudflow	WM	Any	Oct. ((1-7)) 7-17	Any bull	Elk Area 5099	5

Bulls						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Prescott	EF, EM	Any	Nov. 7-18	Any bull	GMU 149	2
Prescott	EF, EM	Any	Nov. 19-30	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. 29 – Nov. 6)) Oct. 28 - Nov. 5	Spike bull only	Elk Area 1040	2
Grande Ronde	EF	Any	((Oct. 24 – Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 186	1
Mission	EF	Any	((Oct. 24 – Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 251	1
Teanaway	EF	Any	((Oct. 24 – Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 335	3
Peaches Ridge	EF	Any	((Oct. 24 – Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMUs 336, 346	((118)) 110
Observatory	EF	Any	((Oct. 24 – Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMUs 340, 342	((86)) 71
Goose Prairie	EF	Any	((Oct. 24 – Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMUs 352, 356	((84)) 106
Bethel	EF	Any	((Oct. 24 – Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 360	((64)) 76
Rimrock	EF	Any	((Oct. 24 – Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 364	((83)) 77
Cowiche	EF	Any	((Oct. 24 – Nov. 6)) Oct. 23 - Nov. 5	Any bull	GMU 368	((13)) 12
Alkali	EF	Any	((Oct. 10-30)) Oct. 16 - Nov. 3	Any bull	GMU 371	15
Skagit River	WF	Any	((Oct. 8 – Nov. 18)) Oct. 7 - Nov. 17	Any bull	Elk Area 4941	2
Upper Smith Creek	WF	Any	Oct. 17-23	Any bull	Elk Area 5064	2
Mount Whittier	WF	Any	Oct. 17-23	Any bull	Elk Area 5065	1
Norway Pass	WF	Any	Oct. 17-23	Any bull	Elk Area 5066	3
Olympic	WF	Any	((Oct. 22 – Nov. 16)) Oct. 21 - Nov. 15	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	((8)) 7
Skokomish	WF	Any	((Oct. 22 – Nov. 16)) Oct. 21 - Nov. 15	3 pt. min.	GMU 636	3
White River	WF	Any	Nov. ((5-16)) 4-15	Any bull	GMU 653	((34)) 35
Ten Forty	EA	Any	Sept. ((5-13)) 2-10	Spike bull only	Elk Area 1040	2
Grande Ronde	EA	Any	Sept. ((5-24)) 2-21	Any bull	GMU 186	1
Alkali	EA	Any	Sept. ((1-23)) 1-24	Any bull	GMU 371	10
Skagit River	WA	Any	Aug. ((29)) 28 - Sept. ((17)) 16 and Dec. 1-31	Any bull	Elk Area 4941	2
Upper Smith Creek	WA	WA	Oct. 1-7	Any bull	Elk Area 5064	2
Mount Whittier	WA	Any	Oct. 1-7	Any bull	Elk Area 5065	1
Norway Pass	WA	Any	Oct. 1-7	Any bull	Elk Area 5066	3

Bulls						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Lewis River	WA	Any	Nov. ((23)) 22 - Dec. 8	3 pt. min.	GMU 560	5
Siouxon	WA	Any	Nov. ((23)) 22 - Dec. 8	3 pt. min.	GMU 572	5
Olympic	WA	Any	Sept. ((1-22)) 1-21 and Dec. 1-15	3 pt. min.	GMU 621, EXCEPT Elk Area 6071	((6)) 5
Skokomish	WA	Any	Sept. ((1-22)) 1-21 and Dec. 1-15	3 pt. min.	GMU 636	5
Ten Forty	EM	Any	Oct. ((1-40)) 7-13	Spike bull only	Elk Area 1040	((4)) 2
Grande Ronde	EM	Any	Oct. ((1-40)) 7-13	Any bull	GMU 186	1
Alkali	EM	Any	((Sept. 24 - Oct. 9)) Sept. 25 - Oct. 15	Any bull	GMU 371	15
Skagit River	WM	Any	((Sept. 21 - Oct. 2 and Nov. 19-30)) Sept. 20 - Oct. 1 and Nov. 18-29	Any bull	Elk Area 4941	2
Upper Smith Creek	WM	Any	Oct. 9-15	Any bull	Elk Area 5064	2
Mount Whittier	WM	Any	Oct. 9-15	Any bull	Elk Area 5065	1
Norway Pass	WM	Any	Oct. 9-15	Any bull	Elk Area 5066	3
Yale	WM	Any	Nov. ((23)) 22 - Dec. 15	3 pt. min.	GMU 554	15
Olympic	WM	Any	((Sept. 24 - Oct. 7)) Sept. 30 - Oct. 13	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	2
Skokomish	WM	Any	((Sept. 24 - Oct. 7)) Sept. 30 - Oct. 13	3 pt. min.	GMU 636	((2)) 1
White River	WM	Any	Oct. ((1-7)) 7-13	Any bull	GMU 653	7

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
North Half	EF	Any	((Oct. 31 - Nov. 8)) Oct. 28 - Nov. 5	Antlerless	GMUs 101, 105, 204	10
Stevens	EF	Any	((Oct. 31 - Nov. 8)) Oct. 28 - Nov. 5	Antlerless	GMUs 108, 121	10
Aladdin	EF	Any	((Oct. 31 - Nov. 8)) Oct. 28 - Nov. 5	Antlerless	GMU 111	10
Selkirk	EF	Any	((Oct. 31 - Nov. 8)) Oct. 28 - Nov. 5	Antlerless	GMU 113	10
49 Degrees North	EF	Any	((Oct. 31 - Nov. 8)) Oct. 28 - Nov. 5 and Dec. 16-31	Antlerless	GMU 117	10
Turnbull	EF	Any	((Oct. 25-30)) Nov. 16-21	Antlerless	Elk Area 1015	6
Turnbull	EF	Any	((Nov. 1-6)) Dec. 12-17	Antlerless	Elk Area 1015	6
Mayview-Peola	EF	Any	Oct. ((15-23)) 14-22	Antlerless	GMUs 145, 178	10
Mayview-Peola	EF	Any	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	GMUs 145, 178	35
Prescott	EF	Any	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	GMU 149	20
Blue Creek	EF	Any	Oct. ((15-23)) 14-22	Antlerless	GMU 154	10
Blue Creek	EF	Any	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	GMU 154	10
Marengo-Dayton	EF	Any	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	GMU 163 and Elk Area 1010	100
Mountain View	EF	Any	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	Elk Area 1013	40
Dayton	EF	Any	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	Elk Area 1016	((25)) 8

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Lick Creek	EF	Any	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	GMU 175	((15)) 3
Ten Forty	EF	Any	Nov. 6-12	Antlerless	Elk Area 1040	5
Couse	EF	Any	Aug. ((20-28)) 19-27	Antlerless	Elk Area 1081	30
Couse	EF	Any	Oct. ((15-23)) 14-22	Antlerless	Elk Area 1081	5
Couse	EF	Any	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	Elk Area 1081	30
Malaga	EF	Any	Sept. ((10-22)) 9-22	Antlerless	Elk Area 2032	20
Malaga	EF	Any	Nov. ((7)) 6 - Dec. 31	Antlerless	Elk Area 2032	55
Colockum	EF	Any	Nov. ((4-8)) 1-5	Antlerless	GMUs 328, 329	((510)) 100
West Bar	EF	Any	((Oct. 29 - Nov. 4)) Oct. 28-31	Antlerless	GMU 330	5
West Bar	EF	Any	Nov. ((2-6)) 1-5	Antlerless	GMU 330	5
Teanaway	EF	Any	Aug. 1 - Sept. ((9)) 8	Antlerless	GMU 335	30
Taneum	EF	Any	Nov. ((2-6)) 1-5	Antlerless	GMU 336	((350)) 35
Manastash	EF	Any	Nov. ((2-6)) 1-5	Antlerless	GMU 340	((300)) 30
Umtanum	EF	Any	Nov. ((2-6)) 1-5	Antlerless	GMU 342	((250)) 25
Little Naches	EF	Any	Nov. ((2-6)) 1-5	Antlerless	GMU 346	((350)) 35
Nile	EF	Any	Nov. ((2-6)) 1-5	Antlerless	GMU 352	((100)) 10
Bumping	EF	Any	Nov. ((2-6)) 1-5	Antlerless	GMU 356	((200)) 20
Bethel	EF	Any	Nov. ((2-6)) 1-5	Antlerless	GMU 360	((100)) 10
Rimrock	EF	Any	Nov. ((2-6)) 1-5	Antlerless	GMU 364	((110)) 15
Cowiche	EF	Any	Nov. ((2-6)) 1-5	Antlerless	GMU 368	((110)) 15
Alkali	EF	Any	((Oct. 10-30)) Oct. 16 - Nov. 3	Antlerless	GMU 371	20
North Bend	WF	Any	Nov. ((6-17)) 4-15	Antlerless	Elk Area 4601	5
Green River	WF	Any	((Oct. 22-28)) Nov. 4-10	Antlerless	GMU 485	4
Mossyrock	WF	Any	Nov. ((5-16)) 4-15	Antlerless	GMU 505	50
Willapa Hills	WF	Any	Nov. ((5-16)) 4-15	Antlerless	GMU 506	25
Winston	WF	Any	Nov. ((5-16)) 4-15	Antlerless	GMU 520	((40)) 25
Margaret	WF	Any	Nov. ((5-16)) 4-15	Antlerless	GMU 524 (except for Elk Area 5066)	((40)) 25
Ryderwood	WF	Any	Nov. ((5-16)) 4-15	Antlerless	GMU 530	35
Coweeman	WF	Any	Nov. ((5-16)) 4-15	Antlerless	GMU 550	((75)) 50
Toutle	WF	Any	Nov. ((21-30)) 20-30	Antlerless	GMU 556	((35)) 25
Lewis River	WF	Any	Nov. ((5-16)) 4-15	Antlerless	GMU 560	((60)) 40
Washougal	WF	Any	Nov. ((5-16)) 4-15	Antlerless	GMU 568	35
Siouxon	WF	Any	Nov. ((5-16)) 4-15	Antlerless	GMU 572	20
Wind River	WF	Any	Nov. ((5-16)) 4-15	Antlerless	GMU 574	40

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
West Klickitat	WF	Any	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 578	75
Upper Smith Creek	WF	Any	Oct. 17-23	Antlerless	Elk Area 5064	4
Mount Whittier	WF	Any	Oct. 17-23	Antlerless	Elk Area 5065	2
Norway Pass	WF	Any	Oct. 17-23	Antlerless	Elk Area 5066	5
Mudflow	WF	Any	Nov. ((5-16)) <u>4-15</u>	Antlerless	Elk Area 5099	((14)) <u>7</u>
Mallis	WF	Any	Dec. 16-31	Antlerless	Elk Area 6010	10
Mallis	WF	Any	Jan. 1-20, ((2017)) <u>2018</u>	Antlerless	Elk Area 6010	20
Puyallup	WF	Any	((Dec. 30, 2016 - Jan. 18, 2017)) Dec. 29, 2017 - Jan. 17, <u>2018</u>	Antlerless	Elk Area 6014	10
Puyallup	WF	Any	((Jan. 19 - Feb. 8, 2017)) Jan. 18 - Feb. 7, 2018	Antlerless	Elk Area 6014	10
Puyallup	WF	Any	Feb. ((9-26, 2017)) <u>8-25, 2018</u>	Antlerless	Elk Area 6014	10
Hanaford	WF	Any	Nov. ((5-16)) <u>4-15</u>	Antlerless	Elk Area 6069	5
Williams Creek	WF	Any	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 673	((45)) <u>50</u>
Long Beach	WF	Any	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 684	6
Turnbull	EA	Any	Sept. ((10-22)) <u>9-21</u>	Antlerless	Elk Area 1015	14
Dayton	EA	Any	Sept. ((10-22)) <u>9-21</u>	Antlerless	Elk Area 1016	((15)) <u>5</u>
Malaga	EA	Any	Sept. ((1-9)) <u>2-8</u>	Antlerless	Elk Area 2032	20
Alkali	EA	Any	Sept. ((1-23)) <u>1-24</u>	Antlerless	GMU 371	5
Margaret	WA	Any	Sept. ((10-22)) <u>9-21</u> and Dec. 1-15	Antlerless	GMU 524 (except for Elk Area 5066)	((30)) <u>20</u>
Toutle	WA	Any	Sept. ((10-22)) <u>9-21</u> and Dec. 1-15	Antlerless	GMU 556	((50)) <u>30</u>
Upper Smith Creek	WA	Any	Oct. 1-7	Antlerless	Elk Area 5064	4
Norway Pass	WA	Any	Oct. 1-7	Antlerless	Elk Area 5066	3
((Mudflow))	WA	Any	Sept. 17-22	Antlerless	Elk Area 5099	10)
Lewis River	WA	Any	Nov. ((23)) <u>22</u> - Dec. 8	Antlerless	GMU 560	10
Siouxon	WA	Any	Nov. ((23)) <u>22</u> - Dec. 8	Antlerless	GMU 572	5
Wynoochee	WA	Any	Nov. ((23)) <u>22</u> - Dec. 15	Antlerless	GMU 648	125
North Half	EM	Any	Oct. ((3-9)) <u>7-13</u>	Antlerless	GMUs 101, 105, 204	10
Stevens	EM	Any	Oct. ((3-9)) <u>7-13</u>	Antlerless	GMUs 108, 121	10
Aladdin	EM	Any	Oct. ((3-9)) <u>7-13</u>	Antlerless	GMU 111	10
Selkirk	EM	Any	Oct. ((3-9)) <u>7-13</u>	Antlerless	GMU 113	10
49 Degrees North	EM	Any	Oct. ((3-9)) <u>7-13</u> and Dec. 16-31	Antlerless	GMU 117	20
Turnbull	EM	Any	Oct. 1-7	Antlerless	Elk Area 1015	9
Turnbull	EM	Any	((Nov. 19 - Dec. 2)) <u>Nov. 23 - Dec. 6</u>	Antlerless	Elk Area 1015	9
Dayton	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	Elk Area 1016	((25)) <u>8</u>
Blue Creek	EM	Any	Dec. 9, ((2016)) <u>2017</u> - Jan. 20, ((2017)) <u>2018</u>	Antlerless	GMU 154	25
Mountain View	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	Elk Area 1013	((5)) <u>20</u>
Lick Creek	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 175	((14)) <u>3</u>
Mayview-Peola	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMUs 145, 178	20

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Couse	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	Elk Area 1081	10
Couse	EM	Any	Dec. 1-31	Antlerless	Elk Area 1081	35
Malaga	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 8	Antlerless	Elk Area 2032	45
Colockum	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMUs 328, 329	((140)) <u>50</u>
West Bar	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 330	5
Teanaway	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 335	10
Taneum	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 336	((270)) <u>25</u>
Manastash	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 340	((250)) <u>25</u>
Umtanum	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 342	((215)) <u>20</u>
Nile	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 352	((75)) <u>10</u>
Bumping	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 356	((55)) <u>10</u>
Bethel	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 360	((40)) <u>10</u>
Cowiche	EM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 368	((80)) <u>10</u>
Alkali	EM	Any	((Sept. 24 - Oct. 9)) Sept. 25 - Oct. 15	Antlerless	GMU 371	10
Stella	WM	Any	Jan. 1-15, ((2017)) <u>2018</u>	Antlerless	GMU 504	((75)) <u>35</u>
Willapa Hills	WM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 506	15
Mudflow	WM	Any	Oct. ((8-14)) <u>7-17</u>	Antlerless	Elk Area 5099	((10)) <u>4</u>
Winston	WM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 520	((20)) <u>15</u>
Margaret	WM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 524 (except for Elk Area 5066)	((20)) <u>10</u>
Ryderwood	WM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 530	30
Coweeman	WM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 550	((40)) <u>25</u>
Yale	WM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 554	40
Yale	WM	Any	Nov. ((23)) <u>22</u> - Dec. 15	Antlerless	GMU 554	35
Toutle	WM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 556	((40)) <u>25</u>
Lewis River	WM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 560	((20)) <u>15</u>
Washougal	WM	Any	Nov. ((23)) <u>22</u> - Dec. 8	Antlerless	GMU 568	35
Siouxon	WM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	GMU 572	10
Wind River	WM	Any	Nov. ((23)) <u>22</u> - Dec. 8	Antlerless	GMU 574	50
West Klickitat	WM	Any	Nov. ((23)) <u>22</u> - Dec. 8	Antlerless	GMU 578	75
Upper Smith Creek	WM	Any	Oct. 9-15	Antlerless	Elk Area 5064	4
Mount Whittier	WM	Any	Oct. 9-15	Antlerless	Elk Area 5065	2
Norway Pass	WM	Any	Oct. 9-15	Antlerless	Elk Area 5066	2
Mallis	WM	Any	Oct. ((1-7)) <u>7-13</u>	Antlerless	Elk Area 6010	20
Mashel	WM	Any	((Dec. 30, 2016 - Jan. 13, 2017)) Dec. 29, 2017 - Jan. 12, 2018	Antlerless	Elk Area 6054	25

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
North River	WM	Any	Nov. ((23)) 22 - 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
Turnbull	EF	Youth	((Oct. 18-23)) Nov. 9-14	Antlerless	Elk Area 1015	6
Aladdin	EF	Youth	((Oct. 31 - Nov. 8)) Oct. 28 - Nov. 5	Antlerless	GMU 111	5
Selkirk	EF	Youth	((Oct. 31 - Nov. 8)) Oct. 28 - Nov. 5	Antlerless	GMU 113	5
49 Degrees North	EF	Youth	((Oct. 31 - Nov. 8)) Oct. 28 - Nov. 5 and Dec. 16-31	Antlerless	GMU 117	5
Mayview-Peola	EF	Youth	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	GMUs 145, 178	5
Blue Creek	EF	Youth	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	GMU 154	((2)) 5
Dayton	EF	Youth	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	GMU 162	10
Ten Forty	EF	Youth	Oct. ((15-23)) 14-22	Antlerless	Elk Area 1040	5
Lick Creek	EF	Youth	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	GMU 175	((5)) 2
Couse	EF	Youth	Aug. ((20-28)) 19-27	Antlerless	Elk Area 1081	5
Couse	EF	Youth	((Oct. 29 - Nov. 6)) Oct. 28 - Nov. 5	Antlerless	Elk Area 1081	5
Malaga	EF	Youth	Nov. ((7-15)) 6-15	Antlerless	Elk Area 2032	10
Colockum	EF	Youth	Nov. ((2-13)) 1-12	Antlerless	GMUs 328, 329, 335	((60)) 15
Yakima North	EF	Youth	Nov. ((2-13)) 1-12	Antlerless	GMUs 336, 340, 342, 346	((145)) 15
Yakima Central	EF	Youth	Nov. ((2-13)) 1-12	Antlerless	GMUs 352, 356, 360	((50)) 5
Yakima South	EF	Youth	Nov. ((2-13)) 1-12	Antlerless	GMUs 364, 368	((30)) 5
Colockum	EM	Youth	((Oct. 1-10)) Sept. 30 - Oct. 8	Antlerless	GMUs 328, 329, 335	((20)) 5
Yakima North	EM	Youth	((Oct. 1-10)) Sept. 30 - Oct. 8	Antlerless	GMUs 336, 340, 342, 346	((90)) 10
Yakima Central	EM	Youth	((Oct. 1-10)) Sept. 30 - Oct. 8	Antlerless	GMUs 352, 356, 360	((20)) 10
Yakima South	EM	Youth	((Oct. 1-10)) Sept. 30 - Oct. 8	Antlerless	GMUs 364, 368	10
North Bend	WF, WM, WA	Youth	Nov. ((6-17)) 4-15	Antlerless	Elk Area 4601	5
Skagit River	WF, WM, WA	Youth	((Sept. 18-20, Oct. 3-7, and Oct. 16-30)) Sept. 17-19, Oct. 2-6, and Oct. 15-29	Any elk	Elk Area 4941	4
Grays River	WF	Youth	Dec. 16-31	Antlerless	Elk Area 5056	5
Mudflow	WF	Youth	Nov. ((23-30)) 22-30	Any bull	Elk Area 5099	3
Mudflow	WF	Youth	((Oct. 26 - Nov. 1)) Oct. 28 - Nov. 3	Antlerless	Elk Area 5099	((4)) 3
Coweeman	WF	Youth	Nov. ((5-16)) 4-15	Antlerless	GMU 550	((25)) 15
Toutle	WF	Youth	Nov. ((21-30)) 20-30	Antlerless	GMU 556	((40)) 25

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
Lewis River	WF	Youth	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 560	((15)) <u>10</u>
Wind River	WF	Youth	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 574	10
West Klickitat	WF	Youth	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 578	25
Region 5	WF	Youth with mentor	Aug. 1, ((2016)) <u>2017</u> - Mar. 31, ((2017)) <u>2018</u>	Antlerless	Designated Areas in Region 5	((7)) <u>10^{HC}</u>
Clearwater	WF	Youth	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 615	5
Matheny	WF	Youth	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 618	5
Wynoochee	WF	Youth	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 648	10
North River	WF	Youth	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 658	5
Williams Creek	WF	Youth	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 673	10
Mallis	WF	Youth	Dec. 16-31	Antlerless	Elk Area 6010	10

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
Northeast	EF	65+	((Oct. 31 - Nov. 8)) <u>Oct. 28 - Nov. 5</u> and Dec. 16-31	Antlerless	GMUs 113, 117	10
Prescott	EF	65+	((Oct. 29 - Nov. 6)) <u>Oct. 28 - Nov. 5</u>	Antlerless	GMU 149	3
Blue Creek	EF	65+	((Oct. 29 - Nov. 6)) <u>Oct. 28 - Nov. 5</u>	Antlerless	GMU 154	3
Dayton	EF	65+	((Oct. 29 - Nov. 6)) <u>Oct. 28 - Nov. 5</u>	Antlerless	GMUs 162, 163	3
Peola	EF	65+	((Oct. 29 - Nov. 6)) <u>Oct. 28 - Nov. 5</u>	Antlerless	GMU 178	3
Malaga	EF	65+	Nov. ((7-15)) <u>6-15</u>	Antlerless	Elk Area 2032	10
Colockum	EF	65+	Nov. ((2-13)) <u>1-12</u>	Antlerless	GMUs 328, 329, 335	((15)) <u>5</u>
Yakima North	EF	65+	Nov. ((2-13)) <u>1-12</u>	Antlerless	GMUs 336, 340, 342, 346	((40)) <u>10</u>
Yakima Central	EF	65+	Nov. ((2-13)) <u>1-12</u>	Antlerless	GMUs 352, 356, 360	((40)) <u>5</u>
Yakima South	EF	65+	Nov. ((2-13)) <u>1-12</u>	Antlerless	GMUs 364, 368	((40)) <u>5</u>
Alkali	EF	65+	((Oct. 10-30)) <u>Oct. 16 - Nov. 3</u>	Antlerless	GMU 371	10
North Bend	WF, WM, WA	65+	Nov. ((6-17)) <u>4-15</u>	Antlerless	Elk Area 4601	5
Colockum	EM	65+	((Oct. 1-10)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMUs 328, 329, 335	5
Yakima North	EM	65+	((Oct. 1-10)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMUs 336, 340, 342, 346	((25)) <u>5</u>
Yakima Central	EM	65+	((Oct. 1-10)) <u>Sept. 30 - Oct. 8</u>	Antlerless	GMUs 352, 356, 360	((15)) <u>5</u>
Ryderwood	WF	65+	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 530	15
West Klickitat	WM	65+	Nov. ((23)) <u>22</u> - Dec. 8	Antlerless	GMU 578	15
Skagit River	WF, WM, WA	65+	((Sept. 18-20, Oct. 3-7, and Oct. 16-30)) <u>Sept. 17-19, Oct. 2-6, and Oct. 15-29</u>	Any elk	Elk Area 4941	4
Grays River	WF, WM, WA	65+	Jan. 16-31, ((2017)) <u>2018</u>	Antlerless	Elk Area 5056	5
Centralia Mine	WF	65+	Jan. ((7-8, 2017)) <u>6-7, 2018</u>	Antlerless	Elk Area 6011	5
Centralia Mine	WF	65+	Jan. ((14-15, 2017)) <u>13-14, 2018</u>	Antlerless	Elk Area 6011	5

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
Hanaford	WF, WM, WA	65+	((Dec. 30, 2016 – Jan. 13, 2017)) <u>Dec. 29, 2017 - Jan. 12, 2018</u>	Antlerless	Elk Area 6069	5
Hanaford	WF, WM, WA	65+	Jan. ((14-29, 2017)) <u>13-28, 2018</u>	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
Northeast	EF	Hunters w/ Disabilities	((Oct. 31 – Nov. 8)) <u>Oct. 28 - Nov. 5 and Dec. 16-31</u>	Antlerless	GMUs 113, 117	4
Turnbull	EF, EM, EA	Hunters w/ Disabilities	Oct. ((9-16)) <u>9-15</u>	Antlerless	Elk Area 1015	6
Prescott	EF	Hunters w/ Disabilities	((Oct. 29 – Nov. 6)) <u>Oct. 28 - Nov. 5</u>	Antlerless	GMU 149	3
Blue Creek	EF	Hunters w/ Disabilities	((Oct. 29 – Nov. 6)) <u>Oct. 28 - Nov. 5</u>	Antlerless	GMU 154	3
Dayton	EF	Hunters w/ Disabilities	((Oct. 29 – Nov. 6)) <u>Oct. 28 - Nov. 5</u>	Antlerless	GMUs 162, 163	3
Peola	EF	Hunters w/ Disabilities	((Oct. 29 – Nov. 6)) <u>Oct. 28 - Nov. 5</u>	Antlerless	GMU 178	3
Observatory	EF, EM	Hunters w/ Disabilities	((Oct. 24 – Nov. 6)) <u>Oct. 23 - Nov. 5</u>	Any bull	GMUs 340, 342	5
Little Naches	EF, EM, EA	Hunters w/ Disabilities	((Oct. 1-10)) <u>Sept. 30 - Oct. 8</u>	Any bull	GMU 346	5
Malaga	EF, EM, EA	Hunters w/ Disabilities	Sept. ((10-22)) <u>9-22</u>	Antlerless	Elk Area 2032	10
Colockum	EF, EM, EA	Hunters w/ Disabilities	Nov. ((2-13)) <u>1-12</u>	Antlerless	GMUs 328, 329, 335	((15)) <u>5</u>
Yakima North	EF, EM, EA	Hunters w/ Disabilities	Nov. ((2-13)) <u>1-12</u>	Antlerless	GMUs 336, 340, 342, 346	((40)) <u>10</u>
Yakima Central	EF, EM, EA	Hunters w/ Disabilities	Nov. ((2-13)) <u>1-12</u>	Antlerless	GMUs 352, 356, 360	((20)) <u>5</u>
Yakima South	EF, EM, EA	Hunters w/ Disabilities	Nov. ((2-13)) <u>1-12</u>	Antlerless	GMUs 364, 368	((40)) <u>5</u>
Alkali	EF	Hunters w/ Disabilities	((Oct. 10-30)) <u>Oct. 16 - Nov. 3</u>	Any bull	GMU 371	5
Corral Canyon	EF, EM, EA	Hunters w/ Disabilities	Sept. 22-29	Any ((bull)) <u>elk</u>	Elk Area 3721	2
North Bend	WF, WM, WA	Hunters w/ Disabilities	Nov. ((6-17)) <u>4-15</u>	Antlerless	Elk Area 4601	5
Skagit River	WF, WM, WA	Hunters w/ Disabilities	((Sept. 18-20, Oct. 3-7, and Oct. 16-30)) <u>Sept. 17-19, Oct. 2-6, and Oct. 15-29</u>	Any elk	Elk Area 4941	4
Grays River	WF, WM, WA	Hunters w/ Disabilities	Feb. 15-28, ((2017)) <u>2018</u>	Antlerless	Elk Area 5056	5
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Oct. ((16-22)) <u>20-26</u>	Antlerless	Elk Area 5099	((4)) <u>3</u>
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Sept. ((23-29)) <u>26 - Oct. 2</u>	Any bull	Elk Area 5099	4
Washougal	WF	Hunters w/ Disabilities	Nov. ((5-16)) <u>4-15</u>	Antlerless	GMU 568	15
Centralia Mine	WF	Hunters w/ Disabilities	Oct. ((1-2)) <u>7-8</u>	Antlerless	Designated Areas in Elk Area 6011	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
Centralia Mine	WF	Hunters w/ Disabilities	Oct. ((8-9)) <u>14-15</u>	Antlerless	Designated Areas in Elk Area 6011	5
Region 5	WF	Hunters w/ Disabilities	Aug. 1, ((2016)) <u>2017</u> - Mar. 31, ((2017)) <u>2018</u>	Antlerless	Designated Areas in Region 5	((7)) <u>10^{HC}</u>

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 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. ((40-31)) <u>19-31</u>	Antlerless	Elk Area 1015	6
Region 1	EF, EA, EM/2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 1, ((2016)) <u>2017</u> - Mar. 31, ((2017)) <u>2018</u>	Antlerless	Region 1	20 ^{HC}
Region 2	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 1, ((2016)) <u>2017</u> - Mar. 31, ((2017)) <u>2018</u>	Antlerless	Designated Areas in Region 2	((50)) <u>10^{HC}</u>
Fairview	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	((Nov. 7, 2016)) <u>Oct. 28, 2017</u> - Mar. 31, ((2017)) <u>2018</u>	Antlerless	Designated Areas in GMUs 328-368	40 ^{HC}
Region 3	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 1, ((2016)) <u>2017</u> - Mar. 31, ((2017)) <u>2018</u>	Antlerless	Designated Areas in Region 3	25 ^{HC}
Rattlesnake Hills	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 1, ((2016)) <u>2017</u> - Feb. 28, ((2017)) <u>2018</u>	Antlerless	Designated Areas in GMU 372	20 ^{HC}
North Bend	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	July 1, ((2016)) <u>2017</u> - Mar. 31, ((2017)) <u>2018</u>	Antlerless	Designated Areas in Elk Area 4601	15 ^{HC}
Region 4 North	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	July 1, ((2016)) <u>2017</u> - Mar. 31, ((2017)) <u>2018</u>	Antlerless	Designated Areas in Whatcom and Skagit counties	((40)) <u>12^{HC}</u>
Region 4 South	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	July 1, ((2016)) <u>2017</u> - Mar. 31, ((2017)) <u>2018</u>	Antlerless	Designated Areas in King and Snohomish counties	10 ^{HC}
Pumice Plains	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Oct. 9-15	Antlerless	Elk Area 5063	2
Pumice Plains	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Oct. 17-23	Antlerless	Elk Area 5063	5
Trout Lake**	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Dec. 15-31	Antlerless	Elk Area 5062	5
Grays River	WF, WM, WA/2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 16-30	Antlerless	Elk Area 5056	5
Trout Lake**	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Jan. 1-15, ((2017)) <u>2018</u>	Antlerless	Elk Area 5062	5
Trout Lake**	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Jan. 16-30, ((2017)) <u>2018</u>	Antlerless	Elk Area 5062	5
JBH*	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Nov. 1 - Dec. 31	Antlerless	Elk Area 5090	5 ^{HC}
Region 5	Any western elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 1, ((2016)) <u>2017</u> - Mar. 31, ((2017)) <u>2018</u>	Antlerless	Designated Areas in Region 5	((40)) <u>20^{HC}</u>
Long Beach	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 1 - Sept. ((9)) <u>8</u> and Oct. ((8)) <u>14</u> - Nov. ((22)) <u>21</u>	Antlerless	GMU 684	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 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
Long Beach	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Dec. 16, ((2016)) 2017 - Mar. 31, ((2017)) 2018	Antlerless	GMU 684	5
Region 6	WF, WA, WM/2nd elk tag	Master Hunter elk tag required	Master Hunter	July 1, ((2016)) 2017 - Mar. 31, ((2017)) 2018	Antlerless	Designated Areas in Region 6	60 ^{HC}

* Muzzleloader only, scopes allowed.

** 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				
<ul style="list-style-type: none"> - 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. - Except for online class incentive permits and chief instructor 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. - 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)) 336-346	2
Region 3		Any elk	GMUs 352-360	1
Region 3		Any elk	GMUs 364-368	1
Region 5		Any elk	382, 388 and all 500 series GMUs EXCEPT GMU 522	((4)) 2
Region 6		Any elk	GMUs 654, 660, 672, 673, 681	1

AMENDATORY SECTION (Amending WSR 16-12-087, filed 5/31/16, effective 7/1/16)

WAC 232-28-436 ~~((2016-2017))~~ 2017-2018 Migratory waterfowl 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.

DUCKS

Statewide: Oct. ~~((15-19, 2016))~~ 14-18, 2017 and Oct. ~~((22, 2016))~~ 21, 2017 - Jan. ~~((29, 2017))~~ 28, 2018; except scaup season closed Oct. ~~((15))~~ 14 - Nov. ~~((4, 2016))~~ 3, 2017.

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. ~~((17-18, 2016))~~ 16-17, 2017.

Daily Bag Limit: 7 ducks, to include not more than 2 hen mallard, ~~((2))~~ 1 pintail, 3 scaup, 2 canvasback, and 2 redhead statewide; and to include not more than 1 harlequin, 2 scoter, 2 long-tailed duck, and 2 goldeneye in Western Washington.

Possession Limit for Regular Season: 21 ducks, to include not more than 6 hen mallard, ~~((6))~~ 3 pintail, 9 scaup, 6 can-

vasback, and 6 redhead statewide; and to include not more than 1 harlequin, 6 scoter, 6 long-tailed duck, and 6 goldeneye in Western Washington.

Possession Limit for Youth Hunting Weekend: 14 ducks, to include not more than 4 hen mallard, ~~((4))~~ 2 pintail, 6 scaup, 4 canvasback, and 4 redhead statewide; and to include not more than 1 harlequin, 4 scoter, 4 long-tailed duck, and 4 goldeneye in Western Washington.

Season Limit: 1 harlequin in Western Washington.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SEA DUCKS

Hunters must possess a special ~~((2016-17))~~ 2017-2018 hunting authorization and harvest record card for sea ducks when hunting harlequin, scoter, long-tailed duck, and goldeneye in Western Washington. A hunter who has not previously possessed a sea duck harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a sea duck into possession, hunters must record in ink the information required on the harvest record card.

COOT (Mudhen)

Same areas and dates (including youth hunting weekend) as the duck season.

Daily Bag Limit: 25 coots.

Possession Limit: 75 coots.

Possession Limit for Youth Hunting Weekend: 50 coots.

SNIPE

Same areas and dates (except youth hunting weekend) as the duck season.

Daily Bag Limit: 8 snipe.

Possession Limit: 24 snipe.

GEESE (except Brant)

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. (~~(17-18, 2016)~~) 16-17, 2017, statewide.

Daily Bag Limit: 4 Canada geese.

Possession Limit: 8 Canada geese.

Western Washington Goose Seasons

Goose Management Area 1: Island, Skagit, and Snohomish counties.

September Canada Goose Season

Sept. (~~(10-15, 2016)~~) 9-14, 2017.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season

Oct. (~~(15, 2016)~~) 14, 2017 - Jan. (~~(29, 2017)~~) 28, 2018, for snow, Ross', blue, and white-fronted geese. Oct. (~~(15-27, 2016)~~) 14-26, 2017 and Nov. (~~(5, 2016)~~) 4, 2017 - Jan. (~~(29, 2017)~~) 28, 2018, for other geese (except brant).

Daily Bag Limit: 4 (~~(geese)~~) Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 (~~(geese)~~) Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SNOW GEESE

Hunters must possess a special (~~(2016-17)~~) 2017-2018 migratory bird hunting authorization and harvest record card for snow geese when hunting snow, Ross', and blue geese in Goose Management Area 1. A hunter who has not previously possessed a snow goose harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a snow, Ross', or blue goose into possession, hunters must record in ink the information required on the harvest record card.

SKAGIT COUNTY SPECIAL RESTRICTIONS

It is unlawful to discharge a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County or to discharge a firearm for the purpose of hunting snow geese within 100 feet of any paved public road in other areas of Skagit County.

While hunting snow geese, if a hunter is convicted of (a) trespass; (b) shooting from, across, or along the maintained part of any public highway; (c) discharging a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County or discharging a firearm within 100 feet of any paved public road for the purpose of hunting snow geese in other areas of Skagit County; or (d) exceeding the daily bag limit for geese, authorization will be invalidated for the remainder of the current snow goose season and an authorization will not be issued for the subsequent snow goose season.

Goose Management Area 2: Clark, Cowlitz, Grays Harbor, Pacific and Wahkiakum counties.

September Canada Goose Season

Sept. (~~(3-11, 2016)~~) 2-10, 2017.

Daily Bag Limit: 5 Canada geese, except 15 Canada geese in Pacific County.

Possession Limit: 15 Canada geese, except 45 Canada geese in Pacific County.

Regular Season

Open in all areas except Ridgefield NWR from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, 7 days per week during Oct. 14-29, 2017; Saturdays, Sundays, and Wednesdays only, ((Oct. 15-23, 2016; Nov. 26, 2016 - Jan. 22, 2017; and Feb. 11 - Mar. 8, 2017. During Feb. 11 - Mar. 8, 2017)) Nov. 25, 2017 - Jan. 14, 2018; and Feb. 10 - Mar. 10, 2018. During Feb. 10 - Mar. 10, 2018, U.S. Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas are closed to goose hunting in Goose Management Area 2. Ridgefield NWR open from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, Tuesdays, Thursdays, and Saturdays only, Oct. ((15-22, 2016 and Nov. 26, 2016 - Jan. 21, 2017)) 14-21, 2017 and Nov. 25, 2017 - Jan. 13, 2018.

Bag Limits for Goose Management Area 2:

Daily Bag Limit: 4 (~~(geese, except for dusky Canada geese)~~) Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 (~~(geese, except for dusky Canada geese)~~) Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

Dusky Canada geese: SEASON CLOSED.

Special Provisions for Goose Management Area 2 Regular Season only:

A dusky Canada goose is defined as a dark-breasted (as shown in the Munsell color chart 10 YR, 5 or less) Canada goose with a culmen (bill) length of 40-50 mm.

Hunters must possess a valid special (~~(2016-17)~~) 2017-2018 migratory bird hunting authorization for Goose Management Area 2 when hunting geese in Goose Management Area 2. New hunters and those who did not maintain a valid (~~(2015-16)~~) 2016-2017 authorization must review goose identification training materials and score a minimum of 80% on a goose identification test to receive authorization. Hunters who fail a test must wait 28 days before retesting, and will not be issued a reciprocal authorization until that time.

It is unlawful for hunters in Goose Management Area 2 to fail to comply with the directions of authorized department personnel related to the collection of goose subspecies information pursuant to RCW 77.12.071. A person who prevents department personnel from collecting samples of tissue or other bodily parts is subject to prosecution under RCW 77.15.360 Unlawful interfering in department operations—Penalty. If a hunter takes a dusky Canada goose or does not comply with requirements listed above regarding WDFW collection of subspecies information, authorization will be invalidated by the department and the hunter will not be able to hunt geese in Goose Management Area 2 for the remainder of the season. It is unlawful to fail to comply with all provisions listed above for Goose Management Area 2. Taking one dusky Canada goose is punishable as an infraction under RCW 77.15.160 (5)(b). Other violations of Area 2 goose hunting rules are punishable as an infraction under RCW 77.15.160 (2)(e) or as a misdemeanor or gross misdemeanor under RCW 77.15.400 unlawful hunting of wild birds, depending on the circumstances of the violation.

Goose Management Area 3

Includes all parts of Western Washington not included in Goose Management Areas 1 and 2.

September Canada Goose Season

Sept. (~~(10-15, 2016)~~) 9-14, 2017.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season

Oct. (~~(15-27, 2016 and Nov. 5, 2016 - Jan. 29, 2017)~~) 14-26, 2017 and Nov. 4, 2017 - Jan. 28, 2018.

Daily Bag Limit: 4 (~~(geese)~~) Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 (~~(geese)~~) Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

Eastern Washington Goose Seasons

September Canada Goose Season (Eastern Washington)

Sept. (~~(10-11, 2016)~~) 9-10, 2017.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 10 Canada geese.

Goose Management Area 4

Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Lincoln, Okanogan, Spokane, and Walla Walla counties.

Saturdays, Sundays, and Wednesdays only during Oct. (~~(15, 2016 - Jan. 22, 2017; Nov. 11, 24, and 25, 2016; Dec. 26, 27, 29, and 30, 2016; Jan. 16, 2017; and every day Jan. 23-29, 2017)~~) 14, 2017 - Jan. 21, 2018; Nov. 10, 23, and 24, 2017; Dec. 25, 26, 28, and 29, 2017; Jan. 15, 2018; and every day Jan. 22-28, 2018.

Goose Management Area 5

Includes all parts of Eastern Washington not included in Goose Management Area 4.

Oct. (~~(15-17, 2016)~~) 14-16, 2017 and every day from Oct. (~~(22, 2016 - Jan. 29, 2017)~~) 21, 2017 - Jan. 28, 2018.

Bag Limits for all Eastern Washington Goose Management Areas during regular seasons:

Daily Bag Limit: 4 (~~(geese)~~) Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 (~~(geese)~~) Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

BRANT

Open in Skagit County only on the following dates: Jan. (~~(7, 8, 11, 14, 15, 18, 21, and 22, 2017)~~) 6, 7, 10, 13, 14, 17, 20, and 21, 2018.

If the (~~(2016-17)~~) 2017-2018 preseason brant population in Skagit County is 3,000-6,000 (as determined by the midwinter waterfowl survey), the brant season in Skagit County will be open only on the following dates: Jan. (~~(7, 11, and 14, 2017)~~) 6, 10, and 13, 2018.

If the (~~(2016-17)~~) 2017-2018 preseason brant population in Skagit County is below 3,000 (as determined by the midwinter waterfowl survey), the brant season in Skagit County will be canceled.

Open in Clallam and Whatcom counties only on the following dates: Jan. 6, 10, and 13, 2018.

Open in Pacific County only on the following dates: Jan. (~~(7, 8, 10, 12, 14, 15, 17, 19, 21, and 22, 2017)~~) 6, 7, 9, 11, 13, 14, 16, 18, 20, and 21, 2018.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT BRANT

Hunters must possess a special (~~(2016-17)~~) 2017-2018 migratory bird hunting authorization and harvest record card for brant when hunting brant. A hunter who has not previously possessed a brant harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a brant into pos-

session, hunters must record in ink the information required on the harvest record card.

Bag Limits for ~~((Skagit and Pacific))~~ Clallam, Skagit, Pacific and Whatcom counties:

Daily Bag Limit: 2 brant.
 Possession Limit: 6 brant.

SWANS

Season closed statewide.
MOURNING DOVE

Sept. 1 - Oct. 30, ~~((2016))~~ 2017, statewide.

Daily Bag Limit: 15 mourning doves.
 Possession Limit: 45 mourning doves.

BAND-TAILED PIGEON

Sept. 15-23, ~~((2016))~~ 2017, statewide.

Daily Bag Limit: 2 band-tailed pigeons.
 Possession Limit: 6 band-tailed pigeons.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT BAND-TAILED PIGEONS

Hunters must possess a special ~~((2016-17))~~ 2017-2018 migratory bird hunting authorization and harvest record card for band-tailed pigeons when hunting band-tailed pigeons. A hunter who has not previously possessed a band-tailed pigeon harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a band-tailed pigeon into possession, hunters must record in ink the information required on the harvest record card.

FALCONRY SEASONS

DUCKS, COOTS, SNIPE, GEESE, AND MOURNING DOVES (EXCEPT BRANT) (Falconry)

Same season dates for each species in each area as listed above.

Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, snipe, geese, and mourning doves during established seasons.

Possession Limit: 3 times the daily bag limit.

MOURNING DOVE (Extended Falconry)

Oct. 31 - Dec. 16, ~~((2016))~~ 2017.

Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, snipe, and geese during established seasons.

Possession Limit: 3 times the daily bag limit.

HIP REQUIREMENTS:

All hunters of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) age 16 and over are required to complete a harvest information program (HIP) survey at a license dealer and possess a Washington migratory bird permit as evidence of compliance with this requirement when hunting migratory game birds. Youth hunters are required to complete a HIP survey and possess a Washington migratory bird permit (free for youth) as evidence of compliance with this requirement when hunting migratory game birds.

AMENDATORY SECTION (Amending WSR 16-12-087, filed 5/31/16, effective 7/1/16)

WAC 232-28-622 ((2015-2017)) 2017 Bighorn 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 ram during his or her lifetime. However, this restriction is waived for hunters who have previously harvested a bighorn sheep under a ewe-only, juvenile ram, raffle, or auction permit, as well as for applications for a ewe-only, juvenile ram, 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 A	Nov. 7-30	Sheep Unit 4	Any Legal Weapon	2
Umtanum	Sept. 15 - Oct. 10	Sheep Unit 5	Any Legal Weapon	2
Cleman Mountain A	Sept. 15 - Oct. 10	Sheep Unit 7	Any Legal Weapon	3
((Cleman Mountain B	Nov. 7-30	Sheep Unit 7	Any Legal Weapon	3
Cleman Mountain C	Nov. 12-30	Sheep Unit 7	Adult ewe only Any Legal Weapon	10))
Cleman Mountain D	Nov. 13-30	Sheep Unit 7	Adult ewe only Any Legal Weapon	10
Mt. Hull A	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	1

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Mt. Hull B	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Mt. Hull C ^a	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)) 1
Quilomene	Sept. 15 - Oct. 10	Sheep Unit 13	Any Legal Weapon	2
Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	2
Manson	Nov. 7-30	Sheep Unit 16	Any Legal Weapon	2
Chelan Butte <u>A</u>	Sept. 15 - Oct. 10	Sheep Unit 18	Any Legal Weapon	2
(New hunt category) Chelan Butte B Juvenile ram - Disabled hunter ^b	Oct. 11-31	Sheep Unit 18	Any Legal Weapon Juvenile ram ^c	2
Chelan Butte C - Disabled hunter ^b	Oct. 11-31	Sheep Unit 18	Any Legal Weapon Adult ewe only	2

^aApplicants 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.

^bApplicants must possess a Disabled Hunter Permit.

^cA juvenile ram is defined as a male bighorn sheep having at least one "unbroomed" horn that does not extend past an imaginary line beginning at the point on the animal's forehead where the front of the horn base adjoins the skull, and continuing downwards and in a posterior direction through the posterior edge of the eye. A "broomed" horn is defined as a sheep horn that has been broken, splintered, frayed or rubbed in the wild, thus shortening its length and disrupting its natural taper.

(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 GMU 340 east of the Yakima River.

(c) **Sheep Unit 5 Umtanum:** Permit Area: Those portions of GMU 340 west of the Yakima River and GMU 342 north of Wenas Creek.

(d) **Sheep Unit 7 Cleman Mountain:** Permit Area: GMU 346 and that part of GMU 342 south of Wenas Creek.

(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 that part of 251 east of Squilchuck Creek and 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))~~ Antoine Creek, W up ~~((Antione))~~ Antoine 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 16-12-087, filed 5/31/16, effective 7/1/16)

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

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

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

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

Deer Area No. 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 managed as the 4-O Ranch Wildlife Area.

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 Friderger 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 Jackson Rd, Jackson Rd S to Hwy 27 S to 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. 2017 Lake Chelan North (Chelan County): Restricted to private land only located within the following boundary: Beginning at the confluence of Purtteman Creek (Purtteman Gulch) and Lake Chelan; NE along Purtteman Creek to Boyd Road; E on Boyd Road to Purtteman Creek Road; N on Purtteman Creek Road to the USFS boundary; W along the USFS boundary to Canyon Ranch Road (Joe Creek); SE on Canyon Ranch Road to Grade Creek Road; SE on Grade Creek Road to Lower Joe Creek Road; SE on Lower Joe Creek Road to Emerson Acres Road; west on Emerson Acres Road to Lake Chelan; S along the north shore of Lake Chelan to 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. 3334 Ellensburg (Kittitas County): Beginning at the confluence of the Yakima River and Wilson Creek, north up Wilson Creek to the John Wayne Pioneer Trail, west and north on the John Wayne Pioneer Trail to State Hwy 10, north and west on State Hwy 10 to the Thorp Highway, south and east on the Thorp Highway to the Yakima River (Thorp Highway Bridge), south and upstream on the Yakima River to the confluence of Taneum Creek and the Yakima River, south and west up Taneum Creek to the South Branch Canal, south and east on the South Branch Canal and South Branch Extension Canal to Umtanum Road, north on Umtanum Road to Lower Riverbottom Road, east and south on Lower Riverbottom Road to the Fogarty Ditch, south and east on the Fogarty Ditch to the Yakima River, south and east along the Yakima River to Wilson Creek and the point of beginning.

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 Ser-

vice 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. 3372 Sunnyside (Yakima County): Beginning in Union Gap where I-82 crosses the Yakima River, follow I-82 east to the Yakima River Bridge in Prosser. Upstream on the Yakima River to the point of beginning. The islands in the Yakima River are on the Yakama Indian Reservation and are not part of the deer area.

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. 5382 Simcoe (Klickitat County): That area within GMU 382 designated as WDFW owned lands managed as the Simcoe Mountains Unit of the Klickitat Wildlife Area.

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

NEW SECTION

The following section of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
232-12-021	220-413-030

NEW SECTION

The following sections of the Washington Administrative Code are decodified and recodified as follows:

Old WAC Number	New WAC Number
232-28-248	220-413-180
232-28-273	220-415-070
232-28-283	220-412-070
232-28-291	220-412-080
232-28-296	220-412-100
232-28-299	220-413-100
232-28-337	220-415-040
232-28-342	220-416-010
232-28-357	220-415-020
232-28-358	220-415-050

232-28-359	220-415-030
232-28-360	220-415-060
232-28-436	220-416-060
232-28-622	220-415-120
232-28-624	220-415-010

WSR 17-11-001**PERMANENT RULES****DEPARTMENT OF TRANSPORTATION**

[Filed May 3, 2017, 3:41 p.m., effective June 3, 2017]

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

Purpose: The proposal will revise requirements for pilot/escort car operators based on recommendations by the National Transportation Safety Board (NTSB).

The purpose is to increase safety of overheight loads traveling on multilane highways. The proposal adds a rear pilot for loads that exceed twelve feet in width and have a height that current rule requires a front pilot equipped with a height pole when traveling on a multilane highway.

Citation of Existing Rules Affected by this Order: Amending WAC 468-38-100 (1)(i).

Statutory Authority for Adoption: RCW 46.44.090, 46.44.093.

Adopted under notice filed as WSR 17-07-135 on March 22, 2017.

Changes Other than Editing from Proposed to Adopted Version: The vehicle(s) or load exceeds twelve feet in width on a multilane highway and has a height that requires a front pilot/escort vehicle: One rear pilot/escort vehicle is required.

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 1, Repealed 0.

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

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

Date Adopted: May 1, 2017.

Kara Larson, Director
Risk Management
and Legal Services

AMENDATORY SECTION (Amending WSR 16-11-012, filed 5/5/16, effective 6/5/16)

WAC 468-38-100 Pilot/escort vehicle and operator requirements. (1) A certified pilot/escort operator, acting as

a warning necessary to provide safety to the traveling public, must accompany an extra-legal load when:

(a) The vehicle(s) or load exceeds eleven feet in width: Two pilot/escort vehicles are required on two lane highways, one in front and one at the rear.

(b) The vehicle(s) or load exceeds fourteen feet in width: One escort vehicle is required at the rear on multilane highways.

(c) The vehicle(s) or load exceeds twenty feet in width: Two pilot/escort vehicles are required on multilane undivided highways, one in front and one at the rear.

(d) The trailer length, including load, of a tractor/trailer combination exceeds one hundred five feet, or when the rear overhang of a load measured from the center of the rear axle exceeds one-third of the trailer length including load of a tractor/trailer or truck/trailer combination: One pilot/escort vehicle is required at the rear on two-lane highways.

(e) The trailer length, including load, of a tractor/trailer combination exceeds one hundred twenty-five feet: One pilot/escort vehicle is required at the rear on multilane highways.

(f) The front overhang of a load measured from the center of the front steer axle exceeds twenty feet: One pilot/escort vehicle is required at the front on all two-lane highways.

(g) The rear overhang of a load on a single unit vehicle, measured from the center of the rear axle, exceeds twenty feet: One pilot/escort vehicle is required at the rear on two-lane highways.

(h) The height of the vehicle(s) or load exceeds fourteen feet six inches: One pilot/escort vehicle with height measuring device (pole) is required at the front of the movement on all highways.

(i) The vehicle(s) or load exceeds twelve feet in width on a multilane highway and has a height that requires a front pilot/escort vehicle: One rear pilot/escort vehicle is required.

(j) The operator, using rearview mirrors, cannot see two hundred feet to the rear of the vehicle or vehicle combination when measured from either side of the edge of the load or last vehicle in the combination, whichever is larger: One pilot/escort vehicle is required at the rear on all highways.

~~((j))~~ (k) In the opinion of the department, a pilot/escort vehicle(s) is necessary to protect the traveling public. Assignments of this nature must be authorized through the department's administrator for commercial vehicle services.

(2) **Can a pilot/escort vehicle be temporarily reassigned a position relative to the load during a move?** When road conditions dictate that the use of the pilot/escort vehicle in another position would be more effective, the pilot/escort vehicle may be temporarily reassigned. For example: A pilot/escort vehicle is assigned to the rear of an overlength load on a two-lane highway. The load is about to enter a highway segment that has curves significant enough to cause the vehicle and/or load to encroach on the oncoming lane of traffic. The pilot/escort vehicle may be temporarily reassigned to the front to warn oncoming traffic.

(3) **Can a certified flag person ever substitute for a pilot/escort vehicle?** In subsection (1)(d) and (e) of this section, the special permit may authorize a riding flag person, in lieu of a pilot/escort vehicle, to provide adequate traffic con-

trol for the configuration. The flag person is not required to ride in the pilot/escort vehicle but may ride in the transport vehicle with transporter's authorization.

(4) Must an operator of a pilot/escort vehicle be certified to operate in the state of Washington? Yes. To help assure compliance with the rules of this chapter, consistent basic operating procedures are needed for pilot/escort vehicle operators to properly interact with the escorted vehicle and the surrounding traffic. Operators of pilot/escort vehicles, therefore, must be certified as having received department-approved base level training as a pilot/escort vehicle operator and must comply with the following:

(a) A pilot/escort vehicle operator with a Washington state driver's license must have a valid Washington state pilot/escort vehicle operator certificate/card which must be on the operator's person while performing escort vehicle operator duties.

(b) A pilot/escort vehicle operator with a driver's license from a jurisdiction other than the state of Washington may acquire a Washington state escort vehicle operator certificate/card, or operate with a certification from another jurisdiction approved by the department, subject to the periodic review of the issuing jurisdiction's certification program. A current list of approved programs will be maintained by the department's commercial vehicle services office.

(c) A pilot/escort vehicle operator certification does not exempt a pilot/escort operator from complying with all state laws and requirements of the state in which she/he is traveling.

(d) Every applicant for a state of Washington pilot/escort operator certificate shall attend an eight-hour classroom training course offered and presented by a business, organization, government entity, or individual approved by the department. At the conclusion of the course, the applicant will be eligible to receive the certification card after successfully completing a written test with at least an eighty percent passing score. State of Washington pilot/escort vehicle operator certification cards must be renewed every three years.

(5) What are the pretrip procedures that must be followed by the operator of a pilot/escort vehicle?

(a) Discuss with the operator of the extra-legal vehicle the aspects of the move including, but not limited to, the vehicle configuration, the route, and the responsibilities that will be assigned or shared.

(b) Prerun the route, if necessary, to verify acceptable clearances.

(c) Review the special permit conditions with the operator of the extra-legal vehicle. When the permit is a single trip extra-legal permit, displaying routing information, the pilot/escort operator(s) must have a copy of the permit, including all special conditions and attachments.

(d) Determine proper position of required pilot/escort vehicles and set procedures to be used among the operators.

(e) Check mandatory equipment, provided in subsections (9) and (10) of this section. Each operator is responsible for his or her own vehicle.

(f) Check two-way communication system to ensure clear communications between the pilot/escort vehicle(s) and the transport vehicle and predetermine the channel to be used.

(g) Acknowledge that nonemergency electronic communication is prohibited except communication between pilot/escort operator(s) and the transport vehicle during movement.

(h) Adjust mirrors, mount signs and turn on lights, provided in subsections (8)(e) and (9)(a) and (b) of this section.

(6) What are the responsibilities of the operator of a pilot/escort vehicle when assigned to be in front of the extra-legal movement? The operator shall:

(a) Provide general warning to oncoming traffic of the presence of the permitted vehicle by use of signs and lights, provided in subsection (9) of this section;

(b) Notify the operator of the extra-legal vehicle, and the operator(s) of any trailing pilot/escort vehicle(s), about any condition that could affect either the safe movement of the extra-legal vehicle or the safety of the traveling public, in sufficient time for the operator of the extra-legal vehicle to take corrective action. Conditions requiring communication include, but are not limited to, road-surface hazards; overhead clearances; obstructions; traffic congestion; pedestrians; etc.;

(c) Provide guidance to the extra-legal vehicle through lane changes, egress from one designated route and access to the next designated route on the approved route itinerary, and around any obstacle;

(d) In the event of traffic buildup behind the extra-legal vehicle, locate a safe place adjacent to the highway where the extra-legal vehicle can make a temporary stop. Notify the operator of the extra-legal vehicle, and the operator(s) of any trailing pilot/escort vehicle(s), in sufficient time for the extra-legal vehicle to move out of the traffic flow into the safe place, allowing the following traffic to pass safely;

(e) In accordance with training, be far enough in front of the extra-legal vehicle to allow time for the extra-legal vehicle to stop or take corrective action as necessary when notified by the front pilot/escort operator. Be far enough in front of the extra-legal vehicle to signal oncoming traffic to stop in a safe and timely manner before entering any narrow structure or otherwise restricted highway where an extra-legal vehicle has entered and must clear before oncoming traffic can enter;

(f) In accordance with training, do not be any farther ahead of the extra-legal vehicle than is reasonably prudent, considering speed of the extra-legal vehicle, other traffic, and highway conditions. Do not exceed a distance between pilot/escort vehicle and extra-legal vehicle that would interfere with maintaining clear two-way radio communication; and

(g) Assist in guidance to a safe place, and/or traffic control, in instances when the extra-legal vehicle becomes disabled.

(7) What are the responsibilities of the operator of a pilot/escort vehicle when assigned to be at the rear of the extra-legal movement? The operator shall:

(a) Provide general warning to traffic approaching from the rear of the extra-legal vehicle ahead by use of signs and lights, provided in subsection (9) of this section;

(b) Notify the operator of the extra-legal vehicle, and the operator(s) of any leading pilot/escort vehicle(s), about any condition that could affect either the safe movement of the

extra-legal vehicle or the safety of the traveling public, in sufficient time for the operator of the extra-legal vehicle to take corrective action. Conditions requiring communication include, but are not limited to, objects coming loose from the extra-legal vehicle; flat tires on the extra-legal vehicle; rapidly approaching traffic or vehicles attempting to pass the extra-legal vehicle; etc.;

(c) Notify the operator of the extra-legal vehicle, and/or the operator of the lead pilot/escort vehicle, about traffic buildup or other delays to normal traffic flow resulting from the extra-legal move;

(d) In the event of traffic buildup behind the extra-legal vehicle, notify the operator of the extra-legal vehicle, and the operator(s) of any pilot/escort vehicle(s) in the lead, and assist the extra-legal vehicle in its move out of the traffic flow into the safe place, allowing the following traffic to pass safely;

(e) In accordance with training, be far enough behind the extra-legal vehicle to provide visual warning to approaching traffic to slow or stop in a timely manner, depending upon the action to be taken by the extra-legal vehicle, or the condition of the highway segment (i.e., limited sight distance, mountainous terrain, narrow corridor, etc.);

(f) Do not follow more closely than is reasonably prudent, considering the speed of the extra-legal vehicle, other traffic, and highway conditions. Do not exceed one-half mile distance between the pilot/escort vehicle and the extra-legal vehicle in order to maintain radio communication, except when necessary to safely travel a long narrow section of highway; and

(g) Pilot/escort operators shall not perform tillerman duties while performing escorting duties. For this section, tillerman refers to an individual that operates the steering of the trailer or trailing unit of the transport vehicle; and

(h) Assist in guidance to a safe place, and/or traffic control, in instances when the extra-legal vehicle becomes disabled.

(8) What kind of vehicle can be used as a pilot/escort vehicle? In addition to being in safe and reliable operating condition, the vehicle shall:

(a) Be either a single unit passenger car, including passenger van, or a two-axle truck, including a nonplacarded service truck;

(b) Not exceed a maximum gross vehicle weight or gross weight rating of sixteen thousand pounds;

(c) Have a body width of at least sixty inches but no greater than one hundred two inches;

(d) Not exceed the legal limits of size and weight, as defined in chapter 46.44 RCW; and

(e) Be equipped with outside rear-view mirrors, located on each side of the vehicle.

(f) Not tow a trailer while escorting.

(9) In addition to equipment required by traffic law, what additional equipment is required on the vehicle when operating as a pilot/escort, and when is it used?

(a) A minimum of one flashing or rotating amber (yellow) light or strobe, positioned above the roof line, visible from a minimum of five hundred feet to approaching traffic from the front or rear of the vehicle and visible a full three hundred sixty degrees around the pilot/escort vehicle. Light

bars, with appropriately colored lights, meeting the visibility minimums are acceptable. Lights must only be activated while escorting an extra-legal vehicle, or when used as traffic warning devices while stopped at the side of the road taking height measurements during the prerunning of a planned route. The vehicle's headlights must also be activated while escorting an extra-legal vehicle.

(b) A sign reading "OVERSIZE LOAD," measuring at least five feet wide, ten inches high with black lettering at least eight inches high in a one-inch brush stroke on yellow background. The sign shall be mounted over the roof of the vehicle and shall be displayed only while performing as the pilot/escort of an extra-legal load. When the vehicle is not performing as a pilot/escort, the sign must be removed, retracted or otherwise covered.

(c) A two-way radio communications system capable of providing reliable two-way voice communications, at all times, between the operators of the pilot/escort vehicle(s) and the extra-legal vehicle(s).

(d) Nonemergency electronic communications is prohibited except communication between the pilot/escort vehicle(s) and the transport vehicle during movement.

(10) What additional or specialized equipment must be carried in a pilot/escort vehicle?

(a) A standard eighteen-inch STOP AND SLOW paddle sign.

(b) Three bi-directional emergency reflective triangles.

(c) A minimum of one five-pound B, C fire extinguisher, or equivalent.

(d) A high visibility safety garment designed according to Class 2 specifications in ANSI/ISEA 107-1999, *American National Standard for High Visibility Safety Apparel*, to be worn when performing pilot/escort duties outside of the vehicle. The acceptable high visibility colors are fluorescent yellow-green, fluorescent orange-red or fluorescent red.

(e) A highly visible colored hard hat, also to be worn when performing pilot/escort duties outside of the vehicle, per WAC 296-155-305.

(f) A height-measuring device (pole), which is nonconductive and nondestructive to overhead clearances, when required by the terms of the special permit. The upper portion of a height pole shall be constructed of flexible material to prevent damage to wires, lights, and other overhead objects or structures. The pole may be carried outside of the vehicle when not in use. See also subsection (14) of this section.

(g) First-aid supplies as prescribed in WAC 296-800-15020.

(h) A flashlight in good working order with red nose cone. Additional batteries should also be on hand.

(11) Can the pilot/escort vehicle carry passengers? A pilot/escort vehicle may not contain passengers, human or animal, except that:

(a) A certified individual in training status or necessary flag person may be in the vehicle with the approval of the pilot/escort operator.

(b) A service animal may travel in the pilot/escort vehicle but must be located somewhere other than front seat of vehicle.

(12) Can the pilot/escort vehicle carry any other items, equipment, or load? Yes, as long as the items, equip-

ment or load have been properly secured; provided that, no equipment or load may be carried in or on the pilot/escort vehicle that:

(a) Exceeds the height, length, or width of the pilot/escort vehicle, or overhangs the vehicle, or otherwise impairs its immediate recognition as a pilot/escort vehicle by the traveling public;

(b) Obstructs the view of the flashing or rotating amber lights, or "OVERSIZE LOAD" sign on the vehicle;

(c) Causes safety risks; or

(d) Otherwise impairs the performance by the operator or the pilot/escort vehicle of the duties required by these rules.

(13) **Can a pilot/escort vehicle escort more than one extra-legal load at the same time?** No, unless the department determines there are special circumstances that have resulted in an express authorization on the special permit.

(14) **When and how must a pilot/escort vehicle use a height-measuring device?** The height-measuring device (pole) must be used when escorting an extra-legal load in excess of fourteen feet six inches high, unless an alternative authorization has been granted by the department and stated on the special permit. The height pole must extend between three and six inches above the maximum height of the extra-legal vehicle, or load, to compensate for the affect of wind and motion. The height measuring device (pole) shall be mounted on the front of the lead pilot/escort vehicle. When not in the act of escorting an extra-legal height move, or pre-running a route to determine height acceptance, the height pole shall be removed, tied down or otherwise reduced to legal height.

(15) **Do the rules change when a uniformed off-duty law enforcement officer, using official police car or motorcycle, performs the escorting function?** While the spirit of the rules remains the same, specific rules may be modified to fit the situation.

WSR 17-11-010

PERMANENT RULES

WASHINGTON STATE UNIVERSITY

[Filed May 8, 2017, 12:56 p.m., effective June 8, 2017]

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

Purpose: The university is updating the safety rules for spectator events.

Citation of Existing Rules Affected by this Order: Amending WAC 504-36-030.

Statutory Authority for Adoption: RCW 28B.30.150.

Adopted under notice filed as WSR 17-06-070 on March 1, 2017.

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: May 5, 2017.

Deborah L. Bartlett, Director
Procedures, Records, and Forms
and University Rules Coordinator

AMENDATORY SECTION (Amending WSR 12-18-021, filed 8/27/12, effective 9/27/12)

WAC 504-36-030 Spectator events—Safety rules. (1) Protection of the safety and general welfare of students, faculty and staff, performers and officials, and members of the general public attending or participating in spectator events on ~~((the))~~ campus is a primary concern of Washington State University.

(2) The following rules of conduct ~~((are applicable))~~ apply to all ~~((public))~~ public spectator events of Washington State University. "Spectator event," for the purposes of this section, means ticketed or nonticketed athletic or entertainment events held on any portion of university property, including ((specifically)), but not limited to, Martin Stadium and the Beasley Coliseum ((and to all public areas of the facility wherein the event is held)) (hereafter the "event site").

(a) Behavior which in the judgment of designated university officials constitutes a disruption of the event or a safety hazard for other spectators or participants is prohibited.

(b) For ticketed events, an individual is entitled to occupy only the seat for which he or she has the proper ticket.

(c) Photographing or making audio or visual recordings of a spectator event for commercial purposes is not permitted without specific written permission from the WSU athletic department (for athletic events) or the performer and applicable designated university official (for entertainment events).

(d) Aisles, walkways, and stairs must be kept clear of hazards and obstacles at all times to ensure safe and easy passage for all persons.

(e) Possession and/or consumption of illegal drugs or marijuana is prohibited~~((;))~~. Possession and/or consumption of alcoholic beverages is permitted subject to restrictions.

(i) Any illegal drugs, marijuana, or alcoholic beverages, except for such beverages provided in accordance with ~~((b))~~ (e)(ii) of this subsection, found ((shall be)) in the possession of a spectator or otherwise found on the event site may be confiscated and delivered to the custody of designated university officials ((or their representatives upon request. In addition, violators of this section may be subject to university disciplinary action (if applicable) and/or legal proceedings, and to removal from the event site)) for law enforcement purposes or for disposal, as appropriate.

(ii) Alcoholic beverages may be possessed, sold, served, and consumed at event sites only under a valid permit or license issued by the Washington state liquor ~~((control))~~ and cannabis board. Events at which alcoholic beverages are pos-

sessed, sold, served, and consumed must comply with the restrictions imposed by the Washington state liquor (~~control~~) and cannabis board and restrictions and policies imposed by the university, have restricted attendance, and be limited to specified room(s) or area(s). Possession, consumption, service, dispensation, or sale of alcohol is prohibited except to persons of legal age.

~~((e) Except as provided in (b) of this subsection, possession of glass or metal beverage containers, or devices used for carrying such beverage containers, is prohibited; however, this section shall not apply to personal canteens or thermos bottles one liter or less in size, containing beverages not in violation of this section, and provided further, that this section shall not apply to small soft sided articles used to carry such permitted containers, as more fully described in (d) of this subsection.))~~ (f) Smoking and other uses of tobacco and/or nicotine products are prohibited in all areas of the Pullman campus in accordance with chapter 504-38 WAC and all areas of the Vancouver campus in accordance with chapter 504-37 WAC.

(g) Each spectator is allowed to bring one empty nondisposable water bottle into the event site, provided that the capacity of the water bottle is no more than one and one-half liters. All other beverage containers and devices used for carrying beverage containers are prohibited. All such items ((shall be)) are subject to a visual inspection by designated university officials upon entry to the event site. ((Any containers or devices prohibited by this section shall be removed by the possessor or delivered to the custody of designated university officials or their representatives upon request. This section shall not apply to approved vendors.

~~(d) Knapsacks, duffel bags, backpacks, bags used to transport permitted beverage containers or other))~~ If designated university officials make the determination that a given container or device is prohibited, the possessor of the container or device must remove the container or device from the event site premises or may surrender the container or device to such designated university officials for disposal.

(h) Each spectator is allowed to bring one soft sided bag((s shall be)) into the event site, provided such bag is no larger than fourteen inches by eight inches by fourteen inches and, for seated events, is small enough to fit completely under ((one seat, and shall be so kept at all times to maintain clear aisles, walkways and stairs)) the spectator's seat, where such bags must be kept. All other bags and containers are prohibited. All such items are subject to a visual inspection by designated university officials upon entry into the event site. ((No hard sided bags, suitcases, coolers or other similar items shall be permitted into the event site.

(e) Aisles, walkways and stairs shall be kept clear of hazards and obstacles (including but not limited to those items discussed in (c) and (d) of this subsection) at all times, to ensure safe and easy passage for persons attending the event, university and security officials, and others at the event site.

~~(f) Possession of any))~~ If designated university officials make the determination that a given bag is prohibited, the possessor of the bag must remove the bag from the event site premises or may surrender the bag to such designated university officials for disposal.

(i) The following items are prohibited in the event site:

~~(i) Fireworks, weapons, explosive devices, or artificial noisemaking devices (such as airhorns) ((is prohibited in the event site. Any such items shall be surrendered to designated university officials upon request. In addition, possession of such items may subject violators of this section to university disciplinary action (if applicable) and/or legal proceedings, and to removal from the event site.~~

~~(g) Smoking is prohibited in areas designated as "no smoking."~~

~~(h) An individual is entitled to occupy only the seat for which he or she has the proper ticket.~~

~~(i) Recording video of the event for commercial purposes is not permitted into the event site without written permission from the WSU athletic department.~~

~~(j) Umbrellas may not be opened or raised in seating areas of any event site, in order to ensure that all persons attending the event have as clear and unobstructed a view of the event as possible. Personal sized umbrellas may be brought into the event site and stored as described in (d) and (e) of this subsection);~~

~~(ii) Items deemed dangerous or unacceptable by designated university officials;~~

~~(iii) Drones;~~

~~(iv) Laser pointers;~~

~~(v) Extension items used to hold cellular telephones or cameras in place (e.g., "selfie sticks");~~

~~(vi) Flag poles, or any items that act as an extension of an arm and have a flag or sign affixed;~~

~~(vii) Footballs, frisbees, sport balls, any kind of inflatable balls, or any other projectiles;~~

~~(viii) Umbrellas;~~

~~(ix) Pets or animals, except as allowed by WAC 504-36-020 or as otherwise required by state or federal law;~~

~~(x) Food and beverages, unless purchased from a vendor within the event site.~~

~~(3) Where there is reasonable cause to believe that a person((s are)) is violating, or ((are)) is attempting to((;)) violate, the requirements identified in ((WAC 504-36-030(2))) subsection (2) of this section, such person ((or persons will be)) is denied license or privilege to enter or remain in or upon the event site premises, and designated university officials may take necessary action to deny entry or to remove such persons from the event site premises.~~

Prohibited items found in the possession of a spectator or otherwise found on the event site are to be confiscated and delivered to the custody of designated university officials for law enforcement purposes or for disposal, as appropriate. Violation of the requirements identified in subsection (2) of this section or failure to vacate the event site premises upon request of designated university officials may result in university disciplinary action (if applicable) and/or subsequent legal ((process under the laws of the state of)) proceedings under federal or state law and/or the Washington Administrative Code.

(4) For purposes of ((WAC 504-36-030(1) and (2))) this section, designated university officials include the president of the university, the vice president for ((business and)) finance and administration, and the following officials:

(a) Director of athletics or designee for athletic events;

(b) Director of the Beasley Coliseum or designee for Beasley Coliseum events;

(c) Director of the Compton Union Building or designee for events in the Compton Union Building;

(d) Director of the School of Music or designee for events sponsored by that school;

(e) The WSU executive director of public safety or designee;

(f) Officers of the WSU police department when ~~((+))~~ (i) acting at the request of any of the above-named officials to enforce university regulations, or ~~((2))~~ (ii) enforcing state laws or local ordinances;

(g) Contracted or hired security personnel and crowd management personnel when acting at the direction of the above-named officials or designees to enforce university regulations.

WSR 17-11-016

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed May 9, 2017, 1:18 p.m., effective June 9, 2017]

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

Purpose: The department is creating new sections in chapter 388-106 WAC, Long-term care services, in order to define the benefit package for supportive housing. The state has applied to Centers for Medicare and Medicaid (CMS) for an 1115 demonstration waiver that includes supportive housing as a service. It is anticipated that this waiver will be implemented in 2017. In addition, the governor issued a directive to utilize supportive housing services beginning in November 2016 to address the housing need for individuals leaving the state psychiatric hospitals.

Statutory Authority for Adoption: RCW 74.08.090.

Other Authority: RCW 74.08.283, 74.08.390.

Adopted under notice filed as WSR 16-22-068 on November 1, 2016.

Changes Other than Editing from Proposed to Adopted Version: 1. WAC 388-106-1710 (3)(e), added language "Are not a licensed residential care facility such as an adult family or assisted living facility."

2. WAC 388-106-1720(3), added language "Have a planned discharge or diversion from Eastern or Western State Hospital;"

3. WAC 388-106-1740 [(1)](a), changed "similar" to "the same."

4. WAC 388-106-1750(1), added language "Exceeded the amount authorized by the department."

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 14, 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 14, Amended 0, Repealed 0.

Date Adopted: May 1, 2017.

Katherine I. Vasquez
Rules Coordinator

NEW SECTION

WAC 388-106-1700 What definitions apply to supportive housing? The following definitions apply to WAC 388-106-1700 through 388-106-1765:

"Chronically homeless" means an individual who is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter.

"PRISM" means predictive risk intelligence system and is a web-based clinical decision support application that features predictive modeling tools and data integration to support care management for high-risk medicaid clients.

NEW SECTION

WAC 388-106-1705 What services may I receive under supportive housing? (1) The services you may receive under supportive housing include but are not limited to activities that assist you to:

- (a) Identify appropriate housing;
- (b) Prepare for and transition to housing;
- (c) Connect with direct and collateral services;
- (d) Maintain your housing; and
- (e) Develop and maintain a positive relationship with your landlord and other tenants.

(2) The services you receive will be identified in your assessment as defined in WAC 388-106-0010.

NEW SECTION

WAC 388-106-1710 Where may I receive supportive housing services? (1) You may receive supportive housing services in:

- (a) Your place of residence; or
- (b) The community setting where the authorized service occurs.
- (2) Supportive housing services must be provided in:
 - (a) Washington state or a recognized out-of-state bordering city as defined in WAC 182-501-0175;
 - (b) An integrated setting of your choice; and
 - (c) A manner that ensures your individual right of privacy, dignity, respect, and freedom from coercion and restraint.

(3) Once you are a supportive housing tenant, your supportive housing services must be provided in a setting as defined in 42 C.F.R. Sec. 441.530, such as those that:

- (a) Do not have the qualities of an institution;

(b) Are not located in a building that is also a publicly or privately operated facility providing inpatient institutional treatment;

(c) Are not on the grounds of, or immediately adjacent to a public institution;

(d) Do not have the effect of isolating you from community members who are not receiving medicaid services; and

(e) Are not a licensed residential care facility such as an adult family or assisted living facility.

NEW SECTION

WAC 388-106-1715 Who may provide supportive housing services? To provide supportive housing services, supportive housing providers must meet minimum qualifications as established by DSHS supportive housing contract language and pass a DSHS criminal history background check.

NEW SECTION

WAC 388-106-1720 Am I eligible for supportive housing funded services? You are eligible for supportive housing services if you meet the following criteria:

(1) Meet functional eligibility as defined in WAC 388-106-0210, 388-106-0277, 388-106-0310, 388-106-0338, or 388-106-1410;

(2) Meet financial eligibility as defined in chapters 182-513 and 182-515 WAC;

(3) Have a planned discharge or diversion from Eastern or Western State Hospital; and

(4) You meet one or more of the following criteria:

(a) Chronically homeless;

(b) History of frequent or lengthy institutional stays;

(c) History of frequent or lengthy adult residential care or treatment stays;

(d) Experienced frequent turnover of in-home caregivers or providers;

(e) A PRISM risk score of at least 1.5.

NEW SECTION

WAC 388-106-1725 When do supportive housing services begin? Your supportive housing services begin on the date the department authorizes your supportive housing services.

NEW SECTION

WAC 388-106-1730 How do I remain eligible for supportive housing? (1) To remain eligible for supportive housing you must remain functionally eligible as defined in WAC 388-106-0210, 388-106-0277, 388-106-0310, 388-106-0338, or 388-106-1410 and financially eligible as defined in chapters 182-513 and 182-515 WAC.

(2) If eligibility laws, regulations, or rules for supportive housing change, and if you do not meet the changed eligibility requirements, the department will terminate your services, even if your functional or financial circumstances have not changed.

NEW SECTION

WAC 388-106-1735 Do I have to pay for my supportive housing services? The department will not require you to pay toward the cost of your supportive housing services.

NEW SECTION

WAC 388-106-1740 What are my rights when I receive supportive housing services in a setting owned by a service provider? (1) In a provider owned supportive housing setting, you have the right to:

(a) A lease or legally enforceable agreement that provides you with the same responsibilities and protection from eviction that tenants have under landlord tenant law;

(b) Privacy in your living unit, including a lock on your door;

(c) A choice of roommates, if you choose to have a roommate;

(d) Decorate your living unit within the parameters of your lease agreement;

(e) Control your schedule and choose the activities you participate in; and

(f) Have visitors when you choose.

(2) Before the supportive housing services provider may change any of your rights under subsection (1) of this section, the supportive housing services provider must:

(a) Obtain your consent to make a change to one of your rights;

(b) Discuss with you the specific assessed need that the change is based on;

(c) Try positive interventions and less intrusive ways to deal with the specific assessed need and then review these with you;

(d) Document the discussion and the change to be made; and

(e) Provide this documentation to you and your case manager.

(3) The supportive housing services provider and your case manager must review with you any modifications to your rights as described in subsection (2) of this section at least yearly to determine if it is still effective and needed.

NEW SECTION

WAC 388-106-1745 May I be employed and receive supportive housing services? You may be employed and receive supportive housing services as long as you remain medicaid eligible under the categorically needy (CN) program or alternative benefit plan (ABP) program.

NEW SECTION

WAC 388-106-1750 Are there limits to the supportive housing services I receive? There are limits to the supportive housing services you receive. Supportive housing services must not:

(1) Exceed the amount authorized by the department;

(2) Replace or duplicate existing services already available to you such as foundational community supports as defined in WAC 182-559-100; or

(3) Include payment for rent, food, and utilities.

NEW SECTION

WAC 388-106-1755 Are there waiting lists for supportive housing? The department may create a waiting list for supportive housing services in accordance with funding appropriation.

NEW SECTION

WAC 388-106-1760 Do I have the right to an administrative hearing regarding supportive housing services? Yes, you may request an administrative hearing based on the rules outlined in WAC 388-106-1305 to contest the department's supportive housing service eligibility decisions.

NEW SECTION

WAC 388-106-1765 When may the department terminate or deny supportive housing services? The department may deny or terminate supportive housing services if you are not eligible for long-term care services pursuant to WAC 388-106-0047, 388-106-0210, 388-106-0277, 388-106-0310, 388-106-0338, or 388-106-1410.

WSR 17-11-032

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed May 11, 2017, 8:40 a.m., effective July 1, 2017]

Effective Date of Rule: July 1, 2017.

Purpose: This rule making adds a new section to chapter 308-104 WAC to provide a process for nominating, selecting and indexing hearing examiners' decisions that are significant and resolve a question about reoccurring legal issues or statutes under the department's authority. A significant decision will give guidance to the attorneys and the public on the way in which the department has interpreted the law and exercised its discretion.

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

Statutory Authority for Adoption: RCW 46.01.110 and 34.05.220.

Adopted under notice filed as WSR 17-04-028 on January 24, 2017.

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 1, 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 11, 2017.

Damon Monroe
Rules Coordinator

NEW SECTION

WAC 308-104-350 Significant decisions in driver license cases. (1) The department will use the process outlined in this section to nominate, select, and index significant decisions in the following types of adjudicative proceedings related to a sanction of the driving privilege:

- (a) The implied consent law (RCW 46.20.308);
- (b) The financial responsibility law (chapter 46.29 RCW);
- (c) The habitual traffic offender law (chapter 46.65 RCW);
- (d) The Uniform Commercial Driver's License Act (chapter 46.25 RCW);
- (e) Any formal hearing affecting the driving privilege conducted pursuant to the provisions of RCW 46.20.329 through 46.20.333.

(2) For the purposes of this section, a significant decision is a final order or a portion of a final order in an adjudicative proceeding that is of substantial importance to the department in carrying out its duties. Generally, an order is of substantial importance only if it analyzes and applies a statute or rule under the department's authority, demonstrates the department's reasoning as to a frequently recurring legal issue, provides a legal analysis or interpretation not found in existing case law, or applies settled law to unusual facts.

(3) Any person may nominate a final adjudicative order to be evaluated for indexing by completing an Order Index Nomination Request Form. The form can be obtained from the department's web site at www.dol.wa.gov and returned to the Hearings and Interviews Unit, P.O. Box 9031, Olympia, WA 98507-9031, along with a copy of the nominated order.

(4) The director or director's designee shall make a final decision as to whether to select the nominated order as a significant decision based on the criteria in subsection (2) of this section, and that decision is not appealable.

(5) A decision that has been selected by the director as significant shall be maintained in a separate index. The index shall at a minimum contain a description of the type of document, name of parties, brief description of the legal subjects and pertinent legal citation. A copy of the index and a copy of the significant decision will be made available on the department's web site at www.dol.wa.gov. The general public records index maintained under WAC 308-10-067 will contain a reference to the specific location and identification of significant decision index and copies of the significant decisions.

(6) The department shall periodically update and review the index to verify that the indexed documents continue to meet the criteria in subsection (2) of this section. The department may, at any time, delete a document from an index.

Under RCW 42.56.070(6), a significant decision may not be cited in a proceeding if it has not been indexed.

WSR 17-11-036
PERMANENT RULES
COUNTY ROAD
ADMINISTRATION BOARD

[Filed May 11, 2017, 10:33 a.m., effective June 11, 2017]

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

Purpose: The county road administration board finds that WAC 136-18-070 is obsolete therefore has repealed this section.

Reasons Supporting Proposal: Chapter is obsolete.

Citation of Existing Rules Affected by this Order: Repealing WAC 136-18-070.

Statutory Authority for Adoption: Chapter 36.78 RCW.

Adopted under notice filed as WSR 17-05-106 on February 15, 2017.

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

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

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

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

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

Date Adopted: April 27, 2017.

Jay P. Weber
Executive Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 136-18-070 Special reporting construction by county forces project to the county road administration board.

WSR 17-11-037
PERMANENT RULES
COUNTY ROAD
ADMINISTRATION BOARD

[Filed May 11, 2017, 10:35 a.m., effective June 11, 2017]

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

Purpose: The county road administration board finds that amending chapter 136-12 WAC will better define the process in which the county takes in reporting a vacancy or change in the position of county engineer.

Citation of Existing Rules Affected by this Order: Amending chapter 136-12 WAC.

Statutory Authority for Adoption: Chapter 36.78 RCW.

Adopted under notice filed as WSR 17-05-105 on February 15, 2017.

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

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

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

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

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

Date Adopted: April 27, 2017.

Jay P. Weber
Executive Director

Chapter 136-12 WAC

STANDARDS OF GOOD PRACTICE—VACANCY OR CHANGE IN POSITION OF COUNTY ENGINEER

AMENDATORY SECTION (Amending WSR 02-18-018, filed 8/22/02, effective 9/22/02)

WAC 136-12-010 Purpose and authority. The laws of the state of Washington make detailed provisions in chapter 36.80 RCW, for the employment of a county engineer in each county. This chapter specifies that the county legislative authority of each county shall employ a county road engineer on either a full-time or part-time basis, or by contracting with another county for the engineering services of a county road engineer; that he/she shall be a registered and licensed professional civil engineer under the laws of this state; that he/she shall have supervision, under the direction of the county legislative authority, of all activities related to the county roads of the county, including maintenance; that he/she shall certify to the county legislative authority all bills with respect to county roads; that he/she shall keep complete public records of all road department activities; that he/she shall prepare plans and specifications for all construction work on the county road system; give an official bond to the county conditioned upon faithfully performing all the duties and accounting for county property entrusted to him or her.

AMENDATORY SECTION (Amending WSR 14-17-035, filed 8/13/14, effective 9/13/14)

WAC 136-12-020 Procedure during vacancy or change. ~~((It is unavoidable that vacancies will occur from time to time in the position of county engineer.))~~ When a vacancy or change occurs in the office of county engineer due to resignation, retirement, death or for any other reason, the county legislative authority shall take immediate steps to find a replacement, either by promotion from within the organization if a competent and eligible person is available, or by advertisement for, and interview of, qualified applicants. The county legislative authority or county executive shall, in writing, by electronic email or official letter, within five working days, notify the county road administration board of the vacancy or change, and of the procedure to be followed during the period of vacancy. The notice to the county road administration board shall state that the legislative authority or county executive has reviewed the requirements within this chapter.

AMENDATORY SECTION (Amending WSR 02-18-018, filed 8/22/02, effective 9/22/02)

WAC 136-12-045 Notification of hiring. When final arrangements for the employment of a new county engineer have been made, the county legislative authority or the county executive shall, within five working days, notify the county road administration board in writing and shall include the following information: Name of new county engineer, Washington registration number, start date, and contact information, including an email address ((#)) when available. In addition, the notification shall include a copy of the organization chart detailing the responsibilities of the county engineer if there is an adopted change, WAC 136-50-051, and a copy of the appointment resolution, letter of appointment, or copy of the meeting minutes of the legislative authority recording the appointment.

AMENDATORY SECTION (Amending WSR 09-23-044, filed 11/9/09, effective 12/10/09)

WAC 136-12-060 Failure to comply. In the case of vacancy or change, if notification is not received within the time frame established in WAC 136-12-045, the matter of the vacancy will be considered at the next regular meeting of the county road administration board. The county road administration board may require that all construction by county forces projects be shut down and/or that all distribution of gas tax funds to the county cease: Provided however, that it may continue to grant reasonable extensions in the event the affected county can give adequate proof or demonstrate at the next regularly scheduled board meeting that a diligent effort has been made to secure the services of a qualified engineer.

**WSR 17-11-048
PERMANENT RULES
OFFICE OF
FINANCIAL MANAGEMENT**

[Filed May 15, 2017, 11:48 a.m., effective June 19, 2017]

Effective Date of Rule: June 19, 2017.

Purpose: OFM State Human Resource (SHR) Directive, 17-01, effective January 27, 2017, requires all general government state agencies to submit their Washington management service (WMS) salary administration policies for SHR director review and approval. The amendment to WAC 357-58-075 addresses this new requirement. The amendment to WAC 357-58-125 clarifies that salary administration policies are intended for WMS employees whereas; salary determination policies are intended for Washington general service employees.

Citation of Existing Rules Affected by this Order: Amending WAC 357-58-075 and 357-58-125.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Adopted under notice filed as WSR 17-08-047 on March 30, 2017.

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 2, Repealed 0.

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

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

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 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 15, 2017.

Roselyn Marcus
Assistant Director of
Legal and Legislative Affairs

AMENDATORY SECTION (Amending WSR 11-23-054, filed 11/10/11, effective 12/13/11)

WAC 357-58-075 ~~((What is the requirement for agencies to develop compensation policies?))~~ **Must agencies have a salary administration policy?** (1) Each agency must develop a salary administration ~~((policies))~~ policy that ~~((are))~~ is consistent with this chapter and guidelines established by the director's office for WMS positions.

(2) Each policy must be submitted for the director's review and approval.

AMENDATORY SECTION (Amending WSR 14-06-007, filed 2/20/14, effective 3/24/14)

WAC 357-58-125 What is an involuntary downward movement and how does that affect the salary? An involuntary downward movement is based on a nondisciplinary

reassignment of duties that results in a lower salary standard and/or lower evaluation points for an employee's current position. A WMS employee occupying a position that is effected by an involuntary downward movement must be placed within the salary standard established for the WMS position at an amount equal to his/her previous base salary. If the previous base salary exceeds the new salary standard, the employee's base salary must be set equal to the maximum of the salary standard for the position. The employee's base salary may be set higher than the salary standard maximum, but not exceeding the previous base salary, if allowed by the employer's salary ((determination)) administration policy.

WSR 17-11-049**PERMANENT RULES****OFFICE OF****FINANCIAL MANAGEMENT**

[Filed May 15, 2017, 11:52 a.m., effective June 19, 2017]

Effective Date of Rule: June 19, 2017.

Purpose: To align with the organ donation and other life-giving procedures, Executive Order 02-01, by limiting the amount of paid leave an employee may take for life-giving procedures.

Citation of Existing Rules Affected by this Order: Amending WAC 357-31-326.

Statutory Authority for Adoption: RCW 41.06.133.

Adopted under notice filed as WSR 17-08-046 on March 30, 2017.

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 1, Repealed 0.

Date Adopted: May 15, 2017.

Roselyn Marcus
Assistant Director of
Legal and Legislative Affairs

AMENDATORY SECTION (Amending WSR 09-03-014, filed 1/9/09, effective 2/13/09)

WAC 357-31-326 When may an employer grant leave with pay? (1) An employer **may** grant leave with pay for an employee to perform civil duties as a volunteer including but not limited to firefighting, search and rescue efforts,

or donating blood. Leave granted to participate in life-giving procedures must not exceed five days in a two-year period.

(2) In the department of natural resources, leave with pay equivalent to one regular workshift **may** be allowed for the purpose of rest and recuperation after ten consecutive calendar days performing emergency work under an incident command system, defined in RCW 38.52.010.

WSR 17-11-050**PERMANENT RULES****OFFICE OF****FINANCIAL MANAGEMENT**

[Filed May 15, 2017, 11:56 a.m., effective June 19, 2017]

Effective Date of Rule: June 19, 2017.

Purpose: To clarify that if a director's review of an allocation or reallocation is filed, an employer must provide the employee's position description form that is on file at the time that the position review request is filed.

Citation of Existing Rules Affected by this Order: Amending WAC 357-49-0156.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Adopted under notice filed as WSR 17-08-045 on March 30, 2017.

Changes Other than Editing from Proposed to Adopted Version: Added the word "position" for clarity and consistency.

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 1, Repealed 0.

Date Adopted: May 15, 2017.

Roselyn Marcus
Assistant Director of
Legal and Legislative Affairs

AMENDATORY SECTION (Amending WSR 16-11-058, filed 5/13/16, effective 6/20/16)

WAC 357-49-0156 What documents must an employer provide when a request for director's review of an allocation or reallocation is filed? (1) The employer must provide all documents considered during its review. For allocation or reallocation reviews, the documents must include:

(a) Employee's position review request or equivalent;

(b) Supervisor's statement section of the position review request or equivalent;

(c) Employee's (~~current~~) position description form that is on file at the time of the position review request;

(d) Organizational chart containing the employee's position;

(e) Employer's decision letter; and

(f) All other documents considered during the review.

(2) All documents must be provided to the requestor and the requestor's representative, if applicable.

(3) The director or designee may request additional information at any time.

WSR 17-11-051

PERMANENT RULES

EASTERN WASHINGTON UNIVERSITY

[Filed May 15, 2017, 12:34 p.m., effective June 15, 2017]

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

Purpose: This rule is being changed based on a recent state appellate court case indicating that we must offer a full adjudicative hearing if a sanction could lead to suspension, expulsion or if charges were filed [filed] for felony level sexual misconduct. The changes amend university standards and processes to comply with the court case for handling incidents of academic integrity.

Citation of Existing Rules Affected by this Order: Amending WAC 172-108-035, 172-108-040, and 172-108-050.

Statutory Authority for Adoption: RCW 28B.35.120 (12).

Adopted under notice filed as WSR 17-06-014 on February 21, 2017.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 3, Repealed 0.

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

Number of Sections Adopted on the Agency's Own Initiative: New 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 3, 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 12, 2017.

Chelsea L. Goss
Title IX Coordinator
University Compliance
and Policy Administrator

AMENDATORY SECTION (Amending WSR 14-24-038, filed 11/24/14, effective 12/25/14)

WAC 172-108-035 Advising and representation of parties. Parties to (~~an~~) any brief adjudicative proceeding as designated in WAC 172-108-050, may be assisted by one advisor of their choice, subject to the following provisions:

(1) Any fees or expenses associated with the services of an advisor are the responsibility of the person who employed the advisor;

(2) The advisor may be an attorney;

(3) Advisors may not speak or participate directly in any proceeding; the person requesting an adjudicative proceeding is responsible for presenting their own case but may speak quietly with their advisor during such proceedings;

(4) If an attorney is used as an advisor, the person using the attorney shall inform the presiding officer of their intent to do so at least two business days prior to any adjudicative proceeding; and

(5) The presiding officer shall have the power to impose reasonable conditions upon participation of advisors and representatives.

AMENDATORY SECTION (Amending WSR 14-24-038, filed 11/24/14, effective 12/25/14)

WAC 172-108-040 Formal adjudicative proceedings.

(1) (~~the~~) Eastern Washington University utilizes a formal adjudicative proceeding for certain student conduct proceedings as identified in chapter 172-121 WAC and certain academic integrity code proceedings as identified in chapter 172-90 WAC. The procedural rules for these formal adjudicative proceedings are contained in the Student conduct code, chapter 172-121 WAC, and the academic integrity code, chapter 172-90 WAC. In all other cases, Eastern Washington University only utilizes formal adjudicative proceedings when required (~~pursuant to~~) by RCW 34.05.413 through 34.05.476. For such proceedings, excluding the student conduct process, Eastern Washington University adopts the model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, except for those rules which are in conflict with the provisions set forth in this chapter. The model rules are contained in chapter 10-08 WAC. In the case of a conflict between the model rules of procedure and these procedural rules, the procedural rules adopted by Eastern Washington University shall govern.

(2) An application for a formal adjudicative proceeding shall be in writing. Application forms are available from: University Policy Administration; Office of the President; Eastern Washington University; Showalter 214, Cheney, WA 99004-2496. Written application for a formal adjudicative proceeding in response to the institution's action must be submitted to the above address within twenty-one calendar days of the action, unless otherwise provided by statute or rule.

AMENDATORY SECTION (Amending WSR 14-24-038, filed 11/24/14, effective 12/25/14)

WAC 172-108-050 Brief adjudicative proceedings. In accordance with RCW 34.05.410 (1)(a), the procedures iden-

tified in RCW 34.05.482 through 34.05.494 apply to all brief adjudicative proceedings at Eastern Washington University. All applications for a brief adjudicative proceeding shall be in writing. Application forms are available from: University Policy Administration; Office of the President; Showalter 214; Eastern Washington University; Cheney, WA 99004-2496. Written application for a brief adjudicative proceeding in response to the institution's action must be submitted to the university within twenty-one calendar days of the action, unless a different time frame is specified in the regulations identified below that apply to the type of decision being challenged. When required by law or constitutional right, brief adjudicative proceedings shall be used in all matters of appeal related to:

- (1) Residency determinations made pursuant to RCW 28B.15.013 and chapter 250-18 WAC;
- (2) Challenges to contents of education records, review of the denial to inspect such records, or challenges to the disclosure of such records. In addition to the rules identified below, these challenges are governed by chapter 172-191 WAC;
- (3) Student conduct proceedings, if the potential sanction for the alleged misconduct does not include suspension, expulsion, or an allegation of felony-level sexual misconduct. In addition to the rules identified below, these proceedings are governed by chapter 172-121 WAC;
- (4) Outstanding debts owed by students or employees, pursuant to chapters 172-124 and 172-144 WAC;
- (5) Traffic and parking violations and revocations of any parking permit pursuant to chapter 172-100 WAC;
- (6) Student academic integrity proceedings, if the potential sanction for the alleged misconduct does not include suspension or expulsion. In addition to the rules identified in this section, these proceedings are governed by chapter 172-90 WAC(-);
- (7) Library fines and charges;
- (8) Reduction, cancellation, or nonrenewal of institutional financial aid when based in any degree on athletics ability per National Collegiate Athletic Association rules;
- (9) Administrative decisions regarding mandatory tuition and/or fee waivers;
- (10) Intellectual property ownership determinations in accordance with EWU Policy 302-04;
- (11) Ethics in research violations in accordance with EWU Policy 302-05;
- (12) Matters subject to review by the academic appeals board in accordance with EWU Policy 303-21;
- (13) Matters subject to review regarding graduate students in accordance with EWU Policy 303-22;
- (14) Citations issued by university police regarding the use of golf carts and utility vehicles, in accordance with EWU Policy 603-06;
- (15) Fines imposed for impermissible use of tobacco, electronic cigarettes, and related products in accordance with WAC 172-122-310;
- (16) Financial aid appeals as provided for by federal law and in accordance with EWU policies for satisfactory academic progress for undergraduate, post-baccalaureate, and graduate students;

(17) Denial of work study or termination from a work study position when required by federal law;

(18) Notice against trespass issued per WAC 172-122-200;

(19) Denial of request to waive undergraduate housing requirement under chapter 172-130 WAC;

(20) Fines assessed under a university housing agreement; and

(21) Penalties imposed for violations of pet control regulations in accordance with chapter 172-115 WAC.

WSR 17-11-052

PERMANENT RULES

EASTERN WASHINGTON UNIVERSITY

[Filed May 15, 2017, 12:36 p.m., effective June 15, 2017]

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

Purpose: These revisions are necessary to comply with recent state appellate court authority indicating that we must offer a full adjudicative hearing if a sanction could lead to suspension, expulsion or if charges were filed for felony level sexual misconduct. Other procedural changes were made to comply with the requirements of a full adjudicative hearing. The dean is given primary responsibility for the academic integrity programs and the vice provost's responsibility was removed.

Citation of Existing Rules Affected by this Order: Amending WAC 172-90-010, 172-90-020, 172-90-100, 172-90-120, 172-90-140, 172-90-160, 172-90-170, 172-90-180, and 172-90-200.

Statutory Authority for Adoption: RCW 28B.35.120 (12).

Adopted under notice filed as WSR 17-06-013 on February 21, 2017.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 3, Repealed 0.

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

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

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 9, 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 12, 2017.

Chelsea L. Goss
Title IX Coordinator
University Compliance
and Policy Administrator

AMENDATORY SECTION (Amending WSR 15-14-079, filed 6/29/15, effective 7/30/15)

WAC 172-90-010 General. These rules establish standards for student academic integrity at Eastern Washington University (EWU). EWU expects the highest standards of academic integrity of its students. Academic integrity is the responsibility of both students and instructors. The university supports the instructor in setting and maintaining standards of academic integrity. Academic integrity is the foundation of a fair and supportive learning environment for all students. Personal responsibility for academic performance is essential for equitable assessment of student accomplishments. Charges of violations of academic integrity are reviewed through a process that allows for student learning and impartial review.

These rules apply to all EWU instructors, staff, and students admitted to the university, including conditional or probationary admittance, and to all departments and programs, in all locations, including online. These rules provide procedures for resolving alleged violations by students. All academic integrity proceedings are brief adjudicative proceedings and shall be conducted in an informal manner. If the potential sanction for a violation of this policy is a suspension or expulsion, the academic integrity board will refer the matter for a full adjudicative proceeding under the Student conduct code, chapter 172-121 WAC, as detailed below in WAC 172-90-100, 172-90-160, and 172-90-170.

AMENDATORY SECTION (Amending WSR 15-14-079, filed 6/29/15, effective 7/30/15)

WAC 172-90-020 Responsibilities. (1) ~~((Vice provosts: The vice provosts responsible for undergraduate and graduate education, or their designees, have primary responsibility))~~ Dean: The dean of the university is primarily responsible for the university academic integrity program. The ~~((vice provosts))~~ dean shall:

- (a) Oversee the academic integrity program;
- (b) Appoint the chair and members of the academic integrity board (AIB);
- (c) Maintain a system for academic integrity reporting and recordkeeping;
- (d) Serve as the final authority in administering the academic integrity program;
- (e) Maintain all academic integrity records per Washington state records retention standards;
- (f) Coordinate academic integrity training for instructors and students, as needed or requested; and
- (g) Develop and/or facilitate development of academic integrity program support resources, including guides, procedures, web presence, training materials, presentations, and similar resources.

Throughout this chapter and unless otherwise stated, the term "~~((vice provost)) dean,~~" ~~((when used in the singular,))~~ shall mean the ~~((vice provost))~~ dean who is handling the academic integrity case or their designee.

(2) Academic integrity board (AIB): The academic integrity board is a standing committee of the faculty organization. The academic integrity board is responsible for administering and managing academic integrity functions.

- (a) The AIB shall:
 - (i) Promote academic integrity at EWU;
 - (ii) Review academic integrity cases, make determinations as to whether a violation occurred, and impose academic and/or institutional sanctions;
 - (iii) Conduct academic integrity board hearings;
 - (iv) Assist ~~((vice provosts))~~ dean in development of academic integrity program support resources;
 - (v) Respond, as appropriate, to campus needs related to the academic integrity program;
 - (vi) Coordinate AIB activities with the ~~((vice provosts))~~ dean; and
 - (vii) Continually assess academic integrity process outcomes to ensure equitability of sanctions vis-à-vis violations.

- (b) The AIB is appointed by the ~~((vice provosts jointly))~~ dean, based on recommendations from represented groups (e.g., colleges, library, ASEWU). Board composition or membership may be modified to support university needs with the consent of the ~~((vice provosts))~~ dean and approval of the provost. At a minimum, AIB membership will include:
 - (i) Two members from each college, one primary and one alternate. Both must hold or have held instructor rank. The primary and alternate must be from different academic departments. The alternate shall serve when a case involves an instructor in the primary member's own department. The alternate may also serve when the primary member is not available. One of the primary members shall also be designated as vice chair.
 - (ii) One member representing EWU libraries.
 - (iii) One student member representing ASEWU.
 - (iv) One chair (does not vote except to break a tie).

- (c) The AIB holds regular meetings every two weeks at fixed times and reviews cases at these meetings. The AIB also conducts AIB hearings, as needed, for academic integrity cases involving possible sanctions of suspension or expulsion. AIB reviews and hearings are held in abeyance during holidays, academic breaks, and other times when no classes are scheduled. AIB reviews and hearings may be canceled in other circumstances with the consent of the AIB chair. Any member who is unavailable shall inform the AIB chair who will arrange for a replacement.

(d) A quorum shall consist of three voting members plus the chair or vice chair.

(3) Instructors shall:

- (a) Know and follow the academic integrity rules and policies of the university;
- (b) Include, in each course syllabus, a reference to university academic integrity standards and a clear statement that suspected violations will be handled in accordance with those standards;
- (c) Hold students responsible for knowing these rules;
- (d) Foster an environment where academic integrity is expected and respected;
- (e) Endeavor to detect and properly handle violations of academic integrity; and
- (f) Support and comply with the determinations of the AIB and the ~~((vice provost))~~ dean.

(4) Students shall:

- (a) Demonstrate behavior that is honest and ethical in their academic work; and

(b) Know and follow the academic integrity rules and policies of the university.

AMENDATORY SECTION (Amending WSR 15-14-079, filed 6/29/15, effective 7/30/15)

WAC 172-90-100 Violations and sanctions. (1) **Violations:** Violations of academic integrity involve the use or attempted use of any method or technique enabling a student to misrepresent the quality or integrity of any of his or her work. Violations of academic integrity include, but are not limited to:

- (a) Plagiarism: Representing the work of another as one's own work;
- (b) Preparing work for another that is to be used as that person's own work;
- (c) Cheating by any method or means;
- (d) Knowingly and willfully falsifying or manufacturing scientific or educational data and representing the same to be the result of scientific or scholarly experiment or research; or
- (e) Knowingly furnishing false information to a university official relative to academic matters.

(2) Classes of violations:

(a) Class I violations are acts that are mostly due to ignorance, confusion and/or poor communication between instructor and class, such as an unintentional violation of the class rules on collaboration. Sanctions for class I offenses typically include a reprimand, educational opportunity, and/or a grade penalty on the assignment/test.

(b) Class II violations are acts involving a deliberate failure to comply with assignment directions, some conspiracy and/or intent to deceive, such as use of the internet when prohibited, fabricated endnotes or data, or copying answers from another student's test. Sanctions for class II offenses typically include similar sanctions as described for class I violations, as well as a course grade penalty or course failure.

(c) Class III violations are acts of violation of academic integrity standards that involve significant premeditation, conspiracy and/or intent to deceive, such as purchasing or selling a research paper. Sanctions for class III violations typically include similar sanctions as given for class I and II violations, as well as possible removal from the academic program and/or suspension or expulsion.

(3) **Sanctions:** A variety of sanctions may be applied in the event that a violation of academic integrity is found to have occurred. Sanctions are assigned based primarily on the class of the violation and whether or not the student has previously violated academic integrity rules. Absent extenuating circumstances, assigned sanctions are imposed without delay and are not held in abeyance during appeal actions. Sanctions may be combined and may include, but are not limited to:

- (a) Verbal or written reprimand;
- (b) Educational opportunity, such as an assignment, research or taking a course or tutorial on academic integrity;
- (c) Grade penalty for the assignment/test;
- (d) Course grade penalty;
- (e) Course failure;
- (f) Removal from the academic program;
- (g) Suspension for a definite period of time; and
- (h) Expulsion from the university.

If a student was previously found to have violated an academic integrity standard, the sanction imposed for any subsequent violations should take into account the student's previous behavior.

(4) Sanctioning authorities:

(a) Instructors may impose reprimands, educational opportunities, grade penalties, and/or course failure sanctions and may recommend more severe sanctions.

(b) The academic integrity board has the authority to impose the same sanctions as an instructor, or to modify any sanctions imposed by the instructor. In addition, the AIB may remove a student from an academic program, with the concurrence of the instructor and the department chair. The AIB may also refer the case for an AIB hearing per WAC 172-90-170 for cases where possible sanctions include suspension or expulsion.

(c) ~~((In response to))~~ An AIB hearing panel's recommendation to suspend or expel a student ~~((, the vice provost may concur with such recommendations and impose the suspension or expulsion, or may impose one or more lesser sanctions.~~

~~(d) In all cases, suspension and expulsion sanctions must also be approved by the provost before such sanction is imposed) will be forwarded to the director of student rights and responsibilities. The director of student rights and responsibilities will ensure the student is provided with a full council hearing under the Student conduct code, chapter 172-121 WAC. In such cases, a member of the AIB hearing panel will serve as the "complainant" for purposes of the student conduct code process. The AIB hearing panel member will explain the hearing panel's findings and recommendations to the student discipline council. The student discipline council will make its own factual determinations and may impose a sanction of suspension or expulsion, or a lesser sanction, in accordance with the student conduct code.~~

AMENDATORY SECTION (Amending WSR 15-14-079, filed 6/29/15, effective 7/30/15)

WAC 172-90-120 Initiation. (1) **Reporting:** Each member of the university community is responsible for supporting academic integrity standards. Any person who suspects a violation of these rules is expected to report their suspicion to the course instructor or other appropriate university official. Students are strongly encouraged to report suspected violations to the course instructor, the ~~((vice provost))~~ dean, or other university official.

Throughout this chapter, the term "instructor" shall refer to the instructor or other university official who reports a suspected violation under this chapter.

A person who knowingly makes a false allegation that a violation of these rules has occurred, will be subject to disciplinary action as appropriate.

(2) **Authority:** The primary responsibility for bringing a charge of violating academic integrity standards rests with the instructor. Graduate assistants, teaching assistants, research assistants, student workers, exam proctors, online coordinators and any other persons who assist or support an instructor in teaching should report suspected violations of academic integrity standards to the instructor of record.

Instructors may be represented by their academic department chair in cases where the instructor is unavailable or otherwise unable to actively participate in the process.

(3) **Contact student:** If an instructor suspects that a violation has occurred, the instructor may elect to discuss the matter with the student prior to taking any other action.

(4) **Instructor action:** In response to a report or suspicion of violation of academic integrity standards, the instructor has the following options:

(a) Dismiss the matter: If the instructor concludes that there is no violation of these rules, the matter is over.

(b) Resolve internally (internal resolution): If the instructor believes that the student committed a class I violation of academic rules, the instructor may take one or more of the following actions without entering an official violation per subsection (5) of this section:

(i) Instruct the student on academic integrity standards and explain how the student failed to comply with those standards;

(ii) Allow the student to modify or redo the assignment; and/or

(iii) Provide the student with an educational opportunity to reiterate academic integrity (such as an assignment, research, course or tutorial on academic integrity).

Note: If an instructor intends to impose any sanction that will affect the student's course grade, he/she must initiate the academic integrity process; internal resolution may not be used in such cases.

If the student does not cooperate with the internal resolution, the instructor should initiate the formal academic integrity process by reporting the violation as described in subsection (5) of this section.

(c) Initiate the academic integrity process: If the instructor believes that the student violated academic integrity standards and internal resolution is not appropriate, the instructor shall initiate the academic integrity process by reporting the violation to the ~~((vice provost))~~ dean per institutional practice.

(5) **Report violation:** To initiate an academic integrity action, the instructor provides information regarding the violation to the ~~((vice provost))~~ dean, including:

(a) A description of the alleged violation;

(b) A summary of any conversations the instructor has had with the student regarding the violation;

(c) The sanction(s) imposed and/or recommended by the instructor; and

(d) The method of resolution desired by the instructor (i.e., summary process, AIB review, or AIB hearing).

When reporting the violation, the instructor may also submit documents (e.g., syllabus, test, essay, etc.) that are pertinent to the violation being reported. Alternatively, the instructor may elect to defer providing such documents unless or until the materials are later requested by the student, ~~((vice provost))~~ dean, or the AIB.

Instructors should initiate this process within seven calendar days after becoming aware of the suspected violation. In cases where the student has agreed to certain conditions to resolve the matter internally, per subsection (4)(b) of this section, and the student has failed to comply with those conditions, the instructor may initiate the process up to seven cal-

endar days after the student has failed to meet a resolution condition.

(6) ~~((Vice provost))~~ **Dean review.** After a violation has been reported, the ~~((vice provost))~~ dean will determine whether the summary process, AIB review process, or AIB hearing process will be used.

In cases where the student has any prior violation, the ~~((vice provost))~~ dean must process the case for AIB review under WAC 172-90-160, or AIB hearing under WAC 172-90-170.

AMENDATORY SECTION (Amending WSR 15-14-079, filed 6/29/15, effective 7/30/15)

WAC 172-90-140 Summary process. (1) **Initiation:** The summary process may be initiated when:

(a) The instructor and student both agree to the summary process;

(b) The ~~((vice provost))~~ dean agrees that the summary process is appropriate to the circumstances;

(c) The student has no prior violations of academic integrity; and

(d) The alleged behavior would most likely not warrant a sanction of suspension or expulsion.

(2) **Student notification:** The ~~((vice provost))~~ dean will notify the student of the violation, proposed sanctions, and of their response options. Notification will be made to the student's official university email address. If the student is no longer enrolled in the university, the ~~((vice provost))~~ dean shall send the notification to the student's last known address. Notification will include:

(a) All information provided by the instructor when the violation was reported and all documents related to the alleged violation. However, information and documents should be redacted to the extent their release would compromise test or examination contents or if the documents include other student's education records;

(b) Documents related to the alleged violation;

(c) A description of the university's academic integrity rules and processes, including a list of possible sanctions;

(d) A description of the student's options; and

(e) Contact information for the ~~((vice provost's))~~ dean's office where the student can request further information and assistance.

(3) **Student response options:**

(a) Concur: The student may accept responsibility for the stated violation and accept all sanctions imposed and/or recommended by the instructor. The student indicates their acceptance by following the instructions provided with the notification. The ~~((vice provost))~~ dean will coordinate sanctioning with the instructor and/or the AIB as needed.

(b) Conference: If a conference had not already occurred, the student may request to meet with the instructor in order to discuss the alleged violation and/or proposed sanction(s). If the instructor declines the request, the matter will be referred to the AIB for further review and action. The instructor and student may discuss the matter by any means that is agreeable to both (e.g., in-person, telephonically, or via email). The student shall contact the instructor to arrange a discussion time/method.

(i) In arranging a conference, the instructor shall make a reasonable effort to accommodate the student's preferences, but is not obligated to meet with the student outside of normal "office" hours. If the student and instructor cannot agree on a date/time to meet, the instructor or student may refer the matter to the AIB for review and action.

(ii) During a conference, the instructor and student will attempt to reach an agreement regarding the allegation and sanction(s).

(iii) If the student and instructor come to an agreement, the instructor will inform the ~~((vice provost))~~ dean of the outcome. The ~~((vice provost))~~ dean will coordinate sanctioning with the instructor and/or the AIB as needed.

(iv) If the student and the instructor cannot come to an agreement within seven instruction days, the instructor will inform the ~~((vice provost))~~ dean and the matter will then be referred for AIB review and action.

(c) AIB review: The student may request that the matter be referred to the AIB for review and further action.

(d) Failure to respond: If the student does not respond to the notification within three instruction days, the ~~((vice provost))~~ dean will send another notification to the student. Failure of the student to respond to the second notification within three instruction days will be treated as an admission of responsibility and acceptance of the proposed sanctions. The ~~((vice provost))~~ dean will coordinate with the instructor to impose the appropriate sanction(s).

AMENDATORY SECTION (Amending WSR 15-14-079, filed 6/29/15, effective 7/30/15)

WAC 172-90-160 Academic integrity board review process. (1) **Initiation:** The AIB review process will be initiated when:

(a) The instructor or student requests AIB review;

(b) The instructor refers the matter to the AIB because the instructor and student could not agree to a conference date/time or did not reach an agreement during a conference; or

(c) The ~~((vice provost))~~ dean determines that the AIB review process is appropriate to the circumstances.

(2) **Scheduling:** Within five instruction days of determining that an AIB review is in order, the ~~((vice provost))~~ dean shall schedule a review for the next available meeting of the AIB.

(3) **Notification:** The ~~((vice provost))~~ dean will notify the student, instructor, and AIB chair. Notification will include:

(a) All information provided by the instructor when the violation was reported and all documents related to the alleged violation. However, any such information and documents that were previously provided to the student are not required to be included in this notification. Also, information and documents should be redacted to the extent their release would compromise test or examination contents or if the documents include other student's education records;

(b) The date/time of the AIB review;

(c) Instructions on how to submit documents, statements, and other materials for consideration by the AIB;

(d) A clear statement that the AIB review is a closed process (no student, instructor or person other than the board is present at the review);

(e) A description of the specific rules governing the AIB review process;

(f) A description of the university's academic integrity rules and processes; and

(g) Contact information for the ~~((vice provost's))~~ dean's office where the student and/or instructor can request further information and assistance. Notifications will strongly encourage the student to contact the ~~((vice provost))~~ dean to ensure that the student understands the process, the violation, and the potential sanctions.

(4) **Student and instructor response:** The student must prepare a written statement and submit the statement to the ~~((vice provost's))~~ dean's office within three instruction days after receiving the AIB review notice. The student may include any relevant written documentation, written third-party statements, or other evidence deemed relevant to the student's interests. Unless already provided, the instructor should submit the syllabus, the relevant test/assignment, and other materials that are pertinent to the violation to the ~~((vice provost's))~~ dean's office.

(5) **Failure to respond:** If the student does not respond to the notification of the AIB review within three instructional days, the ~~((vice provost))~~ dean will send another notification to the student. Failure of the student to respond to the second notification within three instruction days will be treated as an admission of responsibility and acceptance of the proposed sanctions. The ~~((vice provost))~~ dean will coordinate sanctioning with the instructor and/or the AIB as needed. If a recommended sanction requires higher level authority to impose, the AIB will proceed with a hearing.

(6) **Proceedings:** The board's responsibility is to review the statements and other materials provided by each party, review other relevant records, information, or materials, and make a determination as to whether the alleged academic integrity violation occurred. The board primarily reviews written evidence. Neither the student nor the instructor is permitted to attend the AIB review. The board may, at its discretion, consult with the instructor, the student or others as deemed appropriate or necessary. All evidence collected in this process will be made available to the student and/or instructor upon request.

(7) **Sanctions:** The board will determine what, if any, sanctions will be imposed. The board may impose the same sanctions assigned and/or recommended by the instructor, or may impose greater or lesser sanctions. If the student has any previous violation(s) of academic integrity standards, the AIB may increase the sanction imposed to account for repeat offenses. If the board decides to pursue sanctions that include suspension or expulsion, the board shall initiate an AIB hearing per WAC 172-90-170.

(8) **Conclusion:** The board should conclude its review and issue a decision within thirty days after the violation was initially reported. The ~~((vice provost))~~ dean shall notify the student and instructor of the board's decisions, along with the right to request reconsideration.

(9) **Requests for review:** Either the student or the instructor may request reconsideration by the ~~((vice provost))~~

dean by submitting a request in writing to the ~~((vice provost))~~ dean within twenty-one days after the board issues its written decision. The ~~((vice provost))~~ dean shall allow the student and the instructor an opportunity to respond in writing to the request for review. The student and instructor's responses, if any, must be submitted within five instructional days of the request for review. After reviewing the responses and materials considered by the board, the ~~((vice provost))~~ dean shall issue a decision in writing within twenty days of receipt of the request for review. The decision must include a brief statement of the reasons for the ~~((vice provost's))~~ dean's decision and notice that judicial review may be available. All decisions of the ~~((vice provost))~~ dean are final and no appeals are permitted.

AMENDATORY SECTION (Amending WSR 15-14-079, filed 6/29/15, effective 7/30/15)

WAC 172-90-170 Academic integrity board hearing. AIB hearings will only be conducted when the institution is pursuing sanctions that include either suspension or expulsion. The AIB hearing provides the instructor and the student with the opportunity to present evidence and witnesses.

(1) Scheduling and notification:

(a) Initiation: The AIB hearing process will be initiated when the ~~((vice provost))~~ dean or the AIB determines that the alleged violation may involve a possible sanction of suspension or expulsion.

(b) Scheduling: Within five instruction days of determining that an AIB hearing is in order, the ~~((vice provost))~~ dean shall schedule the hearing. The student must receive at least seventy-two hours' notice as to the time and place of the hearing. The ~~((vice provost))~~ dean may coordinate with the parties to facilitate scheduling, but is not required to do so.

(c) Notification: The ~~((vice provost))~~ dean will notify the student, instructor, and AIB hearing panel members. Notification will include:

(i) All information provided by the instructor when the violation was reported and all documents related to the alleged violation. However, any such information and documents that were previously provided to the student are not required to be included in the notification sent to the student. Also, information and documents should be redacted to the extent their release would compromise test or examination contents or if the documents include other students' education records;

(ii) A description of the university's academic integrity rules and processes, including any possible sanctions;

(iii) The date, time, and place of the AIB hearing;

(iv) Instructions on how to submit documents, statements, and other materials for consideration by the AIB hearing panel;

(v) A description of the specific rules governing the AIB hearing process;

(vi) A description of the student's options; and

(vii) Contact information for the ~~((vice provost's))~~ dean's office where the student and/or instructor can request further information and assistance. Notifications will strongly encourage the student to contact the ~~((vice provost))~~ dean to

ensure that the student understands the process, the violation, and the potential sanctions.

(2) General provisions:

(a) All academic integrity board hearings are brief adjudicative proceedings in accordance with WAC 172-108-010 and shall be conducted in an informal manner.

(b) Nonjudicial proceedings: Formal rules of procedure, evidence, and/or technical rules, such as are applied in criminal or civil courts, do not apply to AIB hearings.

(c) Hearing authority: When scheduling an AIB hearing, a member of the AIB will be designated as hearing authority. The hearing authority exercises control over hearing proceedings. All procedural questions are subject to the final decision of the hearing authority.

(d) Hearing panel composition: In addition to the hearing authority, an AIB hearing panel shall consist of three voting members of the AIB.

(e) Closed hearings: All AIB hearings will be closed. Admission of any person, other than the instructor and the student involved, to an AIB hearing shall be at the discretion of the hearing authority.

(f) Consolidation of hearings: In the event that one or more students are charged with an academic integrity violation arising from the same occurrence, the university may conduct separate hearings for each student or consolidate the hearings as practical, as long as consolidation does not impinge on the rights of any student.

(3) Appearance:

(a) Failure to appear: The student is expected to attend the AIB hearing. In cases where proper notice has been given but the student fails to attend an AIB hearing, the hearing panel shall decide the case based on the information available.

(b) Disruption of proceedings: Any person, including the student, who disrupts a hearing, may be excluded from the proceedings.

(c) Alternative methods of appearance. In the interest of fairness and expedience, the hearing authority may permit any person to appear by telephone, written statement, or other means, as appropriate.

(d) The instructor may attend the hearing but is not required to do so. The instructor's report of the violation and all associated evidence shall constitute the appearance of the instructor.

(4) Advisors: The instructor and the student may be assisted by one advisor of their choice, subject to the following provisions:

(a) Any fees or expenses associated with the services of an advisor are the responsibility of the instructor or the student that employed the advisor;

(b) The advisor may be an attorney;

(c) The instructor and the student are responsible for presenting their own case and, therefore, advisors may not speak or participate directly in any AIB hearing proceeding. The instructor and/or the student may, however, speak quietly with their advisor during such proceedings; and

(d) If an attorney is used as an advisor, the person using the attorney shall inform the AIB hearing authority of their intent to do so at least two business days prior to the hearing.

(5) **Review of evidence:** The student and the instructor may request to view material related to the case prior to a scheduled hearing by contacting the ~~((vice provost))~~ dean. To facilitate this process, the party should contact the ~~((vice provost))~~ dean as early as possible prior to the scheduled hearing. The ~~((vice provost))~~ dean shall make a reasonable effort to support the request to the extent allowable by state and federal law.

(6) **Evidence:**

(a) Evidence: Pertinent records, exhibits and written statements may be accepted as information for consideration by the hearing panel. However, AIB hearings are not bound by the rules of evidence observed by courts. The hearing authority may exclude incompetent, irrelevant, immaterial or unduly repetitious material.

(b) The student and the instructor have the right to view all material presented during the course of the hearing.

(7) **Standard of proof:** The hearing panel shall determine whether the student violated student academic integrity standards, as charged, based on a preponderance of the evidence.

A preponderance means, based on the evidence admitted, whether it is more probable than not that the student violated academic integrity standards.

(8) **Witnesses:**

(a) The instructor, student, and hearing authority may present witnesses at AIB hearings.

(b) The party who wishes to call a witness is responsible for ensuring that the witness is available and present at the time of the hearing.

(c) The hearing authority may exclude witnesses from the hearing room when they are not testifying. The hearing authority is not required to take the testimony of all witnesses called by the parties if such testimony may be inappropriate, irrelevant, immaterial, or unduly repetitious.

(d) All parties have the right to hear all testimony provided by witnesses during the hearing.

(9) **Questioning:**

(a) The instructor and the student may submit questions to be asked of each other or of any witnesses. Questions shall be submitted, in writing, to the hearing authority. The hearing authority may ask such questions, but is not required to do so. The hearing authority may reject any question which it considers inappropriate, irrelevant, immaterial or unduly repetitious. The hearing authority has complete discretion in determining what questions will be asked during the hearing.

(b) During an AIB hearing, only the hearing authority may pose questions to persons appearing before them.

(c) The hearing authority may ask their own questions of any witness called before them.

(10) **Deliberations and sanctions:**

(a) Within seven days after the hearing, the AIB hearing panel shall meet in closed session, without either of the parties present, and determine by majority vote whether, by a preponderance of the evidence, the accused violated academic integrity standards. If the hearing panel determines that the accused violated academic integrity standards, the panel shall then determine, by majority vote, what sanctions shall be imposed. This session may take place immediately

following the hearing or at another time within the seven days following the hearing.

(b) In determining what sanctions shall be imposed, the hearing panel may consider the evidence presented at the hearing as well as any information contained in the student's records.

(11) **Notification:** If the panel determines that suspension or expulsion is appropriate, they will forward that recommendation to the ~~((vice provost))~~ director of student rights and responsibilities to conduct a hearing under the student conduct code. If the panel is not recommending suspension or expulsion, they shall notify the ~~((vice provost))~~ dean of the sanctions to be imposed.

(12) ~~((Vice provost))~~ **Dean:**

(a) If the AIB panel recommends suspension or expulsion, the ~~((vice provost may approve the recommendation, subject to the approval of the provost, or may impose lesser sanctions))~~ dean will appoint a member of the AIB hearing panel to serve as the complainant for purposes of the student conduct proceeding and will forward the records used during the academic integrity proceeding to the director of student rights and responsibilities. If the AIB panel does not recommend suspension or expulsion, the ~~((vice provost))~~ dean shall impose the sanctions determined by the AIB panel.

(b) The ~~((vice provost))~~ dean shall notify the student and the instructor of the hearing panel's decision, the sanctions to be imposed, and of the right to appeal.

(13) **Appeals of AIB hearing determinations:** Either the student or the instructor may request reconsideration by the provost by submitting a request in writing to the provost within twenty-one days after the hearing panel issues its decision. The provost shall allow the student and the instructor an opportunity to respond in writing to the request for review. The student and instructor's responses, if any, must be submitted within five instructional days of the request for review. After reviewing the responses and materials considered by the hearing panel, the provost shall issue a decision in writing within twenty days of receipt of the request for review. The decision must include a brief statement of the reasons for the provost's decision and notice that judicial review may be available. All decisions of the provost are final and no appeals are permitted.

AMENDATORY SECTION (Amending WSR 14-20-082, filed 9/29/14, effective 10/30/14)

WAC 172-90-180 Administration. After the resolution process, the ~~((vice provost))~~ dean will coordinate sanctions and administrative actions, including:

- (1) Notifying the parties of the results in writing;
- (2) Creating or updating the student's academic disciplinary record;
- (3) Updating academic integrity reporting and record-keeping systems;
- (4) Coordinating sanctioning; and
- (5) Referring cases to the student disciplinary council as needed.

AMENDATORY SECTION (Amending WSR 14-20-082, filed 9/29/14, effective 10/30/14)

WAC 172-90-200 Failing grade. A sanction of a failing course grade is recorded on the transcript as an "XF" and indicates a failure of the course due to violation of academic integrity standards. An XF is counted as a 0.0 for purposes of grade point average calculation.

(1) To petition to have an XF grade changed to an "F" (0.0), a student must submit a written request to the ~~((vice provost))~~ dean. Requests will generally not be considered unless the following conditions are met:

(a) At least one year has passed since the XF grade was entered;

(b) The student has had no other violations of academic integrity standards; and

(c) The student has successfully completed a university sponsored noncredit seminar on academic integrity; or, for a person no longer enrolled at the university, an equivalent educational activity as determined by the AIB.

(2) The ~~((vice provost))~~ dean will review the case and may consult with the referring instructor or academic unit head who originally reported the violation(s). If the ~~((vice provost))~~ dean denies the request, the student may submit a new request one year later.

WSR 17-11-058

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed May 16, 2017, 12:25 p.m., effective July 1, 2017]

Effective Date of Rule: July 1, 2017.

Purpose: Amending chapter 246-940 WAC to change the term "animal massage practitioner" to "animal massage therapist" in accordance with SHB 2425 (chapter 41, Laws of 2016).

Citation of Existing Rules Affected by this Order: Amending WAC 246-940-005, 246-940-010, 246-940-040, 246-940-050, 246-940-060, 246-940-070, 246-940-080, 246-940-090, and 246-940-990.

Statutory Authority for Adoption: RCW 18.240.050.

Other Authority: Chapter 41, Laws of 2016.

Adopted under notice filed as WSR 16-24-020 on November 29, 2016.

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 9, 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 9, Repealed 0.

Date Adopted: May 16, 2017.

John Wiesman, DrPH, MPH
Secretary

Chapter 246-940 WAC

CERTIFIED ANIMAL MASSAGE (~~(PRACTITIONER))~~ THERAPIST

AMENDATORY SECTION (Amending WSR 11-14-026, filed 6/24/11, effective 7/25/11)

WAC 246-940-005 Definitions. The definitions in this section apply throughout the chapter unless the context clearly requires otherwise.

(1) "Client" means the owner of the animal or the owner's agent.

(2) "Department" means the department of health.

(3) "Didactic instruction" means instructor led classroom instruction.

(4) "Distance learning" includes instruction completed through written correspondence courses, video instruction, or provided electronically through web-based instruction.

(5) "Large animals" includes equine, food animals, camelids-ruminants, nonruminants, and large exotics.

(6) "Client information form" means a form provided to the large or small animal's client informing them of the ~~((practitioner's))~~ therapist's scope of practice and qualifications.

(7) "Practical or hands-on instruction" means in-person instruction, or demonstration under the direction of a qualified instructor.

(8) "Secretary" means the secretary of the department of health.

(9) "Small animals" includes cats, dogs, pocket pets, avian and small exotics.

AMENDATORY SECTION (Amending WSR 11-14-026, filed 6/24/11, effective 7/25/11)

WAC 246-940-010 Scope of practice. (1) A certified animal massage (~~(practitioner))~~ therapist is an individual who provides external manipulation or pressure of soft tissues by use of the hands, body, or device designed and limited to providing massage. Animal massage may include techniques such as stroking, percussions, compressions, friction, Swedish gymnastics or movements, gliding, kneading, range of motion or stretching, and fascial or connective tissue stretching, with or without the aid of superficial heat, cold, water, lubricants, or salts.

(2) A certified animal massage (~~(practitioner))~~ therapist may not diagnose, prognose, or treat diseases, deformities, defects, wounds, or injuries of animals; attempt to adjust or manipulate any articulations of the animal's body or spine or mobilization of these articulations by the use of a thrusting force; perform acupuncture involving the use of needles; or perform mechanical therapies that are restricted to the field of veterinary medicine.

(3) A certified animal massage (~~(practitioner)~~) therapist may provide animal massage solely for purposes of the animal's well-being.

AMENDATORY SECTION (Amending WSR 11-14-026, filed 6/24/11, effective 7/25/11)

WAC 246-940-040 Application requirements. An applicant for certification as an animal massage (~~(practitioner)~~) therapist shall submit or cause to be submitted to the department:

- (1) A completed application and fee;
- (2) Proof of successful completion of the training required in WAC 246-940-050 received directly from the program where the applicant completed the training;
- (3) Proof of successful completion of a certification examination required in WAC 246-940-020;
- (4) Proof of successful completion of the Washington state jurisprudence examination as required in WAC 246-940-020;
- (5) Verification of four clock hours of AIDS education as required in WAC 246-940-020;
- (6) Verification from all states in which the applicant holds or has held a credential to practice animal massage, indicating that the applicant has or has not been subject to charges or disciplinary action for unprofessional conduct or impairment; and
- (7) Additional documentation as required by the secretary to determine whether an applicant is qualified for certification.

AMENDATORY SECTION (Amending WSR 11-14-026, filed 6/24/11, effective 7/25/11)

WAC 246-940-050 Approval of animal massage (~~(practitioner)~~) therapist educational programs. (1) The secretary recognizes as approved those animal massage programs that:

- (a) Are accredited by a recognized regional or state accrediting body or vocational or technical accrediting body; and
 - (b) Meet the requirements of subsection (3)(a) through (f) of this section.
- (2) Methods of instruction may include didactic instruction, distance learning, and practical or hands-on instruction.
- (3) Approved animal massage programs must include a minimum of three hundred hours of instruction related to either large animals or small animals as follows:
- (a) A minimum of seventy-five hours of instruction in general animal massage techniques. At least thirty-five of those hours must be practical or hands-on instruction. The instruction must include, but not be limited to, the following subjects:
 - (i) Technique:
 - (A) Stroking including effleurage, and gliding;
 - (B) Percussions, including tapotement;
 - (C) Compressions;
 - (D) Friction, including rubbing, and gliding with pressure;
 - (E) Swedish gymnastics or movements;
 - (F) Kneading;

- (G) Range of motion or stretching;
 - (H) Fascial or connective tissue stretching((:)).
- (ii) Contraindications in zoonotic diseases;
 - (iii) Documentation and recordkeeping;
 - (iv) Physiological benefits;
 - (v) Palpation; and
 - (vi) Body mechanics of the (~~(practitioner)~~) therapist.
- (b) A minimum of sixty hours of instruction in kinesiology. At least twenty-one of those hours must be practical or hands-on instruction. The instruction must include the following subjects:
- (i) Biomechanics, including range of motion, gait analysis, and muscle actions;
 - (ii) Conformation analysis; and
 - (iii) Observation.
- (c) A minimum of seventy-five hours of instruction in anatomy and physiology. At least twenty-one of those hours must be practical or hands-on instruction.
- (i) The instruction in anatomy and physiology must include the function and structure of the following systems:
- (A) Skeletal system;
 - (B) Muscular system;
 - (C) Nervous system;
 - (D) Digestive system; and
 - (E) Circulatory system.
- (ii) The instruction in anatomy and physiology must include the relationship and effect of massage on the following systems:
- (A) Endocrine system;
 - (B) Integumentary; and
 - (C) Fascial anatomy.
- (d) A minimum of seventy-five hours of instruction in animal behavior and handling. At least twenty-one of those hours must be practical or hands-on instruction. The instruction must include the following subjects:
- (i) Breed characteristics;
 - (ii) Body language;
 - (iii) Social dynamics;
 - (iv) Signs of stress;
 - (v) Communication;
 - (vi) Methods of restraints;
 - (vii) Situations with specially trained animals; and
 - (viii) Environment.
- (e) A minimum of ten hours of instruction in business practices. The instruction must include the following subjects:
- (i) Ethics;
 - (ii) File management;
 - (iii) Documentation of care;
 - (iv) Liability; and
 - (v) Multicultural education as described in RCW 43.70.615.
- (f) A minimum of five hours of instruction in first aid. At least two of those hours must be practical or hands-on instruction. The instruction must include the following subjects:
- (i) Vitals, including respiration, pulse, heart rate, temperature, and capillary refill;
 - (ii) Recognizing emergencies;
 - (iii) Emergency first-aid care;

- (iv) Hydration test; and
- (v) Ethics and responsibilities.

AMENDATORY SECTION (Amending WSR 11-14-026, filed 6/24/11, effective 7/25/11)

WAC 246-940-060 Client information form. The information form is to advise the client of the ((~~practitioner's~~)) therapist's qualifications and authorized scope of practice. The following information must be furnished to the client in writing prior to or at the time of the initial visit and signed by the client.

- (1) ((~~Practitioner's~~)) Therapist's qualifications, including:
 - (a) Education; and
 - (b) State certification number and date of issue.
- (2) A statement that the ((~~practitioner~~)) therapist is limited to providing massage solely for purposes of animal well-being.
- (3) A statement that the ((~~practitioner~~)) therapist may not:
 - (a) Diagnose, prognose, or treat diseases, deformities, defects, wounds, or injuries;
 - (b) Adjust or manipulate any articulations of the animal's body or spine;
 - (c) Perform acupuncture; or
 - (d) Perform mechanical therapies that are restricted to the field of veterinary medicine.
- (4) A copy of the signed information form must be maintained in the animal's record.

AMENDATORY SECTION (Amending WSR 11-14-026, filed 6/24/11, effective 7/25/11)

WAC 246-940-070 Display of certification. (1) Certified as animal massage ((~~practitioners~~)) therapists who practice in this state shall display their certification at all times, in a conspicuous place within their primary place of practice.

- (2) ((~~Practitioners~~)) Therapists must keep a copy of their certification with them when practicing at locations other than their primary place of practice.

AMENDATORY SECTION (Amending WSR 11-14-026, filed 6/24/11, effective 7/25/11)

WAC 246-940-080 Maintenance and retention of records. (1) Every certified animal massage ((~~practitioner~~)) therapist shall maintain written records of all animal massage services he or she provides.

- (2) A separate record shall be kept for each animal.
- (3) All records shall be legible, readily retrievable and shall be kept for a period of three years following the last treatment.
- (4) The records shall include, but not be limited to, the following:
 - (a) Name, address, and telephone number of the client;
 - (b) Name or other identification of the animal;
 - (c) Description of the animal's condition and the nature of the massage services provided;
 - (d) The client information form;

(e) If the certified animal massage ((~~practitioner~~)) therapist suspects that the animal has an injury or condition that may require veterinary care, he or she must advise the client and make a notation in the animal's record.

AMENDATORY SECTION (Amending WSR 11-14-026, filed 6/24/11, effective 7/25/11)

WAC 246-940-090 Expired certification. (1) If the certification has expired, the animal massage ((~~practitioner~~)) therapist must meet the requirements of WAC 246-12-040.

(2) If the certification has expired for more than five years, the animal massage ((~~practitioner~~)) therapist must also submit verification of active practice in any other state or jurisdiction, or retake and successfully pass the examinations required in WAC 246-940-020. For the purpose of this section, active practice means at least two hundred hours of practice in each of the previous three years.

AMENDATORY SECTION (Amending WSR 16-15-013, filed 7/8/16, effective 10/1/16)

WAC 246-940-990 Certified animal massage ((~~practitioner~~)) therapist—Fees and renewal cycle. (1) Certification must be renewed every year on or before the animal massage ((~~practitioner's~~)) therapist's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged for certification:

Title of Fee	Fee
Application for large animal certification	\$250.00
Application for small animal certification	250.00
Renewal of certification for large animal certification	190.00
Renewal of certification for small animal certification	190.00
Late renewal penalty fee per certification	95.00
Expired credential reissuance fee per certification	95.00
Duplicate credential per certification	30.00
Verification of credential per certification	30.00

**WSR 17-11-069
PERMANENT RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed May 17, 2017, 11:12 a.m., effective June 17, 2017]

Effective Date of Rule: Thirty-one days after filing.
Purpose: Clarifies WAC 181-02-002 to show board acceptance of both NBCT and other state equivalencies and testing.

Citation of Existing Rules Affected by this Order:
Amending WAC 181-02-002.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 17-05--89 [17-05-089] on February 14, 2017.

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, email 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 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 17, 2017.

David Brenna
Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 06-11-160, filed 5/24/06, effective 6/24/06)

WAC 181-02-002 WEST-E exemptions. (1) Individuals who hold a certificate through the National Board for Professional Teaching Standards are exempt from the WEST-E requirement if there is a direct equivalency between the endorsement sought and the national board certificate, or the individual has a second tier certificate from a state as approved by the professional educator standards board and published by the superintendent of public instruction. The equivalent National Board for Professional Teaching Standards and Washington endorsement table approved by the professional educator standards board may not be changed without prior professional educator standards board approval.

(2) Candidates applying for a Washington state residency or professional teaching certificate per WAC 181-79A-257 who have taken and passed equivalent content tests from other states as approved and published by the professional educator standards board, are exempt from the WEST-E requirement unless applying for a new endorsement.

WSR 17-11-071
PERMANENT RULES
RECREATION AND CONSERVATION
OFFICE

(Recreation and Conservation Funding Board)
[Filed May 17, 2017, 3:44 p.m., effective June 17, 2017]

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

Purpose: The purpose of the rules is to clarify grant requirements and apply them to all grants for the recreation

and conservation funding board. Specific grant program rules are repealed and consolidated into new sections in chapter 286-13 WAC, General grant assistance.

Citation of Existing Rules Affected by this Order: Repealing chapters 286-26, 286-27, 286-35, 286-40 and 286-42 WAC; and amending WAC 286-04-010, 286-13-010, 286-13-045, 286-13-060, and 286-13-115.

Statutory Authority for Adoption: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, 79A.25.210.

Adopted under notice filed as WSR 17-06-079 on March 1, 2017.

Changes Other than Editing from Proposed to Adopted Version: Proposed new WAC 286-13-140 Project area map, was not adopted in order to further consider public comment. The recreation and conservation funding board may consider adoption of this section at a later time.

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 7, Amended 5, Repealed 37.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 7, Amended 5, Repealed 37.

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 10, 2017.

Leslie Connelly
Natural Resource Policy Specialist
Rules Coordinator

AMENDATORY SECTION (Amending WSR 15-15-072, filed 7/13/15, effective 8/13/15)

WAC 286-04-010 Definitions. For purposes of Title 286 WAC, unless the context clearly indicates otherwise the following definitions apply:

(1) "Acquisition" means the purchase or donation of fee or less than fee interests in real property. These interests include, but are not limited to, conservation easements, access or trail easements, covenants, water rights, leases, and mineral rights.

(2) "Agreement" or "project agreement" means the accord accepted by the office and the sponsor for the project and includes any supplemental agreements, any amendments to the agreement and any intergovernmental agreements.

(3) "Applicant" means any party that meets qualifying standards, including deadlines, for submission of an application soliciting a grant of funds from the board.

(4) "Application" means the documents and other materials that an applicant submits to the office to support the applicant's request for grant funds.

(5) "Board" means the recreation and conservation funding board as described in RCW 79A.25.110.

(6) "Chair" means the chair of the board as described in RCW 79A.25.110.

(7) "Development project" means a project that results in the construction of or work resulting in new elements including, but not limited to, structures, facilities and materials to enhance outdoor recreation resources.

(8) "Director" means the director of the office or that person's designee as described in RCW 79A.25.150.

(9) "Education and enforcement project" means a project that provides information, education, and outreach programs; encourages responsible recreational behaviors; and may provide law enforcement for the benefit of outdoor recreationists.

(10) "Education project" means a project that provides information, education, and outreach programs for the benefit of outdoor recreationists.

(11) "Maintenance project" means a project that maintains existing areas and facilities through repairs and upkeep for the benefit of outdoor recreationists.

(12) "Maintenance and operation project" means a project that maintains existing areas and facilities through repairs, upkeep, and routine servicing for the benefit of outdoor recreationists.

(13) "Manual(s)" means a compilation of state and federal laws; board rules, policies, and procedures; and director procedures, forms, and instructions assembled in manual form for dissemination to parties that participate in the board's or office's grant program(s).

(14) "Match" or "matching share" means the portion of the total project cost in the project agreement provided by the project sponsor.

(15) "Office" means the recreation and conservation office as described in RCW 79A.25.010.

(16) "Planning project" means a project that results in one or more of the following: A study, a plan, construction plans and specifications, and permits to increase the availability of outdoor recreational resources.

(17) "Preagreement cost" means a project cost incurred before the period of performance identified in an agreement.

(18) "Project" means the undertaking which is, or may be, funded in whole or in part with funds administered by the office on behalf of the board.

(19) "Project area" is a geographic area that delineates a grant assisted site which is subject to application and project agreement requirements.

(20) "Reimbursement" means the payment of funds from the office to the sponsor for eligible and allowable project costs that have already been paid by the sponsor per the terms of an agreement.

~~((20))~~ (21) "Renovation project" means a project that improves an existing site or structure in order to increase its service life or functions.

~~((21))~~ (22) "Restoration project" means a project that brings a site back to its historic function as part of a natural ecosystem or improving the ecological functionality of the site.

~~((22))~~ (23) "Sponsor" means an eligible applicant who has been awarded a grant of funds and is bound by an exe-

cuted agreement; includes its officers, employees, agents, and successors.

AMENDATORY SECTION (Amending WSR 16-16-001, filed 7/20/16, effective 8/20/16)

WAC 286-13-010 Scope of chapter. (1) This chapter contains general rules for grant program eligibility, applications, and projects funded with money from or through the board.

(2) Further rules are in ~~((chapter 286-26 WAC (Non-highway and off-road vehicle activities program), chapter 286-27 WAC (Washington wildlife and recreation program),))~~ chapter 286-30 WAC (Firearms ~~((and archery))~~) range ~~((recreation program), chapter 286-35 WAC (Initiative 215 boating facilities program), chapter 286-40 WAC (Land and water conservation fund program) and chapter 286-42 WAC (Aquatic lands enhancement account program))~~.

(3) The director may apply the rules in this chapter to programs administered by the office that are not subject to the board's approval.

NEW SECTION

WAC 286-13-015 Eligible applicants. (1) Eligibility to apply for grant funding is determined by a grant program's statutory requirements unless authority is granted to the board.

(2) Eligible applicants in the aquatic lands enhancement account grant program are any division of local or state government and Native American tribes that are legally authorized to acquire and develop public open space, habitat, recreation lands or natural resources.

NEW SECTION

WAC 286-13-035 Planning requirement. (1) An applicant must submit a plan in accordance with WAC 286-13-040 in order to apply for a grant from any of the following programs:

(a) Boating facilities program pursuant to the Marine Recreation Land Act, chapter 79A.25 RCW;

(b) Land and water conservation fund pursuant to the Land and Water Conservation Fund Act of 1965;

(c) Nonhighway and off-road vehicle activities account pursuant to chapter 46.09 RCW, except when applying for a grant for an education and enforcement project or a maintenance and operation project; or

(d) Washington wildlife and recreation program funded under chapter 79A.15 RCW, except when applying for a grant for a project funded from the farm and forest account.

(2) At a minimum, the plan must include:

(a) A statement of the applicant's long-range goals and objectives;

(b) An inventory;

(c) An analysis of demand and need, that is, why action is required;

(d) A description of how the planning process gave the public ample opportunity to be involved in development of the plan;

(e) A current capital improvement program of at least six years; and

(f) Evidence that this plan has been approved by the applicant's governing entity most appropriate to the plan's scope. For example, a city or county-wide plan must be approved at the council or commission level. Plans with a different scope may be approved by department heads, district rangers, regional managers or supervisors, etc.

AMENDATORY SECTION (Amending WSR 14-09-074, filed 4/18/14, effective 5/19/14)

WAC 286-13-045 (~~What rules govern matching resources?~~) **Matching resources and request limits.** (1) The board shall establish sponsor matching share requirements and fund request limits as allowed by law. Any changes will normally be done at a board meeting six months before program funding consideration.

(2) When the board gives preference to an applicant that provides a matching resource, it is the intent of the board to do so to foster and demonstrate local commitment to the proposed project, to make funds from a given grant program and revenue source available to a greater number of projects, and to fund projects that are ready to implement without delay.

~~((2))~~ (3) Applicant resources used to match board funds must be eligible in the grant program. Sources of matching resources include, but are not limited to, any one or more of the following:

- (a) Appropriations and cash;
- (b) Value of the applicant's expenses for labor, materials, and equipment;
- (c) Value of donated real property, labor, services, materials, and equipment use; and
- (d) Grant funds, except those from the same grant program administered by the board.

~~((3))~~ (4) The board may require the applicant to provide a portion of its matching resources in local resources.

~~((4))~~ (5) State agency projects may be assisted by one hundred percent funding from board funds except where prohibited by law or the board.

~~((5))~~ (6) Grants from state funds are intended to supplement the existing capacity of a sponsor. They are not intended to supplant existing programs or fund projects that would have been undertaken without grant funding.

~~((6))~~ (7) Except for grant applications submitted within the same biennium, matching resources or board grant funds committed in one board funded project must not be used as match in another board funded project.

~~((7))~~ (8) If a matching resource is required or provided in the grant application, it must also conform to the deadlines in WAC 286-13-040.

AMENDATORY SECTION (Amending WSR 14-09-074, filed 4/18/14, effective 5/19/14)

WAC 286-13-060 Project agreement. For every funded project, an agreement must be executed as provided in this section.

(1) The project agreement shall be prepared by the office subsequent to approval of the project by the board at a public meeting. The project agreement is executed upon the signa-

ture of the office and the applicant and the parties are bound by the agreement's terms. The applicant shall not proceed until the project agreement has been executed, unless specific authorization pursuant to WAC 286-13-085 has been given by the director.

(2) If the project is approved by the board to receive a grant from federal funds, the director shall not execute an agreement or amendment with the applicant until federal funding has been authorized through an agreement with the applicable federal agency.

(3) Execution of the project agreement must conform to the deadlines in WAC 286-13-040.

(4) A board-federal agency agreement signed by the parties shall control the provision of funds granted by the board to federal agency sponsored projects. Absent this agreement, the standard terms and conditions of board's project agreement shall control.

AMENDATORY SECTION (Amending WSR 14-09-074, filed 4/18/14, effective 5/19/14)

WAC 286-13-115 (~~Discrimination,~~) **Nondiscrimination, access to the public, and preferences.** (1) Sponsors shall not discriminate against users of projects assisted with board funds on the basis of race, creed, color, sex or gender, religion, national origin, disability, marital status, or sexual orientation.

(2) Properties, structures, and facilities intended for public use within the project area shall meet state and federal accessibility guidelines and nondiscrimination laws, regulations, and policies; be maintained to a standard that encourages use; and be open and available to the public at reasonable hours and times of the year.

(3) Sponsors shall not express a preference for users within the project area of board grant assisted projects on the basis of residence (including preferential reservation, membership, and/or permit systems). However, reasonable differences in admission and other fees may be maintained on the basis of residence. The board does not encourage the imposition of such differential fees. Fees for nonresidents must not exceed twice the fee imposed on residents. Where there is no fee for residents but a fee is charged to nonresidents, the non-resident fee shall not exceed the amount that would be imposed on residents at comparable state or local public facilities.

NEW SECTION

WAC 286-13-130 Compliance with applicable laws. Properties, structures, and facilities developed with the assistance of money granted by the board and within the project area shall be built, operated, and maintained according to applicable regulations, laws, building codes, and health standards to assure a reasonably safe condition and to prevent premature deterioration.

NEW SECTION

WAC 286-13-150 Conveyance to the state for acquisition project. (1) Acquisition of perpetual interests. When a sponsor acquires real property in perpetuity, the sponsor must

record on the title of the property a binding instrument as required by the office that contains:

(a) A legal description of the real property acquired with grant assistance;

(b) A conveyance to the state of Washington of the right to use the described real property for the purposes funded by the grant in perpetuity; and

(c) A restriction on the conversion of use of the real property.

(2) Acquisition of nonperpetual interests. When a sponsor acquires real property for less than perpetuity, the interest may not be revocable at will. The sponsor must record on the title of the property a binding instrument as required by the office that contains:

(a) A legal description of the real property acquired with grant assistance;

(b) A conveyance to the state of Washington of the right to use the described real property for the purposes funded by the grant for the duration of the nonperpetual interest acquired; and

(c) A restriction on the conversion of use of the real property based on the minimum period in the grant program as follows:

(i) At least twenty years for projects funded from the youth athletic facilities program;

(ii) At least twenty-five years for projects funded from the aquatic lands enhancement account program;

(iii) At least twenty-five years for projects funded from the nonhighway and off-road vehicle activities account;

(iv) At least fifty years for projects funded from the boating facilities program; or

(v) At least fifty years for projects funded from the Washington wildlife and recreation program, except for:

(A) Farmland category projects must be for at least twenty-five years;

(B) Riparian protection category projects for conservation reserve enhancement program leases must be for at least twenty-five years; and

(C) Forestland category projects because only perpetual acquisitions are eligible.

NEW SECTION

WAC 286-13-160 Long-term obligations for acquisition projects. (1) The project area may not, without prior approval of the board or director, be converted to a use other than that for which funds were originally approved.

(2) Projects impacted by a reversion order by the Interstate Commerce Commission under section 8(d) of the National Trails System Act, 16 United States Code 1247(d), are not considered a conversion by the board. Substitution or replacement with interest in real property, facilities or moneys which are of at least equal market value at the time of replacement may be required.

(3) The board may only approve a conversion when the sponsor:

(a) Demonstrates the need to convert the project area including all efforts to consider practical alternatives, how they were evaluated, and the reasons they were not pursued;

(b) Provides an opportunity for the public to participate in the identification, development and evaluation of the alternatives, including a minimum public comment period of at least thirty days; and

(c) Commits to provide another interest in real property to serve as a replacement. The replacement must:

(i) Be of reasonably equivalent usefulness and location;

(ii) Be administered by the same sponsor unless otherwise approved by the board;

(iii) Satisfy need(s) identified in the sponsor's current plan as described in WAC 286-13-035 or other relevant local or statewide plan;

(iv) Be eligible in the same grant program account or category from which funds were originally allocated, unless otherwise approved by the board;

(v) Be interest in real property of at least equal current market value to the converted property; and

(vi) Satisfies the conversion without grant assistance from the board.

NEW SECTION

WAC 286-13-170 Long-term obligations for development and renovation projects. (1) The project area may not, without prior approval of the board or director, be converted to a use other than that for which funds were originally approved.

(2) Projects impacted by a reversion order by the Interstate Commerce Commission under section 8(d) of the National Trails System Act, 16 United States Code 1247(d), are not considered a conversion by the board. Substitution or replacement with interest in real property, facilities or moneys which are of at least equal market value at the time of replacement may be required.

(3) The board may only approve a conversion when the sponsor:

(a) Demonstrates the need to convert the project area including all efforts to consider practical alternatives, how they were evaluated, and the reasons they were not pursued;

(b) Provides an opportunity for the public to participate in the identification, development and evaluation of the alternatives, including a minimum public comment period of at least thirty days; and

(c) Provides another project area to serve as a replacement. The replacement must:

(i) Be of reasonably equivalent usefulness and location;

(ii) Be administered by the same sponsor unless otherwise approved by the board;

(iii) Be a new project area with facilities that satisfy need(s) identified in the sponsor's current plan as described in WAC 286-13-035 or the other relevant local or statewide plan;

(iv) Be eligible in the same grant program account or category from which funds were originally allocated, unless otherwise approved by the board; and

(v) Satisfies the conversion without grant assistance from the board.

NEW SECTION

WAC 286-13-180 Long-term obligations for restoration projects. (1) The project area may not, without prior approval of the board or director, be converted to a use other than that for which funds were originally approved.

(2) The board may only approve a conversion when the sponsor:

(a) Demonstrates the need to convert the project area including all efforts to consider practical alternatives, how they were evaluated, and the reasons they were not pursued;

(b) Provides an opportunity for the public to participate in the identification, development and evaluation of the alternatives, including a minimum public comment period of at least thirty days; and

(c) Provides another project area to serve as a replacement for the restoration project. The replacement must:

(i) Be of reasonably equivalent habitat utility and location;

(ii) Be administered by the same sponsor unless otherwise approved by the board;

(iii) Be a new project area that satisfies need(s) identified in the sponsor's current plan as described in WAC 286-13-035 or the other relevant local or statewide plan;

(iv) Be administered under similar stewardship methods as the converted project area;

(v) Be eligible in the same grant program or category from which funds were originally allocated, unless otherwise approved by the board; and

(vi) Satisfies the conversion without grant assistance from the board.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 286-26-010 Scope of chapter.
- WAC 286-26-020 What definitions apply to this chapter?
- WAC 286-26-080 Does this program have planning eligibility requirements?
- WAC 286-26-083 What long term rules apply?
- WAC 286-26-085 When considering approval of a conversion, what rules apply?
- WAC 286-26-090 For land acquisition projects, are there long term obligations?
- WAC 286-26-100 For development projects, are there long term obligations?
- WAC 286-26-105 What provisions apply to federal agencies?
- WAC 286-26-110 Matching amounts and caps determined.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 286-27-010 What is the purpose of this chapter?
- WAC 286-27-040 Does the program have planning eligibility requirements?
- WAC 286-27-045 What is a conversion of use?
- WAC 286-27-055 Are there long-term obligations for acquiring interest in real property?
- WAC 286-27-061 Are there long-term obligations for restoration projects?
- WAC 286-27-065 Are there long-term obligations for development projects?
- WAC 286-27-066 What additional rules apply to conversions of use?
- WAC 286-27-071 What rules apply to the sale of farmland?
- WAC 286-27-075 Are matching resources required—Are there caps?

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 286-35-010 Scope.
- WAC 286-35-030 Planning requirements.
- WAC 286-35-060 Matching requirements and caps determined.
- WAC 286-35-080 Acquisition projects—Deed of right, conversions, leases and easements.
- WAC 286-35-090 Development projects—Conversion to other uses.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 286-40-010 Scope.
- WAC 286-40-020 Funding and candidate selection.
- WAC 286-40-030 Matching requirements.
- WAC 286-40-040 Projects eligible for funding.
- WAC 286-40-050 Acquisition projects—Deed of right, conversions, leases and easements.
- WAC 286-40-060 Development projects—Conversion to other uses.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 286-42-010 What is the purpose of this chapter?
 WAC 286-42-020 What organizations may receive grants?
 WAC 286-42-030 Do these rules apply to projects funded on or before April 1, 2004?
 WAC 286-42-040 What long term rules apply?
 WAC 286-42-050 When considering approval of a conversion, what rules apply?
 WAC 286-42-060 For land acquisition projects, are there long term obligations?
 WAC 286-42-080 For development projects, are there long term obligations?
 WAC 286-42-090 Must a grant recipient provide matching funds for the project—Are grant amounts limited?

WSR 17-11-076
PERMANENT RULES
COMMUNITY COLLEGES
OF SPOKANE

[Filed May 18, 2017, 10:26 a.m., effective June 18, 2017]

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

Purpose: Amend chapter 132Q-10 WAC, Standards of conduct for students.

Citation of Existing Rules Affected by this Order: Amending chapter 132Q-10 WAC.

Statutory Authority for Adoption: RCW 25B.50.140.

Adopted under notice filed as WSR 17-08-074 [17-08-074] on April 3, 2017.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 4, 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 10, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 10, Repealed 0.

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

Date Adopted: May 16, 2017.

John O'Rourke
 Grants and Contracts Manager

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

WAC 132Q-10-310 Disposition of misconduct complaints by the student conduct officer. If a student conduct officer determines a complaint of general misconduct may have merit, the student conduct officer will schedule an initial meeting with the student to discuss the content of the complaint, the range of potential sanctions, and the applicable CCS code of conduct hearing procedures.

(1) If the student fails to appear for the meeting and the range of sanctions for the alleged general misconduct do not include a suspension in excess of ten instructional days or a dismissal, the matter will be heard as a brief adjudicative proceeding and the student conduct officer may:

(a) Retain the matter for a brief adjudicative proceeding, determination of findings, conclusions, and sanctions; or

(b) Send the matter to the student conduct board for a brief adjudicative proceeding ~~((and))~~ in accordance with the provisions of this code, the Administrative Procedure Act (chapter 34.05 RCW), and the model rules of procedure (chapter 10-08 WAC) including a determination of findings, conclusions, and sanctions.

(2) If an agreed upon resolution cannot be reached or if the student fails to appear for the meeting and the range of sanctions for the alleged general misconduct include a suspension in excess of ten instructional days or a dismissal, the student conduct officer will send the matter to the student conduct administrative panel for a full adjudicative proceeding in accordance with the provisions of this code, the Administrative Procedure Act (chapter 34.05 RCW), and the model rules of procedure (chapter 10-08 WAC) including a hearing, determination of findings, conclusions, and sanctions. To the extent there is a conflict between the standards of conduct for students and the model rules, this standards of conduct for students code shall prevail.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

WAC 132Q-10-315 Notice to the accused student of complaint. (1) All general misconduct and sexual misconduct complaints deemed by the chief student service officer/Title IX coordinator or student conduct officer to have merit are presented by the student conduct officer to the accused student in written form, in person, by regular mail or electronic mail. Notice by mail is sent to the student's last known local address. If the student no longer is enrolled at the time notice is sent, the notice is sent to the student's permanent address. The student is responsible for providing and keeping the college updated of his/her current ~~((address))~~ email and mailing addresses.

(2) The written notice shall include:

(a) The official name and reference number of the proceeding and notice that the hearing is to be held pursuant to these standards of conduct for students under the jurisdiction provided by WAC 132Q-10-120.

(b) The factual details of the complaint, the policy, procedure, rule or standard of conduct allegedly violated.

~~((b)))~~ (c) The approximate time and place of the alleged act.

~~((e))~~ (d) The range of possible sanctions for the alleged act.

~~((d))~~ (e) The date, time, and place of the proceeding. A time for the disciplinary proceeding is set seven to ~~(ten instructional))~~ fourteen calendar days after the student has been notified unless waived by all parties. If the chair of the student conduct board, the chair of the student administrative panel or the accused student wish to alter the notice requirements, he/she must submit a written request to the student conduct officer. Time limits for notice may be shortened by the student conduct officer if the parties to the proceeding agree and also may be continued to a later time for good cause.

~~((e))~~ (f) Notification as to whether the student conduct officer, the student conduct board or the student administrative panel was assigned the case and the names, mailing address, and phone number of the designated presiding officer(s).

(g) Notification as to the mailing address and phone number of the office intended to represent the college in the proceeding.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

WAC 132Q-10-318 Student conduct officer disciplinary proceedings. Brief adjudicative disciplinary proceedings with the student conduct officer are conducted as follows:

- (1) Meetings will not be conducted in public.
- (2) Admission of any other person to the hearing is at the discretion of the student conduct officer.
- (3) Respondents have the right to be assisted by an advisor they choose, at their own expense. The respondents are responsible for presenting their own information. Advisors are not permitted to address the student conduct officer or participate directly in the meeting. An advisor may communicate only with the person they are advising. The student conduct officer may call recesses to facilitate this communication. A respondent should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the hearing. Delays are not normally allowed due to the scheduling conflicts of an advisor.
- (4) The respondent may provide sworn written statements from witnesses and other documents or information that he/she believes is relevant to the case. Forms for the written statements are available from the student conduct officer or online.
- (5) The student conduct officer determines which records, exhibits and written statements may be accepted as information for consideration.
- (6) There is a single verbatim record, such as a recording or transcript, of the information gathering portion of hearings. The record is the property of the college.
- (7) If the student does not appear for the hearing after proper notice has been provided, the student conduct officer will consider the complaint, absent the student, and enter a decision regarding the complaint including appropriate disciplinary sanctions.

(8) The student conduct officer will notify the student in writing, in person, by mail or electronic mail of his or her decision. Notice of the decision is sent within ten ~~(instructional))~~ calendar days from the hearing date. If the college is not in session, this period may be reasonably extended.

(9) The written notice of the decision will include the reasons for the decision, the sanctions, and information about the appeal process. The student conduct officer may notify the student prior to receipt of the formal written notice. The notice is sent to the student's last known mailing address or email address.

(10) The burden of proof that guides the student conduct officer's decision is a preponderance of evidence, which is whether it is more likely than not the accused student violated the standards of conduct for students. The student conduct officer includes in his/her written notice of the decision the findings and conclusions of all material issues of law, including which, if any, provision of the standards of conduct for students were violated. Findings based substantially on the credibility of evidence shall be so identified.

(11) The student conduct officer may take any of the following actions:

- (a) Terminate the proceeding, exonerating the student;
- (b) Dismiss the case after providing appropriate counseling and admonishment to the student. Such action is final and is not subject to review on appeal;
- (c) Issue a verbal warning to the student directly. Such action is final and is not subject to review on appeal;
- (d) Impose sanctions provided for in WAC 132Q-10-400 such as probation, loss of privileges, restitution or compensation, fines, college suspension of ten instructional days or less, and revocation of admission. Such actions are subject to review on appeal as provided in this chapter;
- (e) Refer the matter directly to the student conduct board or the student conduct administrative panel for such action as the panel deems appropriate. Such referral shall be in writing, to the attention of the chair of the student conduct board or the chair of the student conduct administrative panel, with a copy served on the accused student.

(12) A referral to the student conduct board may be used in instances where the alleged misconduct is novel or controversial and the student conduct officer believes input from the larger campus community would be beneficial. A referral to the student administrative panel should be used in instances where new evidence comes forth suggesting that discipline of more than ten instructional days or dismissal/expulsion is appropriate or new evidence comes forth suggesting evidence of sexual misconduct. It may also be warranted when the immediate alleged misconduct, by itself, is not severe enough to warrant an expulsion or suspension in excess of ten instructional days, but may trigger a deferred suspension or expulsion that was imposed during an earlier disciplinary proceeding.

(13) The written decision is the college's initial order. Appeals are governed by WAC 132Q-10-335. A referral of a matter directly to the student conduct board or to the administrative panel does not constitute a written decision.

(14) If the respondent does not appeal the student conduct officer's decision within twenty calendar days from the

date of the decision, it becomes the college's final order after twenty-one calendar days.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

WAC 132Q-10-320 Interim suspension and other ~~((sanctions))~~ restrictions. (1) In certain circumstances, the chief student services officer/Title IX coordinator, or his/her designee may impose an interim suspension from college or other ~~((sanctions))~~ restrictions prior to the proceedings ~~((with the student conduct officer))~~ being conducted pursuant to WAC 132Q-10-310 or being conducted pursuant to WAC 132Q-10-502. Interim suspension or other ~~((sanctions))~~ restrictions may be imposed only if there is reasonable cause to believe that the accused student:

(a) Has violated a provision of the standards of conduct for students;

(b) In situations involving an immediate danger to the health, safety, or welfare of members of CCS or the public at large;

(c) To ensure the student's own physical safety and well-being; or

(d) If the student poses an ongoing threat of disruption to, or interference with, the operations of the college.

(2) During the interim period, a student may be denied access to classes, activities and privileges, as the student conduct officer determines while an investigation and/or formal disciplinary procedures are pending.

(3) Notice.

(a) Any student who has been suspended on an interim basis based on general misconduct or sexual misconduct under these standards of conduct for students shall be served with written notice or oral notice of the ~~((summary))~~ interim suspension by the chief student services officer/Title IX coordinator, or his/her designee. If oral notice is given, a written notification shall be provided to the student within two business days of the oral notice in person, by regular mail or electronic mail. Written notice by mail is sent to the student's last known address. ((If the student no longer is enrolled at the time notice is sent, the notice is sent to the student's permanent address.)) The student is responsible for providing the college the current address.

(b) The notice shall be entitled "Notice of ~~((Summary))~~ Interim Suspension" and shall include the reasons for imposing the interim suspension, including reference to the provisions of the standards of conduct for students that have been allegedly violated, the date, time and location where student must appear for a hearing on the interim suspension; and the conditions, if any, under which the student may physically access the campus or communicate with members of the campus community.

(4) The student conduct officer shall conduct a hearing on the ~~((summary))~~ interim suspension as soon as practicable after imposition of the ~~((summary))~~ interim suspension. If the student has been trespassed from the campus, a notice against trespass shall be included that warns the student that his or her privilege to enter into or remain on college premises has been withdrawn, that the accused student shall be considered trespassing and subject to arrest for criminal trespass if the

accused student enters the college campus other than to meet with the student conduct officer, or to attend a disciplinary hearing. The interim suspension shall not replace the regular discipline process, which shall proceed as quickly as feasible in light of the interim suspension. A full hearing before the student conduct officer, the student conduct board or the student conduct administrative panel may be convened in a timely manner which may negate the need for an interim suspension hearing.

~~((4))~~ (5) In the event the alleged misconduct which is the basis for interim suspension involves claims of sexually violent conduct, both the accused student and the complainant shall be notified of the interim suspension. Please refer to WAC 132Q-10-501 and 132Q-10-502 which outline additional and supplemental procedural requirements for sexually violent conduct allegations and matters. In no event shall mediation be used to resolve complaints involving allegation of sexual violence.

(6) The issue before the student conduct officer during the interim suspension hearing is whether there is probable cause to believe that interim suspension is necessary and/or whether other less ~~((restrictive))~~ severe interim ~~((disciplinary action is))~~ restrictions are appropriate. For the purpose of this section, probable cause means sufficient facts to lead a reasonable person to believe that the elements necessary for imposing ~~((a summary))~~ an interim suspension have been satisfied. The student shall be given an opportunity to explain why ~~((summary))~~ interim suspension is or is not necessary either through oral ~~((testimony))~~ or written statement or a combination of oral and written statements.

~~((5))~~ (7) If the notice of ~~((summary))~~ interim suspension proceedings has been served upon the accused student in accordance with these rules and the student fails to appear at the designated hearing time, the student conduct officer may order that the ~~((summary))~~ interim suspension remain in place pending imposition of final disciplinary action.

~~((6))~~ (8) The student conduct officer shall issue a written order within two instructional days of the hearing, which shall include a brief statement of findings of fact and conclusions ~~((of law))~~, the policy reasons justifying imposition of the ~~((summary))~~ interim suspension, and setting forth the student conduct officer's decision in the matter. If the ~~((summary))~~ interim suspension is upheld and/or other ~~((discipline))~~ restrictions are imposed, the order shall inform the student of the duration of the ~~((summary))~~ interim suspension or the nature of the ~~((disciplinary action(s))~~ restrictions, conditions under which the ~~((summary))~~ interim suspension may be terminated or modified, and procedures by which the order may be appealed.

~~((7))~~ (9) To the extent permissible under law, the student conduct officer shall provide a copy of the order to all persons or offices that may be bound or protected by it including the complainant.

~~((8))~~ The interim suspension shall not replace the regular discipline process, which shall proceed as quickly as feasible in light of the interim suspension. If a full hearing before the student conduct officer, the student conduct board or the student conduct administrative panel can be convened in a timely manner, the hearing on the interim suspension can be consolidated with the hearing on the merits.)

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

WAC 132Q-10-325 Student conduct board proceedings. In cases in which the student conduct officer determines to refer a matter directly to the student conduct board for a hearing, the following procedures apply:

(1) The student conduct officer shall serve all parties, and student conduct board members with written notice of the hearing seven to ten calendar days prior to the hearing date, time and location, as further specified in RCW 34.05.-434 and WAC 10-08-040 and 10-08-045. The student conduct officer may shorten this notice period if all parties agree, and also may continue the hearing to a later time for good cause.

(2) The student conduct officer is authorized to conduct prehearing conferences and/or to make prehearing decisions concerning the extent and forms of any discovery, issuance of protective orders, and similar procedural matters.

(3) The student conduct officer shall provide assistance to parties, upon request, in obtaining relevant and admissible evidence that is within the college's control.

(4) The student conduct officer may provide to the board members in advance of the hearing copies of: (a) The student conduct officer's notice of complaint and referral; and (b) any documents provided in response by the accused student. If doing so, however, the student conduct officer should remind the committee members that these documents are not evidence of any facts they may allege.

(5) Communications between committee members and other hearing participants regarding any issue in the proceeding, other than procedural communications that are necessary to maintain an orderly process, are generally prohibited, and any improper "ex parte" communication shall be placed on the record, as further provided in RCW 34.05.455.

(6) Hearings are ordinarily closed to the public. However, if all parties agree on the record that some or all of the proceedings be open, 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.

(7) The complainant, the accused student, and their respective advisors may attend the portion of the hearing at which information is received, but may not attend the board's deliberations. Admission of any other person to the hearing is at the discretion of the student conduct board chair.

(8) In circumstances involving more than one accused student, the student conduct officer may permit joint or separate hearings.

(9) The accused student has the right to be assisted by an advisor they choose, at their own expense. The accused student is responsible for presenting his/her own information. Advisors are not permitted to address the board or participate directly in the hearing. An advisor may communicate only with the person they are advising. The board chair may call recesses to facilitate this communication. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the hearing. Delays are not normally allowed due to the scheduling conflicts of an advisor.

(10) The accused student, the student conduct officer, and the board chair may arrange for witnesses to present pertinent information to the student conduct board. Witnesses may provide written statements in lieu of their attendance at the hearing. The accused student is responsible for informing his/her witnesses of the time and place of the hearing. Witnesses provide information to, and answer questions from, the student conduct board. To preserve the educational tone of the hearing and to avoid an adversarial environment, questions are directed to the chair, rather than to the witness directly. Questions concerning whether potential information may be received are resolved by the chair. The record will reflect the questions that were submitted and the rationale for disallowing any questions. All testimony and written statements shall be given under oath or affirmation.

(11) The board chair determines which records, exhibits and written statements may be accepted as information for consideration by the board, except as overridden by majority vote of the board.

(12) Formal rules of process, procedure and technical rules of evidence, such as are applied in criminal or civil court, are not used in board proceedings.

(13) Questions related to the order of the proceedings are determined by the board chair.

(14) If an accused student, with notice, does not appear before a student conduct board hearing, the information in support of the complaint is presented and considered in the absence of the accused student.

(15) The board chair shall cause the hearing to be recorded by a method that he/she selects in accordance with RCW 34.05.449. Board deliberations are not recorded. The record or transcript is the property of the college. That recording, transcript or a copy, shall be made available to the parties upon request. The board chair shall ensure maintenance of the record of the proceeding that is required by RCW 34.05.476, which shall also be available upon request for inspection and copying by the respondent. Other recording shall also be permitted in accordance with WAC 10-08-190.

(16) The board chair may accommodate concerns for the personal safety, well-being or fears of confrontation during the hearing by providing separate facilities, or by permitting participation by telephone, audio tape, written statement, or other means.

(17) The student conduct officer (unless represented by an assistant attorney general) shall present the case for disciplinary action. The facts justifying any such action must be established by a preponderance of the evidence.

(18) At the conclusion of the hearing, the board shall permit the parties to make closing arguments in whatever form it wishes to receive them. The board may also permit each party to propose findings, conclusions, and/or an order for its consideration.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

WAC 132Q-10-330 Student conduct board decision and notification. Procedures for student conduct board proceedings:

(1) At the conclusion of the hearings on conduct matters, including closing arguments and deliberations, the student conduct board determines by majority vote whether the accused student has violated the standards of conduct for students. If so, the board determines and imposes the appropriate sanctions from WAC 132Q-10-400.

(2) The burden of proof that guides the board's decision is the preponderance of evidence, whether it is more likely than not that the accused student violated the standards of conduct for students.

(3) The student conduct officer notifies the parties, in writing, in person, by mail or electronic mail of the board's decision. Written notice is sent within ten ~~((instructional))~~ calendar days from the hearing date. If the college is not in session, this period may be reasonably extended. The student conduct board includes in the written notice of the decision the findings and conclusions on all material issues of law, including which, if any, provisions of the ~~((student conduct code))~~ standards of conduct for students were violated. Any findings based substantially on the credibility of evidence or the demeanor of witnesses shall be so identified, the disciplinary sanctions, and information about the appeal process. The board's initial order shall also include a determination on appropriate discipline, if any. The student conduct officer may notify the student prior to receipt of the formal written notice. The notice, if sent by mail, is sent to the student's last known address.

(4) The written decision is the college's initial order. Appeals are governed by WAC 132Q-10-335.

(5) If the student does not appeal the board's decision within twenty calendar days from the date of the decision, it becomes the college's final order after twenty-one calendar days.

(6) The committee chair shall promptly transmit a copy of the order and the record of the board's proceedings to the appeals board.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

WAC 132Q-10-332 Student conduct administrative panel proceedings. ~~((In cases in which the student conduct officer refers a matter to the student conduct administrative panel for a hearing.))~~ The student conduct administrative panel will conduct full adjudicative proceeding in accordance with the provisions of this standards of conduct for students code, the Administrative Procedure Act (chapter 34.05 RCW), and the model rules of procedure (chapter 10-08 WAC) including a hearing, determination of findings, conclusions, and sanctions. To the extent there is a conflict between the standards of conduct for students and the model rules, this standards of conduct for students code shall prevail. The following procedures apply:

(1) The student conduct officer shall serve all parties, and student conduct administrative panel members with written notice of the hearing not less than seven calendar days or more than ten calendar days prior to the hearing date, time and location, as further specified in RCW 34.05.434 and WAC 10-08-040 and 10-08-045. The student conduct officer

may shorten this notice period if all parties agree, and also may continue the hearing to a later time for good cause.

(2) The student conduct administrative panel chair is authorized to conduct prehearing conferences and/or to make prehearing decisions concerning the extent and form of any discovery, issuance of protective decisions, and similar procedural matters.

(3) Upon written request filed at least five calendar days before the hearing by any party or at the direction of the committee chair, the parties shall exchange, no later than the third calendar 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.

(4) The student conduct officer may provide to the panel members in advance of the hearing copies of: (a) The student conduct officers' notice of complaint and referral; and (b) documents provided by the accused student in response to the complaint. If doing so, however, the chair should remind the panel members that these documents are not evidence of any facts they may allege.

~~((3))~~ (5) Communications between panel members and other hearing participants regarding any issue in the proceeding, other than procedural communications that are necessary to maintain an orderly process, are generally prohibited, and any improper "ex parte" communication shall be placed on the record, as further provided in RCW 34.05.455.

~~((4))~~ (6) An accused student 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 both the panel chair with a copy to the student conduct officer. The panel may be advised by an assistant attorney general. If the respondent is represented by an attorney, the student conduct officer may also be represented by a second, appropriately screened assistant attorney general.

~~((5))~~ (7) The hearing will ordinarily be closed to the public. However, if all parties agree on the record that some or all of the proceedings be open, the panel chair shall determine any extent to which the hearing will be open. If any person disrupts the proceedings, the panel chair may exclude that person from the hearing room.

~~((6))~~ (8) In circumstances involving more than one accused student, the student conduct officer may permit joint or separate hearings.

~~((7))~~ (9) The president of the college or his/her designee, the chair of the student conduct administrative panel, the administrators assigned to the student conduct administrative panel, deans, and/or the student conduct officer have the authority to issue subpoenas.

(10) The accused student and the student conduct officer may arrange for witnesses to present pertinent information to the student conduct administrative panel. The accused student is responsible for informing his/her witnesses of the time and place of the hearing ~~((Questions concerning whether potential information may be received are resolved by the~~

~~panel chair. All testimony and written statements shall be given under oath or affirmation).~~

~~((8))~~ (11) The student conduct officer, upon written request, will provide reasonable assistance to the accused student in obtaining relevant and admissible evidence that is within the college's control.

(12) All testimony and written statements shall be given under oath or affirmation.

(13) The panel chair determines which records, exhibits and written statements may be accepted as information for consideration by the panel consistent with RCW 34.05.452. Evidence, including hearsay evidence, is admissible if it is the kind of evidence on which reasonably prudent persons are accustomed to rely on in the conduct of their affairs. Evidence is not admissible if it is excludable on constitutional or statutory grounds or on the basis of evidentiary privilege recognized in the courts of this state. The panel chair may exclude evidence that is irrelevant, immaterial or unduly repetitious. The panel chair will ensure that the hearing record reflects the basis for exclusion of any evidence.

(14) The chair of the student conduct administrative panel shall decide all procedural questions and make rulings on the admissibility of evidence, motions, objections, and on challenges to the impartiality of board members, unless a hearing examiner is appointed as provided below. The Washington rules of evidence shall serve as guidelines for those rulings on the admissibility of evidence.

~~((9))~~ (15) Questions related to the order of the proceedings are also determined by the student conduct administrative panel chair.

~~((10))~~ (16) If an accused student, with notice, does not appear before a student conduct administrative panel hearing, the information in support of the complaint is presented and considered in the absence of the accused student.

~~((11))~~ (17) The panel chair may accommodate concerns for the personal safety, well-being or fears of confrontation during the hearing by providing separate facilities, or by permitting participation by telephone, audio tape, written statement, or other means. In making such accommodations, the rights of the other parties must not be prejudiced and must have the opportunity to participate effectively in, to hear, and, if technically economically feasible, to see the entire proceeding while it is taking place.

~~((12))~~ (18) The panel chair shall cause the hearing to be recorded by a method that he/she selects in accordance with RCW 34.05.449. Panel deliberations are not recorded. The record or transcript is the property of the college. That recording, transcript or a copy, shall be made available to the parties upon request. The panel chair shall ensure maintenance of the record of the proceeding that is required by RCW 34.05.476, which shall also be available upon request for inspection and copying by the respondent. Other recording shall also be permitted in accordance with WAC 10-08-190.

~~((13))~~ (19) The student conduct officer (unless represented by an assistant attorney general) shall present the case for disciplinary action. The facts justifying any such action must be established by a preponderance of the evidence.

~~((14))~~ (20) At the conclusion of the hearing, the panel shall permit the parties to make closing arguments in what-

ever form it wishes to receive them. The panel may also permit each party to propose findings, conclusions, and/or an order for its consideration.

~~((15))~~ (21) Conduct matters that involve allegations of sexually violent conduct as defined in WAC 132Q-10-105(18) and further detailed in WAC 132Q-10-244 shall also utilize the supplemental hearing procedures of WAC 132Q-10-501 through 132Q-10-503. The terms of the supplemental procedures will prevail in the event of any discrepancy between this provision and the provisions of the supplemental procedures.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

WAC 132Q-10-501 Additional procedural requirements for sexually violent conduct matters. In the event the alleged misconduct involves claims of sexually violent conduct, additional procedures are required by federal law. Both the accused student and the complainant in cases involving allegations of sexual misconduct shall be provided the same procedural rights to participate in student discipline matters, including the right to participate in the interim suspension process and disciplinary proceeding process and to appeal the chief student services officer's or student conduct administrative panel's disciplinary order.

Application of the supplemental procedures for allegations of sexually violent conduct is limited to student conduct code proceedings involving allegations of sexually violent conduct. In such cases, these procedures shall supplement the student disciplinary procedures in WAC 132Q-10-305 through ~~((132Q-10-335))~~ 132Q-10-318 and 132Q-10-325 through 132Q-10-500. In the event of conflict between the supplemental sexually violent conduct procedures, interim suspension and other restrictions procedures and the student disciplinary procedures, the sexually violent conduct procedures shall prevail.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

WAC 132Q-10-502 Supplemental procedures for allegations of sexually violent conduct. (1) ~~((Complaints))~~ Reports of alleged sexually violent conduct by a student submitted pursuant to WAC 132Q-10-305(2) shall be referred to the Title IX coordinator for an initial assessment. If an investigation is deemed warranted it shall be completed in a timely manner as defined by administrative procedure 3.30.01.

(a) If after a review, the Title IX coordinator determines that the facts as alleged would not constitute a violation of Title IX, the Title IX coordinator may close the file.

(b) If after an initial review, the Title IX coordinator determines that the facts as alleged may constitute a violation of Title IX, the coordinator or his or her designee will ~~((conduct))~~ order an investigation.

(c) If after an initial review, the Title IX coordinator determines that the facts as alleged would not constitute a violation of Title IX, but may constitute a violation of other provisions of the standards of conduct for students ~~((conduct code))~~, the coordinator may refer the matter to the student conduct officer to review and process.

(d) If the Title IX coordinator determines an investigation is not warranted on a sexually violent conduct report, the student conduct officer will make reasonable efforts to meet with the complainant and accused student individually to discuss the outcome.

(e) If an investigation is conducted based on a sexually violent conduct ~~((complaint))~~ report, the Title IX coordinator will make a reasonable effort to meet with the complainant and accused student separately to discuss the results of the investigation and possible protective ~~((sanctions))~~ restrictions or conditions that may be imposed on the accused student. Please refer to WAC 132Q-10-503 for the appeal rights of both parties.

(2) Respondents may have interim restrictions placed on them as outlined in WAC 132Q-10-320.

(3) If the Title IX coordinator or his/her designee determines that the investigative report contains facts that demonstrate a violation of the standards of conduct for students, but not a violation of the sexually violent conduct provisions, then he/she will refer the matter to the appropriate student conduct officer for disciplinary proceedings under these regulations.

~~((3))~~ (4) Informal dispute resolution shall not be used to resolve sexual misconduct complaints ~~((without written permission from both the complainant and the accused student. If the parties elect to mediate a dispute, either party shall be free to discontinue mediation at any time. In no event shall mediation be used to resolve complaints involving allegations of sexual violence))~~.

~~((4))~~ (5) 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 its legal duty to investigate and process sexual harassment and sexual violence complaints.

~~((5) Accused student and complainant shall have the right to be accompanied by a nonattorney assistant of their choosing during the appeal process.)~~ (6) The complainant and respondent have the same rights regarding advisors and witnesses as set forth in WAC 132Q-10-332. The complainant and respondent 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 copy the chief student services officer. The chief student services officer will provide a copy of the notice ~~((to the accused student))~~ of hearing to the complainant.

~~((6))~~ (7) The complainant may arrange for witnesses to present pertinent information to the student conduct administrative panel. The complainant is responsible for informing his/her witnesses of the time and place of the hearing.

(8) The student conduct officer, upon request, shall provide reasonable assistance to the complainant in obtaining relevant and admissible evidence that is within the college's control.

(9) During the proceedings, complainant and accused student shall not directly question or cross examine one another. All questions shall be directed to the chair, who will act as an intermediary and pose questions on the parties'

behalf. The student conduct administrative panel chair may overrule certain questions on the basis that they are irrelevant, immaterial or unduly repetitious; seek information that is protected on constitutional or statutory grounds or seek information that is subject to evidentiary privilege as recognized in the courts of this state. The record will reflect the questions that were submitted and the rationale for disallowing any questions.

~~((7))~~ (10) Hearings involving sexual misconduct allegations shall be closed to the public, unless accused student and complainant both waive this requirement in writing and request that the hearing be open to the public. Complainant, accused student and their respective attorney representatives may attend portions of the hearing where argument, testimony and/or evidence are presented to the student conduct administrative panel.

~~((8))~~ (11) The chair of the student conduct administrative panel will coordinate with the chief student services officer/Title IX coordinator or his/her designee to serve complainant a written notice indicating that the complaint has been resolved on the same date that the discipline order is served upon the accused student. This notice shall inform the complainant whether the sexual misconduct allegation was found to have merit and describe any ~~((sanctions))~~ restrictions and/or conditions imposed upon the accused student for the complainant's protection, including suspension or dismissal of the accused student. The notice shall also provide directions on how the complainant can appeal the decision.

(12) The complainant has the right to appeal an order of the student conduct administrative panel consistent with WAC 132Q-10-335. In the event of an appeal by the accused student or complainant, the chief student services officer shall provide a copy of the appeal to the nonappealing party. The complainant and accused student have the right to be assisted by an advisor of their choosing during the appeal process at their own expense.

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

WAC 132Q-10-503 Supplemental appeal rights for alleged sexually violent conduct. (1) The following actions by the chief student services officer/Title IX coordinator and the student conduct administrative panel may be appealed by the complainant:

- (a) The dismissal of a sexually violent misconduct complaint; or
- (b) The disciplinary sanction(s) and conditions imposed against an accused student for a sexually violent misconduct violation.

(2) Appeals:

(a) A discipline order which includes findings of sexually violent misconduct may be appealed by filing a written notice of appeal with the chief student services officer within twenty calendar days of receiving notice of the discipline order. The notice of appeal ~~((may))~~ must include a written statement setting forth the grounds of appeal and why the appeal should be granted.

(b) The dismissal of a sexually violent misconduct complaint by the Title IX coordinator may be appealed by filing a

notice of appeal with the college president within twenty calendar days of receiving notice of the complaint dismissal. The notice of appeal must include a brief written statement explaining why the complainant or respondent is seeking review of the dismissal and why the appeal should be granted.

(3) Notice of appeal:

(a) If an order imposing discipline for a sexual misconduct violation is appealed, the college shall notify the nonappealing complainant/respondent of the appeal. The nonappealing complainant/respondent will be provided the option to be named as a party to the appeal.

(b) If the dismissal of a sexually violent misconduct complaint by the Title IX coordinator is appealed, the college shall notify the nonappealing complainant/respondent of the appeal. The nonappealing complainant/respondent will be provided the option to be named as a party to the appeal.

(4) A complainant/respondent who chooses to appeal a discipline order or who chooses to appear as a party to the appeal of a discipline order or the dismissal of a complaint shall be afforded the same procedural rights as are afforded to the other party.

(5) Review of appeals:

(a) Appeals of orders imposing discipline for a sexual misconduct violation shall be reviewed by the appeals board consistent with WAC 132Q-10-335 (5) through (6).

(b) Appeals of dismissal of complaints of sexual misconduct violation shall be reviewed by a college president. If the college president's decision is to affirm the dismissal of the original complaint that serves as the college's final order regarding the original complaint dismissal. If the college president determines that the dismissal should be reversed, the matter shall be investigated pursuant to WAC 132Q-10-502. If the matter involves sexually violent misconduct, it will be investigated pursuant to WAC 132Q-10-502 and processed consistent with this chapter applicable to sexually violent misconduct. If the matter involves misconduct that does not include sexually violent misconduct, it will be processed consistent with the provisions of this chapter applicable to general misconduct.

(6) The chief student services officer/Title IX coordinator will serve complainant a written notice indicating that the appeal has been resolved on the same date that the final order is served upon the accused student. This notice shall inform the complainant whether the sexual misconduct allegation was found to have merit and describe any sanctions and/or conditions imposed upon the accused student for the complainant's protection, including suspension or dismissal of the accused student.

Purpose: SWCAA 400-036 Portable Sources From Other Washington Jurisdictions; SWCAA 400-045 Permit Application for Nonroad Engines; SWCAA 400-046 Application Review Process for Nonroad Engines; SWCAA 400-072 Small Unit Notification for Selected Source Categories; SWCAA 400-074 Gasoline Transport Tankers; SWCAA 400-099 Per Capita Fees; SWCAA 400-100 Registration Requirements; SWCAA 400-103 Operating Permit Fees; and SWCAA 400-109 Air Discharge Permit Applications: The proposed rule changes remove reference to specific fees and redirect the reader to consult the current Consolidated Fee Schedule.

SWCAA 400-098 Procedure for Adoption and Revision of the Consolidated Fee Schedule (new section), the proposed rule provides for establishment of a Consolidated Fee Schedule outside of the rule-making process. It establishes a process and procedure for adoption and revision to the fee schedule and associated public notice and comment provisions.

These proposed changes will consolidate all fees into a single location to make it easier for affected parties to locate applicable fees. It will also remove the fees from the rules and establish a process for public notice and board consideration of changes without going through the complicated and lengthy rule-making process.

Citation of Existing Rules Affected by this Order: Amending SWCAA 400-036, 400-045, 400-046, 400-072, 400-074, 400-098, 400-099, 400-100, 400-103, and 400-109.

Statutory Authority for Adoption: RCW 70.94.141.

Adopted under notice filed as WSR 17-04-106 on February 1, 2017.

Changes Other than Editing from Proposed to Adopted Version: One commenter noted that a reference to a fee was not identified to be removed from SWCAA 400-109 (2)(e) consistent with the other references. This reference has been removed in the final text consistent with the other fee references.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 9, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, 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 1, Amended 9, Repealed 0.

Date Adopted: May 4, 2017.

Uri Papish
Executive Director

WSR 17-11-078
PERMANENT RULES
SOUTHWEST CLEAN
AIR AGENCY

[Filed May 18, 2017, 3:26 p.m., effective June 18, 2017]

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

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 17-13 issue of the Register.

WSR 17-11-079
PERMANENT RULES
SOUTHWEST CLEAN
AIR AGENCY

[Filed May 18, 2017, 3:30 p.m., effective June 18, 2017]

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

Purpose: This proposed change is part of a process to consolidate all agency fees into a single location to make it easier for affected parties to locate applicable fees. It will remove fees from the rule and establish a process for public notice and board consideration of changes without going through the complicated and lengthy rule-making process. The procedure for adoption and revision of the Consolidated Fee Schedule is provided for under SWCAA 400-098.

Citation of Existing Rules Affected by this Order: Amending SWCAA 425-060.

Statutory Authority for Adoption: RCW 70.94.141.

Adopted under notice filed as WSR 17-04-107 on February 1, 2017.

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: May 4, 2017.

Uri Papish
Executive Director

AMENDATORY SECTION (Amending WSR 02-13-014, filed 6/10/2002, effective 8/1/2002)

SWCAA 425-060 Outdoor Burning Permit Program/ Requirements

(1) Permit program.

(a) The Agency may consult with fire protection authorities, conservation districts, or counties to determine if any of these agencies are capable and willing to serve as the permitting agency and/or enforcing agency for particular types of burning in an area of the state. The Agency may enter into agreements with any capable agencies to identify the permitting agencies and enforcing agencies for each type of burning and determine the type of permit appropriate for each area where a permit is required. [RCW 70.94.654]

(b) Permitting agencies may use, as appropriate, a verbal, electronic, written, or general permit established by rule, for any type of burning that requires a permit. A written permit should be used, where feasible, for land clearing burning,

storm or flood debris burning in areas where residential burning and land clearing burning are prohibited under SWCAA 425-040 (1), (2), or (3), and other outdoor burning (except any other outdoor burning necessary to protect public health and safety). [RCW 70.94.745(4)]

(c) The rule for a general permit must establish periods of time when any burning under the permit is required to occur. General permits must also include all appropriate conditions for burning as stated in subsection (4) of this section.

(2) Types of burning that require a permit. Except as otherwise stated, a permit is required for the following types of outdoor burning in all areas under the Agency's jurisdiction.

(a) Residential burning (except in the nonurban areas of any county with an unincorporated population of less than fifty thousand). [RCW 70.94.745(2)]

(b) Land clearing burning. [RCW 70.94.745(2)]

(c) Storm or flood debris burning. [RCW 70.94.743(1)(c)]

(d) Tumbleweed burning (except in counties with a population of less than two hundred fifty thousand). [RCW 70.94.745(5)]

(e) Weed abatement fires. [RCW 70.94.650 (1)(a)]

(f) Fire fighting instruction fires for training to fight structural fires in urban growth areas and cities with a population over ten thousand, and all other fire fighting instruction fires, except fire fighting instruction fires for training to fight structural fires as provided in RCW 52.12.150, aircraft crash rescue fires as provided in RCW 70.94.650(5), and forest fires. [RCW 70.94.650 (1)(b)]

(g) Rare and endangered plant regeneration fires. [RCW 70.94.651(1)]

(h) Indian ceremonial fires (except on lands within the exterior boundaries of Indian reservations unless provided for by intergovernmental agreement). [RCW 70.94.651(2)]

(i) Recreational fires with a total fuel area that is greater than three feet in diameter and/or two feet in height (except in the nonurban areas of counties with an unincorporated population of less than fifty thousand. [RCW 70.94.765]

(j) Other outdoor burning (if specifically authorized by the Agency). [RCW 70.94.765]

(3) Fees. SWCAA may charge a fee for any permit issued under the authority of this rule, provided that a fee must be charged for all permits issued for weed abatement fires and fire fighting instruction fires. All fees must be ((set by rule)) provided in the Consolidated Fee Schedule and must not exceed the level necessary to recover the costs of administering and enforcing the burning permit program. SWCAA has established a schedule of permit fees as provided in the Consolidated Fee Schedule established in accordance with SWCAA 400-098 ((described in Table A below. [RCW 70.94.650(2) and 70.94.651(6) ((780))])

TABLE A

Table with 3 columns: Outdoor Burning Category, Regulating Authority, Permit Fee. Rows include Residential burning (\$0), Land clearing burning (\$100), and Storm burning (\$0).

Outdoor Burning Category	Regulating Authority	Permit Fee
Flood debris burning	RCW 70.94.743	\$100
Tumbleweed burning	RCW 70.94.745	\$0
Weed abatement fires	RCW 70.94.650	\$2/acre, \$25 min.
Fire fighting instruction fires.	RCW 70.94.650	\$25
Rare and endangered plant regeneration fires	RCW 70.94.651	\$2/acre, \$25 min.
Indian ceremonial fires.	RCW 70.94.651	\$0
Recreational fires.	RCW 70.94.765	\$0
Other outdoor burning	RCW 70.94.765	(\$0))

(4) **Permit decisions.** Permitting agencies must approve with conditions, or deny outdoor burning permits as needed to achieve compliance with this chapter. All permits must include conditions to satisfy the requirements in SWCAA 425-050, and they may require other conditions, such as restricting the time period for burning, restricting permissible hours of burning, imposing requirements for good combustion practice, and restricting burning to specified weather conditions. Permitting agencies may also include conditions to comply with other laws pertaining to outdoor burning. [RCW 70.94.745, 70.94.750, and 70.94.780]

(5) **Establishment of a general permit and requirements for residential burning.**

(a) A general permit for residential burning is hereby adopted for use in any area where the Agency and any designated enforcing agencies have agreed that a general permit is appropriate for residential burning, and have notified the public where the permit applies. All burning under this permit must comply with the conditions in (c) of this subsection, and it must be restricted to the first and second weekends (Saturday and Sunday) in April and the third and fourth weekends in October, unless alternative days are substituted by the enforcing agency and adequate notice of the substitution is provided to the public. Alternative days may only be substituted if conditions on the prescribed days are unsuitable due to such things as poor air quality, high fire danger, unfavorable meteorology, likely interference with a major community event, or difficulties for enforcement. [RCW 70.94.745 (4)]

(b) The Agency may also adopt a general permit for residential burning that prescribes a different set of days, not to exceed eight days per year, when any burning under the permit must occur: The public must be given adequate notice regarding where and when the permit will apply. [RCW 70.94.745(4)]

(c) The following conditions apply to all residential burning allowed without a permit under SWCAA 425-060 (2)(a) or allowed under a general, verbal, or electronic permit:

(i) The person responsible for the fire must contact the permitting agency and/or any other designated source for information on the burning conditions for each day;

(ii) A fire may not be ignited, and must be extinguished, if an air pollution episode, impaired air quality condition, or fire danger burn ban that applies to the burning, is declared for the area;

(iii) The fire must not include garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics,

paper (other than what is necessary to start a fire), cardboard, treated wood, construction/demolition debris, metal, or any substance (other than natural vegetation) that normally releases toxic emissions, dense smoke, or obnoxious odors when burned;

(iv) The fire must not include materials hauled from another property;

(v) If any emission from the fire is detrimental to the health, safety, or welfare of any person, if it causes damage to property or business, or if it causes a nuisance, the fire must be extinguished immediately;

(vi) A person capable of extinguishing the fire must attend it at all times, and the fire must be extinguished before leaving it;

(vii) No fires are to be within fifty feet of structures;

(viii) Permission from a landowner, or owner's designated representative, must be obtained before starting an outdoor fire;

(ix) Any burn pile must not be larger than four feet by four feet by three feet;

(x) Only one pile at a time may be burned, and each pile must be extinguished before lighting another;

(xi) If an outdoor container is used for burning, it must be constructed of concrete or masonry with a completely enclosed combustion chamber and equipped with a permanently attached spark arrester constructed of iron, heavy wire mesh, or other noncombustible material with openings not larger than one-half inch; and

(xii) No fire is permitted within five hundred feet of forest slash.

Persons not able to meet these requirements or the requirements in SWCAA 425-050 must apply for and receive a written permit before burning. Failure to comply with all requirements of this subsection voids any applicable permit, and the person responsible for burning may be subject to enforcement action under subsection (6) of this section.

(6) **Field response and enforcement.** Any agency that issues permits, or adopts a general permit for any type of burning in an area, is responsible for field response to outdoor burning complaints and enforcement of all permit conditions and requirements of this rule related to that type of burning in the area, unless another agency has agreed under SWCAA 425-060 (1)(a) to be responsible for certain field response or enforcement activities. Except for enforcing WAC 173-425-050 (3)(a)(iii), the Agency may also perform these activities. The Agency is also responsible for enforcing any requirements that apply to burning that is prohibited or exempt from permits in areas under their jurisdiction, unless another agency agrees to be responsible. Permitting agencies and enforcing agencies may require that corrective action be taken, and may assess penalties to the extent allowed under their general and specific authorities if they discover non-compliance with this chapter. A fire protection authority called to respond to, control, or extinguish an illegal or out-of-control fire may charge, and recover from the person responsible for the fire, the costs of its response and control action.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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 17-11-080
PERMANENT RULES
SOUTHWEST CLEAN
AIR AGENCY

[Filed May 18, 2017, 3:39 p.m., effective June 18, 2017]

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

Purpose: This proposed change is part of a process to consolidate all agency fees into a single location to make it easier for affected parties to locate applicable fees. It will remove fees from the rule and establish a process for public notice and board consideration of changes without going through the complicated and lengthy rule-making process. The procedure for adoption and revision of the Consolidated Fee Schedule is provided for under SWCAA 400-098.

Citation of Existing Rules Affected by this Order: Amending SWCAA 491-030.

Statutory Authority for Adoption: RCW 70.94.141.

Adopted under notice filed as WSR 17-04-109 on February 1, 2017.

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: May 4, 2017.

Uri Papish
Executive Director

AMENDATORY SECTION (Amending WSR 01-05-067, filed 2/15/01, effective 3/18/01)

SWCAA 491-030 Registration

(1) The owner or operator of a gasoline loading terminal, bulk gasoline plant, or gasoline dispensing facility subject to the provisions of SWCAA 491-040 (2) through (5) shall register the facility annually with SWCAA. Facilities subject to registration under this section shall be assessed fees as provided in the current Consolidated Fee Schedule established in accordance with SWCAA 400-098 (~~consistent with and as required in SWCAA 400-100~~).

(2) Administration of the registration program shall be consistent with the Registration Program requirements of SWCAA 400-100.

(3) SWCAA will provide a written verification of registration to owners or operators of facilities subject to the provisions of SWCAA 491-040 (2) through (6). Such verification shall be available for inspection by SWCAA personnel during normal business hours.

(4) The owner or operator of a gasoline loading terminal or a gasoline dispensing facility (non-major source) shall maintain total annual gasoline throughput records for the most recent three calendar years. Such records shall be available for inspection by SWCAA personnel during normal business hours.

WSR 17-11-081
PERMANENT RULES
SOUTHWEST CLEAN
AIR AGENCY

[Filed May 18, 2017, 3:41 p.m., effective June 18, 2017]

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

Purpose: This proposed change is part of a process to consolidate all agency fees into a single location to make it easier for affected parties to locate applicable fees. It will remove fees from the rule and establish a process for public notice and board consideration of changes without going through the complicated and lengthy rule-making process. The procedure for adoption and revision of the Consolidated Fee Schedule is provided for under SWCAA 400-098.

Citation of Existing Rules Affected by this Order: Amending SWCAA 492-050.

Statutory Authority for Adoption: RCW 70.94.141.

Adopted under notice filed as WSR 17-04-110 on February 1, 2017.

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: May 4, 2017.

Uri Papish
Executive Director

AMENDATORY SECTION (Amending WSR 95-10-003, filed 4/20/95, effective 5/21/95)

SWCAA 492-050 Registration Requirements

(1) Each blender who offers for sale, sells, or dispenses gasoline in the ~~((Authority's))~~ Agency's control area shall register with the ~~((Authority))~~ Agency each year. Each request for registration shall be on forms supplied by the ~~((Authority))~~ Agency and shall be accompanied by a fee to compensate for the cost of administering the registration program, including on-site inspections necessary to verify compliance with these requirements. The location of each blender facility shall be included in the information provided by the blender at registration. The fee for a control area shall be based on the volume of oxygenated gasoline sold or offered for sale by the blender in that control area to comply with the provisions of SWCAA 492-040. Applicable fees are required to be paid in full by October 1 of each year or within 30 days after becoming a blender, whichever occurs later. Fees shall be paid as provided in the current Consolidated Fee Schedule established in accordance with SWCAA 400-098. ~~((The following fee table shall apply to blenders:~~

Small Volume Blender	\$ 500
Medium Volume Blender	\$ 1,000
Large Volume Blender	\$10,000
Very Large Volume Blender	(\$25,000))

(2) The total annual oxygenated fuel fees collected and retained by the ~~((Authority))~~ Agency under this program shall not exceed \$40,000. When the total fees submitted by all blenders on October 1 of each year exceeds \$40,000, there shall be a refunding of the excess fees collected by the ~~((Authority))~~ Agency. The refund provided to each blender shall be derived by prorating the excess fees based on that company's ratio of its volume of oxygenate blended to the total volume of all oxygenate blended. Such refund shall be issued by the ~~((Authority))~~ Agency by December 1 of each year and is applicable to all types of oxygenates.

WSR 17-11-082
PERMANENT RULES
SOUTHWEST CLEAN
AIR AGENCY

[Filed May 18, 2017, 3:43 p.m., effective June 18, 2017]

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

Purpose: This proposed change is part of a process to consolidate all agency fees into a single location to make it easier for affected parties to locate applicable fees. It will remove fees from the rule and establish a process for public notice and board consideration of changes without going through the complicated and lengthy rule-making process. The procedure for adoption and revision of the Consolidated Fee Schedule is provided for under SWCAA 400-098.

Citation of Existing Rules Affected by this Order:
Amending SWCAA 493-200 and 493-400.

Statutory Authority for Adoption: RCW 70.94.141.

Adopted under notice filed as WSR 17-04-111 on February 1, 2017.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 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 4, 2017.

Uri Papish
Executive Director

AMENDATORY SECTION (Amending WSR 13-21-033, filed 10/9/13, effective 11/9/13)

SWCAA 493-200 AEROSOL COATINGS

(1) **Adoption by reference.** The National Volatile Organic Compound Emission Standards for Aerosol Coatings contained in 40 CFR Part 59, Subpart E as in effect on July 1, 2011 are hereby adopted by reference. The term "administrator" as defined in 40 CFR 59.503 shall include the Executive Director of SWCAA. Exceptions to this adoption by reference are listed in subsection (3).

(2) **Applicability.** SWCAA 493-200 applies to the sale or use of aerosol coatings within the jurisdiction of the Southwest Clean Air Agency.

(3) **Exceptions.** The following sections of 40 CFR 59, Subpart E are not adopted by reference:

(a) 40 CFR 59.509 *Can I get a variance?*

(4) **Variances.**

(a) Any regulated entity that cannot comply with the requirements of this section because of circumstances beyond its reasonable control may apply temporary variance. The variance application must include the following information:

(i) The specific products for which the variance is sought;

(ii) The specific provisions of the subpart for which the variance is sought;

(iii) The specific grounds upon which the variance is sought;

(iv) The proposed date(s) by which the regulated entity will achieve compliance with the provisions of this subpart. This date must be no later than 3 years after the issuance of a variance; and

(v) A compliance plan detailing the method(s) by which the regulated entity will achieve compliance with the provisions of this subpart.

(b) Within 30 days of receipt of the original application and within 30 days of receipt of any supplementary informa-

tion that is submitted, the Executive Director will send a regulated entity written notification of whether the application contains sufficient information to make a determination. If an application is incomplete, the Executive Director will specify the information needed to complete the application, and provide the opportunity for the regulated entity to submit written supplementary information or arguments to the Executive Director to enable further action on the application. The regulated entity must submit this information to the Executive Director within 30 days of being notified that its application is incomplete.

(c) Within 60 days of receipt of sufficient information to evaluate the application, the Executive Director will send a regulated entity written notification of approval or disapproval of a variance application. This 60-day period will begin after the regulated entity has been sent written notification that its application is complete.

(d) A variance will be issued if the following criteria are met to the satisfaction of the Executive Director:

(i) Complying with the provisions of this subpart would not be technologically or economically feasible; and

(ii) The compliance plan proposed by the applicant can reasonably be implemented and will achieve compliance as expeditiously as possible.

(e) A variance must specify dates by which the regulated entity will achieve increments of progress towards compliance, and will specify a final compliance date by which the regulated entity will achieve compliance with this subpart.

(f) A variance will cease to be effective upon failure of the party to whom the variance was issued to comply with any term or condition of the variance.

(5) **Variance Fee.** Each variance application must be accompanied by a fee as provided in the current Consolidated Fee Schedule established in accordance with SWCAA 400-098 ((of \$800)).

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 13-21-033, filed 10/9/13, effective 11/9/13)

SWCAA 493-400 AUTOMOBILE REFINISH COATINGS

(1) **Adoption by reference.** The National Volatile Organic Compound Emission Standards for Automobile Refinish Coatings contained in 40 CFR Part 59, Subpart B as in effect on July 1, 2011 are hereby adopted by reference. The term "administrator" as defined in 40 CFR 59.101 shall include the Executive Director of SWCAA. Exceptions to this adoption by reference are listed in subsection (3) below.

(2) **Applicability.** SWCAA 493-400 applies to the sale or use of automobile refinish coatings within the jurisdiction of the Southwest Clean Air Agency.

(3) **Exceptions.** The following sections of 40 CFR 59, Subpart B are not adopted by reference:

(a) 40 CFR 59.106 *Variance*.

(4) **Variations.**

(a) Any regulated entity that cannot comply with the requirements of this section because of circumstances beyond its reasonable control may apply in writing to the Executive Director for a temporary variance. The variance application must include the following information:

(i) The specific grounds upon which the variance is sought;

(ii) The proposed date(s) by which the regulated entity will achieve compliance with the provisions of this subpart. This date must be no later than 5 years after the issuance of a variance; and

(iii) A compliance plan detailing the method(s) by which the regulated entity will achieve compliance with the provisions of this subpart.

(b) Upon receipt of a variance application containing the information required in subsection (3)(a), the Executive Director will publish a public notice of such application on the Agency website and, if requested by any party, will hold a public hearing to determine whether, under what conditions, and to what extent, a variance from the requirements of this subpart is necessary and will be granted. If requested, a hearing will be held no later than 75 days after receipt of a variance application. Notice of the time and place of the hearing will be sent to the applicant by certified mail not less than 30 days prior to the hearing. At least 30 days prior to the hearing, the variance application will be made available to the public for inspection. Information submitted to the Executive Director by a variance applicant may be claimed as confidential. The Executive Director may consider such confidential information in reaching a decision on a variance application. Interested members of the public will be allowed a reasonable opportunity to testify at the hearing.

(c) A variance will be issued if the following criteria are met to the satisfaction of the Executive Director:

(i) Compliance with the provisions of this section would not be technologically or economically feasible; and

(ii) The compliance plan proposed by the applicant can reasonably be implemented and will achieve compliance as expeditiously as possible.

(d) Each variance will specify dates by which the regulated entity will achieve increments of progress towards compliance, and will specify a final compliance date by which the regulated entity will achieve compliance with this subpart.

(e) A variance will cease to be effective upon failure of the party to whom the variance was issued to comply with any term or condition of the variance.

(f) Upon the application of any party, the Executive Director may review and, for good cause, modify or revoke a variance after holding a public hearing in accordance with the provisions of subsection (3)(b).

(5) **Variance Fee.** Each variance application must be accompanied by a fee as provided in the current Consolidated Fee Schedule established in accordance with SWCAA 400-098 ((of \$800)).

WSR 17-11-083
PERMANENT RULES
SOUTHWEST CLEAN
AIR AGENCY

[Filed May 18, 2017, 3:44 p.m., effective June 18, 2017]

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

Purpose: This proposed change is part of a process to consolidate all agency fees into a single location to make it easier for affected parties to locate applicable fees. It will remove fees from the rule and establish a process for public notice and board consideration of changes without going through the complicated and lengthy rule-making process. The procedure for adoption and revision of the Consolidated Fee Schedule is provided for under SWCAA 400-098.

Citation of Existing Rules Affected by this Order: Amending SWCAA 802-130.

Statutory Authority for Adoption: RCW 70.94.141.

Adopted under notice filed as WSR 17-04-112 on February 1, 2017.

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: May 4, 2017.

Uri Papish
Executive Director

AMENDATORY SECTION (Amending WSR 13-21-029, filed 10/8/13, effective 11/8/13)

SWCAA 802-130 Fees

The Agency may require the following fees for its activities in accordance with the provisions of this regulation.

(1) Threshold Determination. The Agency may charge and collect ~~((the)) a fee ((specified below))~~ as provided in the current Consolidated Fee Schedule established in accordance with SWCAA 400-098 from any applicant to cover the costs incurred by the Agency in preparing an environmental checklist or other information needed for the Agency to make a threshold determination. In addition, the Agency may contract directly with a consultant for preparation of an environmental checklist or other information needed for the Agency to make a threshold determination, and may bill such costs and expenses directly to the applicant. The Agency may require the applicant to post bond or otherwise ensure payment of such costs and expenses. If the staff time required to

make a threshold determination exceeds the number of work hours associated with the applicable fee, the applicant will be invoiced for each additional work hour as provided in the current Consolidated Fee Schedule established in accordance with SWCAA 400-098 ~~((at the rate of \$70.00 per hour.~~

~~SEPA Threshold Determination Fee:~~

~~Minor project \$1,000.00 (14 associated work hours)
Major project \$2,500.00 (35 associated work hours))~~

(2) Environmental impact statement.

(a) When SWCAA is the lead agency for a proposal requiring an EIS, and the responsible official determines that the EIS shall be prepared by employees of the Agency, the staff time required to prepare the EIS will be invoiced to the applicant at the rate as provided in the current Consolidated Fee Schedule established in accordance with SWCAA 400-098 ~~((of \$70.00 per hour))~~. The Agency may also contract directly with a consultant for preparation of the EIS, and may bill such costs and expenses directly to the applicant. The responsible official shall advise the applicant(s) of the projected costs for the EIS prior to actual preparation; the applicant shall post bond or otherwise ensure payment of such costs.

(b) The responsible official may determine that the Agency will contract directly with a consultant for preparation of an EIS, or a portion of the EIS, for activities initiated by some persons or entity other than the Agency and may bill such costs and expenses directly to the applicant. The Agency may require the applicant to post bond or otherwise ensure payment of such costs.

(c) If a proposal is modified so that an EIS is no longer required, the responsible official shall refund any fees collected under (a) or (b) of this subsection which remain after incurred costs are paid.

(3) Public notice. The Agency may collect a reasonable fee from an applicant to cover the cost of meeting the public notice requirements of this regulation relating to the applicant's proposal.

(4) The Agency shall not collect a fee for performing its duties as a consulted agency, except as provided in WAC 197-11-570.

(5) The Agency may charge any person for copies of any document prepared under this ordinance, and for mailing the document, in a manner provided by Chapter 42.17 RCW.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 17-11-084
PERMANENT RULES
SOUTHWEST CLEAN
AIR AGENCY

[Filed May 19, 2017, 6:25 a.m., effective June 19, 2017]

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

Purpose: This proposed change is part of a process to consolidate all agency fees into a single location to make it

easier for affected parties to locate applicable fees. It will remove fees from the rule and establish a process for public notice and board consideration of changes without going through the complicated and lengthy rule-making process. The procedure for adoption and revision of the Consolidated Fee Schedule is provided for under SWCAA 400-098.

Citation of Existing Rules Affected by this Order: Amending SWCAA 476-050.

Statutory Authority for Adoption: RCW 70.94.141.

Adopted under notice filed as WSR 17-04-108 on February 1, 2017.

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: May 4, 2017.

Uri Papish
Executive Director

AMENDATORY SECTION (Amending WSR 01-05-065, filed 2/15/01, effective 3/18/01)

SWCAA 476-050 Notification Requirements and Fees

(1) **Applicability.** No person shall cause or allow work on an asbestos project, maintenance, renovation, or demolition activity involving asbestos containing material unless the owner or operator has submitted a complete notification to the Agency on Agency approved forms, in accordance with the advance notification period requirements and fees as provided in SWCAA 476-050(2).

(a) An Asbestos Notification is not required for any asbestos project involving less than 10 linear feet or 48 square feet (per structure, per year) of any asbestos-containing material unless the facility is to be demolished by intentional burning. If the facility is to be demolished by intentional burning, all asbestos-containing material shall be removed as an asbestos project. An Asbestos Notification is not required for removal of nonfriable roofing material. The owner/operator shall maintain documentation to substantiate qualification for the exemption;

(b) Regardless of the amount of asbestos-containing material present (including none), a Notification of Demolition activity must be submitted to the Agency on Agency approved forms prior to commencing a demolition accordance with SWCAA 476-050(2). In no event shall a project or activity proceed on a date other than the date indicated on the notification;

(c) The approval date to perform a project will be the date that all required submittals and fees are received at SWCAA;

(d) The duration of the asbestos project, maintenance activity, renovation, or demolition activity or project shall not exceed one (1) year beyond the original project starting date. The project starting and completion date for an asbestos project shall be commensurate with the amount of asbestos-containing material involved. In no event shall a project or activity start or end on a date other than the date contained on the notification;

(e) The written notification shall expire on the project completion date as specified by the owner or operator;

(f) A copy of the written notification, all amendments and the asbestos survey shall be available for inspection at the project site at all times until completion of the project;

(g) For an asbestos project, maintenance, renovation or demolition activity that will begin on a date later than the date contained in the original notification, the owner/operator or the owner's agent shall notify SWCAA by telephone (360-574-3058) as soon as possible before the original start date and provide written notification (facsimile acceptable) to SWCAA of the new start date no later than the original start date. In no event shall a project or activity begin on a date other than the date indicated in the revised notification;

(h) For an asbestos project, maintenance, renovation or demolition activity that will begin on a date earlier than the one contained in the original notification, the owner/operator or owner's agent shall provide written notification (facsimile acceptable) to SWCAA of the new start date at least 10 working days before commencement of the project or activity. In no event shall a project or activity begin on a date other than the date indicated in the revised notification; and

(i) All asbestos projects, maintenance, renovation or demolition activities shall be completed on the date identified on the notification. When a project or activity will be completed prior to the date specified on the notification, the owner or operator shall notify SWCAA by telephone as soon as possible but in no event later than the actual completion date. The owner or operator shall provide SWCAA with written notification (facsimile acceptable) of actual completion within 5 calendar days if the completion date is before the date on the notification. If the actual completion date will be after the date indicated on the notification, the owner or operator shall submit an amendment to the written notification with the new completion date (facsimile acceptable) to SWCAA prior to the completion date on the original or amended previous notification.

(2) **Advance Notification Period and Fee.** Any notification required by SWCAA 476-050(1) shall be considered incomplete until all the information required by SWCAA 476-050(1) is received by the Agency and accompanied by the appropriate fee. A facsimile of the completed notification form shall be acceptable documentation for the start of the notification period, but the appropriate fee shall be received before the project can proceed. The advance notification period and appropriate fee shall be determined as provided in the Consolidated Fee Schedule established in accordance with SWCAA 400-098 ((as follows:

Project Type	Notification Period	Notification Fee	Forms Required
Owner-Occupied, Single Family-Asbestos Occupant Performed	Prior Notification	\$ 25	Asbestos Notification
<10 linear ft <48 square ft Asbestos	None	None	None
10-259 linear ft 48-159 square ft Asbestos	10 Working Days	\$ 100	Asbestos Notification
260-999 linear ft 160-4999 square ft	10 Working Days	\$ 250	Asbestos Notification
1,000 linear ft 5,000 square ft	10 Working Days	\$ 500	Asbestos Notification
Amendments to All Projects	Prior Notification	\$ 25 3rd amendment & after	Amended Copy of Asbestos Notification
Annual Asbestos Notification	10 Working Days	\$ 500	Annual Asbestos Notification
Renovation With Asbestos	10 Working Days	Normal Asbestos Fee	Asbestos Notification
Renovation Without Asbestos	None	None	None
Demolition With Asbestos	10 Working Days	\$ 50 Plus Normal Asbestos Fee	Asbestos Notification & Demolition Notification
Demolition Without Asbestos	10 Working Days	\$ 50	Demolition Notification
Temporary Asbestos Storage Facility	Prior Notification	\$ 50	Temporary Storage Facility Application
Emergencies	Prior Notification	Double the Normal Notification Fee	Emergency Waiver Request Letter))

(3) **Annual notification.** In lieu of the notification requirements of SWCAA 476-050(1) and 476-050(2), the owner or operator of a facility may submit to the Agency an annual written notification to conduct asbestos projects (not including demolition or renovation) on one or more buildings, vessels, or structures at the facility during each calendar year for the purpose of scheduled maintenance or emergency repairs for removal of small quantities of asbestos-containing material as identified below. The requirements of SWCAA 476-050(1) shall not apply to asbestos projects undertaken during the calendar year at the applicable facility if all of the following conditions are met:

(a) Annual written notifications shall be submitted to the Agency for approval before commencing work on any asbestos projects specified in an annual application.

(b) The total amount of asbestos-containing material for all asbestos projects from each structure, vessel, or building in a calendar year under this section shall be limited to less than 260 linear feet on pipes and 160 square feet on other components.

(c) Any asbestos project involving at least 260 linear feet on pipes or 160 square feet or more on other components for each building, vessel, or structure at the facility shall be subject to the notification requirements of SWCAA 476-050(1) and 476-050(2) in addition to the annual notification requirements.

(d) A copy of the annual notice shall be available for inspection at the property owner's or operator's office until the end of the calendar year.

(e) Asbestos-containing waste material generated from asbestos projects filed under an annual notification may be stored for disposal at the facility if all of the following conditions are met:

(i) All asbestos-containing waste material shall be treated in accordance with SWCAA 476-070(1); and

(ii) Accumulated asbestos-containing waste materials collected during each calendar quarter shall be kept in a controlled storage area posted with one (1) or more asbestos warning signs and accessible only to authorized persons; and

(iii) For storage of asbestos-containing waste material longer than 10 days, the owner/operator or owner's agent shall apply to SWCAA for a Temporary Asbestos Storage Facility Authorization unless the asbestos-containing waste material is handled as dangerous waste in accordance with WAC 173-303. Asbestos-containing waste material shall only be disposed of at sites operated in accordance with the provisions of 40 CFR 61.154 or 61.155 and approved by the health department with jurisdiction.

(f) Annual written notifications shall be submitted by the facility owner or operator on forms provided by the Agency. Notifications shall be submitted to the Agency at least 10 days in advance of the start date and shall be accompanied by

an annual fee as provided in the Consolidated Fee Schedule established in accordance with SWCAA 400-098 ((identified in SWCAA 476-050(2))).

(g) The facility owner or operator shall submit quarterly written reports to the Agency within fifteen (15) days after the end of each calendar quarter. Each quarterly report shall be submitted on forms provided by the Agency or an alternate format approved by the Agency.

(4) **Amendments.** An amended notification shall be submitted to the Agency prior to deviating from any of the information contained in a notification. Amended notifications addressed by this section shall be filed by the original applicant, received by the Agency no later than the last filed completion date, and are limited to the following revisions:

(a) A change in the job size category because of identification of additional asbestos-containing material. In this case, the fee shall be increased accordingly and the total fee shall be equal to, but not exceed, the fee amount provided for the new job size category as specified in SWCAA 476-050(2);

(b) The project starting or completion date, provided the total duration of the work does not exceed one (1) calendar year beyond the original starting date. The commencement date of the original advance notification period shall apply with no additional waiting period required for amended notifications. If an amended notification results in a job size category that requires a waiting period as specified in SWCAA 476-050(2) and the original notification did not require a waiting period, the advance notification period shall commence on the date the original application was submitted;

(c) Name, mailing address, and telephone number of the owner or operator of the asbestos project site or operation;

(d) Waste disposal site, provided the revised waste disposal site is operated in accordance with the provisions of 40 CFR 61.154 or 61.155 and approved by the health department with jurisdiction;

(e) Method of removal or compliance procedures, provided the revised work plan meets the asbestos emission control and disposal requirements of SWCAA 476-060 and 450-070;

(f) Description, size (total square feet or number of floors), and approximate age of the building, vessel, or structure at the original address or location; and

(g) Any other information requested by the Agency.

(5) **Emergencies.**

(a) The Agency may waive the required ten (10) working day advance notification period if the property owner or occupant demonstrates in writing to the Agency that an asbestos project or maintenance, renovation or demolition activity must be conducted immediately because of any of the following:

(i) There was a sudden, unexpected event that resulted in a public health or safety hazard; or

(ii) The project must proceed immediately to protect equipment, ensure continuous vital utilities, or minimize property damage; or

(iii) The project must proceed to avoid imposing an unreasonable burden.

(b) Each emergency waiver request shall include a fee as provided in the Consolidated Fee Schedule established in

accordance with SWCAA 400-098 ((identified in SWCAA 476-050(2))).

(c) If the emergency asbestos project occurs during non business hours, notification to SWCAA must occur no later than the next business day.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 17-11-104
PERMANENT RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed May 22, 2017, 3:03 p.m., effective June 22, 2017]

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

Purpose: Amends WAC 181-79A-221, 181-79A-223, 181-79A-250, and 181-79A-2511, changes professional certificate requirements for school speech language pathologists, and provides renewal options for school counselors and removes professional requirements for counselors.

Citation of Existing Rules Affected by this Order: Amending WAC 181-79A-221, 181-79A-223, 181-79A-250, and 181-79A-2511.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 17-08-072 on April 3, 2017.

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, email 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 4, Repealed 0.

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

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

Date Adopted: May 18, 2017.

David Brenna
Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 15-20-059, filed 10/1/15, effective 11/1/15)

WAC 181-79A-221 Academic and experience requirements for certification—School counselors and school psychologists. Candidates for school counselor and school psychologist certification shall complete the follow-

ing requirements in addition to those set forth in WAC 181-79A-150 and 181-79A-226: Provided, That it shall not be necessary for any candidate who holds a master's or doctorate degree to obtain the specified master's degree if the candidate provides satisfactory evidence to the superintendent of public instruction that he or she has completed all course work requirements relevant to the required master's degree and has satisfactorily completed a comprehensive examination required in such master's degree program. This examination shall be an examination of ~~((a regionally))~~ an accredited institution of higher education or the National Counselor Examination (NCE) of the National Board of Certified Counselors (NBCC) or, in the case of school psychologists, hold the NCSP accreditation from the National Association of School Psychologists (NASP): Provided, That if any candidate has been awarded a master's degree without a comprehensive examination, the candidate, as a condition for certification, shall successfully complete the Praxis II exam in the appropriate role.

(1) School counselor.

(a) Residency.

(i) ~~((The candidate shall))~~ Hold a master's degree with a major in counseling.

(ii) ~~((The candidate shall have successfully completed a comprehensive examination of the knowledge included in the course work for the required master's degree. This examination shall be a proctored examination of a regionally accredited institution of higher education or the candidate may meet this requirement by receiving a passing score on the Praxis II guidance and counseling examination.))~~ Completion of an approved school counselor program.

(b) Continuing.

(i) Hold or have held an initial or residency school counselor certificate, and have completed at least fifteen quarter (ten semester) credit hours of graduate course work offered by an accredited institution or one hundred fifty clock hours of study which meets the state continuing education clock hour criteria pursuant to chapter 181-85 WAC, or a combination of credits and clock hours equivalent to the above. The study shall:

(A) Be based on the school counselor performance domains included in WAC 181-78A-270 (4)(a);

(B) Be taken subsequent to the issuance of the most recent initial or residency school counselor certificate.

(ii) The candidate shall provide documentation of one hundred eighty days or full-time equivalent or more employment in the role of school counselor with an authorized employer—i.e., school district, educational service district, state agency, private school, or private school system—and at least thirty days of such employment with the same employer.

(c) Professional. A professional certificate ~~((can))~~ may be earned ~~((in one of the following ways:~~

(i) ~~An individual who has successfully completed an approved professional certificate program shall be deemed to meet the requirement for professional certification.~~

~~((ii))~~ by an individual who holds or has held a school counseling certificate issued by the National Board for Professional Teaching Standards (NBPTS) ((shall be deemed to have met the requirement for completion of a professional

~~certificate program, in recognition that NBPTS certification is issued only to individuals who have demonstrated highly advanced skills as a school counselor)).~~

~~((e))~~ (d) Beginning with certificates first issued or renewed after July 1, 2015, continuing and professional certificates for school counselors include a requirement for suicide prevention training per RCW 28A.410.226.

(2) School psychologist.

(a) Residency.

(i) The candidate shall hold a master's degree with a major or specialization in school psychology.

(ii) ~~((The candidate shall have successfully completed a comprehensive examination of the knowledge included in the course work for the required master's degree. This examination shall be a proctored examination of a regionally accredited institution of higher education or the candidate may meet this requirement by receiving a passing score on the Praxis II school psychology examination.))~~ Completion of an approved school psychology program.

(b) Continuing.

(i) ~~((The candidate shall hold a valid))~~ Hold or have held an initial or residency school psychologist certificate, a master's degree with a major or specialization in school psychology, and have completed at least fifteen quarter (ten semester) credit hours of graduate course work offered by ((a college or university with a state approved school psychologist program)) an accredited institution or one hundred fifty clock hours of study, which meet the state continuing education clock hour criteria pursuant to chapter 181-85 WAC, or a combination of credits and clock hours equivalent to the above. The study shall:

(A) Be based on the school psychologist performance domains included in WAC 181-78A-270 (5)(a);

(B) Be taken subsequent to the issuance of the most recent initial or residency school psychologist certificate(; ~~and~~

~~(C) Be determined in consultation with and approved by the candidate's employer or the administrator of a state approved school psychologist preparation program)).~~

(ii) The candidate shall provide documentation of one hundred eighty days or full-time equivalent or more employment in the role of school psychologist with an authorized employer—i.e., school district, educational service district, state agency, ~~((college or university;))~~ private school, or private school system—and at least thirty days of such employment with the same employer.

(c) Professional. An individual who holds an NCSP certificate issued by the National Association of School Psychologists (NASP) shall be deemed to have met the requirement for professional certification ~~((, in recognition that NCSP certification is issued only to individuals who have demonstrated highly advanced skills as a school psychologist)).~~

(d) Beginning with certificates first issued or renewed after July 1, 2015, continuing and/or professional certificates for school psychologists include a requirement for suicide prevention training per RCW 28A.410.226.

AMENDATORY SECTION (Amending WSR 15-23-014, filed 11/6/15, effective 12/7/15)

WAC 181-79A-223 Academic and experience requirements for certification—School nurse, school occupational therapist, school physical therapist and school speech-language pathologist or audiologist, and school social worker. Candidates for school nurse, school occupational therapist, school physical therapist and school speech-language pathologist or audiologist and school social worker certification shall apply directly to the professional certification office. Such candidates shall complete the following requirements, in addition to those set forth in WAC 181-79A-150, except state approved college/university professional preparation program. Provided, that it shall not be necessary for any candidate who holds a master's or doctorate degree to obtain the specified master's degree if the candidate provides satisfactory evidence to the superintendent of public instruction that he or she has completed all course work requirements relevant to the required master's degree and has satisfactorily completed a comprehensive examination required in such master's degree program: Provided, That if any candidate has been awarded a master's degree without a comprehensive examination, the candidate, as a condition for certification, shall successfully complete the Praxis II exam in the appropriate role.

(1) School nurse.

(a) Initial.

(i) The candidate shall hold a valid license as a registered nurse (RN) in Washington state.

(ii) The candidate shall hold a baccalaureate degree or higher in nursing from a program accredited by the National League for Nursing Accrediting Commission or the Commission on Collegiate Nursing Education.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the professional educator standards board which will consist of the following course outcomes in which candidates will:

(A) Demonstrate an understanding of school and special education laws and policies (national, state, and local) and their application to decision-making processes in the educational setting;

(B) Understand and demonstrate knowledge of working within the culture of the schools, creating an environment that fosters safety, health, and learning for the students;

(C) Demonstrate knowledge of appropriate resources in the school setting;

(D) Demonstrate knowledge of collaboration with team members which may include parents, teachers, administrators, and others to support learning outcomes for all students;

(E) Demonstrate knowledge of how to support the outcomes for all students through strategies such as scientifically based practices, collaborative teaming, and ethical decision making;

(F) Use professional standards to inform professional growth planning;

(G) Demonstrate an understanding of the use of human, community, and technological resources. Provided, that an individual who meets all other requirements but who has not completed the required course work shall be issued a tempo-

rary permit valid for one year, unless prior to the expiration date the superintendent of public instruction determines the applicant is ineligible to receive a valid certificate or endorsement, which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall have completed the requirements for the initial certificate as a school nurse and have completed forty-five quarter hours (thirty semester hours) of postbaccalaureate course work in education, nursing, or other health sciences.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(2) School occupational therapist.

(a) Initial.

(i) The candidate shall hold a valid license as an occupational therapist in Washington state.

(ii) The candidate shall hold a baccalaureate (or higher) degree from an American Occupational Therapy Association approved program in occupational therapy.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the professional educator standards board which will consist of the following course outcomes in which candidates will:

(A) Demonstrate an understanding of school and special education laws and policies (national, state, and local) and their application to decision-making processes in the educational setting;

(B) Understand and demonstrate knowledge of working within the culture of the schools, creating an environment that fosters safety, health, and learning for the students;

(C) Demonstrate knowledge of appropriate resources in the school setting;

(D) Demonstrate knowledge of collaboration with team members which may include parents, teachers, administrators, and others to support learning outcomes for all students;

(E) Demonstrate knowledge of how to support the outcomes for all students through strategies such as scientifically based practices, collaborative teaming, and ethical decision making;

(F) Use professional standards to inform professional growth planning;

(G) Demonstrate an understanding of the use of human, community, and technological resources. Provided, that an individual who meets all other requirements but who has not completed the required course work shall be issued a temporary permit valid for one year, unless prior to the expiration date the superintendent of public instruction determines the applicant is ineligible to receive a valid certificate or endorsement, which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the

required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall have completed the requirements for the initial certificate as a school occupational therapist and have completed at least fifteen quarter hours (ten semester hours) of course work beyond the baccalaureate degree in occupational therapy, other health sciences or education.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(3) School physical therapist.

(a) Initial.

(i) The candidate shall hold a valid license as a physical therapist in Washington state.

(ii) The candidate shall hold a baccalaureate (or higher) degree from an American Physical Therapy Association accredited program in physical therapy.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the professional educator standards board which will consist of the following course outcomes in which candidates will:

(A) Demonstrate an understanding of school and special education laws and policies (national, state, and local) and their application to decision-making processes in the educational setting;

(B) Understand and demonstrate knowledge of working within the culture of the schools, creating an environment that fosters safety, health, and learning for the students;

(C) Demonstrate knowledge of appropriate resources in the school setting;

(D) Demonstrate knowledge of collaboration with team members which may include parents, teachers, administrators, and others to support learning outcomes for all students;

(E) Demonstrate knowledge of how to support the outcomes for all students through strategies such as scientifically based practices, collaborative teaming, and ethical decision making;

(F) Use professional standards to inform professional growth planning;

(G) Demonstrate an understanding of the use of human, community, and technological resources. Provided, that an individual who meets all other requirements but who has not completed the required course work shall be issued a temporary permit valid for one year, unless prior to the expiration date the superintendent of public instruction determines the applicant is ineligible to receive a valid certificate or endorsement, which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall have completed the requirements for the initial certificate as a school physical therapist and have completed fifteen quarter hours (ten semester hours) of

course work beyond the baccalaureate degree in physical therapy, other health sciences or education.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(4) School speech-language pathologist or audiologist.

(a) Initial.

(i) The candidate shall have completed all course work (except special project or thesis) for a master's degree from a college or university program accredited by the American Speech and Hearing Association (ASHA) with a major in speech pathology or audiology. Such program shall include satisfactory completion of a written comprehensive examination: Provided, That if any candidate has not completed a written comprehensive examination, the candidate may present verification from ASHA of a passing score on the National Teacher's Examination in speech pathology or audiology as a condition for certification.

(ii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the professional educator standards board which will consist of the following outcomes in which candidates will:

(A) Demonstrate an understanding of school and special education laws and policies (national, state, and local) and their application to decision-making processes in the educational setting;

(B) Understand and demonstrate knowledge of working within the culture of the schools, creating an environment that fosters safety, health, and learning for the students;

(C) Demonstrate knowledge of appropriate resources in the school setting;

(D) Demonstrate knowledge of collaboration with team members which may include parents, teachers, administrators, and others to support learning outcomes for all students;

(E) Demonstrate knowledge of how to support the outcomes for all students through strategies such as scientifically based practices, collaborative teaming, and ethical decision making;

(F) Use professional standards to inform professional growth planning;

(G) Demonstrate an understanding of the use of human, community, and technological resources. Provided, that an individual who meets all other requirements but who has not completed the required course work shall be issued a temporary permit valid for one year, unless prior to the expiration date the superintendent of public instruction determines the applicant is ineligible to receive a valid certificate or endorsement, which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall hold a master's degree with a major in speech pathology or audiology.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(iii) Candidates that can demonstrate the successful completion of the national American Speech-Language-Hearing Association (ASHA) certificate in addition to the education and employment experience.

(5) School social worker.

(a) Initial.

(i) The candidate shall hold an MSW from a regionally accredited institution of higher learning.

(ii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the professional educator standards board which will consist of the following outcomes in which candidates will:

(A) Demonstrate an understanding of school and special education laws and policies (national, state, and local) and their application to decision-making processes in the educational setting;

(B) Understand and demonstrate knowledge of working within the culture of the schools, creating an environment that fosters safety, health, and learning for the students;

(C) Demonstrate knowledge of appropriate resources in the school setting;

(D) Demonstrate knowledge of collaboration with team members which may include parents, teachers, administrators, and others to support learning outcomes for all students;

(E) Demonstrate knowledge of how to support the outcomes for all students through strategies such as scientifically based practices, collaborative teaming, and ethical decision making;

(F) Use professional standards to inform professional growth planning;

(G) Demonstrate an understanding of the use of human, community, and technological resources. Provided, that an individual who meets all other requirements but who has not completed the required course work shall be issued a temporary permit valid for one year, unless prior to the expiration date the superintendent of public instruction determines the applicant is ineligible to receive a valid certificate or endorsement, which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall have completed the requirements for the initial certificate as a school social worker and have completed an annual professional growth plan or fifteen quarter hours or one hundred fifty clock hours specific to the role of the school social worker since earning the initial certificate.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency,

college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(6) Beginning with continuing certificates first issued after July 1, 2015, continuing certificates for school nurses and school social workers include a requirement for suicide prevention training per RCW 28A.410.226 and again every five years after receiving the continuing certificate.

(7) The professional educator standards board will review courses for approval and reapproval/disapproval per the posted schedule. All providers of the initial ESA course must maintain current approval status to offer the course.

AMENDATORY SECTION (Amending WSR 11-15-051, filed 7/15/11, effective 8/15/11)

WAC 181-79A-250 Initial and continuing certificates—Renewal, reinstatement, and continuing education requirements. The following shall apply to initial and continuing certificates issued pursuant to this chapter:

(1) Initial certificate.

(a) Teachers.

An initial teacher certificate may be renewed for an additional three-year period on application and verification that the individual has completed all course work requirements from a regionally accredited institution of higher education as defined in WAC 181-78A-010(6) for continuing certification or has completed at least fifteen quarter credit hours (ten semester credit hours) since the certificate was issued or renewed. After August 31, 2000, provisions of WAC 181-79A-123 will apply.

(b) Administrators.

After June 30, 2004, provisions of WAC 181-79A-123(8) will apply.

(c) Educational staff associates.

After June 30, 2005, provisions of WAC 181-79A-123(9) will apply to school psychologists and school counselors.

(2) Continuing certificate.

(a) The continuing certificates of holders who were eligible for such certificates prior to August 31, 1987, and who applied for such certificates prior to July 1, 1988, or who would have been eligible for such certificates prior to August 31, 1987, but for one of the three-year experience requirement and who complete such requirement and apply for such certificate prior to August 31, 1988, will be valid for life. Holders of valid continuing certificates affected by this subsection shall be entitled to have such certificate reissued and subject to the terms and conditions applicable to certification at the time of reissuance including the continuing education requirements of chapter 181-85 WAC.

(b) All continuing certificates not affected by the exception stated in (a) of this subsection shall expire if the holder does not complete the continuing education requirement((s)) to include the filing requirement specified in chapter 181-85 WAC, or has kept the national American Speech-Language-Hearing Association certificate up to date. To reinstate such an expired continuing certificate the individual must complete the requirements for reinstatement stated within chapter

181-85 WAC and must meet the conditions stated in WAC 181-79A-253.

AMENDATORY SECTION (Amending WSR 15-20-059, filed 10/1/15, effective 11/1/15)

WAC 181-79A-2511 School counselor residency and professional certification—Renewal and reinstatement.

(1) School counselors may renew their residency certificate in one of the following ways:

(a) Individuals who hold a residency certificate and who qualify for enrollment in a professional certificate program pursuant to WAC 181-78A-535(3) may have the residency certificate renewed for one additional two-year period upon verification by the professional certificate program administrator that the candidate is enrolled in a state approved professional certificate program.

(b) An individual school counselor who completes or intends to complete a National Board of Professional Teaching Standards (NBPTS) school counselor assessment but does not earn National Board Certification may use that completed assessment, or an affidavit of intention to complete, in order to renew the residency certificate one time for two years.

(c) Individuals who hold, or have held, a residency certificate who are not in the role of school counselor may have their residency certificates renewed for an additional five-year period by the completion of fifteen quarter credits (ten semester credits) of college credit course work from a regionally accredited institution of higher education or completion of one hundred fifty continuing education hours, directly related to the current performance-based standards as defined in WAC 181-78A-270(4) since the issuance of the residency certificate.

(d) A three-year renewal is available until June 30, 2020, for individuals who have held or hold a school counselor residency certificate that expires prior to July 1, 2019.

(2) Professional.

(a) For certificates issued under rules in effect prior to September 1, 2014, a valid professional certificate may be renewed for additional five-year periods by:

(i) Completion of one hundred fifty continuing education credit hours as defined in chapter 181-85 WAC since the certificate was issued and which relate to the current performance-based standards as defined in WAC 181-78A-270(4); or

(ii) Completion of four professional growth plans that are developed annually since the certificate was issued.

(b) Beginning September 1, 2014, a valid professional certificate may be renewed for additional five-year periods for individuals in the role of a school counselor by completion of four professional growth plans developed annually since the certificate was issued.

(c) Renewal of the professional certificate.

(i) Individuals who complete the requirements of the annual professional growth plan to renew their professional certificate shall receive the equivalent of thirty hours of continuing education credit hours.

(ii) The professional growth plans must document formalized learning opportunities and professional development

activities that relate to the standards and "career level" benchmarks defined in WAC 181-78A-540(2).

(iii) Provided, That a school counselor professional certificate may be renewed based on the possession of a valid school counselor certificate issued by the National Board for Professional Teaching Standards at the time of application for the renewal of the professional certificate. Such renewal shall be valid for five years or until the expiration of the National Board Certificate, whichever is greater.

(iv) Provided, any educator holding a professional certificate which requires completion of four PGPs in five years, may renew the professional certificate for one time only by completing one hundred fifty continuing education credit hours as defined in chapter 181-85 WAC, or with completion of fifteen quarter credit hours related to job responsibilities, in lieu of completion of four professional growth plans as required by this chapter. Individuals with valid certificates must show completion of the hours as described in this section since the professional certificate was issued. Individuals with an expired professional certificate must complete the hours as described in this section within the five years prior to the date of the renewal application: Provided, That this section is no longer in effect after June 30, 2020.

(v) For educators holding multiple certificates as described in WAC 181-79A-251, 181-79A-2510, 181-79A-2511, or 181-79A-2512 of this chapter, or in chapter 181-85 WAC, a professional growth plan for teacher, administrator, or education staff associate shall meet the requirement for all certificates held by an individual which is affected by this section.

(vi) The one-time renewal option of using clock hours or credits in lieu of professional growth plans as required applies to any/all professional certificates an educator may hold, and is only available to the individual one time. This section is no longer in effect after June 30, 2020.

(vii) After July 1, 2015, professional certificates for school counselors, in addition to the requirements in this chapter, must attend professional educator standards board approved training in suicide prevention as per RCW 28A.410.226 for renewal of their certificate.

(d) Individuals not in the role of a school counselor may have their professional certificate renewed for an additional five-year period by:

(i) Completion of fifteen quarter credits (ten semester credits) of college credit course work directly related to the current performance-based standards as defined in WAC 181-78A-540(2) from a regionally accredited institution of higher education taken since the issuance of the professional certificate; or

(ii) Completion of one hundred fifty continuing education credit hours as defined in chapter 181-85 WAC since the certificate was issued and which relate to the current performance-based standards as defined in WAC 181-78A-540(2); or

(iii) Completion of four annual professional growth plans developed since the certificate was issued.

**WSR 17-11-117
PERMANENT RULES
DEPARTMENT OF HEALTH**

(Pharmacy Quality Assurance Commission)
[Filed May 23, 2017, 11:12 a.m., effective June 23, 2017]

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

Purpose: WAC 246-861-105 Suicide prevention education, adopting a new rule to establish a one-time continuing education requirement for pharmacists in suicide prevention as required by RCW 43.70.442. The training must be at least three hours in suicide screening and referral with content related to the assessment of issues related to imminent harm via lethal means, and be from the department of health's model list of training programs.

Statutory Authority for Adoption: RCW 18.64.005.

Other Authority: RCW 43.70.442.

Adopted under notice filed as WSR 17-05-014 on February 3, 2017.

Changes Other than Editing from Proposed to Adopted Version: Subsection (1) was changed to be consistent with RCW 43.70.442(2) regarding when training must be completed. In subsection (3) the word "chapter" was changed to "section" for accuracy.

A final cost-benefit analysis is available by contacting Doreen Beebe, Pharmacy Quality Assurance Commission, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4834, fax (360) 236-2260, email Doreen.Beebe@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 1, 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 1, Amended 0, Repealed 0.

Date Adopted: March 30, 2017.

Tim Lynch, PharmD, MS, Chair
Pharmacy Quality Assurance Commission

NEW SECTION

WAC 246-861-105 Suicide prevention education. (1)

A licensed pharmacist must complete a one-time training in suicide screening and referral by the end of the first full continuing education reporting period after January 1, 2017, or during the first full continuing education reporting period after initial licensure, whichever is later. The training must meet the following requirements:

(a) The training is at least three hours long;

(b) Until July 1, 2017, training must be an empirically supported training in suicide screening and referral, and meet any other requirements in RCW 43.70.442; and

(c) Beginning July 1, 2017, training must be on the department of health's model list of approved suicide prevention training programs, and include content related to imminent harm via lethal means.

(2) The hours spent completing the training in this section count toward meeting continuing education requirements in WAC 246-861-090.

(3) Nothing in this section is intended to expand or limit the pharmacist scope of practice.

**WSR 17-11-120
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed May 23, 2017, 11:39 a.m., effective July 1, 2017]

Effective Date of Rule: July 1, 2017.

Purpose:

	WAC Numbers	WAC Description	What is Changing	Reason for Change
1.	WAC 296-17-31007	Owner optional coverage.	Adding language for exempt employments and how to elect coverage.	Ease of doing business. This rule provides further interpretation of an existing statute. There is no information currently in rule describing elective coverage for exempt employments as described in RCW 51.12.020. This information should be available in rule along with the information regarding owner optional coverage. Over the year, the assistant attorney general (AAG) recommended this amendment be made as customers should not have to look in two places (the statutes and the rules) to find this information.

	WAC Numbers	WAC Description	What is Changing	Reason for Change
2.	WAC 296-17A-0518	Nonwood frame buildings and structures N.O.C. and concrete construction, N.O.C.	Correcting a grammatical error found in the current rule; clarifying language and making it easier for employers to appropriately apply; and reduce opportunities for unintentional or intentional application of the term "structures." There is no change in how the classification is currently applied and this update will not impact employers' rates.	Ease of doing business. Staff requested clarification due to the difficulty understanding the intent of the language. This will reduce confusion for external customers and allow staff to provide consistent service to customers.
3.	WAC 296-17A-1501-20 WAC 296-17A-4904-20 WAC 296-17A-5308-20 WAC 296-17A-6511-20	Community action organizations— All other employees N.O.C. Community action organizations— Clerical office employees. Community action organizations— Professional services and administrative employees. Community action organizations— Chore services/home care assistants.	Reformat community action organization classifications to improve readability.	Ease of doing business. Staff requested clarification due to the difficulty understanding the intent of the language. This will reduce confusion for external customers and allow staff to provide consistent service to customers.
4.	WAC 296-17A-0219-01	Construction specialty services.	Add a reference to prefab panels.	Ease of doing business. Improving consistency of classification references. Classification 0302 Brick, block, and stone masonry work, N.O.C. excludes "mechanically placed block or prefab panels next to a roadway for noise barrier, median or retaining wall, which is reported in class 0219." Scopes language for 0219 doesn't currently mention prefab panels. The classification advisement for walls, fences, and barriers does currently reference prefab panels in 0219.
5.	WAC 296-17A-1102-02 WAC 296-17A-1102-03 WAC 296-17A-1102-04	Interstate trucking. Intrastate trucking. Combined interstate/intrastate trucking.	Rewrite to: <ul style="list-style-type: none">Make classification clearer and easier to understand.Clarify distinction between 1102 and Classification 2002 Freight handling.	Account managers asked for clarification on how to apply Classification 2002 to the trucking industry. See #8 below.
6.	WAC 296-17A-1105-01	Street sweeping; parking lot sweeping; dust control; and portable chemical toilet servicing.	Correct typographical error, devises to devices.	Maintain an accurate classification plan.
7.	WAC 296-17A-1303 WAC 296-17A-1304	Telephone companies—All other employees. Telephone companies—Exchange operators, clerical office and sales personnel.	Update titles to include "telecommunications." 1303-00 Telecommunication service providers—All other employees. 1304-00 Telecommunication service providers—Administrative, office and sales personnel.	Ease of doing business. The title of these classifications must be updated to align with modern technology terminology. The scopes language is unchanged.
8.	WAC 296-17A-2002-13 WAC 296-17A-2002-31	Freight handler services, N.O.C. Refrigeration car—Loading, unloading or icing.	Rewrite to: <ul style="list-style-type: none">Make classification clearer and easier to understand.Clarify distinction between Classification 2002 and Classification 1102.	Account mangers [managers] asked for clarification on how to apply Classification 2002 to the trucking industry. See #5 above.
9.	WAC 296-17A-3905-09	Fast food drive ins N.O.C.	Add smoothie bars to language.	Ease of doing business. Documenting current practice of classifying smoothie bars in 3905-09. As smoothie bars have become more popular, staff asked that the classification language contain this specific type of fast food establishment.

	WAC Numbers	WAC Description	What is Changing	Reason for Change
10.	WAC 296-17A-4814-00 WAC 296-17A-4815-00 WAC 296-17A-4816-00	Farms: Internship program.	Remove reference to "governing classification" to "principal farm classification."	Governing classification rule no longer exists.
11.	WAC 296-17A-6906-02	Volunteer law enforcement officers of state agencies—Medical aid only.	Clarify that law enforcement officers of state agencies are mandatorily covered.	Ease of doing business. Staff requested clarification be added to 6906 to delineate mandatory coverage from elective coverage for state agencies. Mandatory coverage does not require an elective coverage application.

The department reviewed these chapters and made revisions to:

- Correct typographical and other errors (such as invalid telephone numbers and out-of-date references);
- Revise wording and formatting to make the rules easier to understand and apply;
- Incorporate and formalize existing agency practices (such as expressly including in a risk classification employment that the department currently includes by interpretation or analogy).

In addition, this rule making will provide further interpretation of an existing statute. There is no information currently in rule describing elective coverage for exempt employments as described in RCW 51.12.020. This information should be available in rule along with the information regarding owner optional coverage. Our AAG recommended this amendment be made as customers should not have to look in two places (the statutes and the rules) to find this information.

The purpose of this rule making is not to make substantive changes to how the department classifies employment, but to review and revise the classification plan to ensure it is clear and understandable. These changes will not change the way we calculate employer rates, our reporting requirements, or how we classify businesses.

As part of this rule making, the department also reviewed these chapters as required by SSB 5679 (chapter 30, Laws of 2013 2nd sp. sess.) to make changes where possible to reduce the regulatory burden on employers insured with the state fund.

Citation of Existing Rules Affected by this Order: See Purpose above.

Statutory Authority for Adoption: RCW 51.04.020 and 51.16.035.

Adopted under notice filed as WSR 17-07-108 on March 21, 2017.

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 17, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 17, 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 23, 2017.

Joel Sacks
Director

AMENDATORY SECTION (Amending WSR 13-11-128, filed 5/21/13, effective 7/1/13)

WAC 296-17-31007 Owner/officer coverage and coverage for exempt employments. (1) **As a business owner, can I buy workers' compensation insurance to cover myself or to cover workers who are exempt from mandatory coverage as defined in RCW 51.12.020, 51.12.035, or 51.12.170?**

Yes. ~~((If you are a))~~ Coverage is not required, but is available for sole proprietors, partners, qualifying corporate officers, ~~((or))~~ qualifying members of a limited liability company ~~((you may not be required to have industrial insurance coverage as provided in RCW 51.12.020. In these instances, you can still obtain workers' compensation coverage from us)), and for exempt employments defined in RCW 51.12.020, 51.12.035, or 51.12.170.~~ We refer to this coverage as optional coverage ~~((since as the owner/officer, you are not required to have this insurance. Because owner insurance coverage is optional)).~~ For owner optional coverage, you must meet certain conditions and requirements which are detailed on the application for owner/officer optional coverage. These requirements include:

- Completing an application for optional owner/officer coverage;
- Reporting owner/officer hours in the classification assigned to your business that is applicable to the work being performed by the owner/officer;
- Submitting a supplemental report which lists the name of each covered owner/officer; and
- Reporting four hundred eighty hours or actual hours worked each quarter for each covered owner/officer and in the applicable workers' compensation classification code.

(2) When will my owner/officer coverage or coverage for exempt employments become effective?

Your coverage will become effective ~~((upon receipt of your application in the department in writing or by fax))~~ the

day after we receive your completed and signed application for optional coverage, unless you indicate ((a future)) that optional coverage should begin at a later date. ((However, no such person or beneficiaries thereof shall be entitled to benefits unless the date of injury were the next day or later after coverage was elected. We will not make coverage effective on a date prior to our receipt of)) Coverage cannot begin before the day after we receive your completed application ((for owner/officer coverage)).

(3) **How does cancellation work?** You may cancel your optional owner/officer coverage or elective coverage for exempt employments by notifying the department in writing. For sole proprietors and partners, we will cancel your coverage either the same day we receive your written notice to cancel or on the future date you indicate. For corporations, LLCs or elective coverage for exempt employment, we will cancel the coverage thirty days from the date we receive your written request to cancel.

The department may cancel optional coverage if any required payments have not been made. Cancellation will become effective no later than thirty days from the date of the cancellation notice the department sent to the employer.

When your account balance is paid, if you want to reestablish owner/officer coverage, you must submit a new application for owner/optional coverage.

(4) **Where can I ((obtain)) get an application for owner/officer coverage, or coverage for exempt employments?** There are separate applications for owner/officer optional coverage and coverage for exempt employments. To ((obtain a copy of this)) get these applications, go to <http://www.lni.wa.gov/FormPub> ((or)), contact your local labor and industries office((- We are listed in the government pages of your local directory)), or you can call ((our underwriting section)) the employer services division at 360-902-4817.

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

WAC 296-17A-0219 Classification 0219.

0219-00 Construction specialty services, N.O.C.

Applies to contractors engaged in the installation or removal of lighting for highways, streets, roadways, parking lots, and light standards. It also applies to the installation, repair, or removal of signs, guardrails, roadside reflectors, lane buttons or turtles, or lane markers not covered by another classification (N.O.C.). Usually, these activities occur as finishing touches after new or existing roadways are paved or surfaced. Roadway lighting includes traffic signal lights, and halogen or mercury vapor lights mounted to metal standards erected alongside the roadway. Signs (such as speed limit, road condition, city and town mile destination) are mounted on overpasses or on wood or metal poles erected alongside the roadway. Guardrails include metal barriers mounted on wood or metal poles driven into the roadside shoulder. Lane markers, lane buttons or turtles consist of small reflectors, or chips of plastic or concrete attached to the road with an adhesive bonding material. This classification includes the related hook-up of power to the light standard.

This classification excludes the installation of power lines that feed into power poles which is to be reported separately in the applicable construction classification for the work being performed.

Special note: This classification excludes exterior sign erection, repair, or removal not in connection with displaying highway, street, or roadway information or conditions even though such signs may be erected or placed alongside roadways (such as advertisement bill boards, business, or personal property signs) which is to be reported separately in classification 0403.

0219-01 Construction specialty services

Applies to contractors engaged in specialty services such as the painting or striping of highways, streets, roadways, or parking lots not covered by another classification (N.O.C.). This classification includes painting, striping, numbering, or lettering of highways, streets, roadways, parking lots, parking garages, airport runways, taxi ways, curbs, roadway dividers, median strips, and special traffic areas such as fire, bus, handicap, and no parking zones. The paint or other material used for these markings is usually applied to the surface using a mechanical device, either self-propelled or towed by a truck or other motor vehicle. In some instances, the paint will be applied manually with brush or roller which is included in this classification. This classification includes the application of asphalt sealants to roadways or parking lots((- This classification also includes)); mechanically placed block or prefab panels next to a roadway for noise barrier, median, or retaining walls; and concrete barrier installation, in connection with road construction, by a concrete barrier rental business or by a flagging contractor who also supplies the concrete barriers. This includes the flaggers who are necessary during the installation of the barriers as well as any flaggers the company supplies to the road construction project itself.

This classification excludes the interior painting of buildings which is to be reported separately in classification 0521, the exterior painting of buildings or structures which is to be reported separately in classification 0504; application of asphalt sealant to driveways which is to be reported separately in classification 0504-06; the rental of the concrete barriers and other flagging equipment which is to be reported separately in classification 6409; and flaggers who are not employed by a concrete barrier rental business or by a flagging contractor who also supplies the concrete barriers which are to be reported separately in classification 7116 or 7118 as appropriate.

AMENDATORY SECTION (Amending WSR 16-14-085, filed 7/5/16, effective 1/1/17)

WAC 296-17A-0518 Classification 0518.

0518-00 Nonwood frame buildings and structures, ((N.O.C. and concrete construction)) new construction and repair, N.O.C.

Applies to work on nonwood frame buildings and structures (without regard to size or number of stories) when the superstructure (skeleton framework or building shell) consists of concrete, iron or steel, or a combination of concrete, iron, steel and/or wood, as well as all other building construc-

tion not covered by another classification. It includes, but is not limited to, structures such as:

- Waste treatment and waste disposal plants;
 - Fish hatcheries;
 - Public and commercial (covered and multilevel) parking lots and parking garages;
 - Stadiums;
 - High-rise office and housing complexes.
- Activities include, but are not limited to:
- The set up and tear down of forms;
 - Placement of reinforcing steel, rebar, or wire mesh;
 - Pouring and finishing concrete within the building or structure such as:
 - Foundations;
 - Monolithic slabs;
 - Ground supported floor pads;
 - Precast or poured in place load bearing floors or wall panels;
 - Columns;
 - Pillars;
 - Balconies;
 - Stairways.
 - The raising and/or standing up (by crane or boom) of concrete:
 - Tilt-up walls;
 - Precast floors and wall portions;
 - Metal frames(;
 - ~~– Members into place).~~
 - Securing frame and slabs by:
 - Bolts;
 - ~~– Framing anchors;~~
 - ~~– Seismic bearings, springs, and cylinders;~~
 - Rivets;
 - Welds.

Note: The installation of ((interior and)) exterior doors, door frames, all interior framing, and other interior rough-in carpentry work is reported separately in classification 0516.

All other phases of construction not specific to pouring a concrete foundation, placing or joining the iron or steel framework, or attaching concrete slabs, steel, iron, or wood to building shell, are classified separately according to their phase of construction.

The following structures are classified as indicated:

- 0701 applies to dams.
- 0201 applies to bridges, trestles, viaducts, tunnels, breakwaters, jetties, levees, and dikes.
- 0202 applies to piles, wharfs, piers, and docks.
- 0508 applies to towers, smoke stacks, blast furnaces, silos, windmills, exterior tanks, and derricks.

Classification 0518 is a construction industry classification (see WAC 296-17-31013).

0518-01 Metal carport and service station canopies

Subclassification 0518-01 excludes:

- Nonstructural sheet metal patio cover/carports which are reported separately in classification 0519;
- Wood carports which are reported separately in the applicable framing/siding classifications.

Classification 0518 is a construction industry classification (see WAC 296-17-31013).

0518-03 Building wrecking or demolition - Iron, steel, concrete, or wood

Applies to contractors engaged in wrecking or demolishing iron, steel, concrete, or wood buildings or structures not covered by another classification, whether dismantling board by board, by bulldozer, by crane equipped with a steel ball, explosives, or other means.

Work contemplated by this classification includes:

- Incidental sales of materials;
- Burning or hauling away of debris;
- Barricading the site and walkways;
- Guards and flaggers on-site and in adjacent areas when dismantling operations are underway.

Classification 0518 is a construction industry classification (see WAC 296-17-31013).

AMENDATORY SECTION (Amending WSR 13-11-128, filed 5/21/13, effective 7/1/13)

WAC 296-17A-1102 Classification 1102.

~~((1102-02 Interstate trucking~~

~~Applies to establishments engaged in interstate trucking. Interstate trucking is the hauling of goods, bulk merchandise, or commodities that either originate out of state or have an out of state destination. Duties include driving, in some cases loading/unloading vehicles, and mechanical repair. The loading and unloading may be done with forklifts, pallet jacks, hand trucks, or by hand. The drivers may have an assigned route, or they may be assigned a different destination each trip.~~

~~**Special notes:** Trucking establishments are allowed to have both the trucking classification 1102 and the freight handling classification 2002. However, hours cannot be split for a worker who works in both classes. If an employee has any driving duties, all their hours are to be reported in classification 1102. Establishments subject to this classification are to report actual hours worked for each driver. However, the hours are to be capped at 520 hours per driver per quarter. Detailed information can be found in the general audit rule covering the trucking industry and in RCW 51.12.095.~~

~~1102-03 Intrastate trucking~~

~~Applies to establishments engaged in intrastate trucking. Intrastate trucking is the hauling of goods, bulk merchandise, or commodities only within the boundaries of a state. The goods must have both an origin and destination in the same state. Duties include driving, in some cases loading and unloading the vehicles and mechanical repair. The loading and unloading may be done with forklifts, pallet jacks, hand trucks, or by hand. The drivers may have assigned routes or a territory. Businesses in this classification usually have terminals or storage depots where merchandise is stored awaiting transfer.~~

~~**Special notes:** Trucking establishments are allowed to have both the trucking classification 1102 and the freight handling classification 2002. However, hours cannot be split for a worker who works in both classes. If an employee has any driving duties, all their hours are to be reported in classification 1102. Establishments subject to this classification are to report actual hours worked for each driver. However, the hours are to be capped at 520 hours per driver per quarter.~~

Detailed information can be found in the general audit rule covering the trucking industry and in RCW 51.12.095.

1102-04 Combined interstate/intrastate trucking

Applies to establishments engaged in a combination of interstate and intrastate trucking. Interstate trucking is the hauling of goods which either originate out of state or have an out-of-state destination. Intrastate trucking is the hauling of goods *only* within the boundaries of a state. The goods have both an origin and destination in the same state. Duties include driving, in some cases loading and unloading the vehicles, and mechanical repair. The loading and unloading may be done with forklifts, pallet jacks, hand trucks, or by hand. The drivers may have assigned routes or a territory. Establishments in this classification usually have terminals or storage depots where merchandise is stored awaiting transfer.

Special notes: Trucking establishments are allowed to have both the trucking classification 1102 and the freight handling classification 2002. However, hours cannot be split for a worker who works in both classes. If an employee has any driving duties, *all* their hours are to be reported in classification 1102. Establishments subject to this classification are to report actual hours worked for each driver. However, the hours are to be capped at 520 hours per driver per quarter. Detailed information can be found in the general audit rule covering the trucking industry and in RCW 51.12.095.)) Classification 1102 applies to establishments engaged in interstate or intrastate trucking, or a combination of interstate and intrastate trucking.

- Interstate trucking is the hauling of goods that either originate out-of-state or have an out-of-state destination.

- Intrastate trucking is the hauling of goods within the boundaries of Washington state. The goods must have both an origin and destination in Washington state.

Duties include:

- Driving
- Loading and unloading vehicles
- Mechanical repair.

Equipment may include, but is not limited to:

- Forklifts
- Hand trucks
- Pallet jacks
- Tractor and trailers.

Special notes:

- Businesses in this classification may have terminals or storage depots where goods are stored awaiting transfer. Workers who exclusively work at these facilities may be reported in classification 2002. All hours for workers who spend any time driving or riding in trucks for businesses subject to this classification must be reported in classification 1102. Hours cannot be split between 1102 and 2002.

Note: The term "lumper" is sometimes applied to laborers who unload cargo.

- Driver hours are capped at 520 hours per driver per quarter. See the special trucking industry rules, WAC 296-17-35203(3).

- The special exception rules for permanent yard and shop operations apply to trucking firms assigned classification 1102. See subclassification 5206-80 and WAC 296-17-31018.

- See RCW 51.08.180 and 21.12.095 concerning owner operators of trucking.

Excluded operations: Classification 1102 excludes:

- Firms hauling their own goods. Hauling goods owned by the firm is a general inclusion, which is classified according to the nature of the firm's business.

Note: For rules on assigning and reporting in more than one basic classification, see WAC 296-17-31017 Multiple classifications.

For administrative purposes, classification 1102 is divided into the following subclassification(s):

1102-02 Interstate trucking

1102-03 Intrastate trucking

1102-04 Combined interstate/intrastate trucking

AMENDATORY SECTION (Amending WSR 07-12-047, filed 5/31/07, effective 7/1/07)

WAC 296-17A-1105 Classification 1105.

1105-00 Septic tank pumping

Applies to establishments engaged in septic tank pumping services. Operations contemplated by this classification include driving, locating the septic tank and digging as necessary to uncover it, connecting the pumping hose to the septic tank, pumping out the sludge, and disposing of the waste products.

This classification excludes installation and repair of septic tanks or systems which are to be reported separately in classification 0108, and cleaning of sewage treatment tanks which is to be reported separately in classification 0504.

1105-01 Street sweeping; parking lot sweeping; dust control; and portable chemical toilet servicing

Applies to establishments that perform street sweeping and parking lot sweeping services for others. Trucks used for sweeping are equipped with rotating or nonrotating brushes and vacuum/suction ((devises)) devices. In addition to driving duties, the drivers may adjust/unclog the brushes, and clean the holding tanks contained on the sweeping or pumping vehicle. This classification also includes snow removal by plowing, delivery of portable toilets and the related servicing and disposal of waste products which are recovered by establishments subject to this classification. This classification also includes trucks that spray water on roads and other surfaces for dust control.

1105-02 Vacuum truck services

Applies to establishments engaged in vacuum truck services for others. Services include, but are not limited to, cleaning of duct work, picking up waste oils, lubricants, anti-freeze, bilge water, and similar waste products. Establishments subject to this classification may offer a regular service, one-time or occasional pick-up service. The driver has kits for testing the materials and, if there is a question, a sample is taken to a laboratory for further analysis. If the waste material is acceptable, it is pumped into the tanker truck. The waste material may be consolidated with similar products and "bulked" in storage tanks, then taken to appropriate treatment or disposal facilities, or it may be taken directly to appropriate facilities. If it is to be "bulked" with other products, it will be filtered as it is pumped into the storage tanks and allowed

to sit for a few days for any water to settle to the bottom of the tank and be drained off. Bulked materials may be hauled away by the establishment's own trucks or by common carrier. Establishments subject to this classification may pick up containers of used oil filters and bring them into their plant where they are sorted into crushed and uncrushed filters, and gaskets removed. This activity is included within the scope of this classification if it is an incidental service. This classification includes the related disposal of waste products which are recovered by establishments subject to this classification.

This classification excludes septic tank pumping which is to be reported separately in classification 1105-00.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

WAC 296-17A-1303 Classification 1303.

1303-00 (~~Telephone companies~~) Telecommunication service providers - All other employees

Applies to establishments engaged in providing telecommunications services which enable subscribers to converse or transmit coded data. Work contemplated by this classification includes, but is not limited to, the regular installation, maintenance and repair of machinery and equipment, the extension and maintenance of lines (including poles, towers and underground lines), clearing right of ways, installing telephones and wiring in buildings, and making service connections when done by employees of an employer having operations subject to this classification. Machinery and equipment includes, but is not limited to, central control and switching center equipment, relays, computers, antennae, cranes, forklifts, vehicles and garages, warehouse equipment, and hand tools.

This classification excludes clerical office, exchange operators and administrative personnel who are to be reported separately in classification 1304; contractors engaged in underground line construction maintenance or repair who are to be reported separately in classification 0107; contractors engaged in overhead line, pole, and tower construction, maintenance or repair, who are to be reported separately in classification 0509; contractors engaged in wiring within buildings and making pole-to-house hook-ups who are to be reported separately in classification 0608; contractors engaged in the installation or contract maintenance of machinery or equipment who are to be reported separately in classification 0603; and establishments primarily engaged in selling telephone equipment retail which are to be reported separately in classification 6406.

1303-01 Telegraph companies - All other employees

Applies to establishments engaged in providing telecommunication services which enable printed messages (telegrams) to be transmitted from one agent to another for receipt by, or delivery to, a designated party. Telegraph companies also provide a "moneygram" service which allows an agent to receive a sum of money at one location and transmit a message to another agent to pay out the same amount of money to a designated party at another location. Work contemplated by this classification includes the regular installation, maintenance and repair of machinery and equipment, the extension

and maintenance of lines (including poles, towers and underground lines), installing transmission and receiving equipment, the clearing of right of ways, and delivery work when done by employees of an employer having operations subject to this classification. Machinery and equipment includes, but is not limited to, cables, control panels, poles, lines, relays, computers, cranes, forklifts, vehicles and garages, warehouse equipment, and hand tools.

This classification excludes clerical office and administrative personnel who are to be reported separately in classification 1304; contractors engaged in underground line construction maintenance or repair who are to be reported separately in classification 0107; contractors engaged in overhead line, pole, and tower construction, maintenance or repair, who are to be reported separately in classification 0509; contractors engaged in wiring within buildings who are to be reported separately in classification 0608; and contractors engaged in the installation or contract maintenance of machinery or equipment who are to be reported separately in classification 0603.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

WAC 296-17A-1304 Classification 1304.

1304-00 (~~Telephone companies—Exchange operators, clerical~~) Telecommunication service providers - Administrative, office, and sales personnel

Applies to the administrative and clerical office personnel of establishments engaged in providing telecommunication services which enable two or more parties to converse or transmit coded data. For purposes of this classification, administrative personnel includes clerical office, sales, data processing, exchange operators, customer service, marketing, and retail telephone store (when operated by the telephone company) sales personnel.

This classification excludes all other telephone company employees who are to be reported separately in classification 1303.

1304-01 Telegraph companies - Clerical office and sales personnel

Applies to administrative and clerical office personnel of establishments engaged in providing telecommunication services which enable printed messages (telegrams) or moneygrams to be transmitted from one agent to another for receipt by a designated party. For purposes of this classification, administrative personnel includes clerical office, sales, data processing, customer service, marketing, cashiers and operators of telegraph, teletype or other transmitting and receiving equipment.

This classification excludes all other telegraph company employees who are to be reported separately in classification 1303.

AMENDATORY SECTION (Amending WSR 14-17-085, filed 8/19/14, effective 9/19/14)

WAC 296-17A-1501 Classification 1501.

1501-00 Counties and taxing districts, N.O.C. - All other employees

Applies to employees of counties and taxing districts, not covered by another classification (N.O.C.), who:

- Operate machinery or equipment, including transit bus drivers;
- Perform manual labor;
- Supervise a work crew performing manual labor such as custodial or maintenance.

This classification includes administrative personnel such as:

- Engineers, safety inspectors, and biologists who have field exposure;
- Internal inventory and supply clerks.

For purposes of this classification, field exposure is defined as any exposure other than the normal travel to or from a work assignment.

This classification excludes:

- Clerical office and administrative employees who are to be reported separately in classification 5306;
- Electric light and power public utility districts which are to be reported separately in classification 1301;
- Firefighters who are to be reported separately in classification 6904;
- Hospital districts which are to be reported separately in classification 6105;
- Irrigation system public utility districts which are to be reported separately in classification 1507;
- Law enforcement officers who are to be reported separately in classifications 6905 and 6906, as appropriate;
- Port districts which are to be reported separately in classification 4201;
- Privately owned and operated bus or transit systems which are to be reported separately in classification 1407;
- School districts, library districts or museum districts which are to be reported separately in classification 6103 or 6104;
- Water distribution or purification system public utility districts which are to be reported separately in classification 1507;
- Volunteers who are to be reported separately in classification 6901 or 6906, as appropriate.

1501-01 Housing authorities, N.O.C. - All other employees

Applies to employees of housing authorities, not covered by another classification, who:

- Perform manual labor;
- Supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators.

This classification includes all functional operations of a housing authority such as:

- Building and grounds maintenance;
- Inspection, maintenance and repairs, including minor structural repairs;
- Janitorial service.

Also included in this classification are:

- Administrative personnel such as engineers and safety inspectors who have field exposure;
- Internal inventory and supply clerks;
- Meter readers;
- Security personnel, other than those with law enforcement powers.

For purposes of this classification, housing authorities are defined as nonprofit, public and political entities which serve the needs of a specific city, county or Indian tribe. The nature and objectives of some of the projects undertaken by housing authorities include providing decent, safe and sanitary living accommodations for low income persons, or providing group homes or halfway houses to serve people with disabilities or juveniles released from correctional facilities. A housing authority has the power to:

- Prepare, carry out, lease and operate housing facilities;
- Provide for the construction, reconstruction, improvement, alteration or repair of any housing project;
- Sell or rent dwellings forming part of the project to or for persons of low income;
- Acquire, lease, rent or sell or otherwise dispose of any commercial space located in buildings or structures containing a housing project;
- Arrange or contract for the furnishing of the units;
- Investigate into the means and methods of improving such conditions where there is a shortage of suitable, safe and sanitary dwelling accommodations for persons of low income.

This classification excludes:

- Clerical office and administrative employees who are to be reported separately in classification 5306;
- New construction or major alteration activities which are to be reported separately in the appropriate construction classifications;
- Security personnel with law enforcement powers who are to be reported separately in classification 6905;
- Volunteers who are to be reported separately in classifications 6901 or 6906, as appropriate.

1501-08 Native American tribal councils - All other employees

Applies to employees of Native American tribal councils who perform manual labor, or who supervise a work crew performing manual labor such as custodial or maintenance, and machinery or equipment operators. This classification includes:

- Administrative personnel such as engineers, safety inspectors, and biologists who have field exposure;
- Internal inventory and supply clerks of the tribal council.

For purposes of this classification, field exposure is defined as any exposure other than the normal travel to and from a work assignment.

This classification excludes:

- Clerical office and administrative employees who are to be reported separately in classification 5306;
- Electric light and power public utility districts which are to be reported separately in classification 1301;
- Firefighters who are to be reported separately in classification 6904;

- Hospital districts which are to be reported separately in classification 6105;
- Irrigation system public utility districts which are to be reported separately in classification 1507;
- Law enforcement officers who are to be reported separately in classifications 6905 and 6906;
- New construction or reconstruction activities which are to be reported separately in the appropriate construction classification;
- School districts, library districts or museum districts which are to be reported separately in classification 6103 or 6104;
- Water distribution or purification system public utility districts which are to be reported separately in classification 1507.

Special notes: Housing authorities operating under the name of, and for the benefit of, a particular tribe are not exempt from mandatory coverage. These housing authorities are federally funded and are not owned or controlled by a tribe.

Only those tribal operations which are also provided by county governments are subject to classification 1501. Some activities are considered to be normal operations to be included in this classification. These include, but are not limited to:

- Building maintenance;
- Garbage and sewer works;
- Grounds keepers;
- Park maintenance;
- Road maintenance;
- Visiting nurses and home health care.

All other tribal council operations which are not normally performed by a county government shall be assigned the appropriate classification for the activities being performed.

Some operations are outside the scope of classification 1501 and are to be reported separately in the applicable classifications. These include, but are not limited to:

- Bingo parlors;
- Casinos;
- Fish/shellfish hatcheries;
- Food banks;
- Gift shops;
- Grocery stores;
- Head Start programs;
- Liquor stores;
- Logging;
- Meals on wheels;
- Motels/hotels;
- Restaurants;
- Tobacco stores;
- Tree planting/reforestation.

1501-09 Military base maintenance, N.O.C.

Applies to establishments not covered by another classification (N.O.C.), engaged in providing all support operations and services on a military base on a contract basis. Such services include, but are not limited to:

- Data processing;
- Photography;
- Mail delivery (on post and to other military facilities);

- Hotel/motel services;
- Mess halls;
- Recreational facilities;
- Grounds and building maintenance;
- Vehicle maintenance;
- Maintenance of such facilities as water works, sewer treatment plants and roads.

This classification excludes:

- New construction or construction repair projects which are to be reported separately in the applicable construction classification for the work being performed;
- Contracts for specific activities on a military base such as, but not limited to, building maintenance, club or mess hall operations, or vehicle maintenance, which are to be reported separately in the applicable classification for the work being performed;
- Firefighters who are to be reported separately in classification 6904;
- Law enforcement officers who are to be reported separately in classification 6905;
- Clerical office and administrative employees who are to be reported separately in classification 5306.

Special note: Classification 1501-09 is to be assigned to an establishment only when *all* support services on a military base are being provided by the contractor. Care should be taken when assigning classification 1501-09 to firms whose military support services include loading, unloading, repair or construction of vessels, or the repair of buildings or structures used for such activities as that firm may be subject to federal maritime law.

1501-20 Community action organizations - All other employees, N.O.C.

Applies to organizations performing ~~((an array of))~~ two or more services to support the local community and ((citizens)) people in need. ((The services provided by community action organizations may)) This classification applies to employees who are not otherwise classified (N.O.C.) and who perform manual-type labor, or who supervise a work crew performing manual labor. Workers in this classification include, but are not limited to:

- ~~((Child care; after school care;~~
- ~~Alternative schools; in home chore services;))~~ • Cooks;
- Food bank staff;
- Drivers;
- Janitorial or maintenance and repair work staff;
- Weatherization services staff.

See classifications 4904-20, 5308-20, and 6511-20 for other community action classifications.

Note: The services provided by the community action organizations include, but are not limited to:

- After school care;
- Alternative schools;
- Child care;
- Counseling and assistance;
- Decent, safe and sanitary living accommodations for low-income or needy people;
- Drug and alcohol recovery programs;
- Employment or independence training;
- ~~((Counseling and assistance;~~
- ~~Drug and alcohol recovery programs;~~

- ~~Decent, safe and sanitary living accommodations for low-income or needy citizens;~~
- ~~Transitional or emergency housing; weatherization;))~~
- Food and clothing banks;
- In home chore services;
- Meals;
- Medical services((-

~~This classification applies to employees of community action organizations N.O.C. (not otherwise classified) who perform manual type labor, or who supervise a work crew performing manual labor. Work in this classification includes, but is not limited to:~~

- ~~Cooks;~~
- ~~Food banks;~~
- ~~Drivers;~~
- ~~Janitorial or maintenance and repair work weatherization services));~~
- Transitional or emergency housing;
- Weatherization.

Note: Businesses providing only one service described in this ~~(class may)~~ classification are to be assigned the classification applicable to the service provided. If all conditions of the general reporting rules have been met, standard exception classifications may apply.

Excluded from this risk classification are:

- New construction or major alteration activities ~~((which)).~~ Normal maintenance and repair contemplated by this classification includes, but is not limited to, replacing parts on existing fixtures or equipment, repairing existing structures, normal cleaning or janitorial activities, maintaining existing landscaping, and shoveling snow from driveways or walkways. Construction, alteration, or improvements to the properties are not considered normal maintenance and are not contemplated by this classification. Major repair work is usually performed by contractors who are not employees of the community action organization. New construction or major alterations such as the construction of new additions or the construction of new structures are excluded from this classification and are to be reported separately in the appropriate construction classifications;

- Office employees who work exclusively in an administrative office environment who are to be reported in classification 4904-20;

- Professional or administrative employees who may also have duties outside of the office who are to be reported in classification 5308-20;

- Chore workers/home service workers who are to be reported in classification 6511-20;

~~((Housing authorities which are to be reported in 1501-01 and 5306-26;))~~

- Individuals employed in welfare special works programs ((which) who are to be reported in 6505;

- Individuals employed in work activity centers ((which) who are to be reported in 7309;

- Volunteers who are to be reported in classification 6901 when medical aid coverage has been elected.

~~((See classifications 5308-20 and 4904-20 for other community action operations.))~~ **Excluded operations:** Firms engaged as housing authorities are reported in classifications 1501-01 and 5306-26.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

WAC 296-17A-2002 Classification 2002.

~~((2002-13 Freight handler services, N.O.C.~~

~~Applies to establishments engaged in packing, handling, shipping, or repackaging merchandise or freight which is owned by others and is not covered by another classification, (N.O.C.). General cargo is usually in boxes, cartons, crates, bales, or bags. Other cargo includes, but is not limited to, lumber, logs, steel, pipe, grains, produce, machinery, and vehicles. These establishments are generally located at railroad yards, airports, or warehouses not located on piers or areas adjoining piers. This classification includes the repackaging of goods from damaged containers. Employees of freight handler services perform duties such as, but not limited to, unloading, checking in and weighing goods, sorting and repackaging goods, tiering (placing in a series of rows one above the other), and reloading goods for shipment. Employments include, but are not limited to, superintendents, checkers, tally men, and lumpers. Machinery and equipment includes, but is not limited to, pallet jacks, hand trucks, forklifts, boom trucks, mobile cranes or overhead track cranes, and hand tools. This classification also includes moving or uncrating, and assembly of modular work stations or other types of office furniture.~~

~~This classification excludes drivers and freight handling employees with driving duties who are to be reported separately in classification 1102 without a division of work hours; establishments engaged in loading, unloading, or icing refrigerator cars which are to be reported separately in classification 2002-31; and establishments engaged in warehousing operations for general merchandise which are to be reported separately in classification 2102.~~

~~**Special notes:** Establishments engaged as freight handlers have the hazard of the continual movement of goods, in contrast to warehousing operations in classification 2102-00 that usually store goods for long periods of time. In addition, freight handling services providers do not operate warehouses and storage facilities as a general rule. Freight handling operations performed in connection with the loading or unloading of vessels or rail lines on piers or adjoining areas may be subject to coverage under the U.S. Longshore and Harbor Workers Act. Care should be exercised prior to the assignment of this classification to determine proper jurisdiction.~~

~~2002-31 Refrigeration car—Loading, unloading or icing~~

~~Applies to establishments engaged in loading, unloading, or icing refrigeration cars at railroad yards, airports, or warehouses not located on piers or in areas adjoining piers. This classification includes the repackaging of goods from damaged containers. Establishments in this classification have no equity or ownership in the merchandise being handled. They may contract with customers such as, but not limited to, grocery distributors, meat packers, or pharmaceutical suppliers to pick up and deliver frozen goods. Goods are loaded into refrigerated containers and shipped by common carrier or into refrigerated railcars. Icing the refrigeration systems by adding water, ammonia, or other additives is done to maintain the cold temperatures. Machinery and equipment~~

includes, but is not limited to, pallet jacks, hand trucks, forklifts, compressors, and hand tools.

This classification excludes drivers and freight handling employees with driving duties who are to be reported separately in classification 1102 without a division of work hours; establishments engaged in freight handler services not covered by another classification (N.O.C.) which are to be reported separately in classification 2002-13; and establishments engaged in warehousing operations for general merchandise which are to be reported separately in classification 2102.

Special notes: Establishments engaged as freight handlers have the hazard of the continual movement of goods, in contrast to warehousing operations in classification 2102-00 that usually store goods for long periods of time. In addition, freight handling services providers do not operate warehouses and storage facilities as a general rule. *Freight handling* operations performed in connection with the loading or unloading of vessels or rail lines on piers or adjoining areas may be subject to coverage under the U.S. Longshore and Harbor Workers Act. Care should be exercised prior to the assignment of this classification to determine proper jurisdiction.) Classification 2002 applies to providing freight handling services for others. Freight handling services have a facility at a fixed location where they provide services that include, but are not limited to:

- Checking goods
- Handling freight by hand, or with machinery and equipment
- Icing refrigeration cars
- Loading
- Packing
- Repacking
- Repackaging goods from damaged containers
- Reloading goods for shipment
- Shipping
- Sorting
- Storage
- Tiering (placing goods in a series of rows one above the other)
- Unloading
- Weighing.

Note: The term "lumper" is sometimes applied to laborers who unload cargo.

Machinery and equipment may include, but is not limited to:

- Boom trucks
- Compressors
- Hand trucks
- Hand tools
- Forklifts
- Mobile or overhead-track cranes
- Pallet jacks.

Special note: Hours cannot be split between 1102 and 2002. Classification 2002 excludes workers engaged in the following activities:

- All hours for workers who also drive transport vehicles for hauling freight to or from the freight handling facility must be reported in classification 1102.

- All hours for workers who sometimes ride along with drivers, to assist in loading or unloading freight at a customer's location, must be reported in classification 1102.

Excluded operations: Classification 2002 excludes:

- Businesses primarily storing goods belonging to others in warehouses for periods of time, which are classified in 2102.

• Firms handling their own goods. Handling of goods owned by your employer is a general inclusion, and is classified according to the nature of the employer's business.

- Trucking firms that only ship and handle freight at customers' locations and do not own or lease a separate facility for freight handling, which are classified in 1102.

Special notes:

• For rules on assigning and reporting in more than one basic classification, see WAC 296-17-31017 Multiple classifications.

• Freight handling operations performed in connection with the loading or unloading of vessels or rail lines on piers or adjoining areas may be subject to coverage under the U.S. Longshore and Harbor Workers Act. Care should be exercised prior to the assignment of this classification to determine proper jurisdiction.

For administrative purposes, classification 2002 is divided into the following subclassification(s):

2002-13 Freight handling services, N.O.C.

This subclassification also applies to moving, uncrating, and assembly of modular work stations or other types of office furniture.

2002-31 Loading, unloading, or icing refrigeration cars and containers

Note: Icing the refrigeration systems by adding water, ammonia, or other additives to maintain the cold temperatures.

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

WAC 296-17A-3905 Classification 3905.

3905-00 Restaurants, N.O.C.

Applies to establishments engaged in restaurant operations not covered by another classification (N.O.C.). These establishments are "traditional, family or full service" restaurants that provide sit-down services, or cafeteria or buffet style meals. This classification includes the preparation and service of food and beverages. Establishments in this classification may serve beer and wine including on premises consumption of beer from microbrewery operations in connection with the restaurant; however, they are prohibited from selling spirits or hard liquor. Typical occupations include, but are not limited to, hostesses, wait staff and assistants, cooks, dishwashers, cashiers, and managerial staff. This classification also includes the preparation of "take-out food" that customers pick up directly from the restaurant for consumption away from the premises and the operation of a card room in conjunction with the restaurant.

This classification excludes establishments engaged in operating restaurants or lounges that sell spirits or hard liquor which are to be reported separately in classification 3905-07, and catering services that are not part of the restaurant opera-

tion which are to be reported separately in classification 3909.

Special note: Traditional, family or full service restaurants are establishments where wait persons bring customers a menu, take orders, and deliver prepared meals to the customer's table or where customers choose from a variety of food items from a buffet or cafeteria style service. Such establishments will generally use nondisposable eating utensils and plates to serve food as opposed to throw away paper plates and plastic eating utensils. Includes establishments where orders are placed at the counter, and the food or drink is delivered to your table. Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a restaurant are to be reported separately in classification 6605.

3905-01 Food, drink, and candy vendors or concessionaires

Applies to street vendors and businesses engaged in operating food, drink or candy concessions at places such as, but not limited to, ball parks, race tracks, theaters and exhibitions. This classification is applicable only to concession operations which are operated independently from the facility or event at which the concession service is being provided. These independent vendors selling food items are not employees of the facility or site where the event or exhibition is taking place. Vendors subject to this classification sell a variety of food, snack and beverage items from booths, mobile push carts, mobile stands, carrying boxes, or trays.

This classification excludes food and beverage operations (concession stands) operated in connection with an event or facility by employees of the event sponsor or facility operator which are to be reported separately in the classification applicable to the event or exhibition; vendors and route food services, operating in a truck or van moving from place to place throughout the day, which are to be reported separately in classification 1101; vendors of nonfood items which are to be reported separately in the applicable classification; and vending machine service companies that replenish food, snack and beverage products which are to be reported separately in classification 0606.

3905-03 Commissaries and restaurants with construction, erection, logging or mine operations

Applies to commissary or restaurant operations conducted *exclusively* in connection with a construction, erection, logging or mining camp operation. This classification is limited to food preparation services provided at a camp site or at a mess hall used to feed employees of the construction, logging, erection, or mining company. The foods prepared and served are not intended for, or offered to, the general public.

Special note: The purpose of this classification is to provide employees engaged in the food preparation activity with a classification representative of the work being performed, even though such activities may be occurring at or adjacent to the construction, logging, erection or mining site as provided for in the general reporting rule covering general inclusions.

3905-04 Eating establishments, N.O.C. such as public lunch counters in stores

Applies to establishments not covered by another classification (N.O.C.) engaged in operating lunch counters and restaurants within a retail store location. Use of this classification is limited to employees of an employer who also operates the retail store where the food service is located.

3905-06 Taverns

Applies to establishments engaged in the operation of a tavern. A tavern is primarily engaged in the sale of beer, wine, and alcoholic beverages for on-premises consumption, and may also provide a variety of foods ranging from peanuts and pretzels to hot food dishes. Typical occupations include, but are not limited to, bartenders, wait staff and assistants, cooks, dishwashers, and managerial staff. Beer may also be sold by the keg with the rental of necessary taps and pumps. This classification includes the operation of a "beer garden" at special events such as, but not limited to, fairs or race meets, and the operation of a card room in connection with the tavern.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a tavern must be reported separately in classification 6605.

3905-07 Restaurants serving spirits or hard liquor

Applies to establishments engaged in the operation of a restaurant having a license to sell spirits or hard liquor, beer and wine in connection with their food preparation and service. This classification includes the preparation and service of food and beverages at sit down restaurants and lounges including on premises consumption of beer from microbrewery operations in connection with the restaurant. Such establishments have extensive cooking facilities and equipment to prepare full meals. Typical occupations covered by this classification include, but are not limited to, bartenders, hostesses, wait staff and assistants, valet parking attendants, cooks, busboys, dishwashers, cashiers, and managerial staff. This classification also includes the preparation of "take-out food" that customers pick up directly from the restaurant for consumption away from the premises and the operation of a card room in connection with the restaurant.

This classification excludes establishments engaged as a restaurant without a license to sell spirits or hard liquor which are to be reported separately in classification 3905-00; taverns which are to be reported separately in classification 3905-06; catering services which are not part of a restaurant operation which are to be reported separately in classification 3909; musicians who are to be reported separately in classification 6605; and entertainers such as dancers who are to be reported separately in classification 6620.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as independent contractors. Musicians or entertainers who are considered to be employees of a restaurant must be reported separately in classification 6605.

3905-08 Pizza parlors

Applies to establishments engaged in operating a pizza parlor or restaurant. Establishments subject to this classification specialize in the preparation and sales of pizza (but may also provide other foods) and beverages such as wine, beer, alcoholic beverages, or soft drinks for on-premises consumption. Typical occupations include, but are not limited to, hostesses, wait staff and assistants, cooks, dishwasher, cashiers, and managerial staff. This classification also includes establishments that deliver pizza to customers, or where customers can pick up already prepared pizza at the shop, but where no customer seating is provided.

This classification excludes U-bake pizza operations which are to be reported separately in classification 6403.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as independent contractors. Musicians or entertainers who are considered to be employees of a pizza parlor must be reported separately in classification 6605.

3905-09 Fast food drive-ins, N.O.C.

Applies to establishments engaged in the operation of fast food drive-ins or restaurants. These establishments serve easily prepared foods quickly and nonalcoholic beverages which can be eaten on the premises or picked up by customers at a counter or a drive through window. Fast food establishments offer a variety of menu items such as, but not limited to, hamburgers, french fries, tacos, sandwiches, fried chicken, hot dogs, fish and chips, smoothies. Such establishments will generally use disposable eating utensils and throw away plates.

This classification excludes street vendors and/or route food services which are to be reported separately in classification 1101 and full service restaurants which are to be reported separately in classification 3905-00.

3905-11 Soft drink lounges

Applies to establishments engaged in operating soft drink lounges. These types of establishments may provide entertainment such as dancing for an adult audience or a place where youth under age 21 can dance or listen to music. These lounges do not sell alcoholic beverages. This classification includes the preparation and service of light snacks and hors d'oeuvres, such as chips, peanuts, pretzels or finger sandwiches.

This classification excludes entertainers such as exotic dancers who are to be reported separately in classification 6620; and musicians who are to be reported separately in classification 6605.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as independent contractors. Musicians or entertainers who are considered to be employees of a lounge must be reported separately in classification 6605 or 6620 as applicable.

3905-12 Ice cream parlors

Applies to establishments engaged in the operation of an ice cream parlor or frozen yogurt shop. These specialty shops offer a limited menu, usually confined to ice cream and fro-

zen yogurt offered in individual servings, various size containers, and specialty items. Special occasion ice cream cakes may be ordered and picked up at a later date by the customer. These establishments usually provide customer seating.

This classification excludes vendors and/or route food services, operating in a truck or van moving from place to place throughout the day, which are to be reported separately in classification 1101; and vendors selling ice cream from a booth, push cart, mobile stand or tray which are to be reported separately in classification 3905-01.

3905-13 Candy, nut, and popcorn retail stores with on-premises manufacturing

Applies to establishments engaged in operating candy, nut or popcorn stores where some or all the products sold are manufactured on the premises. Establishments in this classification may sell a variety of candies, nuts, or popcorn, or may specialize in one or two products. They may also sell their products in gift wrapped packages.

This classification excludes establishments engaged in selling candy, nuts, or popcorn, *that do not manufacture* any product on the premises, which are to be reported separately in classification 6406; and establishments primarily engaged in the wholesale manufacturing of candy which is to be reported separately in classification 3906.

3905-14 Espresso/coffee stands and carts

Applies to vendors operating espresso or coffee stands or carts. Products sold include, but are not limited to, coffee, espresso, lattes, Italian sodas, soft drinks, pastries and pre-packaged items. These types of vendors *do not prepare food*. This classification is distinguishable from retail coffee, tea or spice stores in that coffee stands or carts in classification 3905 sell only ready-to-serve products; they do not sell packaged coffee, tea or spice items.

This classification excludes street vendors and/or route food services which are to be reported separately in classification 1101.

AMENDATORY SECTION (Amending WSR 16-11-082, filed 5/17/16, effective 7/1/16)

WAC 296-17A-4814 Classification 4814.**4814-00 Farms: Internship program (to be assigned only by the agricultural specialist)**

Applies to qualified farms engaged in providing an internship program for agricultural education. To qualify, the farm must hold a valid certification from labor and industries to provide an internship program that includes a curriculum of learning modules and supervised participation. The internship program is designed to teach farm interns about farming practices and farm enterprise.

Classification 4814 can only be assigned to those farms which have one of the following classifications assigned to their account as the ((governing)) principal classification: 4806, 4810, or 4813.

Special note: The term "farm intern" applies to those certified to participate in the farm internship program. Intern hours must be reported exclusively in classification 4814. All other farm employees' hours are to be reported separately in

the applicable farm classification that applies to the farm operation.

AMENDATORY SECTION (Amending WSR 16-11-082, filed 5/17/16, effective 7/1/16)

WAC 296-17A-4815 Classification 4815.

4815-00 Farms: Internship program (to be assigned only by the agricultural specialist)

Applies to qualified farms engaged in providing an internship program for agricultural education. To qualify, the farm must hold a valid certification from labor and industries to provide an internship program that includes a curriculum of learning modules and supervised participation. The internship program is designed to teach farm interns about farming practices and farm enterprise.

Classification 4815 can only be assigned to those farms which have one of the following classifications assigned to their account as the ((governing)) principal classification: 4802, 4803, 4805, 4809, 4811, or 4812.

Special note: The term "farm intern" applies to those certified to participate in the farm internship program. Intern hours must be reported exclusively in classification 4815. All other farm employees' hours are to be reported separately in the applicable farm classification that applies to the farm operation.

AMENDATORY SECTION (Amending WSR 16-11-082, filed 5/17/16, effective 7/1/16)

WAC 296-17A-4816 Classification 4816.

4816-00 Farms: Internship program (to be assigned only by the agricultural specialist)

Applies to qualified farms engaged in providing an internship program for agricultural education. To qualify, the farm must hold a valid certification from labor and industries to provide an internship program that includes a curriculum of learning modules and supervised participation. The internship program is designed to teach farm interns about farming practices and farm enterprise.

Classification 4816 can only be assigned to those farms which have one of the following classifications assigned to their account as the ((governing)) principal classification: 4804, 4808, 7301, 7302, or 7307.

Special note: The term "farm intern" applies to those certified to participate in the farm internship program. Intern hours must be reported exclusively in classification 4816. All other farm employees' hours are to be reported separately in the applicable farm classification that applies to the farm operation.

AMENDATORY SECTION (Amending WSR 14-17-085, filed 8/19/14, effective 9/19/14)

WAC 296-17A-4904 Classification 4904.

Administrative, clerical, reception, and sales staff working in a business office

Classification 4904 is a standard exception classification, as described in WAC 296-17-31018 Exception classifi-

cations, with restrictions on both the type of work and the work place. If any of a worker's duties are excluded from 4904 because of restrictions described in this rule, then none of the worker's hours may be reported in Classification 4904.

Special note: Care must be taken:

- To look beyond job titles, such as "clerk" or "cashier." Job titles do not ensure the work or the workplace meet the requirements for 4904.

- Ensure standard exceptions are permitted - Some basic classifications include office work.

Classification 4904 applies only to employees whose job duties are restricted to a business office, meeting room, or similar office like environment that is:

- Physically separated by walls, partitions, or other physical barriers from all other work areas; and
- Where only office work, as described in this rule, is performed.

Classification 4904 excludes any work area where:

- Products sold by the employer are handled or stored;
- Carry out merchandise is displayed for sale;
- Customers bring merchandise they are purchasing to make payment.

Office work is limited to duties such as:

- Communicating by phone or routing phone calls;
- Programming software;
- Technical drafting;
- Designing publication layouts on hardware or by drafting;

- Maintaining financial, personnel, or payroll records;
- Writing or routing correspondence;
- Billing and receiving payments;
- Preparation of insurance policies or billing records;
- Composing informational material;
- Copying documents;
- Utilizing computer software;
- Manual or computer design work;
- Completing forms;
- Researching records;
- Checking persons into a hotel or other facility;
- Writing reports and manuals;
- Attending meetings;
- Assisting walk-in customers;
- Processing payments and invoices.

Office work excludes:

- Handling, packaging, mailing, receiving, or demonstrating any product (or their components) sold by the employer;
- Hand delivering business correspondence outside of the business office.

Special notes:

Classification 4904 permits limited and minimal work outside an office for:

- Banking;
- Taking correspondence to or from the post office;
- Purchasing supplies for the office;
- Taking training courses;
- Attending meetings.

Classification 4904 permits limited and minimal exposure to areas of the employer's premises that do not qualify for office work, if this is necessary for getting to or from a:

- Restroom facility;
- Business office;
- Lunchroom or dining area;
- Break room;
- Delivery of a personal message.

For administrative purposes classification **4904** is divided into the following subclassifications:

4904-00 Clerical office, N.O.C.

4904-13 Clerical office for insurance business

Special note: Individuals issued a license by the office of the insurance commissioner and acting as an insurance producer are exempt from coverage as specified in RCW 51.12-020(11). To elect voluntary coverage these individuals must submit a completed optional coverage form to the department. This exclusion to coverage does not apply if the license is held by someone who otherwise:

- Does not work in the capacity of an insurance producer; and
- Is not compensated related to the volume of insurance sold or premiums collected; and
- Holds a license solely for the purpose of receiving applications or premiums.

4904-17 Clerical office: Employee leasing companies

4904-20 Community action organizations - Clerical office employees, N.O.C.

Applies to the clerical office employees, not otherwise classified (N.O.C.), of organizations performing ((an array of) two or more services to support the local community and ((citizens)) people in need. See subclassifications 1501-20 and 5308-20 for other community action organization classifications.

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

WAC 296-17A-5308 Classification 5308.

5308-20 Community action organizations - Professional services and administrative employees, N.O.C.

Applies to organizations performing ((an array of) two or more services to support the local community and ((citizens)) people in need.

This classification applies to professional services and administrative employees who are not otherwise classified (N.O.C.). Work duties in this classification are not performed exclusively in an administrative office environment. Travel may be necessary to perform work at an alternate worksite for appointments with clients or patients, meetings, presentations, agency promotions, or other required out-of-office administrative type work. Work performed in this classification may include, but is not limited to:

- Child care or teaching;
- Counseling or educating for various programs;
- Estimating and project managing when staff performing these duties do not supervise a work crew or perform any type of manual labor;
- Medical, dental and nursing services;
- Program coordinating and directing.

The services provided by community action organizations include:

- After school care;
- Alternative schools;
- Child care;
- Counseling and assistance;
- Decent, safe and sanitary living accommodations for low-income or needy ~~((citizens))~~ people;
- Drug and alcohol recovery programs;
- Employment or independence training~~((, counseling and assistance));~~
- Food and clothing banks;
- In-home chore services;
- Meals;
- Medical services;
- Transitional or emergency housing;
- Weatherization.

~~((This classification applies to professional services and administrative employees. Work duties in this classification are not performed exclusively in an administrative office environment. Travel may be necessary to perform work at an alternate work site for appointments with clients, patients, meetings, presentations, agency promotions, or other required out-of-office administrative type work. Work performed in this classification may include, but is not limited to:~~

- ~~• Child care professionals or teachers;~~
- ~~• Counselors or educators for various programs;~~
- ~~• Estimators and project managers who do not supervise a work crew or perform any type of labor;~~
- ~~• Medical, dental and nursing services;~~
- ~~• Program coordinators and directors.~~

~~Excluded from this risk classification is any manual labor or supervision of a work crew that performs manual labor, construction or maintenance work, work in a food bank, delivery, or other similar work which is to be reported in risk classification 1501-20; chore workers/home service workers who are to be reported in 6511-20; office employees who work exclusively in an administrative office environment who are to be reported in risk classification 4904-20; housing authorities which are to be reported in 1501-01 and 5306-26; welfare special works programs which are to be reported in 6505; work activity centers which are to be reported in 7309; and volunteers who are to be reported in risk classification 6901.~~

~~See classifications 1501-20 and 4904-20 for other community action operations.~~

~~**Note:** Businesses providing one of the services described in this class are to be assigned the classification applicable to the service provided. If all conditions of the general reporting rules have been met, standard exception classifications may apply.))~~ Excluded from this classification are:

- The following activities, which are to be reported in 1501-20:
 - Any manual labor;
 - Supervision of a work crew that performs manual labor;
 - Work in a food bank;
 - Delivery;
 - Other similar work.
 - Construction or maintenance work. Normal maintenance and repair contemplated by this classification includes,

but is not limited to, replacing parts on existing fixtures or equipment, repairing existing structures, normal cleaning or janitorial activities, maintaining existing landscaping, and shoveling snow from driveways or walkways. Construction, alteration, or improvements to the properties are not considered normal maintenance and are not contemplated by this classification. Major repair work is usually performed by contractors who are not employees of the community action organization. New construction or major alterations such as the construction of new additions or the construction of new structures are excluded from this classification and are to be reported separately in the appropriate construction classifications;

• Chore workers/home service workers, who are to be reported in 6511-20;

• Office employees who work exclusively in an administrative office environment, who are to be reported in 4904-20;

• Individuals employed in welfare special works programs, which are to be reported in 6505;

• Individuals employed in work activity centers, who are to be reported in 7309; and

• Volunteers, who are to be reported in 6901 when medical aid coverage has been elected.

See classifications 1501-20, 4904-20, and 6511-20 for other community action operations.

Excluded operations: Firms engaged as housing authorities, which are reported in 1501-01 and 5306-26.

AMENDATORY SECTION (Amending WSR 14-17-085, filed 8/19/14, effective 9/19/14)

WAC 296-17A-6511 Classification 6511.

Chore services/home care assistants

Applies to:

Entities providing chore services/home care assistants to private individuals.

Chore services performed by the chore workers/home care assistants include, but are not limited to:

- General household chores;
- Meal planning and preparation;
- Shopping and errands, either with or without the client;
- Personal care, such as bathing, body care, dressing, and help with ambulating;
- Companionship.

Note: Some common terms to describe these types of services include supported living, tenant support, and intensive tenant support services.

Also included in this classification are:

- Supervising visits between children and parents, including transporting the child;
- Packing up senior homes;
- Organizing homes prior to customers putting a home on the market;
- Organizing homes prior to customers having an estate auction;
- Pet sitting;
- House sitting.

Excluded activities in this classification:

• Firms involved in organizing homes and also conducting estate auctions (report in 6603).

• Social workers and dieticians employed by home health care service establishments (report in 6303-21). Workers in classification 6303-21 are teaching people living with physical or developmental disabilities living in their own home to manage daily living skills such as caring for themselves, dressing, cooking, etc. Workers in classification 6511 are performing this work as a service to individuals.

• Individuals working under a welfare special works training program (report in classification 6505).

• Residential cleaning or janitorial services (report in classification 6602).

• Skilled or semi-skilled nursing care (report in classification 6110).

• Home health care providers covered under the Washington state home care referral registry (report in classification 6512).

• Household furnishings moving and storage (report in classification 6907).

• Staging services (report in classification 0607).

• Any construction related work. Example: If a business builds shelving as part of organizing homeowner's personal belongings, this employer would not be eligible to report in classification 6511.

For administrative purposes, classification **6511** is divided into the following subclassification(s):

6511-00 Chore services/home care assistants

6511-20 Community action organizations - Chore services/home care assistants

Applies to organizations providing two or more services to support the local community and people in need. See subclassifications 1501-20, 4904-20, and 5308-20 for other community action organization classifications. If the entity provides only chore services, then 6511-00 applies.

AMENDATORY SECTION (Amending WSR 16-18-085, filed 9/6/16, effective 10/7/16)

WAC 296-17A-6906 Classification 6906.

Volunteer law enforcement officers

Applies to medical aid coverage for volunteer law enforcement officers of cities, towns, counties, taxing districts, Native American tribal councils, and state agencies for whom these entities have elected coverage for medical aid only. Duties of law enforcement officers include, but are not limited to:

- Directing traffic;
- Patrolling by motor vehicle, motorcycle, bicycle, on foot or horseback;
- Preventing crimes;
- Investigating disturbances of the peace;
- Arresting violators;
- Conducting criminal investigations;
- Giving first aid;
- Guarding persons detained at the police station; and
- Other similar activity conducted within the course of official duties.

This classification excludes:

- Salaried law enforcement officers;
- Volunteer law enforcement officers for whom the cities, towns, counties, taxing districts or Native American tribal councils have elected full coverage, who are to be reported separately in classification 6905;
- Volunteer law enforcement officers for whom the state agencies have elected full coverage who are to be reported separately in classification 7103;
- Student volunteers and/or unpaid students as defined in chapter 51.12 RCW for whom the cities, towns, counties, taxing districts, or Native American tribal councils have elected medical aid coverage, or for whom state agencies must provide coverage, who are to be reported separately in classification 6901.

For other operations of cities, towns, counties, taxing districts, or state government, see chapter 296-17A WAC classifications: 0803, 1301, 1501, 1507, 4902, 4906, 5305, 5306, 5307, 6901, 6904, 6905, 7103, and 7201.

Special note: This coverage is required for volunteer law enforcement officers of state agencies. This coverage is optional for volunteer law enforcement officers of cities, towns, counties, taxing districts, and Native American tribal councils(~~(, and state agencies)~~); to elect coverage for volunteer law enforcement officers, the city, town, county, taxing district, or Native American tribal council(~~(, or state agency)~~) must submit a completed Application for Elective Coverage of Excluded Employments to the department. Conditions of coverage are outlined on the application. If coverage is provided, all law enforcement officers must be included. See relevant rules, including WAC 296-17-925, 296-17-930, 296-17-935, and 296-17-35201 for reporting instructions and recordkeeping requirements.

For administrative purposes, classification **6906** is divided into the following subclassifications:

6906-00 Volunteer law enforcement officers of cities and towns - Medical aid only

6906-01 Volunteer law enforcement officers of counties, taxing districts and Native American tribal councils - Medical aid only

6906-02 Volunteer law enforcement officers of state agencies - Medical aid only

WSR 17-11-123

PERMANENT RULES

PROFESSIONAL EDUCATOR

STANDARDS BOARD

[Filed May 23, 2017, 2:06 p.m., effective June 23, 2017]

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

Purpose: Amends WAC 181-82A-204 removing pathway requirements for adding an additional endorsement to an existing certification. Provides for either testing or, in the case of broad subject area certificates, additional coursework requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 181-82A-204.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 17-08-038 on March 29, 2017.

Changes other than editing from proposed to adopted version: Clarified "accredited university/college per WAC 181-78A-010" rather than "nationally."

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, email 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 0.

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

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

Date Adopted: May 18, 2017.

David Brenna
Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 15-23-015, filed 11/6/15, effective 12/7/15)

WAC 181-82A-204 Endorsement requirements. (1) Candidates completing endorsements required to obtain a residency certificate, shall complete college/university teacher preparation programs approved by the professional educator standards board pursuant to chapter 181-78A WAC, which include methodology (see WAC 181-78A-264(5)) and field experience/internship (see WAC 181-78A-264(6)) and pursuant to endorsement program approval requirements in this chapter.

(2) In order to add an additional endorsement, the candidate shall:

(a) Have completed a state-approved endorsement program which includes methodology (see WAC 181-78A-264(5)) and addresses all endorsement-specific competencies adopted and published by the professional educator standards board. The requirement for field experience shall be at the discretion of the college/university. Provided, that in cases where programs require a field experience/internship, the colleges/universities should make every attempt to allow the individual to complete field-based requirements for the endorsement within the confines of the individual's teaching schedule; or

(b) Achieve National Board certification in a Washington teaching endorsement area and hold a valid National Board certificate; or

(c) Pass the subject knowledge test approved by the professional educator standards board for the certificate endorsement being sought(~~(The instructional methodology and con-~~

~~tent-related skills of the desired subject endorsement must be compatible with one or more of the current endorsement(s) on the applicant's teacher certificate,)) per the list of ((Pathway 1)) test only endorsements adopted and published by the professional educator standards board((or~~

~~(d) Pass the subject knowledge test approved by the professional educator standards board for the certificate endorsement being sought and successfully meet all eligibility criteria and process requirements for Pathway 2 endorsements as adopted and published by the professional educator standards board. The desired subject endorsement must be identified as a Pathway 2 endorsement for one or more of the current endorsement(s) on the applicant's teacher certificate, per the list of Pathway 2 endorsements adopted and published by the professional educator standards board.~~

~~Teacher preparation programs that offer Pathway 2 endorsement programs shall follow process steps as adopted by the professional educator standards board and published by the superintendent of public instruction to verify successful completion of the Pathway 2 process and to recommend adding the endorsement to the applicant's teacher certificate)).~~

(3) Candidates from out-of-state shall be required to present verification that they completed a state-approved program (equivalent to a major) in a Washington endorsement area.

(4) Course work used to meet endorsement requirements must be completed through ~~((a regionally))~~ an accredited college/university as defined in WAC 181-78A-010.

(5) Only course work in which an individual received a grade of C (2.0) or higher or a grade of pass on a pass-fail system of grading shall be counted toward the course work required for the approved endorsement program.

(6) Nothing within this chapter precludes a college or university from adopting additional requirements as conditions for recommendation, by such college or university, to the superintendent of public instruction for a particular subject area endorsement.

WSR 17-11-132

PERMANENT RULES

DEPARTMENT OF HEALTH

(Nursing Care Quality Assurance Commission)

[Filed May 24, 2017, 9:17 a.m., effective June 24, 2017]

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

Purpose: WAC 246-840-730 Mandatory reporting and WAC 246-840-750 through 246-840-780 related to substance abuse monitoring program. The commission has adopted, by reference, the secretary of health's mandatory reporting rules that streamline the requirements among professions. The commission also updated the substance abuse monitoring program rules to incorporate relevant changes, current best practices, and prevailing patient safety standards.

Citation of Existing Rules Affected by this Order: Amending WAC 246-840-730, 246-840-750, 246-840-760, 246-840-770, and 246-840-780.

Statutory Authority for Adoption: RCW 18.79.010, 18.79.110, 18.130.070, 18.130.175.

Adopted under notice filed as WSR 17-03-084 on January 12, 2017.

A final cost-benefit analysis is available by contacting Carole Reynolds, Nursing Care Quality Assurance Commission, Washington Department of Health, P.O. Box 47864, Olympia, WA 98504-7864, phone (360) 236-4785, fax (360) 236-4738, email carole.reynolds@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 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 5, 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 5, Repealed 0.

Date Adopted: May 24, 2017.

Paula R. Meyer, MSN, RN, FRE
Executive Director

AMENDATORY SECTION (Amending WSR 00-01-186, filed 12/22/99, effective 1/22/00)

WAC 246-840-730 Mandatory reporting. ~~((Mandatory reporting assists the nursing care quality assurance commission (nursing commission) in protecting the public health and safety through the discovery of unsafe or substandard nursing practice or conduct. These rules are intended to define the information that is to be reported and the obligation of nurses and others to report.~~

~~The nursing commission does not intend every minor nursing error to be reported or that mandatory reporting serve as a substitute for employer-based disciplinary action.~~

Who must make reports and what must be reported to the nursing commission?

(1) Any person, including, but not limited to, registered nurses, practical nurses, advanced registered nurse practitioners, health care facilities and governmental agencies shall always report the following, except as provided for in subsections (2) and (3) of this section:

(a) ~~Information that a nurse may not be able to practice with reasonable skill and safety as a result of a mental or physical condition;~~

(b) ~~Information regarding a conviction, determination or finding, including employer-based disciplinary action, that a nurse has committed an act that would constitute unprofessional conduct, as defined in RCW 18.130.180, including violations of chapter 246-840 WAC, including, but not limited to:~~

(i) ~~Conviction of any crime or plea of guilty, including crimes against persons as defined in chapter 43.830 RCW~~

[RCW 43.43.830], and crimes involving the personal property of a patient, whether or not the crime relates to the practice of nursing;

(ii) Conduct which leads to dismissal from employment for cause related to unsafe nursing practice or conduct in violation of the standards of nursing;

(iii) Conduct which reasonably appears to be a contributing factor to the death of a patient;

(iv) Conduct which reasonably appears to be a contributing factor to the harm of a patient that requires medical intervention;

(v) ~~Conduct which reasonably appears to violate accepted standards of nursing practice and reasonably appears to create a risk of physical and/or emotional harm to a patient;~~

(vi) ~~Conduct involving a pattern of repeated acts or omissions of a similar nature in violation of the standards of nursing that reasonably appears to create a risk to a patient;~~

(vii) ~~Drug trafficking;~~

(viii) ~~Conduct involving the misuse of alcohol, controlled substances or legend drugs, whether or not prescribed to the nurse, where such conduct is related to nursing practice or violates any other drug or alcohol-related nursing commission law;~~

(ix) ~~Conduct involving sexual contact with a patient under RCW 18.130.180(24) or other sexual misconduct in violation of nursing commission law under WAC 246-840-740;~~

(x) ~~Conduct involving patient abuse, including physical, verbal and emotional;~~

(xi) ~~Conduct indicating unfitness to practice nursing or that would diminish the nursing profession in the eyes of the public;~~

(xii) ~~Conduct involving fraud related to nursing practice;~~

(xiii) ~~Conduct involving practicing beyond the scope of the nurse's license;~~

(xiv) ~~Nursing practice, or offering to practice, without a valid nursing permit or license, including practice on a license lapsed for nonpayment of fees;~~

(xv) ~~Violation of a disciplinary sanction imposed on a nurse's license by the nursing commission.~~

(2) Persons who work in federally funded substance abuse treatment programs are exempt from these mandatory reporting requirements to the extent necessary to comply with 42 C.F.R. Part 2.

(3) Persons who work in approved substance abuse monitoring programs under RCW 18.130.175 are exempt from these mandatory reporting rules to the extent required to comply with RCW 18.130.175(3) and WAC 246-840-780(3).

How is a report made to the nursing commission?

(4) In providing reports to the nursing commission, a person may call the nursing commission office for technical assistance in submitting a report. Reports are to be submitted in writing and include the name of the nurse, licensure identification, if available, the name of the facility, the names of any patients involved, a brief summary of the specific concern which is the basis for the report, and the name, address and telephone number of the individual submitting the report.

(5) Failure of any licensed nurse to comply with these reporting requirements may constitute grounds for discipline under chapter 18.130 RCW.

What are the criteria for whistleblower protection?

(6) Whistleblower criteria is defined in chapter 246-15 WAC and RCW 43.70.075. Any person including, but not limited to, a registered nurse, a licensed practical nurse, advanced registered nurse practitioner, health care facility, or governmental agency shall always report in compliance with the uniform mandatory reporting rules found in WAC 246-16-200 through 246-16-270.

AMENDATORY SECTION (Amending WSR 97-13-100, filed 6/18/97, effective 7/19/97)

WAC 246-840-750 Philosophy governing voluntary substance abuse monitoring programs. The nursing care quality assurance commission (commission) recognizes the need to establish a means of ((proactively)) providing early recognition and treatment options for licensed practical nurses or registered nurses whose competency may be impaired due to the abuse of drugs or alcohol. The commission intends that such nurses be treated and their treatment monitored so that they can return to or continue to practice their profession in a ((way which)) manner, that safeguards the public. ((To accomplish this the commission shall approve voluntary substance abuse monitoring programs and shall)) The Washington health professional services (WHPS) program is the commission's approved substance abuse monitoring program under RCW 18.130.175. The commission may refer licensed practical nurses or registered nurses ((impaired by substance abuse to approved programs as an alternative to instituting disciplinary proceedings as defined in)) to WHPS as either an alternative to or in connection with disciplinary actions under RCW 18.130.160.

AMENDATORY SECTION (Amending WSR 08-11-019, filed 5/12/08, effective 6/12/08)

WAC 246-840-760 Definitions of terms used in WAC 246-840-750 through 246-840-780. (((1)) "Approved substance abuse monitoring program" or "approved monitoring program" is a program the commission has determined meets the requirements of the law and the criteria established by the commission in WAC 246-840-770. The program enters into a contract with nurses who have substance abuse problems regarding the required components of the nurse's recovery activity and oversees the nurse's compliance with these requirements. Substance abuse monitoring programs do not provide evaluation or treatment to participating nurses.

(2) "Contract" is a comprehensive, structured agreement between the recovering nurse and the approved monitoring program wherein the nurse consents to comply with the monitoring program and its required components of the nurse's recovery activity.

(3) "Approved treatment facility" is a facility approved by the division of alcohol and substance abuse, department of social and health services according to chapter 70.96A RCW or RCW 69.54.030 to provide concentrated alcoholism or drug treatment if located within Washington state. Drug and alcohol treatment programs located out-of-state must be

equivalent to the standards required for approval under chapter 70.96A RCW or RCW 69.54.030.

(4) "Substance abuse" means the impairment of a nurse's professional services by an addiction to, a dependency on, or the use of alcohol, legend drugs, or controlled substances.

(5) "Aftercare" is that period of time after intensive substance abuse treatment that provides the nurse and the nurse's family with group or individual counseling sessions, discussions with other families, ongoing contact and participation in self-help groups and ongoing continued support of treatment program staff.

(6) "Nurse support group" is a group of nurses meeting regularly to support the recovery of its members from substance abuse issues. The group provides a confidential setting with a trained and experienced nurse facilitator in which nurses may safely discuss drug diversion, licensure issues, return to work and other professional issues related to recovery.

(7) "Twelve-step groups" are groups such as alcoholics anonymous, narcotics anonymous, and related organizations based on a philosophy of anonymity, belief in a power outside of oneself, peer group association, and self-help.

(8) "Random drug screens" are laboratory tests to detect the presence of drugs of abuse in body fluids which are performed at irregular intervals not known in advance by the person to be tested.) The definitions in this section apply throughout WAC 246-840-750 through 246-840-780 unless the text clearly requires otherwise.

(1) "Approved treatment facility" is a facility certified by the division of behavioral health and recovery (DBHR) department of social and health services, according to chapters 388-877 through 388-877B WAC that meets the defined standards. Drug and alcohol treatment facilities located out-of-state must have substantially equivalent standards.

(2) "Continuing care" means the phase of treatment following acute treatment. Common elements of continuing care include relapse prevention and self-help group participation.

(3) "Monitoring contract" is a comprehensive, structured agreement between the recovering nurse and WHPS defining the requirements of the nurse's program participation.

(4) "Peer support group" is a professionally facilitated support group designed to support recovery and re-entry into practice.

(5) "Random drug screens" means laboratory tests to detect the presence of drugs of abuse in body fluids and other biologic specimens that are performed at irregular intervals not known in advance by the person to be tested.

(6) "Referral contract" is a formal agreement between the commission and the nurse to comply with the requirements of the WHPS program in lieu of discipline.

(7) "Self-help groups" means groups or fellowships providing support for people with substance use disorder to support their sobriety and recovery.

(8) "Substance abuse" or "substance use disorder" means a chronic progressive illness that involves the use of alcohol or other drugs to a degree that it interferes with the functional life of the registrant/licensee, as manifested by health, family, job (professional services), legal, financial, or emotional problems.

(9) "Washington health professional services (WHPS)" is the approved substance abuse monitoring program as described in RCW 18.130.175 that meets criteria established by the commission. WHPS does not provide evaluation or treatment services.

AMENDATORY SECTION (Amending WSR 97-13-100, filed 6/18/97, effective 7/19/97)

WAC 246-840-770 Approval of substance abuse monitoring programs. ((The commission will approve the monitoring program(s) which will participate in the commission's substance abuse monitoring program. A monitoring program approved by the commission may be contracted with an entity outside the department but within the state, out of state, or a separate structure within the department.

(1) The approved monitoring program will not provide evaluation or treatment to the participating nurses:

(2) The approved monitoring program staff must have the qualifications and knowledge of both substance abuse and the practice of nursing as defined in this chapter to be able to evaluate:

- (a) Clinical laboratories;
- (b) Laboratory results;
- (c) Providers of substance abuse treatment, both individuals and facilities;
- (d) Nurses' support groups;
- (e) The nursing work environment; and
- (f) The ability of the nurse to practice with reasonable skill and safety.

(3) The approved monitoring program will enter into a contract with the nurse and the commission to oversee the nurse's compliance with the requirements of the program.

(4) The approved monitoring program may make exceptions to individual components of the contract on an individual basis.

(5) The approved monitoring program staff will determine, on an individual basis, whether a nurse will be prohibited from engaging in the practice of nursing for a period of time and restrictions, if any, or the nurse's access to controlled substances in the work place.

(6) The approved monitoring program shall maintain records on participants.

(7) The approved monitoring program will be responsible for providing feedback to the nurse as to the acceptability of treatment progress.

(8) The approved monitoring program shall report to the commission any nurse who fails to comply with the requirements of the monitoring program.

(9) The approved monitoring program shall provide the commission with a statistical report on the program, including progress of participants, at least annually.

(10) The approved monitoring program shall receive from the commission guidelines)) The commission uses WHPS as the approved monitoring program.

(1) WHPS will:

(a) Employ staff with the qualifications and knowledge of both substance abuse and the practice of nursing as defined in this chapter to be able to evaluate:

- (i) Clinical laboratories;

- (ii) Laboratory results;
- (iii) Providers of substance abuse treatment, both individuals and facilities;
- (iv) Peer support groups;
- (v) The nursing work environment; and
- (vi) The ability of the nurse to practice with reasonable skill and safety.

(b) Enter into a monitoring contract with the nurse to oversee the nurse's required recovery activities. Exceptions may be made to individual components of the contract as needed.

(c) Determine, on an individual basis, whether a nurse will be prohibited from engaging in the practice of nursing for a period of time and restrictions, if any, on the nurse's access to controlled substances in the workplace.

(d) Maintain case records on participating nurses.

(e) Report to the commission any nurse who fails to comply with the requirements of the monitoring program as defined by the commission.

(f) Provide the commission with an annual statistical report.

(2) The commission approves WHPS's procedures on treatment, monitoring, and limitations on the practice of nursing for those participating in the program.

AMENDATORY SECTION (Amending WSR 97-13-100, filed 6/18/97, effective 7/19/97)

WAC 246-840-780 Conditions for participants entering the approved substance abuse monitoring program ((must agree to the following conditions)). ~~((1)(a) The nurse shall undergo a complete physical and psychosocial evaluation before entering the approved monitoring program. This evaluation will be performed by health care professional(s) with expertise in chemical dependency. The person(s) performing the evaluation shall not also be the provider of the recommended treatment.~~

~~(b) The nurse shall enter into a contract with the commission and the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to:~~

~~(i) The nurse will undergo intensive substance abuse treatment in an approved treatment facility.~~

~~(ii) The nurse will agree to remain free of all mind-altering substances including alcohol except for medications prescribed by an authorized prescriber, as defined in RCW 69.41.030 and 69.50.101.~~

~~(iii) The nurse must complete the prescribed aftercare, which may include individual and/or group psychotherapy.~~

~~(iv) The nurse must cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment prognosis and goals.~~

~~(v) The nurse will submit to random drug screening as specified by the approved monitoring program.~~

~~(vi) The nurse will attend nurses' support groups facilitated by a nurse and/or twelve step group meetings as specified by the contract.~~

~~(vii) The nurse will comply with specified employment conditions and restrictions as defined by the contract.~~

~~(viii) The nurse shall sign a waiver allowing the approved monitoring program to release information to the commission if the nurse does not comply with the requirements of this contract.~~

~~(e) The nurse is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment, and random drug screens.~~

~~(d) The nurse may be subject to disciplinary action under RCW 18.130.160 if the nurse does not participate in the approved monitoring program, does not comply with specified employment restrictions, or does not successfully complete the program.~~

~~(2) A nurse who is not being investigated by the commission or subject to current disciplinary action or currently being monitored by the commission for substance abuse may voluntarily participate in the approved substance abuse monitoring program without being referred by the commission.~~

~~(a) The nurse shall undergo a complete physical and psychosocial evaluation before entering the approved monitoring program. This evaluation will be performed by health care professional(s) with expertise in chemical dependency. The person(s) performing the evaluation shall not also be the provider of the recommended treatment.~~

~~(b) The nurse shall enter into a contract with the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to:~~

~~(i) The nurse will undergo intensive substance abuse treatment in an approved treatment facility.~~

~~(ii) The nurse will agree to remain free of all mind-altering substances including alcohol except for medications prescribed by an authorized prescriber as defined in RCW 69.41.030 and 69.50.101.~~

~~(iii) The nurse must complete the prescribed aftercare program of the intensive treatment facility, which may include individual and/or group psychotherapy.~~

~~(iv) The nurse must cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment prognosis and goals.~~

~~(v) The nurse will submit to random drug screening as specified by the approved monitoring program.~~

~~(vi) The nurse will attend nurses' support groups facilitated by a nurse and/or twelve step group meetings as specified by the contract.~~

~~(vii) The nurse will comply with employment conditions and restrictions as defined by the contract.~~

~~(viii) The nurse shall sign a waiver allowing the approved monitoring program to release information to the commission if the nurse does not comply with the requirements of this contract.~~

~~(e) The nurse is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment and random drug screens.~~

~~(3) The treatment and pretreatment records of license holders referred to or voluntarily participating in approved monitoring programs shall be confidential, shall be exempt from RCW 42.17.250 through 42.17.450, and shall not be subject to discovery by subpoena or admissible as evidence except for monitoring records reported to the disciplinary~~

authority for cause as defined in subsections (1) and (2) of this section. Records held by the commission under this section shall be exempt from RCW 42.17.250 through 42.17.450 and shall not be subject to discovery by subpoena except by the license holder.) (1) Any nurse participating in the substance abuse monitoring program must:

(a) Undergo a complete substance use disorder evaluation. This evaluation will be performed by health care professional(s) with expertise in chemical dependency.

(b) Enter into a monitoring contract with WHPS which includes, but is not limited to, the following terms, which require the nurse to:

(i) Undergo any recommended level of treatment in an approved treatment facility, including continuing care;

(ii) Abstain from all mind-altering substances including alcohol and cannabis except for medications prescribed by an authorized prescriber, as defined in RCW 69.41.030 and 69.50.101;

(iii) Cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals;

(iv) Attend peer support group, or self-help group meetings, or both as specified by WHPS;

(v) Complete random or for-cause drug screening as specified by WHPS;

(vi) Comply with specified employment conditions and restrictions as defined by the monitoring contract;

(vii) Agree in writing to allow WHPS to release information to the commission if the nurse does not comply with any contract requirements or is unable to practice with reasonable skill and safety;

(viii) Pay the costs of any required evaluations, substance abuse treatment, peer support group, random drug screens, and other personal expenses incurred in relation to the monitoring program;

(ix) Sign any requested release of information authorizations.

(2) When referred to WHPS in lieu of discipline, the nurse must enter into a referral contract with the commission. The commission may take disciplinary action against the nurse's license under RCW 18.130.160 based on any violation by the nurse of the referral contract.

(3) A nurse may voluntarily participate in WHPS in accordance with RCW 18.130.175(2) without first being referred to WHPS by the commission.

WSR 17-11-135

PERMANENT RULES

HEALTH CARE AUTHORITY

(Washington Apple Health)

[Filed May 24, 2017, 10:03 a.m., effective July 1, 2017]

Effective Date of Rule: July 1, 2017.

Purpose: The agency is adopting new WAC 182-560-100 to implement the Achieving a Better Life Experience (ABLE) Act. An ABLE account allows clients who are blind or have a disability to save funds in tax-advantaged accounts for their disability related expenses. This section clarifies how ABLE accounts are counted when determining eligibil-

ity and which funds held in an ABLE account are subject to estate recovery.

Statutory Authority for Adoption: RCW 41.05.021, 41.05.160.

Other Authority: ESHB 2323, chapter 39, Laws of 2016, 64th legislature, 2016 regular session; SSB 6210, 64th legislature, 2016 regular session; and H.R. 647 - Achieving a Better Life Experience (ABLE) Act of 2014.

Adopted under notice filed as WSR 17-08-086 on April 4, 2017.

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

Date Adopted: May 24, 2017.

Wendy Barcus
Rules Coordinator

Chapter 182-560 WAC

ACHIEVING A BETTER LIFE EXPERIENCE (ABLE) ACT

NEW SECTION

WAC 182-560-100 Achieving a Better Life Experience (ABLE) Act. This rule describes a qualified achieving a better life experience (ABLE) account and its effect on the determination of eligibility for Washington apple health coverage.

(1) A qualified ABLE account:

(a) Is established and maintained by a state, or its designated agency or entity;

(b) Meets federal requirements under 26 U.S.C. Sec. 529A; and

(c) Is used to save funds for the disability related expenses of the account's designated beneficiary.

(2) This section applies to ABLE account beneficiaries who:

(a) Are entitled to benefits based on blindness or disability under Title II or XVI of the Social Security Act; or

(b) Meet the blindness or disability requirements under WAC 182-512-0050 (1)(b) and (c).

(3) The disability or blindness described in subsection (2)(a) or (b) of this section must have occurred before age twenty-six.

(4) This section does not apply if the total combined annual contributions to an ABLE account exceed the gift tax

annual exclusion amount identified in the Internal Revenue Service publication 559.

(5) When determining countable income for apple health programs for the account's designated beneficiary, the medic-aid agency or the agency's designee does not:

- (a) Count contributions made to the ABLE account;
- (b) Count funds distributed from the account;
- (c) Count earnings generated by the account, such as accrued interest or dividends; or

(d) Reduce income used to determine eligibility by the amount of contributions made to the account, including any funds the designated beneficiary may contribute to it.

(6) When determining eligibility for apple health programs, the agency or the agency's designee excludes as resources:

(a) The value of an ABLE account, including any earnings generated by the account; and

(b) Subject to subsection (8) of this section, distributions from the account for qualified disability expenses as long as the beneficiary:

- (i) Maintains an ABLE account;
- (ii) Contributes to an ABLE account; or
- (iii) Receives distributions from such ABLE account.

(7) "Qualified disability expense (QDE)" means any expense related to the beneficiary's blindness or disability that is made for the benefit of the beneficiary, including the following expenses:

- (a) Education;
- (b) Housing;
- (c) Transportation;
- (d) Employment training and support;
- (e) Assistive technology and personal support services;
- (f) Health;
- (g) Prevention and wellness;
- (h) Financial management;
- (i) Legal fees;
- (j) Expenses for oversight and monitoring; and
- (k) Funeral and burial expenses.

(8) Distributions under subsection (6)(b) of this section, which are retained into a subsequent calendar month:

(a) Remain excluded as resources as long as the distributions are identifiable and the beneficiary still intends to use the distribution for a QDE;

(b) Are available resources on the first day of a subsequent calendar month if the intent of the beneficiary changes such that the beneficiary will not use the distribution for a QDE; and

(c) Are available resources on the first day of any subsequent month when the distribution is actually used for a non-QDE.

(9) The agency or the agency's designee counts as a resource on the first day of the following month any funds distributed for purposes other than paying a QDE expense described in subsection (7) of this section.

(10) If the beneficiary has multiple ABLE accounts, the agency or the agency's designee applies this section to the first ABLE account established.

(11) Funds remaining in the ABLE account when the beneficiary dies are subject to estate recovery under chapter 182-527 WAC, less any:

(a) Outstanding QDE debts; and

(b) Premium payments made from the ABLE account on behalf of the beneficiary to obtain coverage under the apple health care for workers with disabilities described in WAC 182-511-1000.

WSR 17-11-136

PERMANENT RULES

HEALTH CARE AUTHORITY

(Washington Apple Health)

[Filed May 24, 2017, 10:10 a.m., effective July 1, 2017]

Effective Date of Rule: July 1, 2017.

Purpose: The agency is adopting these rules to implement a newly funded foundational community supports program that includes benefits to clients for supportive housing and supported employment services. The agency is also adding a definition for "Medicaid transformation waiver" to WAC 182-500-0070.

Citation of Existing Rules Affected by this Order: Amending WAC 182-500-0070.

Statutory Authority for Adoption: RCW 41.05.021, 41.05.160; 2SSB 6312, section 9 (1)(i), chapter 225, Laws of 2014, 63rd legislature, 2014 regular session; and 2ESHB 2376, section 213 (1)(f) and (g), chapter 36, Laws of 2016, 65th legislature, 2016 1st sp. sess.

Adopted under notice filed as WSR 17-08-078 on April 4, 2017.

Changes Other than Editing from Proposed to Adopted Version: **WAC 182-559-100 (4)(c)**, added C.F.R. reference:

(c) Post tenancy, in settings consistent with home and community-based services, as defined in 42 C.F.R. Sec. 441.530, such as those that:

WAC 182-559-100(7), added C.F.R. reference and deleted subsections (a) and (b) as settings for providing supported employment services:

(7) Supported employment services must be provided in settings consistent with settings defined in 42 C.F.R. 441.530 (a)(1)(i) through (v) and (a)(2):

~~(a) In an integrated setting of the client's choice; and
(b) In a manner that ensures the client's right of privacy, dignity, respect, and freedom from coercion and restraint.~~

WAC 182-559-300 (1)(c), removed incorrect cross reference:

(c) Be assessed by a qualified provider and determined to have a functional need, ~~as described in subsection (4) of this section,~~ for the services; and

WAC 182-559-300(5), removed provision that the agency may phase-in the population eligibility criteria:

(5) In order to ensure the demand for services remains within available funds, the medicaid agency may:

~~(a) Phase in the population eligibility criteria identified in subsections (1)(a) through (d) and (2)(a) through (e) of this section; or~~

~~(b) Impose~~ impose enrollment wait lists for services.

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 6, Amended 1, Repealed 0.

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

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Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 6, Amended 1, Repealed 0.

Date Adopted: May 24, 2017.

Wendy Barcus
Rules Coordinator

AMENDATORY SECTION (Amending WSR 16-06-109, filed 3/2/16, effective 4/2/16)

WAC 182-500-0070 Medical assistance definitions—M. "Medicaid" means the federal medical aid program under Title XIX of the Social Security Act that provides health care to eligible people.

"Medicaid agency" means the state agency that administers the medicaid program. The Washington state health care authority (HCA) is the state's medicaid agency.

"Medicaid transformation project" refers to the demonstration granted to the state by the federal government under section 1115 of the Social Security Act. Under this demonstration, the federal government allows the state to engage in a five-year demonstration to support health care systems, to implement reform, and to provide new targeted medicaid services to eligible clients with significant needs.

"Medical assistance" is the term the agency and its predecessors use to mean all federal or state-funded health care programs, or both, administered by the agency or its designees. Medical assistance programs are referred to as Washington apple health.

"Medical care services (MCS)" means the limited scope health care program financed by state funds for clients who are eligible for the aged, blind, or disabled (ABD) cash assistance (see WAC 388-400-0060) or the housing and essential needs (HEN) referral program (see WAC 388-400-0065) and not eligible for other full-scope programs due to their citizenship or immigration status.

"Medical consultant" means a physician employed by or contracted with the agency or the agency's designee.

"Medical facility" means a medical institution or clinic that provides health care services.

"Medical institution" See "institution" in WAC 182-500-0050.

"Medical services card" or "services card" means the card the agency issues at the initial approval of a person's Washington apple health benefit. The card identifies the person's name and medical services identification number but is not proof of eligibility. The card may be replaced upon request if it is lost or stolen, but is not required to access health care through Washington apple health.

"Medically necessary" is a term for describing requested service which is reasonably calculated to prevent, diagnose, correct, cure, alleviate or prevent worsening of conditions in the client that endanger life, or cause suffering or pain, or result in an illness or infirmity, or threaten to cause or aggravate a handicap, or cause physical deformity or malfunction. There is no other equally effective, more conservative or substantially less costly course of treatment available or suitable for the client requesting the service. For the purposes of this section, "course of treatment" may include mere observation or, where appropriate, no medical treatment at all.

"Medically needy (MN)" or "medically needy program (MNP)" means the state and federally funded health care program available to specific groups of people who would be eligible as categorically needy (CN), except their monthly income is above the CN standard. Some long-term care clients with income or resources above the CN standard may also qualify for MN.

"Medically needy income level (MNIL)" means the standard the agency uses to determine eligibility under the medically needy program. See WAC 182-519-0050.

"Medicare" is the federal government health insurance program under Titles II and XVIII of the Social Security Act. For additional information, see www.Medicare.gov.

"Medicare assignment" means the process by which a provider agrees to provide services to a medicare beneficiary and accept medicare's payment for the services.

"Medicare cost-sharing" means out-of-pocket medical expenses related to services provided by medicare. For clients enrolled in medicare, cost-sharing may include Part A and Part B premiums, co-insurance, deductibles, and copayments for medicare services. See chapter 182-517 WAC.

"Minimum essential coverage" means coverage under 26 U.S.C. Sec. 5000A(f).

"Modified adjusted gross income (MAGI)" means the adjusted gross income as determined by the Internal Revenue Service under the Internal Revenue Code of 1986 (IRC) increased by:

- (1) Any amount excluded from gross income under 26 U.S.C. Sec. 911;
- (2) Any amount of interest received or accrued by the client during the taxable year which is exempt from tax; and
- (3) Any amount of Title II Social Security income or Tier 1 railroad retirement benefits excluded from gross income under 26 U.S.C. Sec. 86. See chapter 182-509 WAC for additional rules regarding MAGI.

Chapter 182-559 WAC

FOUNDATIONAL COMMUNITY SUPPORTS PROGRAM

NEW SECTION

WAC 182-559-100 Foundational community supports program—General. (1) Under the authority of the medicaid transformation project, RCW 71.24.385, and subject to available funds, the medicaid agency covers targeted foundational community supports to eligible medicaid beneficiaries, which include the following benefits:

- (a) Supportive housing services; and
- (b) Supported employment services.
- (2) Supportive housing services may include:
 - (a) One-time community transition services to eligible clients moving from institutional to community settings and those who meet an institutional level of care, such as:
 - (i) Security deposits;
 - (ii) Essential furnishings;
 - (iii) Moving expenses;
 - (iv) Set-up fees or deposits for utility or service access;
 - and
 - (v) Health and safety assurances such as pest eradication, allergen control, or a one-time cleaning prior to occupancy.
 - (b) Ongoing community support services, including:
 - (i) Individual housing transition services which provide direct support to eligible clients.
 - (ii) Individual housing and tenancy support services that promote housing success, foster community integration and inclusion, develop natural support networks, and assist clients to maintain their housing.
 - (3) Supportive housing services do not include rental support or other room and board related expenses.
 - (4) Supportive housing services must be provided:
 - (a) In an integrated setting of the client's choice; and
 - (b) In a manner that ensures the client's individual right of privacy, dignity, respect, and freedom from coercion and restraint;
 - (c) Post tenancy, in settings consistent with home and community-based services, as defined in 42 C.F.R. Sec. 441.530, such as those that:
 - (i) Do not have the qualities of an institution;
 - (ii) Are not located in a building that is also a publicly or privately operated facility providing inpatient institutional treatment;
 - (iii) Are not on the grounds of, or immediately adjacent to a public institution;
 - (iv) Do not have the effect of isolating the client from community members who are not receiving medicaid services; and
 - (v) Are not a licensed residential care facility such as an adult family or assisted living facility.
 - (5) Supported employment, such as individual placement and support (IPS) services, are individualized and may include any combination of the following services:
 - (a) Vocational/job related discovery and assessment;
 - (b) Person-centered employment planning;
 - (c) Career advancement services;
 - (d) Individualized job development and placement;
 - (e) Negotiation with and follow-along supports to employers;
 - (f) Job analysis;
 - (g) Job carving;
 - (h) Job coaching;
 - (i) Benefits support, training, and planning;
 - (j) Transportation (only in conjunction with the delivery of an authorized service);
 - (k) Asset development; or
 - (l) Other workplace support services including services not specifically related to job skill training that enable the

program participant to be successful in integrating into the job setting.

(6) Supported employment services do not include wages or wage enhancements for clients.

(7) Supported employment services must be provided in settings consistent with settings defined in 42 C.F.R. 441.530 (a)(1)(i) through (v) and (a)(2).

NEW SECTION

WAC 182-559-150 Foundational community supports program—Definitions. The following definitions and those found in chapter 182-500 WAC apply to this chapter.

"Community transition services" means one-time supports that cover certain costs necessary for a client to transition from an institution to a community-based setting, or prevent a client's placement in an institution.

"Individual placement and support (IPS)" refers to an evidence-based approach to supported employment services based on the following principles:

- (a) Services are open to all eligible clients who wish to work;
- (b) Competitive employment is the goal;
- (c) Integrated with other services provided to the client;
- (d) Personalized benefits planning;
- (e) Job search begins soon after the client expresses interest in working;
- (f) Job search based on client preferences;
- (g) Supports are not time-limited; and
- (h) Client preferences are honored.

"Supported employment" means coordination with state and local entities to provide assistance and support, such as skills assessment, training, education and counseling to eligible clients who want to work.

"Supportive housing" means active search and promotion of access to, and choice of, safe and affordable housing that is appropriate to the client's age, culture and needs. This includes:

- (a) Providing services to eligible clients who are homeless or at risk of becoming homeless through outreach, engagement and coordination of services with shelter and housing;
- (b) Ensuring the availability of community support services, with an emphasis on supporting clients in their own home or where they live in the community; and
- (c) Coordinating with public housing entities, homeless continuums of care and affordable housing developers.

NEW SECTION

WAC 182-559-200 Foundational community supports program—Eligible providers. (1) Providers of supportive housing and supported employment services under this authority must be:

- (a) Health care professionals, entities, or contractors as defined by WAC 182-502-0002;
- (b) Agencies, centers, or facilities as defined by WAC 182-502-0002;
- (c) Health home providers as described in WAC 182-557-0050;

(d) Behavioral health providers licensed and certified according to chapter 388-877 WAC; or

(e) Housing, employment, social service, or related agencies with at least one year of demonstrated experience and ability to provide supportive housing, supported employment, or equivalent services.

(2) Providers of supportive housing or supported employment services must either:

(a) Obtain a core provider agreement in accordance with WAC 182-502-0005;

(b) Enroll with the medicaid agency as a nonbilling provider in accordance with WAC 182-502-0006; or

(c) Be qualified to bill for aging and long-term support administration services to provide supportive housing or supported employment services.

NEW SECTION

WAC 182-559-300 Foundational community supports program—Eligibility. (1) To be eligible for supportive housing services, a client must:

(a) Be age eighteen or older;

(b) Be eligible for Washington apple health (medicaid);

(c) Be assessed by a qualified provider and determined to have a functional need for the services; and

(d) Meet one of the following population criteria:

(i) Be chronically homeless as defined by the federal Department of Housing and Urban Development;

(ii) Have frequent or lengthy institutional contact;

(iii) Have frequent or lengthy stays at adult residential care facilities as defined by WAC 388-110-020 and 246-337-005;

(iv) Have frequent turnover of in-home caregivers as defined by WAC 388-106-0040; or

(v) Have a predictive risk score of 1.5 or above. See WAC 182-557-0225.

(2) To be eligible for community transition services, a client must meet the criteria described in subsection (1) of this section and be determined by a qualified provider to meet an institutional level of care standard for admission to either:

(a) A nursing facility, as described in WAC 388-106-0355; or

(b) An inpatient medical hospital, not including institutes for mental disease (IMD), as described in WAC 182-513-1320.

(3) To be eligible for supported employment services, a client must:

(a) Be age sixteen or older;

(b) Be eligible for apple health (medicaid);

(c) Desire to obtain employment;

(d) Be assessed by a qualified provider and determined to have a functional need for the services; and

(e) Meet one of the following population criteria:

(i) Be enrolled in the aged, blind and disabled program as defined in WAC 388-449-0001, or the housing and essential needs program as defined in WAC 388-400-0065;

(ii) Be diagnosed with at least one of the following:

(A) A severe and persistent mental illness;

(B) Substance use disorder with multiple episodes of treatment;

(C) Co-occurring mental health and substance use disorders.

(iii) Be age sixteen through twenty-four with a behavioral health diagnosis; or

(iv) Be receiving long-term services and supports as defined in chapter 388-106 WAC.

(4) Clients who meet the eligibility criteria for both supportive housing and supported employment are able to receive both services concurrently.

(5) In order to ensure the demand for services remains within available funds, the medicaid agency may impose enrollment wait lists for services.

NEW SECTION

WAC 182-559-400 Foundational community supports program—Payment. The medicaid agency pays for supportive housing and supported employment described in WAC 182-559-100 when no other public funds are already dedicated to providing comparable services to the client, unless the provider can demonstrate that the client requires services that are:

(1) Outside the scope of services provided by the program already in place or for which the client is otherwise eligible; and

(2) Within the scope of the services identified as reimbursable in this section.

NEW SECTION

WAC 182-559-500 Foundational community supports program—Limitation of scope of benefits. Nothing in this chapter shall be construed as providing a legal right to any individual to any of the services referenced in this chapter. The services provided under this chapter are strictly limited to the authority granted to the state under the medicaid transformation project and available funds, as determined solely by the authority. Nothing in this section is intended to limit the right of an applicant or a beneficiary to request an administrative hearing under applicable law.

WSR 17-11-141

PERMANENT RULES

PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed May 24, 2017, 11:01 a.m., effective June 24, 2017]

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

Purpose: Repeals WAC 181-78A-507, 181-78A-509, 181-78A-510 and 181-78A-540, removing professional certification programs from requirements for administrators/principals and school counselors.

Citation of Existing Rules Affected by this Order: Repealing WAC 181-78A-507, 181-78A-509, 181-78A-510, and 181-78A-540.

Statutory Authority for Adoption: RCW 28A.410.210.

Adopted under notice filed as WSR 17-08-073 on April 3, 2017.

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, email david.brenna@k12.wa.us.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 5 [4].

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 5 [4].

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 5 [4]; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 18, 2017.

David Brenna
Senior Policy Analyst

REPEALER

The following sections of the Washington Administrative Code are repealed:

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|-----------------|--|
| WAC 181-78A-507 | Overview—Principal/program administrator professional certificate programs. |
| WAC 181-78A-509 | Overview—Educational staff associate—School counselor/school psychologist professional certificate programs. |
| WAC 181-78A-510 | Responsibilities of the professional certificate administrator. |
| WAC 181-78A-540 | Approval standard—Knowledge and skills. |