

WSR 18-09-009
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 18-55—Filed April 6, 2018, 4:31 p.m., effective April 6, 2018, 4:31 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amends recreational freshwater fishing rules.

Citation of Rules Affected by this Order: Repealing WAC 220-312-02000X, 220-312-03000N, 220-312-03000M, 220-312-03000Q, 220-312-05000A, 220-312-06000Z, 220-312-06000B, 220-312-01000A, 220-312-02000Y, 220-312-03000R, 220-312-04000E, 220-312-05000B, 220-312-06000C, 220-312-09000A [220-310-09000A], 220-300-16000A and 220-310-08000A; and amending WAC 220-312-010, 220-312-020, 220-312-030, 220-312-040, 220-312-050, 220-312-060, 220-300-160, 220-310-080, and 220-312-090 [220-310-090].

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These emergency rules are needed to amend recently filed permanent rules (WSR 18-06-045) which were filed on March 1, 2018, by the department and inadvertently took effect April 1, 2018. The effective date needed to be July 1, 2018, to remain consistent with the Washington Sport Fishing Rules Pamphlet.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 9, Amended 0, Repealed 16.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 6, 2018.

James B. Scott, Jr.
for Joe Stohr
Director

NEW SECTION

WAC 220-312-01000A Freshwater exceptions to statewide rules—General rules. Notwithstanding the provisions of WAC 220-312-020, effective immediately the fol-

lowing provisions and definitions apply to this section through WAC 220-312-060.

(1) It is unlawful to fish for, take, or possess salmon from freshwater streams and lakes that are not specifically listed as open for salmon fishing.

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

(3) Rivers, streams, and beaver ponds are closed to fishing unless specifically listed as open.

(4) All limits are daily limits, unless otherwise provided.

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

(6) It is permissible to retain up to two hatchery steelhead in waters where the season is open for game fish or salmon in WAC 220-312-020 and 220-312-040, unless explicitly listed as closed to hatchery steelhead in WAC 220-312-020 and 220-312-040.

(7) A "float" or "bobber" means a hookless, floating device that is attached to or slides along the mainline or leader above the hook(s) for the purpose of suspending hook(s) (which are not part of the bait, lure, or fly) off the bottom of the stream or lake and visually signal (from the surface of the water) a fish's strike at the hook(s).

(8) "Lead jig" means a lure consisting of a hook permanently or temporarily attached directly to a lead weight by any method.

(9) "Lead weight" means material constructed of lead and applied to a fishing line or lure and designed to help keep the hook, bait, or lure underwater.

(10) "Unmarked salmon" means salmon without either a clipped ventral fin or a clipped adipose fin as evidenced by a healed scar.

(11) Kokanee/sockeye definition for Lake Washington and the Lake Washington Ship Canal in King County: Kokanee and sockeye less than fifteen inches in length are considered kokanee and kokanee and sockeye fifteen inches and over in length are considered sockeye salmon.

(12)(a) A violation of this section through WAC 220-312-060 is an infraction, punishable under RCW 77.15.160, unless the person has harvested fish. If the person has harvested fish, the violation is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

(b) Freshwater terminal gear restrictions:

(i) Terminal gear restrictions apply to all species, including salmon, unless otherwise provided.

(ii) In all waters with freshwater terminal gear restrictions including, but not limited to, night closures, selective gear rules, whitefish gear rules, single-point barbless hooks required, fly-fishing only, and anti-snagging rules, violation of the gear rules is an infraction, punishable under RCW 77.15.160.

(iii) It is unlawful to possess fish taken with gear in violation of the freshwater terminal gear restrictions. Possession of fish while using gear in violation of the freshwater termi-

nal gear restrictions is a rebuttable presumption that the fish were taken with such gear. Possession of such fish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.-370 Unlawful recreational fishing in the first degree—Penalty.

(13) For sturgeon fishing rules, see WAC 220-316-010 Sturgeon—Areas, seasons, limits and unlawful acts.

NEW SECTION

WAC 220-312-02000Y Freshwater exceptions to statewide rules—Coast. Notwithstanding the provisions of WAC 220-312-020, effective immediately the following rules apply:

(1) Aberdeen Lake (Grays Harbor County):

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

(b) Trout: No more than 2 trout over 15 inches in length may be retained.

(2) Alder Creek (Pacific County) (Naselle River tributary):

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

(b) Selective gear rules apply.

(3) Anderson Lake (Jefferson County): It is unlawful to fish from a floating device equipped with an internal combustion motor.

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

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

(b) It is unlawful to use anything other than one barbless hook.

(c) It is unlawful to use bait.

(d) Trout:

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

(ii) Release wild (unclipped) rainbow trout.

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

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

(b) It is unlawful to use anything other than one barbless hook.

(c) It is unlawful to use bait.

(d) Trout:

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

(ii) Release wild (unclipped) rainbow trout.

(6) Bear River (Pacific County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Open the first Saturday in June through March 31.

(c) August 16 through November 30: Night closure in effect.

(i) From the mouth (Highway 101 Bridge) to Lime Quarry Road (approximately two river miles):

(A) August 16 through November 30:

(I) Barbless hooks required.

(II) Anti-snagging rule applies.

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

(C) Salmon:

(I) Open September 1 through January 31.

(II) Limit 6 fish; only 4 may be adults.

(III) Release wild Chinook.

(ii) From the Lime Quarry Road upstream to the Longview Fiber Bridge:

(A) Selective gear rules apply.

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

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

(a) From the mouth upstream to Beaver Falls:

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

(ii) It is unlawful to use anything other than one barbless hook.

(iii) It is unlawful to use bait.

(iv) Trout:

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

(B) Release wild (unclipped) rainbow trout.

(b) From Beaver Falls upstream to Beaver Lake: Open the first Saturday in June through October 31.

(8) Beaver Lake (Clallam County):

(a) Selective gear rules apply.

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

(c) Trout: Maximum length 12 inches.

(9) Big Creek (Grays Harbor County):

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

(b) Selective gear rules apply.

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

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

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

(c) Selective gear rules apply.

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

(e) Trout:

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

(ii) Release kokanee.

(11) Black Creek (Grays Harbor County) (Wynoochee River tributary):

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

(b) Selective gear rules apply.

(12) Black Lake (Pacific County): Open the fourth Saturday in April through October 31.

(13) Black River (Grays Harbor/Thurston counties):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to State Highway 12:

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

(ii) Selective gear rules apply.

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

(c) From Highway 12 to bridge on 128th Ave. S.W.:

(i) Anti-snagging rule applies.

(ii) Night closure in effect.

(iii) Barbless hooks are required.

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

(v) Salmon: Open October 1 through December 31.

(A) Daily limit 6, of which 2 may be adults.

(B) Only one wild coho may be retained.

(C) Release Chinook and chum.

(d) From bridge on 128th Avenue S.W. (west of Litterock) to Black Lake:

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

(ii) Selective gear rules apply.

(14) Bogachiel River (Clallam County):

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

(b) Release wild (unclipped) rainbow trout.

(c) It is unlawful to use anything other than one barbless hook.

(d) From the mouth to Highway 101 Bridge:

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

(ii) It is unlawful to use bait the first Saturday in June through August 31 and February 16 through April 30.

(iii) Trout:

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

(B) From April 1 through April 30: Trout minimum length 14 inches.

(C) November 1 through last day in February: The limit may include one additional hatchery steelhead.

(iv) Salmon open July 1 through November 30:

(A) From July 1 through August 31:

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

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

(B) From September 1 through November 30: Limit 3; no more than one adult may be retained.

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

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

(ii) It is unlawful to use bait.

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

(15) Bone River (Pacific County):

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

(b) Selective gear rules apply.

(16) Bunker Creek (Lewis County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(17) Butte Creek (Pacific County) (Smith River tributary):

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

(b) Selective gear rules apply.

(18) Calawah River (Clallam County):

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

(b) Release wild (unclipped) rainbow trout.

(c) It is unlawful to use anything other than one barbless hook.

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

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

(ii) It is unlawful to use bait the first Saturday in June through August 31 and February 16 through April 30.

(iii) Trout:

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

(B) From April 1 through April 30: Trout minimum length 14 inches.

(C) From November 1 through the last day in February: The limit may include one additional hatchery steelhead.

(iv) Salmon open July 1 through November 30:

(A) From July 1 through August 31:

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

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

(B) From September 1 through November 30: Limit 3; only one adult may be retained.

(e) From the Highway 101 Bridge to the forks:

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

(ii) It is unlawful to use bait.

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

(19) Calawah River, North Fork (Clallam County):

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

(b) It is unlawful to use anything other than one barbless hook.

(c) It is unlawful to use bait.

(d) Release wild (unclipped) rainbow trout.

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

(20) Calawah River, South Fork (Clallam County):

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

(b) It is unlawful to use anything other than one barbless hook.

(c) It is unlawful to use bait.

(d) Release wild (unclipped) rainbow trout.

(e) From the mouth to the Olympic National Park boundary:

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

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

(21) Cases Pond (Pacific County):

(a) Open the fourth Saturday in April through November 30 to juvenile anglers only.

(b) Landlocked salmon rules apply.

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

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

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

(c) Selective gear rules apply.

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

(23) Cedar Creek (Grays Harbor/Thurston counties) (Chehalis River tributary):

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

(b) Selective gear rules apply.

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

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

(b) Selective gear rules apply.

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

(25) Cedar River (Pacific County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

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

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (Highway 101 Bridge in Aberdeen) to South Elma Bridge (Wakefield Road) including all channels, sloughs, and interconnected waterways:

(i) All species August 1 through November 30:

(A) Single-point barbless hooks are required.

(B) Anglers may fish with two poles from the mouth to the South Elma Bridge (Wakefield Road), provided they possess a valid two-pole endorsement.

(ii) Game fish:

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

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

(iii) Salmon:

(A) From August 1 through September 15:

(I) Limit 6.

(II) Release adult salmon.

(B) From September 16 through December 31:

(I) Limit 6; only two adults may be retained.

(II) Only one wild adult coho may be retained.

(III) Release adult Chinook.

(C) From January 1 through January 31:

(I) Limit 6; only two adults may be retained.

(II) Release Chinook and wild coho.

(c) From South Elma Bridge (Wakefield Road) to the confluence with Black River:

(i) All species: Single-point barbless hooks are required August 1 through November 30.

(ii) Game fish:

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

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

(iii) Salmon:

(A) From September 16 through December 31:

(I) Limit 6; only two adults may be retained.

(II) Only one wild adult coho may be retained.

(III) Release Chinook.

(B) From January 1 through January 31:

(I) Limit 6; only two adults may be retained.

(II) Release Chinook and wild coho.

(d) From the confluence of Black River to the high bridge on Weyerhaeuser 1000 line approximately 400 yards downstream of Roger Creek (south of Pe Ell):

(i) All species August 16 through November 30: Single-point barbless hooks are required.

(ii) Game fish:

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

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

(iii) Salmon:

(A) From September 16 through December 31:

(I) Limit 6; only two adults may be retained.

(II) Only one wild coho may be retained.

(III) Release Chinook and chum.

(B) From January 1 through January 31:

(I) Limit 6; only two adults may be retained.

(II) Release Chinook, chum, and wild coho.

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

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

(ii) Selective gear rules apply.

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

(27) Chehalis River, South Fork (Lewis County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

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

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

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

(c) From the County Highway Bridge near Boistfort School, upstream:

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

(ii) Selective gear rules apply.

(28) Chenois Creek (Grays Harbor County):

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

(b) Selective gear rules apply.

(29) Chester Creek (Grays Harbor County):

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

- (b) Selective gear rules apply.
- (30) Chimacum Creek (Jefferson County):**
 - (a) From the mouth to Ness's Corner Road:
 - (i) Open the first Saturday in June through August 31.
 - (ii) Selective gear rules apply.
 - (iii) Catch and release only.
 - (b) From Ness's Corner Road to headwaters:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
 - (iii) Catch and release only.
- (31) Clallam River (Clallam County):**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) Open the first Saturday in June through January 31.
 - (c) Selective gear rules apply from the first Saturday in June through October 31.
 - (d) From the first Saturday in June through October 31: Catch and release only.
 - (e) Trout: Minimum length 14 inches.
- (32) Clearwater River (Jefferson County):**
 - (a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (b) It is unlawful to use anything other than one barbless hook.
 - (c) Release wild (unclipped) rainbow trout.
 - (d) From the mouth to Snahapish River:
 - (i) Open the first Saturday in June through September 30 and December 1 through April 15:
 - (ii) It is unlawful to use bait the first Saturday in June through August 31 and February 16 through April 15.
 - (iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (iv) Salmon: Open September 1 through September 30:
 - (A) Limit 3; only one adult may be retained;
 - (B) Release wild coho.
 - (e) From Snahapish River upstream:
 - (i) Open the first Saturday in June through September 30.
 - (ii) It is unlawful to use bait.
 - (iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.
- (33) Cloquallum Creek (Grays Harbor County):**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) From the mouth to the outlet at Stump Lake:
 - (i) Open the first Saturday in June through the last day in February.
 - (ii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.
 - (c) From the outlet at Stump Lake upstream:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
- (34) Coal Creek (Clallam County) tributary to Ozette River, outside the Olympic National Park boundary:**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
- (c) Trout:
 - (i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.
 - (ii) Release kokanee.
- (35) Connor Creek (Grays Harbor County):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
- (36) Cook Creek (Grays Harbor County), from the Quinault Indian Reservation boundary upstream:**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
- (37) Copalis River (Grays Harbor County):**
 - (a) From the mouth to Carlisle Bridge:
 - (i) From the first Saturday in June through last day in February: Open for game fish.
 - (ii) It is permissible to retain hatchery steelhead with a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.
 - (iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (iv) Salmon:
 - (A) From October 1 through December 31.
 - (B) Limit 6; only two adult salmon may be retained.
 - (I) Only one wild adult coho may be retained.
 - (II) Release Chinook.
 - (b) From Carlisle Bridge upstream: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
- (38) Crim Creek (Lewis County) (Chehalis River tributary):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
- (39) Crocker Lake (Jefferson County):** Closed.
- (40) Crooked Creek (Clallam County) and tributaries that are outside of Olympic National Park:**
 - (a) Open the first Saturday in June through October 15.
 - (b) Selective gear rules apply.
 - (c) Trout:
 - (i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (ii) Release kokanee.
- (41) Damon Lake (Grays Harbor County):** Open the first Saturday in June through October 31.
- (42) Deep Creek (Clallam County):**
 - (a) Open December 1 through January 31.
 - (b) Selective gear rules apply.
 - (c) Release all fish, except mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(43) Deep Creek (Grays Harbor County) (Hump-tips River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(44) Delezene Creek (Grays Harbor County) (Chehalis River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(45) Dickey River (Clallam County):

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

- (b) Release wild (unclipped) rainbow trout.

(c) It is unlawful to use anything other than one barbless hook.

(d) From Olympic National Park boundary upstream to the confluence of the East and West forks:

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

(ii) It is unlawful to use bait the first Saturday in June through August 31 and February 16 through April 30.

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

- (iv) Salmon: Open July 1 through November 30:

(A) July 1 through August 31:

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

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

(B) September 1 through November 30: Limit 3; only one adult may be retained.

(e) From the confluence of the East and West forks upstream (for both forks):

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

(ii) It is unlawful to use bait.

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

(46) Donkey Creek (Grays Harbor County):

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

(b) Selective gear rules apply.

(47) Duck Lake (Grays Harbor County):

- (a) Crappie: No limit and no minimum length.

(b) Grass carp: No limit for anglers and bow and arrow fishing.

(48) Dungeness River (Clallam County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the forks at Dungeness Forks Campground:

- (i) Open October 6 through January 31.

(ii) Trout: Minimum length 14 inches.

(iii) Salmon:

(A) Open October 16 through November 30 from the mouth to the hatchery intake pipe at river mile 11.3.

(B) Limit 4 coho only.

(C) Release wild coho.

(c) From Gold Creek upstream: Open the Saturday before Memorial Day through October 31.

(49) East Twin River (Clallam County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(50) Eight Creek (Lewis County) (tributary to Elk Creek, which is a Chehalis River tributary):

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

(b) Selective gear rules apply.

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

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

(b) Selective gear rules apply.

(c) Trout:

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

(ii) Release kokanee.

(52) Elk Creek (Lewis County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(53) Elk Lake (Clallam County):

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

(b) Selective gear rules apply.

(c) Trout:

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

(ii) Release kokanee.

(54) Elk River (Grays Harbor County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (Highway 105 Bridge) to the confluence of the middle branch:

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

(ii) From August 16 through November 30: Single-point barbless hooks are required.

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

- (iv) Salmon: Open October 1 through November 30.

(A) Daily limit 6, of which 2 may be adults.

(B) Only one wild adult coho may be retained.

(C) Release adult Chinook.

(c) From confluence of the middle branch upstream:

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

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

(55) Elkhorn Creek (Pacific County) (Smith Creek tributary):

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

(b) Selective gear rules apply.

(56) Ellis Creek (Pacific County) (Willapa River tributary):

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

(b) Selective gear rules apply.

(57) Ellsworth Creek (Pacific County) (Naselle River tributary):

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

(b) Selective gear rules apply.

(58) Failor Lake (Grays Harbor County):

(a) Open 8:00 a.m. to 11:00 a.m. April 21, 2018 for kids-only fishing derby.

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

(c) Trout: It is unlawful to retain more than two trout over 15 inches in length per day.

(59) Fairchild Creek (Pacific County) (Wilson Creek tributary, which is a Willapa River tributary):

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

(b) Selective gear rules apply.

(60) Fall River (Pacific County) (North River tributary):

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

(b) Selective gear rules apply.

(61) Falls Creek (Pacific County) (Willapa River tributary):

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

(b) Selective gear rules apply.

(62) Fern Creek (Pacific County) (Willapa River tributary):

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

(b) Selective gear rules apply.

(63) Finn Creek (Pacific County) (North Nemah River tributary): Open the first Saturday in June through October 31.**(64) Fork Creek (Pacific County) (Willapa River tributary):**

(a) From Forks Creek Hatchery rack upstream 500 feet at fishing boundary sign:

(i) Open only for anglers with lower extremity disabilities who must permanently use a medically prescribed assistive device every time for mobility as defined in WAC 220-413-150 and possess a designated harvester companion card.

(ii) Night closure in effect.

(iii) From October 1 through November 30:

(A) Single-point barbless hooks are required.

(B) Stationary gear restriction applies.

(iv) Open the first Saturday in June through July 15 and October 1 through March 31: Release all fish, except anglers may retain up to 2 hatchery steelhead.

(v) Salmon open October 1 through January 31.

(A) From October 1 through November 30:

(I) Limit 6; only 3 adults may be retained, and only 2 may be wild coho.

(II) Release wild Chinook.

(B) From December 1 through January 31:

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

(II) Release wild Chinook.

(b) From the fishing boundary sign 500 feet above Forks Creek Hatchery rack upstream to the source:

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

(ii) Selective gear rules apply.

(65) Garrard Creek (Grays Harbor County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(66) Gibbs Lake (Jefferson County):

(a) Selective gear rules apply.

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

(c) Trout: Catch and release only.

(67) Goodman Creek (Jefferson County), outside Olympic National Park:

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

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

(c) Selective gear rules apply.

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

(68) Grass Creek (Grays Harbor County):

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

(b) Selective gear rules apply.

(69) Gray Wolf River (Clallam County): From the bridge at river mile 1.0, upstream:

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

(b) Selective gear rules apply.

(c) Catch and release only.

(70) Halfmoon Creek (Pacific County) (Willapa River tributary):

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

(b) Selective gear rules apply.

(71) Halfway Creek (Lewis County) (tributary of Stillman Creek, which is a Chehalis River tributary):

(a) Open the first Saturday in June through October 31 from the mouth to the second bridge crossing on Pe Ell McDonald Road.

(b) Selective gear rules apply.

(72) Hanaford Creek (Lewis County) (Skookumchuck River tributary):

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

(b) Selective gear rules apply.

(73) Harris Creek (Grays Harbor County) (Chehalis River tributary):

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

(b) Trout: Selective gear rules apply.

(74) Hoh River (Jefferson County):

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

(b) Release wild (unclipped) rainbow trout.

(c) It is unlawful to use anything other than one barbless hook.

(d) From the Olympic National Park boundary upstream to the DNR Oxbow Campground Boat Launch:

(i) Open July 1 through August 31 and September 16 through April 15:

(A) From July 1 through August 31 and September 16 through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(B) From April 1 through April 15: Trout minimum length 14 inches.

(C) From November 1 through February 15: The trout limit may include one additional hatchery steelhead.

(ii) It is unlawful to use bait the first Saturday in June through September 30 and February 16 through April 15.

(iii) Salmon: Open September 16 through November 30: Limit 6; only 2 adults may be retained of which only one may be a Chinook.

(e) From the DNR Oxbow Campground Boat Launch to Morgans Crossing Boat Launch:

(i) Open July 1 through August 31 and September 16 through April 15.

(ii) It is unlawful to use bait.

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

(iv) Salmon open October 16 through November 30: Limit 6; only 2 adults may be retained, of which only one may be a Chinook.

(f) From Morgan's Crossing Boat Launch upstream to the Olympic National Park boundary below mouth of South Fork Hoh River:

(i) Open July 1 through August 31 and September 16 through April 15.

(ii) It is unlawful to use bait.

(iii) It is unlawful to fish from a floating device.

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

(75) Hoh River, South Fork (Jefferson County), outside the Olympic National Park boundary:

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

(b) Open July 1 through August 31 and September 16 through April 15.

(c) It is unlawful to use anything other than one barbless hook.

(d) It is unlawful to use bait.

(e) Release wild (unclipped) rainbow trout.

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

(76) Hoko River (Clallam County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the upper Hoko Bridge:

(i) Closed to fishing from the hatchery ladder downstream 100 feet.

(ii) Open the first Saturday in June through March 15. Open to fly fishing only September 1 through October 31, except mandatory retention of hatchery steelhead.

(iii) Trout: Minimum length fourteen inches.

(c) From the upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5):

(i) Open the first Saturday in June through March 31 to fly fishing only, except mandatory retention of hatchery steelhead.

(ii) Release all fish except anglers may retain up to two hatchery steelhead, except mandatory retention of hatchery steelhead.

(77) Hoquiam River, including West Fork (Grays Harbor County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (Highway 101 Bridge on Simpson) to Dekay Road Bridge (West Fork):

(i) August 16 through November 30: Single-point barbless hooks are required.

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

(iii) Salmon: Open October 1 through December 31.

(A) Daily limit 6, of which 2 may be adults.

(B) Only one wild coho may be retained.

(C) Release Chinook.

(c) From Dekay Road Bridge upstream:

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

(ii) Selective gear rules apply.

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

(78) Hoquiam River, East Fork (Grays Harbor County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the confluence of Berryman Creek:

(i) August 16 through November 30: Single-point barbless hooks are required.

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

(iii) Salmon: Open October 1 through December 31.

(A) Daily limit 6, of which 2 may be adults.

(B) Only one wild coho may be retained.

(C) Release Chinook.

(c) From the confluence of Berryman Creek upstream to Youman's Road Bridge:

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

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

(79) Hoquiam River, Middle Fork (Grays Harbor County): From the mouth upstream:

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

(b) Selective gear rules apply.

(80) Horseshoe Lake (Jefferson County):

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

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(81) Howe Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(82) Humptulips River (Grays Harbor County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (Jessie Slough) to the Highway 101 Bridge, including all channels, sloughs, and interconnected waterways:

(i) From August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

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

(iii) Salmon open September 1 through January 31:

(A) From September 1 through October 15:

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

(II) Release wild Chinook and wild coho.

(B) From October 16 through October 31:

(I) Limit 6; only 2 adults may be retained, and only one may be a Chinook.

(II) Release wild Chinook and wild coho.

(C) From November 1 through January 31:

(I) Limit 6: Only two adults may be retained.

(II) Release Chinook and wild coho.

(c) From the Highway 101 Bridge to the confluence of the East and West forks:

(i) From December 1 through March 31: It is unlawful to fish from a floating device equipped with an internal combustion motor.

(ii) From August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(iii) Open the first Saturday in June through March 31:

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

(B) From March 1 through March 31:

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

(II) Selective gear rules apply.

(iv) Salmon open September 1 through January 31:

(A) From September 1 through October 15:

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

(II) Release wild Chinook and wild coho.

(B) From October 16 through October 31:

(I) Limit 6; only 2 adults may be retained, and only one may be a Chinook.

(II) Release wild Chinook and wild coho.

(C) From November 1 through January 31:

(I) Limit 6; only two adults may be retained.

(II) Release Chinook and wild coho.

(83) Humptulips River, East Fork (Grays Harbor County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the concrete bridge on Forest Service Road 220:

(i) August 16 through October 31: Anti-snagging rule applies and night closure in effect.

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

(c) From the concrete bridge on Forest Service Road 220 upstream:

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

(ii) Selective gear rules apply.

(84) Humptulips River, West Fork (Grays Harbor County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to Donkey Creek:

(i) August 16 through November 30: Anti-snagging rule applies and night closure in effect.

(ii) Open the first Saturday in June through March 31:

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

(B) From March 1 through March 31:

(I) Selective gear rules apply.

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

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

(c) From Donkey Creek upstream:

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

(ii) Selective gear rules apply.

(85) Independence Creek (Grays Harbor County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(86) Jimmy-Come-Lately Creek (Clallam County):

(a) From the mouth to confluence with East Fork:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) Catch and release only.

(b) From confluence with East Fork upstream, including East Fork: Open the first Saturday in June through October 31.

(87) Joe Creek (Grays Harbor County):

(a) From the mouth to Ocean Beach Road Bridge:

(i) August 16 through November 30: Single-point barbless hooks are required.

(ii) Open the first Saturday in June through November 30: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(iii) Salmon open October 1 through December 31:

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

(B) Only one wild adult Coho may be retained.

(C) Release Chinook.

(b) From Ocean Beach Road Bridge upstream:

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

(ii) Selective gear rules apply.

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

(88) Johns River (Grays Harbor County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (Highway 105 Bridge) to Ballon Creek:

(i) August 16 through November 30: Single-point barbless hooks are required.

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

(iii) Salmon: Open October 1 through November 30.

(A) Daily limit 6, of which 2 may be adults.

(B) Only one wild adult coho may be retained.

(C) Release adult Chinook.

(c) From Ballon Creek upstream, including North and South Forks:

(i) Open the first Saturday in June through September 30 and December 1 through the last day in February.

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

(89) Jones Creek (Lewis County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(90) Kalaloch Creek (Jefferson County), outside Olympic National Park:

(a) Closed within the section posted as the Olympic National Park water supply.

(b) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) Open the first Saturday in June through the last day in February:

(i) Selective gear rules apply.

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

(91) Leland Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(92) **Lena Lake, Lower (Jefferson County):** The inlet stream is closed from the mouth upstream to the footbridge (about 100 feet).

(93) Lincoln Creek, including South Fork (Lewis County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(94) **Lincoln Pond (Clallam County):** Open to juvenile anglers only, except closed through April 6.

(95) Little Hoko River (Clallam County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(96) Little Hoquiam River (Grays Harbor County):

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

(b) Selective gear rules apply.

(97) Little North River (Grays Harbor County) (North River tributary):

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

(b) Selective gear rules apply.

(98) Little Quilcene River (Jefferson County):

(a) From the mouth to the Little Quilcene River Bridge on Penny Creek Road:

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

(ii) From the mouth to Highway 101 Bridge: Open first Saturday in June through August 31.

(iii) Selective gear rules apply.

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

(v) Catch and release only.

(b) From Little Quilcene River Bridge on Penny Creek Road upstream: Open the first Saturday before Memorial Day through October 31.

(99) **Long Beach Peninsula waterways and lakes (Pacific County):** Open the fourth Saturday in April through October 31.

(100) **Loomis Lake (Pacific County):** Open the fourth Saturday in April through October 31.

(101) **Loomis Pond (Grays Harbor County):** Closed.

(102) **Lower Salmon Creek (Grays Harbor/Pacific counties) (North River tributary):**

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

(b) Selective gear rules apply.

(103) **Lucas Creek (Lewis County) (tributary to the Newaukum River North Fork):**

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(104) Ludlow Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(105) **Ludlow Lake (Jefferson County):** Open the fourth Saturday in April through October 31.

(106) Lyre River (Clallam County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to falls near river mile 3:

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

(ii) Trout: Minimum length 14 inches.

(c) From the falls to the Olympic National Park boundary:

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

(ii) Selective gear rules apply.

(iii) Catch and release only, except mandatory hatchery steelhead retention applies.

(107) **Matheny Creek (Jefferson County) (Queets River tributary), outside Olympic National Park:**

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

(b) It is unlawful to use bait.

(c) Release wild (unmarked) rainbow trout.

(d) It is unlawful to use anything other than one barbless hook.

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

(108) McDonald Creek (Clallam County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.

(109) Middle Nemah River (Pacific County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth upstream to the department of natural resources bridge on the Middle Nemah A-Line Road:

(i) Open the first Saturday in June through March 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(ii) August 1 through November 30:

- (A) Night closure in effect.
- (B) Single-point barbless hooks are required.

(iii) Salmon:

- (A) Open September 1 through January 31.
- (B) Limit 6; no more than 4 adults may be retained.
- (C) Release wild Chinook.

(c) From the department of natural resources bridge on the Middle Nemah A-Line Road upstream:

(i) Open the first Saturday in June through March 31:

(A) Selective gear rules apply.
(B) Release all fish, except mandatory retention of hatchery steelhead.

(ii) August 16 through November 30:

- (A) Anti-snagging rule applies.
- (B) Night closure in effect.

(110) Mill Creek (Pacific County) (Willapa River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(111) Mill Creek Pond (Grays Harbor County): Open to juvenile anglers only.

(112) Mitchell Creek (Lewis County) (tributary to the Newaukum River North Fork):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Catch and release only.

(113) Moclips River (Grays Harbor County):

(a) Open from the mouth to the Quinault Indian Reservation boundary from the first Saturday in June through the last day in February.

(b) Trout:

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

(ii) It is permissible to retain steelhead with a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.

(c) Salmon: Open October 1 through December 31.

- (i) Daily limit 6, of which 2 may be adults.
- (ii) Only one wild adult coho may be retained.
- (iii) Release Chinook.

(114) Morse Creek (Clallam County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to Port Angeles Dam:

- (i) Open from December 1 through January 31.
- (ii) Trout: Minimum length 14 inches.

(c) From Port Angeles Dam upstream: Open the first Saturday in June through October 31.

(115) Mosquito Creek (Jefferson County):

(a) Open outside Olympic National Park upstream to the Goodman 3000 Mainline Bridge from the first Saturday in June through the last day in February.

(b) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) Selective gear rules apply.

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

(116) Mox Chehalis Creek (Grays Harbor County) (Chehalis River tributary): Open the first Saturday in June through October 31: Selective gear rules apply.

(117) Naselle River (Pacific/Wahkiakum counties):
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Selective gear rules apply February 1 through April 15.

(c) From the Highway 101 Bridge to the Highway 4 Bridge:

(i) From August 1 through November 15:

- (A) Night closure in effect.
- (B) Anti-snagging rule applies.
- (C) Barbless hooks are required.

(D) From the South Fork upstream to the Highway 4 Bridge: Stationary gear restriction applies.

(ii) From Highway 101 Bridge upstream to Highway 401: Anglers may fish with two poles August 1 through January 31, provided they possess a valid two-pole endorsement.

(iii) Open the first Saturday in June through April 15: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iv) Salmon open August 1 through January 31:

- (A) From August 1 through October 31:
(I) Limit 6; only 4 adults may be retained.
(II) Release wild Chinook.

(B) From November 1 through January 31:

(I) Limit 6; only 4 adults may be retained and only two adults may be wild coho.

(II) Release wild Chinook.

(d) From the Highway 4 Bridge to the upstream entrance of the Naselle Hatchery Attraction Channel:

(i) Closed waters from the upstream entrance of the hatchery attraction channel downstream 300 feet.

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

(iii) From August 16 through October 15: Bait or lure must be suspended below a float.

(iv) From August 16 through November 15:

- (A) Night closure in effect.
- (B) Anti-snagging rule applies.
- (C) Barbless hooks are required.
- (D) Stationary gear rules in effect.

(v) Open the first Saturday in June through July 31 and September 16 through April 15: Release all fish, except mandatory retention of hatchery steelhead.

(vi) Salmon open August 16 through January 31:

- (A) From August 16 through September 15:
 - (I) Limit 6; only 2 adults may be retained.
 - (II) Release wild Chinook.
- (B) From September 16 through October 31:
 - (I) Limit 6; only 4 adults may be retained.
 - (II) Release wild Chinook.
- (C) From November 1 through January 31:
 - (I) Limit 6; only 4 adults may be retained and only two may be wild coho.
 - (II) Release wild Chinook.
- (e) From the upstream entrance of the Naselle Hatchery Attraction Channel to the Crown Mainline (Salme) Bridge:
 - (i) The following areas are closed:
 - (A) From the falls in Sec. 6, T10N, R8W (Wahkiakum Co.) downstream 400 feet.
 - (B) Downstream of the full spanning concrete diversion structure at the Naselle Hatchery: Closed August 1 through October 15.
 - (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iii) From August 1 through November 15:
 - (A) Night closure in effect.
 - (B) Anti-snagging rule applies.
 - (C) Barbless hooks are required.
 - (D) Stationary gear rules in effect.
 - (iv) Open the first Saturday in June through April 15: Release all fish, except mandatory retention of hatchery steelhead.
 - (v) Salmon open October 16 through January 31:
 - (A) From October 16 through October 31:
 - (I) Limit 6; only 4 adults may be retained.
 - (II) Release wild Chinook.
 - (B) From November 1 through January 31:
 - (I) Limit 6; only 4 adults may be retained and only two may be wild coho.
 - (II) Release wild Chinook.
 - (f) From the Crown Mainline (Salme) Bridge to the mouth of the North Fork:
 - (i) Open the first Saturday in June through April 15: Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (ii) From August 16 through November 30:
 - (A) Night closure in effect.
 - (B) Anti-snagging rule applies.
 - (g) Upstream from the mouth of the North Fork:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
 - (iii) Release all fish, except mandatory retention of hatchery steelhead.
- (118) **North Naselle River (Pacific County):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
- (119) **South Naselle River (Pacific County):**
 - (a) From the mouth to Bean Creek: Open the first Saturday in June through the last day in February.
 - (b) From the first Saturday in June through August 15: Selective gear rules apply.
 - (c) August 16 through November 30: Anti-snagging rule applies and night closure in effect.

- (d) Release all fish except anglers may retain up to 2 hatchery steelhead.
- (120) **Neil Creek (Grays Harbor County) (Wynoochee River tributary):**
 - (a) Open from the mouth to USFS 22 Road from the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
- (121) **Newaukum River, including South Fork (Lewis County):**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) From the mouth to Leonard Road near Onalaska:
 - (i) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (ii) August 16 through November 30:
 - (A) Night closure in effect.
 - (B) Single-point barbless hooks are required.
 - (iii) Salmon open October 16 through December 31:
 - (A) Limit 6; only two adults may be retained.
 - (B) Only one wild coho may be retained.
 - (C) Release Chinook and chum.
 - (c) From Leonard Road near Onalaska to Highway 508 Bridge near Kearny Creek:
 - (i) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (ii) August 16 through November 30:
 - (A) Night closure in effect.
 - (B) Single-point barbless hooks are required.
 - (d) From Highway 508 Bridge upstream:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
 - (iii) Trout: Catch and release only.
 - (iv) August 16 through October 31: Night closure in effect.
 - (122) **Newaukum River, Middle Fork (Lewis County), from the mouth to Tauscher Road Bridge:**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) Open the first Saturday in June to March 31.
 - (c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length.
 - (123) **Newaukum River, North Fork (Lewis County), from the mouth to 400 feet below the Chehalis city water intake:**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) Open the first Saturday in June through March 31.
 - (c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length.
 - (124) **Newman Creek (Grays Harbor County) (Chehalis River tributary):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.

(125) Newkah Creek (Grays Harbor County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(126) Niawiakum River (Pacific County): From Highway 101 Bridge to the South Bend/Palix Road Bridge:

- (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
- (b) August 16 through November 30:
 - (i) Night closure in effect.
 - (ii) Single-point barbless hooks are required.
- (c) Open the first Saturday in June through November 30.
 - (d) Salmon open September 1 through November 30.
 - (i) Limit 6; only 2 adults may be retained.
 - (ii) Release wild Chinook.

(127) North Nemah River (Pacific County):

- (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
- (b) From Highway 101 Bridge upstream to the bridge on Nemah Valley Road:
 - (i) Open the first Saturday in June through March 31.
 - (ii) Release all fish, except mandatory retention of hatchery steelhead and may retain one 15 inch or longer cutthroat trout.
 - (iii) From August 1 through November 30:
 - (A) Night closure in effect.
 - (B) Stationary gear restriction applies.
 - (C) Single-point barbless hooks are required.
 - (iv) Salmon open August 1 through January 31.
 - (A) Limit 6; only 4 adults may be retained.
 - (B) Release wild Chinook.
 - (c) From the bridge on Nemah Valley Road upstream to approximately 1.66 miles to the Hancock property line:
 - (i) Open the first Saturday in June through July 31 and November 16 through March 31.
 - (ii) Release all fish, except mandatory retention of hatchery steelhead and may retain one 15 inch or longer cutthroat trout.
 - (iii) From August 16 through November 30:
 - (A) Anti-snagging rule applies.
 - (B) Night closure in effect.
 - (iv) Selective gear rules apply December 1 through March 31.
 - (d) From the Hancock property line upstream approximately 900 feet to Nemah Hatchery barrier dam:
 - (i) Closed from bridge at Nemah Hatchery upstream to Nemah Hatchery barrier dam, except open only for salmon for anglers that possess a senior's license (70 years old or older) from August 16 through November 15.
 - (ii) Open the first Saturday in June through July 31 and November 16 through March 31.
 - (iii) Release all fish, except mandatory retention of hatchery steelhead and may retain one 15 inch or longer cutthroat trout.
 - (iv) From August 16 through November 30:
 - (A) Anti-snagging rule applies.
 - (B) Night closure in effect.
 - (v) Selective gear rules apply December 1 through March 31.

- (vi) Salmon open only for anglers that possess a senior's license (70 years old or older) from August 16 through November 15.
 - (A) Limit 6; only 4 adults may be retained.
 - (B) Release wild Chinook.

(128) North River (Grays Harbor/Pacific counties): From the Nemah Hatchery barrier dam upstream to N-700 Road:

- (i) Open the first Saturday in June through March 31.
- (ii) Release all game fish, except mandatory retention of hatchery steelhead and may retain one 15 inch or longer cutthroat trout.
 - (iii) From August 16 through November 30:
 - (A) Night closure in effect.
 - (B) Anti-snagging rule applies.
 - (iv) Selective gear rules apply from December 1 through March 31.
 - (v) Salmon open October 1 through January 31:
 - (A) Limit 6; only 4 adults may be retained.
 - (B) Release wild Chinook.
 - (f) From the N-700 Road upstream to Cruiser Creek:
 - (i) Open the first Saturday in June through March 31.
 - (ii) Release all fish, except mandatory retention of hatchery steelhead and may retain one 15 inch or longer cutthroat trout.
 - (iii) From August 16 through November 30:
 - (A) Night closure in effect.
 - (B) Anti-snagging rule applies.
 - (iv) Selective gear rules apply from December 1 through March 31.

(129) Owens Pond (Pacific County): The first Saturday in June through October 31 season.

- (130) **Palix River, including all forks (Pacific County):**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) From the Highway 101 Bridge to the mouth of the Middle Fork:
 - (i) August 16 through November 30:

- (A) Night closure in effect.
- (B) Single-point barbless hooks are required.
- (ii) Open the first Saturday in June through March 31: Release all fish, except mandatory retention of hatchery steelhead.
- (iii) Salmon:
 - (A) Open September 1 through January 31.
 - (B) Limit 6; only 4 adults may be retained.
 - (C) Release wild Chinook.
- (c) From the confluence with the Middle Fork upstream and all forks, including South Fork Palix and Canon rivers:
 - (i) August 16 through October 15:
 - (A) Anti-snagging rule applies.
 - (B) Night closure in effect.
 - (ii) From the first Saturday in June through August 15, and from December 16 through March 31: Selective gear rules apply.
 - (iii) Open the first Saturday in June through October 15, and from December 16 through March 31.
 - (iv) Release all fish, except mandatory retention of hatchery steelhead.
- (131) **Palmquist Creek (Clallam County), outside of Olympic National Park:**
 - (a) Open the first Saturday in June through October 15.
 - (b) Selective gear rules apply.
 - (c) Trout:
 - (i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (ii) Release kokanee.
- (132) **Peabody Creek (Clallam County):** Open the first Saturday in June through October 31 to juvenile anglers only.
- (133) **Penny Creek (Jefferson County):** Open the first Saturday in June through October 31.
- (134) **Petroleum Creek (Clallam County):** From the Olympic National Park boundary upstream:
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
- (135) **Pheasant Lake (Jefferson County):** Open the fourth Saturday in April through October 31.
- (136) **Pilchuck Creek (Clallam County) (Sooes River tributary):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
- (137) **Pioneer Creek (Grays Harbor County) (North River tributary):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
- (138) **Pleasant Lake (Clallam County):** Trout: Kokanee minimum length 6 inches, maximum length 18 inches.
- (139) **Porter Creek (Grays Harbor County) (Chehalis River tributary):**
 - (a) Open the first Saturday in June through October 31.

- (b) Selective gear rules apply.
- (140) **Promised Land Pond (Grays Harbor County):** Open the first Saturday in June through October 31.
- (141) **Pysht River (Clallam County):**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) Open the first Saturday in June through January 31.
 - (c) Selective gear rules apply.
 - (d) From the first Saturday in June through October 31: Catch and release only.
 - (e) From November 1 through January 31: Trout minimum length 14 inches.
- (142) **Quigg Lake (Grays Harbor County):**
 - (a) Open the first Saturday in June through April 15.
 - (b) Trout: Minimum length 14 inches.
 - (c) Salmon:
 - (i) Open October 1 through January 31.
 - (ii) Limit 6 hatchery coho salmon; only 4 may be adult hatchery coho.
- (143) **Quillayute River (Clallam County), outside of Olympic National Park:**
 - (a) Open July 1 through June 30.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) Release wild (unclipped) rainbow trout.
 - (d) It is unlawful to use anything other than one barbless hook.
 - (e) Trout:
 - (i) From May 1 through the Friday before the first Saturday in June: Release all trout except anglers may retain up to 2 hatchery steelhead.
 - (ii) From the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (iii) From April 1 through April 30: Trout minimum length 14 inches.
 - (iv) From November 1 through the last day in February: Anglers may retain one additional hatchery steelhead as part of the limit.
 - (f) Salmon: Open February 1 through November 30:
 - (i) From February 1 through August 31:
 - (A) Limit 6; only 2 adults may be retained.
 - (B) Release wild adult Chinook and wild adult coho.
 - (ii) From September 1 through November 30: Limit 6; only 3 adults may be retained, and only one of the adults may be wild.
- (144) **Quinault River (Grays Harbor County):** From the mouth at the upper end of Quinault Lake upstream to the Olympic National Park boundary:
 - (a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (b) Open the first Saturday in June through April 15.
 - (c) Release wild (unclipped) rainbow trout.
 - (d) It is unlawful to use anything other than one barbless hook.
 - (e) It is unlawful to use bait the first Saturday in June through September 30 and February 16 through April 15.

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

(g) Salmon open July 1 through November 30:

(i) From July 1 through September 30 limit 6 jack salmon only.

(ii) From October 1 through November 30:

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

(B) Release sockeye and chum.

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

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

(b) Selective gear rules apply.

(c) Trout:

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

(ii) Release kokanee.

(146) Radar Ponds (Pacific County): Salmon: Land-locked salmon rules apply.

(147) Raimie Creek and all forks (Pacific County) (North River tributary):

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

(b) Selective gear rules apply.

(148) Ripley Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(149) Rock Creek (Grays Harbor County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(150) Rock Creek (Lewis County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(151) Rocky Brook (Jefferson County) (Dosewallips River tributary): From the falls 1000 feet upstream of the mouth: Open the Saturday before Memorial Day through October 31.

(152) Rue Creek, including West Fork (Pacific County) (South Fork Willapa tributary):

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

(b) Selective gear rules apply.

(153) Salmon Creek (Grays Harbor County) (North River tributary):

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

(b) Selective gear rules apply.

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

(154) Salmon Creek (Pacific County) (tributary of Naselle River):

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

(b) Selective gear rules apply.

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

(155) Salmon River (Jefferson County), outside Olympic National Park and the Quinault Indian Reservation:

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

(b) It is unlawful to use anything other than one barbless hook.

(c) Release wild (unclipped) rainbow trout.

(d) Open the first Saturday in June through September 30 and December 1 through the last day in February:

(i) It is unlawful to use bait the first Saturday in June through August 31.

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

(iii) It is permissible to retain steelhead with a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.

(iv) Salmon: Open September 1 through September 30:

(A) Limit 6; only 2 may be adults and only one of the adults may be a Chinook.

(B) Release wild coho.

(156) Salt Creek (Clallam County): From the mouth to the bridge on Highway 112:

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

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

(c) Selective gear rules apply.

(d) First Saturday in June through October 31: Catch and release only, except mandatory retention of hatchery steelhead.

(e) November 1 through January 31: Anglers may retain up to 2 hatchery steelhead.

(157) Sand Creek (Grays Harbor County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(158) Sandysore Lake (Jefferson County): Open the fourth Saturday in April through October 31.

(159) Satsop Lakes (Grays Harbor County): Open the fourth Saturday in April through October 31.

(160) Satsop River and East Fork (Grays Harbor County):

(a) From the mouth to the bridge at Schafer State Park:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

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

(iii) Salmon open October 1 through January 31:

(A) From October 1 through December 31:

(I) Limit 6; only two adults may be retained.

(II) Only one wild coho may be retained.

(III) Release Chinook.

(B) From January 1 through January 31.

(I) Limit 6; only two adults may be retained.

(II) Release Chinook and wild coho.

(b) From the bridge at Schafer State Park upstream to 400 feet below Bingham Creek Hatchery barrier dam:

(i) Open the first Saturday in June through October 31: Trout minimum length 14 inches, except it is permissible to

retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Open August 16 through October 31:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(c) From 400 feet downstream of the Bingham Creek Hatchery barrier dam upstream to the dam:

(i) Open within posted markers to anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card.

(ii) Night closure in effect.

(iii) From August 16 through October 31: Single-point barbless hooks are required.

(iv) Open the first Saturday in June through March 31:

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

(v) Salmon open October 1 through January 31:

(A) From October 1 through December 31:

(I) Limit 6; only two adults may be retained.

(II) Only one wild coho may be retained.

(III) Release Chinook.

(B) From January 1 through January 31.

(I) Limit 6; only two adults may be retained.

(II) Release Chinook and wild coho.

(d) From the Bingham Creek Hatchery dam upstream:

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

(ii) Selective gear rules apply.

(iii) August 16 through October 31: Night closure in effect.

(161) Satsop River, Middle Fork (Turnow Branch):

(a) From the mouth to Cougar Smith Road:

(i) From August 16 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

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

(b) From Cougar Smith Road upstream:

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

(ii) Selective gear rules apply.

(iii) August 16 through October 31:

(A) Night closure in effect.

(B) Anti-snagging rule applies.

(162) Satsop River, West Fork:

(a) From the mouth to Cougar Smith Road:

(i) August 16 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

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

(b) From Cougar Smith Road to USFS 2260 Road Bridge at Spoon Creek:

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

(ii) Selective gear rules apply.

(iii) August 16 through October 31: Night closure in effect.

(c) From USFS 2260 Road Bridge at Spoon Creek upstream:

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

(ii) Selective gear rules apply.

(iii) Eastern brook trout: No limit; no minimum size.

Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing.

(163) Schafer Creek (Grays Harbor County) (Wynoochee River tributary):

(a) From the mouth to USFS 22 Road:

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

(c) Selective gear rules apply.

(164) Sekiu River (Clallam County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the forks:

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

(ii) From the first Saturday in June through October 31: Selective gear rules apply.

(iii) November 1 through January 31: Catch and release only, except mandatory retention of hatchery steelhead.

(iv) Trout: Minimum length 14 inches.

(c) From the forks upstream:

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

(ii) Selective gear rules apply.

(iii) Catch and release only, except mandatory hatchery steelhead retention applies.

(165) Shine Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(166) Shye Lake (Grays Harbor County): Open the first Saturday in June through October 31.

(167) Siebert Creek (Clallam County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(168) Silent Lake (Jefferson County):

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

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

(169) Sitkum River (Clallam County) (Calawah River tributary):

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

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

(c) It is unlawful to use anything other than one barbless hook.

(d) Release wild (unclipped) rainbow trout.

(e) It is unlawful to use bait.

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

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

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

(b) Selective gear rules apply.

(c) Trout:

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

(ii) Release kokanee.

(171) Skookumchuck River (Thurston County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to 100 feet below the outlet of the TransAlta/WDFW steelhead rearing pond located at the base of the Skookumchuck Dam:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through April 30:

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

(B) From April 1 through April 30: Trout minimum length 14 inches.

(iii) Salmon open October 16 through December 31:

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

(B) Only one wild coho may be retained.

(C) Release Chinook and chum.

(c) From Skookumchuck Reservoir upstream, selective gear rules apply.

(172) Smith Creek (near North River) (Pacific County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

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

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon open October 1 through December 31:

(A) Limit 6; only 3 adults may be retained.

(B) Release wild Chinook.

(c) From the Highway 101 Bridge upstream:

(i) Selective gear rules apply.

(ii) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.

(173) Smith Creek (Pacific County) (Chehalis River tributary):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

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

(c) Selective gear rules apply.

(174) Snahapish River (Jefferson County) (Clearwater River tributary):

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

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

(c) It is unlawful to use anything other than one barbless hook.

(d) It is unlawful to use bait.

(e) Release wild (unclipped) rainbow trout.

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

(175) Sol Duc River (Clallam County):

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

(b) It is unlawful to use anything other than one barbless hook.

(c) Release wild (unclipped) rainbow trout.

(d) Open July 1 through June 30.

(e) From the mouth to the concrete pump station at the Sol Duc Hatchery:

(i) It is unlawful to use bait July 1 through August 31 and February 16 through April 30.

(ii) Trout:

(A) May 1 through the Friday before the first Saturday in June: Release all fish except anglers may retain up to 2 hatchery steelhead.

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

(C) April 1 through April 30: Minimum length 14 inches.

(iii) Salmon: Open February 1 through November 30:

(A) From February 1 through August 31:

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

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

(B) From September 1 through November 30: Limit 6; only 3 may be adults and only one adult may be wild.

(f) From the concrete pump station at Sol Duc Hatchery to the Highway 101 Bridge upstream of Klahowya Campground:

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

(ii) It is unlawful to use bait.

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

(g) From the Highway 101 Bridge upstream of Klahowya Campground to the Olympic National Park boundary:

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

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

(iii) It is unlawful to use bait.

(176) Solberg Creek (Clallam County) (Big River tributary):

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

(b) Selective gear rules apply.

(c) Trout:

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

(ii) Release kokanee.

(177) Solleks River (Jefferson County) (Clearwater River tributary):

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

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

(c) It is unlawful to use anything other than one barbless hook.

(d) It is unlawful to use bait.

(e) Release wild (unclipped) rainbow trout.

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

(178) Sooes River (Tsoo-Yess River) (Clallam County), outside of Makah Indian Reservation:

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

(b) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

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

(d) From the first Saturday in June through October 31: Selective gear rules apply.

(179) South Bend Mill Pond (Pacific County): Open to juvenile anglers only.

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

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

(b) Selective gear rules apply.

(c) Trout:

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

(ii) Release kokanee.

(181) South Nemah River (Pacific County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (Lynn Point, 117 degrees true to opposite shore) to the confluence with Middle Nemah River:

(i) September 1 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through March 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon:

(A) Open September 1 through January 31.

(B) Limit 6; only 4 adults may be retained.

(C) Release wild Chinook.

(c) From the confluence with the Middle Nemah River upstream to the second Highway 101 Bridge crossing:

(i) Open the first Saturday in June through March 31.

(ii) Selective gear rules apply.

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

(182) Stearns Creek (Lewis County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(183) Stevens Creek (Grays Harbor County):

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

(i) Closed from the WDFW hatchery outlet downstream 400 feet.

(ii) Open the first Saturday in June through September 30 and December 1 through the last day in February.

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

(b) From the Highway 101 Bridge upstream to the Newbury Creek Road Bridge:

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

(ii) Selective gear rules apply.

(184) Stillman Creek (Lewis County) (Chehalis River tributary):

(a) Open the first Saturday in June through October 31 from the mouth to water supply pipeline at Mill Creek.

(b) Selective gear rules apply.

(185) Stowe Creek (Lewis County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(186) Sutherland Lake (Clallam County):

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

(b) Trout: Minimum length 6 inches and maximum length 18 inches.

(187) Sylvia Creek (Grays Harbor County) (Wynoochee River tributary):

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

(b) Selective gear rules apply.

(188) Sylvia Lake (Grays Harbor County): It is unlawful to retain more than 2 trout over 15 inches in length.

(189) Tarboo Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(190) Tarboo Lake (Jefferson County):

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

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

(191) Teal Lake (Jefferson County):

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

(b) Selective gear rules apply.

(c) Trout: Limit one.

(192) Thorndyke Creek (Jefferson County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(193) Thunder Creek (Clallam County) (Tributary to East Fork Dickey River):

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

(b) It is unlawful to use anything other than one barbless hook.

(c) It is unlawful to use bait.

(d) Release wild (unclipped) rainbow trout.

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

(f) From mouth to D2400 Road: Open the first Saturday in June through April 30.

(g) From D2400 Road upstream: Open the first Saturday in June through October 31.

(194) Trap Creek (Pacific County) (Willapa River tributary):

- (a) Open the first Saturday in June through October 15.
- (b) Selective gear rules apply.

(195) Trout Creek (Clallam County) (Big River tributary):

- (a) Open the first Saturday in June through October 15.
- (b) Selective gear rules apply.
- (c) Trout:
 - (i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (ii) Release kokanee.

(196) Twin Lake (Jefferson County): Open the fourth Saturday in April through October 31.

(197) Umbrella Creek (Clallam County), outside Olympic National Park, including tributaries:

- (a) Open the first Saturday in June through October 15.
- (b) Selective gear rules apply.
- (c) Trout:
 - (i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (ii) Release kokanee.

(198) Valley Creek (Clallam County): Open the first Saturday in June through October 31 to juvenile anglers only.

(199) Vance Creek (Grays Harbor County) (Chehalis River tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(200) Vance Creek/Elma Ponds (Grays Harbor County), Pond One (Bowers Lake) and Pond Two (Lake Ines):

- (a) Pond One/Bowers Lake is open only to juvenile anglers, seniors, and anglers with a disability who possess a designated harvester companion card.
- (b) Open through April 8.
- (c) Open the fourth Saturday in April through November 30:
 - (i) Anglers may not retain more than 2 trout over 15 inches in length.
 - (ii) Landlocked salmon rules apply.

(201) Van Winkle Creek (Grays Harbor County):

- (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
- (b) August 16 through November 30:
 - (i) Night closure in effect.
 - (ii) Anti-snagging rule applies.
- (c) From the mouth to 400 feet below the outlet of Lake Aberdeen Hatchery:

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

(ii) Salmon open September 16 through January 31:

- (A) From September 16 through December 31:
 - (I) Limit 6; only two adults may be retained.
 - (II) Only one wild adult coho may be retained.

(III) Release adult Chinook.

(B) From January 1 through January 31.

(I) Limit 6; only two adults may be retained.

(II) Release Chinook and wild coho.

(d) From Lake Aberdeen upstream:

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

(ii) Selective gear rules apply.

(202) Vesta Creek and all forks (Grays Harbor County) (North River tributary):

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

(b) Selective gear rules apply.

(203) Ward Creek (Pacific County) (Willapa River tributary):

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

(b) Selective gear rules apply.

(204) Wentworth Lake (Clallam County): It is unlawful to fish from a floating device equipped with an internal combustion motor.

(205) West Twin River (Clallam County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(206) Wildcat Creek (Grays Harbor County) (Cloquallum Creek tributary):

(a) Open from the mouth to the confluence of the Middle and East Forks from the first Saturday in June through October 31.

(b) Selective gear rules apply.

(207) Wildcat Creek, East Fork (Grays Harbor County) (Cloquallum Creek tributary):

(a) Open from the mouth to the Highway 108 Bridge (Simpson Avenue, in the town of McCleary) from the first Saturday in June through October 31.

(b) Selective gear rules apply.

(208) Willapa River (Pacific County):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (city of South Bend boat launch) to the Highway 6 Bridge approximately 2 miles below the mouth of Trap Creek:

(i) From August 1 through November 30:

(A) It is unlawful to fish from a floating device from the second bridge on Camp One Road upstream to the mouth of Mill Creek (approximately 0.5 miles).

(B) Night closure in effect.

(C) Single-point barbless hooks are required.

(D) Stationary gear restriction applies, except from the mouth of the Willapa River to the WDFW access site at the mouth of Ward/Wilson creeks.

(ii) From the City of South Bend boat launch upstream to the second bridge on Camp One Road: Anglers may fish with two poles August 1 through January 31, provided they possess a valid two-pole endorsement.

(iii) Open the first Saturday in June through March 31; release all fish except anglers may retain up to 2 hatchery steelhead.

(iv) Salmon open August 1 through January 31:

(A) Limit 6; only 4 adults may be retained.

(B) Release wild Chinook.

- (c) From Highway 6 Bridge to Fork Creek:
 - (i) From August 16 through November 30:
 - (A) Night closure in effect.
 - (B) Single-point barbless hooks are required.
 - (C) Stationary gear restriction applies.
 - (ii) Open the first Saturday in June through July 15 and from September 16 through March 31: Release all fish, except anglers may retain up to 2 hatchery steelhead.
 - (iii) Salmon open August 16 through September 15:
 - (A) Limit 6; only 2 adults may be retained.
 - (B) Release wild Chinook.
 - (iv) Salmon open September 16 through January 31:
 - (A) Limit 6; only 4 adults may be retained.
 - (B) Release wild Chinook.
- (d) From Fork Creek upstream to the Highway 6 Bridge near the town of Lebam:
 - (i) From August 16 through October 31:
 - (A) Night closure in effect.
 - (B) Single-point barbless hooks are required.
 - (ii) Open the first Saturday in June through October 31: Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (iii) Salmon open October 1 through January 31:
 - (A) Limit 6; only 4 adults may be retained and only two may be wild coho.
 - (B) Release wild Chinook.
 - (e) From the Highway 6 Bridge near the town of Lebam upstream:
 - (i) From August 16 through October 31:
 - (A) Night closure in effect.
 - (B) Single-point barbless hooks are required.
 - (ii) Open the first Saturday in June through October 31: Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (209) **Willapa River, South Fork (Pacific County):**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) From the mouth to the bridge on Pehl Road:
 - (i) From the falls/fish ladder downstream 400 feet in Section 6, Township 13 North, and Range 8 West: Closed.
 - (ii) Selective gear rules apply from the first Saturday in June through July 31.
 - (iii) From August 1 through November 30:
 - (A) Night closure in effect.
 - (B) Anti-snagging rule applies.
 - (C) Barbless hooks are required.
 - (c) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (i) Salmon open August 1 through January 31:
 - (ii) Limit 6; only 3 adults may be retained.
 - (iii) Release wild Chinook.
 - (d) From Pehl Road upstream:
 - (i) Open the first Saturday in June through the last day in February.
 - (ii) Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (210) **Williams Creek (Pacific County) (North Nemah River tributary):**
 - (a) Open the first Saturday in June through October 15.

- (b) Release all fish except anglers may retain up to two hatchery steelhead.
 - (211) **Wilson Creek (Pacific County) (Willapa River tributary):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (212) **Wilson Creek, North Fork (Pacific County):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (213) **Wishkah River (Grays Harbor County):**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) From August 16 through November 30: Single-point barbless hooks are required.
 - (c) From the mouth to 200 feet below the weir at the Wishkah Rearing Ponds:
 - (i) Open the first Saturday in June through the last day in February.
 - (ii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (iii) Salmon open October 1 through December 31:
 - (A) Limit 6; only two adults may be retained.
 - (B) Only one wild adult coho may be retained.
 - (C) Release Chinook.
 - (iv) From 150 feet upstream to 150 feet downstream of the Wishkah adult attraction channel/outfall structure (within the posted fishing boundary): Open only to anglers with disabilities who permanently use a wheelchair and have a designated harvester companion card.
 - (d) From the weir upstream:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
 - (214) **Wishkah River, East and West forks (Grays Harbor County):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (215) **Wynoochee River (Grays Harbor County):**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) From the mouth to the WDFW White Bridge Access Site:
 - (i) From August 16 through November 30: Single-point barbless hooks are required.
 - (ii) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (iii) Salmon open October 1 through December 31.
 - (A) Limit 6; only two adults may be retained.
 - (B) Only one wild adult coho may be retained.
 - (C) Release Chinook.
 - (c) From the WDFW White Bridge Access Site to the 7400 line bridge:
 - (i) From August 16 through November 30: Single-point barbless hooks are required.
 - (ii) From September 16 through November 30: It is unlawful to use bait.
 - (iii) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to

retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(d) From the 7400 line bridge to 400 feet below Wynoochee Dam, including the confluence of the reservoir upstream to Wynoochee Falls:

(i) Closed from 400 feet downstream of Wynoochee Dam and from the barrier dam near Grisdale.

(ii) Open the first Saturday in June through October 31 and from December 1 through March 31:

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

(B) From December 1 through March 31:

(I) Selective gear rules apply.

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

(e) From Wynoochee Falls upstream:

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

(ii) Selective gear rules apply.

(iii) Eastern brook trout: No limit. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing.

(216) Wynoochee Reservoir (Grays Harbor County):

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

(b) Trout: Minimum length 12 inches.

(c) Landlocked salmon rules apply.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 220-312-03000R Freshwater exceptions to statewide rules—Southwest. Notwithstanding the provisions of WAC 220-312-030, effective immediately the following rules apply:

(1) Abernathy Creek and all tributaries including Cameron, Slide, and Wiest creeks (Cowlitz County):

(a) From the mouth to a point 500 feet downstream from the Abernathy Technology Center:

(i) Barbless hooks are required for salmon and steelhead.

(ii) Bass: No limit and no size restriction.

(iii) Channel catfish: No limit.

(iv) Walleye: No limit and no size restriction.

(v) Open the first Saturday in June through August 31 and November 1 through March 15.

(vi) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(A) First Saturday in June through August 31:

(I) No minimum size for trout.

(II) Release all fish except adipose clipped trout as evidenced by a healed scar at the location of the adipose fin.

(III) Three hatchery trout limit.

(B) November 1 through March 15: Catch and release except up to 3 hatchery steelhead may be retained.

(C) Salmon:

(I) Open November 1 through December 31.

(II) Limit 6; up to 2 may be adults.

(III) Only hatchery Chinook and hatchery coho may be retained.

(b) From 200 feet above Abernathy Falls to posted markers 500 feet downstream from the Abernathy Fish Technology Center: Closed.

(c) From 200 feet above Abernathy Falls upstream to source and all tributaries including Erick and Ordway creeks:

(i) Open the first Saturday in June through August 31.

(ii) Release all fish except adipose clipped trout as evidenced by a healed scar at the location of the adipose fin.

(iii) Trout: No minimum size.

(iv) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead. Three hatchery trout limit.

(v) Selective gear rules apply.

(2) Battle Ground Lake (Clark County):

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

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

(c) Trout: It is unlawful to retain more than 2 fish twenty inches or greater in length.

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

(a) Closed from posted sign above rearing pond outlet to Spencer Road.

(b) Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(c) Night closure in effect.

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

(i) Limit 5; minimum length 12 inches; it is unlawful to retain more than 3 hatchery steelhead.

(ii) Release wild cutthroat.

(iii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(e) Barbless hooks are required for salmon and steelhead.

(f) Salmon:

(i) Open August 1 through December 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(4) Blue Lake (Cowlitz County):

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

(b) Selective gear rules apply.

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

(d) Catch and release only.

(5) Blue Lake Creek (Lewis County): Selective gear rules apply.

(6) Butter Creek (Lewis County):

(a) Selective gear rules apply.

(b) Trout: Minimum length 10 inches.

(7) Canyon Creek (Clark County):

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

(b) Trout: Limit 5.

(8) **Canyon Creek tributaries including Fly, Little Fly, Big Rock, Sorehead, Jakes, and Pelvey creeks (Clark/Skamania counties):** Open.

(9) **Carlisle Lake (Lewis County):**

(a) Open the fourth Saturday in April through last day in February.

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

(c) Landlocked salmon rules apply.

(10) **Carson Creek (Skamania County):** Selective gear rules apply.

(11) **Castle Lake (Cowlitz County):**

(a) Selective gear rules apply.

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

(c) Trout: Limit one; minimum length 16 inches.

(12) **Cedar Creek (tributary of N.F. Lewis) (Clark County):**

(a) From the mouth to Grist Mill Bridge:

(i) Open the first Saturday in June through August 31 and November 1 through March 15.

(ii) Selective gear rules apply.

(iii) Release all trout except anglers may retain up to 3 hatchery steelhead.

(iv) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(v) Salmon:

(A) Open November 1 through December 31.

(B) Limit 6; up to 2 may be adults.

(C) Only hatchery Chinook and hatchery coho may be retained.

(b) From the Grist Mill Bridge to 100 feet upstream of the falls: Closed.

(c) From 100 feet upstream of the falls upstream:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) Release all fish except anglers may retain up to 3 hatchery steelhead.

(iv) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(13) **Cedar Creek tributaries including Bitter, Brush, Chelatchie, John, and Pup creeks (Clark County):** Selective gear rules apply.

(14) **Chinook River (Pacific County):** From the Highway 101 Bridge upstream to source:

(a) Selective gear rules apply.

(b) Bass: No limit and no size restriction.

(c) Channel catfish: No limit.

(d) Walleye: No limit and no size restriction.

(15) **Cispus River (Lewis County):** From the mouth to the falls, not including the North Fork:

(a) Open year-round, except closed to all angling within posted "Closed Waters" signs around the adult fish release site.

(b) Barbless hooks are required for salmon and steelhead.

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

(d) Fly fishing only from the North Fork to the falls.

(e) Salmon:

(i) Open year-round.

(ii) Limit 6; only 1 may be an adult.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(16) **Cispus River, North Fork (Lewis County):**

(a) Selective gear rules apply.

(b) Trout: Release cutthroat.

(17) **Coal Creek (Cowlitz County):**

(a) From the mouth to 400 feet below the falls:

(i) Open the first Saturday in June through August 31 and November 1 through last day in February.

(ii) Selective gear rules apply.

(iii) Bass: No limit and no size restriction.

(iv) Channel catfish: No limit.

(v) Trout:

(A) Release all fish except anglers may retain up to 3 hatchery steelhead.

(B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(vi) Walleye: No limit and no size restriction.

(vii) Salmon:

(A) Open November 1 through December 31.

(B) Limit 6; up to 2 may be adults.

(C) Only hatchery Chinook and hatchery coho may be retained.

(b) From the falls to 400 feet downstream: Closed.

(c) From the falls upstream to source including all tributaries: Release all fish except trout.

(18) **Coldwater Lake (Cowlitz County):**

(a) The Coldwater Lake inlet and outlet streams are closed.

(b) Selective gear rules apply.

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

(d) Trout: Limit one; minimum length 16 inches.

(19) **Cougar Creek (tributary to Yale Reservoir) (Cowlitz County):** Open the first Saturday in June through August 31.

(20) **Coweeman River (Cowlitz County):**

(a) Barbless hooks are required for salmon and steelhead.

(b) From the mouth to Baird Creek:

(i) Open the first Saturday in June through August 31 and November 1 through March 15.

(ii) Salmon:

(A) Open November 1 through December 31.

(B) Limit 6; up to 2 may be adults.

(C) Only hatchery Chinook and hatchery coho may be retained.

(c) From Baird Creek upstream to the source, open the first Saturday in June through August 31.

(d) Release all trout, except anglers may retain up to 3 hatchery steelhead.

(e) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(21) Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County):

(a) The upstream boundary of the reservoir in the Cowlitz arm is at the posted Lewis County PUD sign on Peters Road.

(b) The upstream boundary of the reservoir in the Cispus arm is at the posted markers at the Lewis County PUD kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus arms.

(c) Barbless hooks are required for salmon and steelhead.

(d) Open year-round.

(e) Trout:

(i) Release cutthroat.

(ii) Release rainbow trout, except those with a clipped adipose fin with a healed scar at the site of the clipped fin.

(iii) From September 1 through the last day in February: Limit 10.

(f) Salmon open year-round:

(i) Limit 6; up to 2 may be adults.

(ii) Minimum length 8 inches.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(22) Cowlitz River (Lewis County):

(a) From the boundary markers at the mouth to Mayfield Dam:

(i) The following areas are closed:

(A) From 400 feet or posted markers below Cowlitz Salmon Hatchery barrier dam to boundary markers near the Cowlitz Salmon Hatchery water intake approximately 1,700 feet upstream of the Cowlitz Salmon Hatchery barrier dam.

(B) From 400 feet below the Mayfield powerhouse upstream to Mayfield Dam.

(C) Within a 100 foot radius of the new Cowlitz Trout Hatchery outfall structure, except open to anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card within posted markers when adjacent waters are open.

(D) Within a 100 foot radius of the Cowlitz Salmon Hatchery wheelchair ramp (within the posted fishing boundary) except for anglers with disabilities **and** who have a designated harvester companion card.

(ii) Barbless hooks are required for salmon, steelhead, and cutthroat trout, except from the Lexington Drive Bridge (Sparks Road Bridge) at Lexington upstream to the barrier dam from June 1 through July 31.

(A) From the mouth to Lexington Bridge; August 1 through August 31 release all steelhead.

(B) From September 1 through October 31; only one hatchery steelhead may be retained.

(C) From August 1 through October 31; night closure in effect for all species.

(iii) Game fish other than trout: Open first Saturday in June through March 31.

(A) Bass: No limit and no size restriction.

(B) Channel catfish: No limit.

(C) Walleye: No limit and no size restriction.

(iv) From the mouth to Lexington Bridge, night closure from June 16 through October 31.

(v) From Lexington Bridge to the barrier dam, fishing 2 poles is permissible so long as the angler possesses a valid two-pole endorsement.

(vi) From the mouth of Mill Creek to the Cowlitz Salmon Hatchery barrier dam:

(A) April 1 through November 30:

(I) Anti-snagging rule applies. Anglers may only retain fish hooked in the mouth when the anti-snagging rule applies.

(II) Night closure in effect.

(B) It is unlawful to fish from a floating device.

(C) May 1 through June 15: It is unlawful to fish from the south side of the river.

(vii) Trout: Open year-round.

(A) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(B) First Saturday in June through March 31:

(I) Limit 5; minimum length 12 inches.

(II) Up to 3 hatchery steelhead may be retained, except:

- From the mouth to the Lexington Drive/Sparks Road Bridge, release all steelhead August 1 through August 31.

- From the mouth to Lexington Drive/Sparks Road Bridge only one hatchery steelhead may be retained June 16 through July 31 and September 1 through October 31.

(III) Release wild cutthroat.

(C) April 1 through the Friday before the first Saturday in June: Release all fish, except anglers may retain up to 3 hatchery steelhead.

(viii) Salmon:

(A) Open year-round.

(B) Limit 6; only one may be an adult.

(C) Only hatchery Chinook and hatchery coho may be retained.

(b) From the posted PUD sign on Peters Road to the Forest Road 1270 (old Jody's Bridge):

(i) Barbless hooks are required for salmon and steelhead.

(ii) Closed to all angling within posted "Closed Waters" signs around the adult fish release site.

(iii) September 1 through October 31: Anti-snagging rule applies and night closure in effect. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(iv) Open year-round: Release trout except anglers may retain up to 2 hatchery steelhead.

(v) Salmon:

(A) Open year-round.

(B) Limit 6; up to 2 may be adults.

(C) Only hatchery Chinook and hatchery coho may be retained.

(23) Cowlitz River, Clear and Muddy Forks (Lewis County):

(a) Selective gear rules apply.

(b) Release cutthroat.

(24) **Davis Lake (Lewis County):** Open the fourth Saturday in April to last day in February.

(25) Deep River (Wahkiakum County):

(a) Game fish:

(i) Open year-round.

(ii) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.

(b) From mouth to town bridge:

(i) Channel catfish: No limit.

(ii) Walleye and bass: No limit and no size restriction.

(iii) Salmon:

(A) Open year-round.

(B) From March 1 through June 15, on days when the mainstem Columbia River recreational fishery below Bonneville Dam is open to the retention of Chinook salmon, the salmonid daily limit in Deep River is the same as in the adjacent mainstem Columbia. Otherwise:

(C) Limit 6, up to 2 may be adults.

(D) Only hatchery Chinook and hatchery coho may be retained.

(26) Delemeter Creek (Cowlitz County):

(a) Closed from 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek.

(b) Release all fish except hatchery steelhead and hatchery cutthroat. Three hatchery trout limit. Mandatory hatchery steelhead retention.

(c) Selective gear rules apply.

(d) Salmon:

(i) Open August 1 through October 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(27) Dog Creek (Skamania County): From the falls upstream to the source, release all fish except trout.

(28) Drano Lake: In the waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of the Highway 14 Bridge:

(a) Barbless hooks are required for salmon and steelhead except from March 16 through June 30 and from October 1 through December 31.

(b) Closed on Wednesdays beginning the second Wednesday in April through June 30.

(c) Closed from 6 p.m. Tuesdays through 6 p.m. Wednesdays during the month of October.

(d) March 16 through October 31: Night closure in effect.

(e) August 1 through December 31: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(f) May 1 through June 30 and October 1 through December 31:

(i) Each angler aboard a vessel may deploy salmon/steelhead angling gear until the salmon/steelhead limit for all anglers aboard has been achieved.

(ii) Two-pole fishing for salmon/steelhead is permissible so long as the angler possesses a two-pole endorsement.

(g) The area west of a line projected from the easternmost pillar of the Highway 14 Bridge to a posted marker on the north shore is open only to bank fishing from April 16 through June 30.

(h) Open year-round.

(i) Bass: No limit and no size restriction.

(j) Channel catfish: No limit.

(k) Trout: Open January 1 through March 15; release trout, except anglers may retain up to 2 hatchery steelhead.

(l) Walleye: No limit and no size restriction.

(m) Salmon and steelhead: Open March 16 through December 31:

(i) From March 16 through June 15: Limit 2 hatchery steelhead or 2 hatchery Chinook, or one of each.

(ii) From June 16 through July 31: Limit one hatchery steelhead or 2 hatchery Chinook, or one of each.

(iii) From August 1 through September 30: Limit 6; no more than 3 adult salmon, release all steelhead.

(iv) From October 1 through October 31: Limit 6; no more than 3 adults, of which only one hatchery steelhead may be retained.

(v) From November 1 through December 31: Limit 6; no more than 3 adults, of which only 2 hatchery steelhead may be retained.

(29) Elochoman River (Wahkiakum County):

(a) The following areas are closed:

(i) From 200 feet above the department of fish and wildlife temporary weir downstream to Foster (Risk) Road Bridge while the weir is installed in the river.

(ii) September 1 through October 31: From 200 feet above the temporary weir upstream to the Elochoman Hatchery Bridge.

(b) From the mouth to West Fork:

(i) Open the first Saturday in June through March 15.

(ii) August 1 through October 31: Anti-snagging rule, night closure, and stationary gear restriction apply. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(iii) August 1 through March 15: Barbless hooks are required for salmon and steelhead.

(iv) Trout: Release all fish except anglers may retain up to 3 hatchery steelhead.

(v) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) From the mouth to the Elochoman Hatchery Bridge located 400 feet below the upper hatchery rack:

(i) Open the last Saturday in May through the Friday before the first Saturday in June for bass, channel catfish, salmon, steelhead, and walleye.

(ii) Selective gear rules apply.

(iii) Bass: No limit and no size restriction.

(iv) Channel catfish: No limit.

(v) Walleye: No limit and no size restriction.

(vi) Salmon and steelhead:

(A) Limit 6; up to 3 may be hatchery adult Chinook or hatchery steelhead, and no more than 2 may be salmon.

(B) Release wild Chinook salmon.

(C) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(vii) Salmon:

(A) Open the first Saturday in June through December 31.

(B) Limit 6; up to 2 may be adults.

(C) Only hatchery Chinook or hatchery coho may be retained.

- (d) From West Fork upstream to the source:
- (i) Release all fish except anglers may retain up to 3 hatchery steelhead.
- (ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
- (iii) Salmon:
- (A) Open the first Saturday in June through October 31.
- (B) Limit 6; up to 2 may be adults.
- (C) Only hatchery Chinook and hatchery coho may be retained.
- (30) **Falls Creek (Cowlitz County):**
- (a) Selective gear rules apply.
- (b) Bass: No limit and no size restriction.
- (c) Channel catfish: No limit.
- (d) Walleye: No limit and no size restriction.
- (31) **Fort Borst Park Pond (Lewis County):** Open the fourth Saturday in April through the last day in February, except closed the Monday before Thanksgiving Day through Thanksgiving Day.
- (32) **Franz Lake (Skamania County):** Closed.
- (33) **Germany Creek (Cowlitz County)** and all tributaries including John and Loper creeks:
- (a) Open the first Saturday in June through August 31 and November 1 through March 15.
- (b) Selective gear rules apply.
- (c) Bass: No limit and no size restriction.
- (d) Channel catfish: No limit.
- (e) Trout:
- (i) Release all trout except anglers may retain up to 3 hatchery steelhead.
- (ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
- (f) Walleye: No limit and no size restriction.
- (g) Salmon:
- (i) Open November 1 through December 31.
- (ii) Limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.
- (34) **Gobar Creek (tributary to Kalama River) (Cowlitz County):**
- (a) Open the first Saturday in June through March 31.
- (b) Selective gear rules apply.
- (c) Release all fish except adipose clipped trout as evidenced by a healed scar at the location of the adipose fin.
- (d) Trout: No minimum size. Three hatchery fish limit.
- (e) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
- (35) **Goble Creek (Cowlitz County):**
- (a) Open the first Saturday in June through August 31 and November 1 through March 15.
- (b) Release all fish except anglers may retain up to 3 hatchery steelhead.
- (c) Selective gear rules apply.
- (d) Salmon:
- (i) Open November 1 through December 31.
- (ii) Limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.
- (36) **Grays River (Wahkiakum County):** From the mouth to South Fork:
- (a) Barbless hooks are required for salmon and steelhead.
- (b) Open the first Saturday in June through March 15, except closed from Highway 4 Bridge to mouth of South Fork from October 16 through November 30.
- (c) Closed from 400 feet below to 200 feet above the temporary weir while the weir is installed in the river.
- (d) Anti-snagging rule, night closure and stationary gear restriction apply:
- (i) From the mouth to the Highway 4 Bridge August 1 through November 15.
- (ii) From the Highway 4 Bridge to the mouth of South Fork August 1 through October 15.
- (iii) When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.
- (e) Game fish:
- (i) Release all fish except anglers may retain up to 3 hatchery steelhead.
- (ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
- (iii) From the mouth to Highway 4 Bridge:
- (A) Bass: No limit and no size restriction.
- (B) Channel catfish: No limit.
- (C) Walleye: No limit and no size restriction.
- (f) From South Fork upstream to source, selective gear rules apply.
- (g) Salmon:
- (i) From the mouth to the Highway 4 Bridge: Open the first Saturday in June through December 31.
- (A) Limit 6; up to 2 may be adults.
- (B) Only hatchery Chinook or hatchery coho may be retained.
- (C) Effective August 1, all Chinook must be adipose and/or ventral fin clipped to be kept.
- (ii) From the Highway 4 Bridge to the South Fork: Open the first Saturday in June through October 15 and December 1 through December 31.
- (A) Limit 6; up to 2 may be adults.
- (B) Only hatchery Chinook or hatchery coho may be retained.
- (C) Effective August 1, all Chinook must be adipose and/or ventral fin clipped to be kept.
- (37) **Grays River, East Fork (Wahkiakum County):**
- (a) Selective gear rules apply.
- (b) Release all fish except anglers may retain up to 3 hatchery steelhead.
- (c) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
- (d) Salmon:
- (i) Open the first Saturday in June through October 31.
- (ii) Limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.
- (iv) Effective August 1, all Chinook must be adipose and/or ventral fin clipped to be kept.
- (38) **Grays River, South Fork (Wahkiakum County):**
- (a) Release all fish except anglers may retain up to 3 hatchery steelhead.

(b) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) Selective gear rules apply.

(d) Salmon:

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

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(iv) Effective August 1, all Chinook must be adipose and/or ventral fin clipped to be kept.

(39) Grays River, West Fork (Wahkiakum County):

(a) Downstream from the hatchery intake/footbridge:

(i) Barbless hooks are required for salmon and steelhead.

(ii) Open the first Saturday in June through March 15, except closed October 16 through November 30 from the posted markers approximately 300 yards below the hatchery road bridge downstream to the mouth.

(iii) August 1 through November 15: Anti-snagging rule, night closure and stationary gear restriction apply. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(iv) From the first Sunday in June through March 15: Release all fish except anglers may retain up to 3 hatchery steelhead.

(v) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(vi) Salmon: Open from first Saturday in June through December 31.

(A) Limit 6; up to 2 may be adults.

(B) Only hatchery Chinook or hatchery coho may be retained.

(C) Effective August 1, all Chinook must be adipose and/or ventral fin clipped to be kept.

(b) From the hatchery intake/footbridge upstream to source:

(i) Open the first Saturday in June through March 15.

(ii) Release all fish except anglers may retain up to 3 hatchery steelhead.

(iii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) Selective gear rules apply.

(d) Salmon:

(i) Open the first Saturday in June through December 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(iv) Effective August 1, all Chinook must be adipose and/or ventral fin clipped to be kept.

(40) Green River (Cowlitz County):

(a) From the mouth to Miner's Creek:

(i) Catch and release except up to 3 hatchery steelhead may be retained.

(ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(iii) From August 1 through November 30, barbless hooks are required for salmon and steelhead.

(iv) The following areas are closed:

(A) From 400 feet above and 400 feet below the salmon hatchery rack (or from the posted signs above and below the salmon hatchery rack) when the rack is installed in the river.

(B) From 400 feet below to 400 feet above the water intake at the upper end of the hatchery grounds from September 1 through November 30.

(C) From the 2800 Bridge to Miner's Creek.

(v) September 1 through October 31: Anti-snagging rule applies and night closure in effect from the mouth to 400 feet below the salmon hatchery rack. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(vi) Open the last Saturday in May through November 30: From the last Saturday in May through the Friday before the first Saturday in June in the waters from the mouth to 400 feet below the Toutle Hatchery water intake: Selective gear rules apply.

(vii) Salmon:

(A) Open August 1 through November 30.

(B) Limit 6; up to 2 may be adults.

(C) Only hatchery Chinook and hatchery coho may be retained.

(b) From Miner's Creek upstream to the source:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(41) Grizzly Lake (Skamania County): Closed.

(42) Hamilton Creek (Skamania County):

(a) Selective gear rules apply.

(b) Bass: No limit and no size restriction.

(c) Channel catfish: No limit.

(d) Trout:

(i) Release all trout except anglers may retain up to 3 hatchery steelhead.

(ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(e) Walleye: No limit and no size restriction.

(f) All tributaries downstream from the Highway 14 Bridge: Closed.

(g) Salmon:

(i) Open August 1 through October 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(43) Hemlock Lake (Trout Creek Reservoir) (Skamania County): Closed.

(44) Horseshoe Lake (Clark/Cowlitz counties):

(a) Trout: It is unlawful to retain more than 2 trout 20 inches or more in length.

(b) Landlocked salmon rules apply.

(45) Icehouse Lake (Skamania County): It is unlawful to retain more than 2 trout 20 inches or greater in length.

(46) Indian Heaven Wilderness Lakes (Skamania County): Trout limit 3.

(47) Johnson Creek (Lewis County) (Cowlitz River tributary):

(a) Selective gear rules apply.

(b) Trout: Minimum length 10 inches.

(48) Kalama River (Cowlitz County):

(a) From boundary markers at the mouth upstream to 1,000 feet above the fishway at the upper salmon hatchery:

(i) Open year-round, except the following areas are closed:

(A) From 1,000 feet below to 1,000 feet above the fishway at upper salmon hatchery.

(B) From Modrow Bridge downstream to the markers 1,500 feet below the temporary rack when the rack is installed below Modrow Bridge.

(ii) Barbless hooks are required for salmon and steelhead.

(iii) Game fish:

(A) Release all fish except bass, channel catfish, trout, hatchery steelhead, and walleye. Except effective April 4 through May 15 it is unlawful to retain hatchery steelhead in the waters of the Kalama River from the boundary markers at the mouth upstream 1,000 feet below the fishway at the upper salmon hatchery; mandatory hatchery stillhead retention no in effect.

(B) Bass: No limit and no size restriction.

(C) Channel catfish: No limit.

(D) Trout:

(I) Mandatory hatchery steelhead retention.

(II) No catch and release of hatchery steelhead.

(E) Walleye: No limit and no size restriction.

(iv) April 1 through October 31: Anti-snagging rule applies and night closure in effect from the railroad bridge below I-5 to the intake at the lower salmon hatchery. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(v) It is unlawful to fish from a floating device equipped with an internal combustion motor upstream of Modrow Bridge.

(vi) Open September 1 through October 31 for fly fishing only from the natural gas pipeline crossing to the posted deadline at the intake to the lower salmon hatchery.

(vii) From March 16 through the Friday before the first Saturday in June: Release all fish except anglers may retain up to 3 hatchery steelhead.

(viii) From the first Saturday in June through March 15: Release all fish except anglers may retain up to 3 adipose clipped trout as evidenced by a healed scar at the location of the adipose fin. No minimum size.

(ix) Salmon:

(A) Open year-round.

(B) Limit 6; up to 2 may be adults.

(C) Only hatchery Chinook and hatchery coho may be retained.

(b) From 1,000 feet above the fishway at the upper salmon hatchery, upstream to Summers Creek:

(i) Open year-round.

(ii) It is unlawful to fish from a floating device equipped with a motor.

(iii) Selective gear rules apply.

(iv) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(v) From March 16 through the Friday before the first Saturday in June: Release all fish except anglers may retain up to 3 hatchery steelhead.

(vi) From the first Saturday in June through March 15: Release all fish except anglers may retain up to 3 adipose

clipped trout as evidenced by a healed scar at the location of the adipose fin. No minimum size.

(c) From Summers Creek upstream to Kalama Falls:

(i) Closed from the 6420 Road (approximately one mile above the gate at the end of the county road) to Kalama Falls.

(ii) Open the first Saturday in June through March 31 for fly fishing only.

(iii) Release all fish, except anglers may retain up to 3 adipose clipped trout as evidenced by a healed scar at the location of the adipose fin.

(A) No minimum size.

(B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(d) From Kalama Falls upstream to source: Open.

(49) **Kanaka Creek (Skamania County):** Selective gear rules apply.

(50) **Kidney Lake (Skamania County):** Open the fourth Saturday in April through last day in February.

(51) **Klineline Ponds (Clark County):**

(a) Closed to fishing April 12 through April 14, except open to fishing 8:00 a.m. to 4:00 p.m. April 13 and 14 in the netted area, to juvenile anglers participating in the Klineline Kids Fishing Event.

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

(c) It is unlawful to retain more than 2 trout 20 inches or more in length.

(52) **Kress Lake (Cowlitz County):**

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

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

(c) It is unlawful to retain more than 2 trout 20 inches or more in length.

(d) Landlocked salmon rules apply.

(53) **Lacamas Creek (Clark County):**

(a) From the mouth to the footbridge at the lower falls:

(i) Open the first Saturday in June through August 31.

(ii) Release all fish except anglers may retain up to 3 hatchery steelhead.

(iii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(iv) Selective gear rules apply.

(b) From the footbridge at the lower falls upstream to the source: It is permissible to fish up to the base of Lacamas Lake Dam.

(c) From footbridge at lower falls and from Round Lake upstream to source and all tributaries (Clark County) including Spring Branch, Big Ditch, Fifth Plain Creek, Matney Creek, Buck Creek, David Creek, North Fork and East Fork Lacamas Creek (Clark County): Statewide season, minimum size, and limits apply.

(54) **Lacamas Creek, tributary of Cowlitz River (Lewis County):**

(a) Selective gear rules apply.

(b) Trout: Limit 3.

(c) Release all trout except anglers may retain hatchery steelhead and hatchery cutthroat.

(d) Salmon:

(i) Open August 1 through October 31.

- (ii) Limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.
- (55) Lewis River (Clark County):**
- (a) Mouth to the mouth of Colvin Creek:
 - (i) Open year-round except the following areas are closed:
 - (A) From Johnson Creek upstream May 1 through May 31.
 - (B) Those waters shoreward of the cable buoy and cork-line at the mouth of the Lewis River Salmon Hatchery fish ladder.
 - (ii) Barbless hooks are required for salmon and steelhead.
 - (iii) Fishing 2 poles is permissible from Railroad Bridge near Kuhns Road upstream to Johnson Creek, so long as the angler possesses a two-pole endorsement.
 - (iv) Anti-snagging rule applies and night closure in effect from Johnson Creek to Colvin Creek June 1 through November 30 and April 1 through April 30. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.
 - (v) From mouth of Lewis River to the mouth of the East Fork Lewis River, night closure in effect June 16 through October 31 for all species.
 - (vi) Trout:
 - (A) Release all trout except anglers may retain up to 3 hatchery steelhead, except:
 - (I) From the mouth of the Lewis River to the mouth of the East Fork Lewis River, release all steelhead August 1 through August 31.
 - (II) From the mouth of the Lewis River to the mouth of the East Fork Lewis River, only one hatchery steelhead may be retained from June 16 through July 31 and September 1 through October 31.
 - (B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (vii) Salmon:
 - (A) Open January 1 through April 30: Limit 6 hatchery Chinook; only one may be an adult.
 - (B) Open August 1 through the fourth Friday in September:
 - (I) Limit 6; up to 2 may be adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (C) Open the fourth Saturday in September through December 31:
 - (I) Limit 6; up to 2 may be adults.
 - (II) Only Chinook and hatchery coho may be retained.
 - (viii) Bass: No limit and no size restriction.
 - (ix) Channel catfish: No limit.
 - (x) Walleye: No limit and no size restriction.
 - (b) From the mouth of Colvin Creek to the overhead powerlines at Merwin Dam:
 - (i) Barbless hooks are required for salmon and steelhead.
 - (ii) Open June 1 through October 31 and December 16 through April 30.
 - (iii) Anti-snagging rule applies and night closure in effect April 1 through April 30 and June 1 through October

- 31. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.
 - (iv) Bass: No limit and no size restriction.
 - (v) Channel catfish: No limit.
 - (vi) Trout:
 - (A) Release all fish except anglers may retain up to 3 hatchery steelhead.
 - (B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (vii) Walleye: No limit and no size restriction.
 - (viii) Salmon:
 - (A) Open August 1 through October 31 and December 16 through April 30.
 - (B) From January 1 through April 30: Limit 6 hatchery Chinook; only one may be an adult.
 - (C) From August 1 through the fourth Friday in September:
 - (I) Limit 6; up to 2 may be adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (D) From the fourth Saturday in September through October 31 and December 16 through December 31:
 - (I) Limit 6; up to 2 may be adults.
 - (II) Only Chinook and hatchery coho may be retained.
 - (c) From the overhead powerlines below Merwin Dam to Merwin Dam: Closed.
 - (d) From the cable crossing 1,300 feet below Yale Dam to Yale Dam: Closed.
 - (e) From the old Lewis River streambed between Swift No. 1 Powerhouse and Swift No. 2 Powerhouse and Lewis River Power Canal upstream to fishing pier: Closed.
 - (f) Within Lewis River Power Canal from the fishing pier to the access road at Swift Dam:
 - (i) Open the fourth Saturday in April through October 31.
 - (ii) It is unlawful to fish from a floating device.
 - (iii) Trout: Limit 5; no minimum size.
 - (A) From Eagle Cliff Bridge to the lower falls, including all tributaries: Selective gear rules apply.
 - (B) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (C) Catch and release only.
 - (g) From lower falls upstream and all tributaries including Copper, Alec, Quartz, Straight (tributary of Quartz), Snagtooth (tributary of Quartz), French (tributary of Quartz), Tillicum, Steamboat, Pin, Pass, Swampy, Riley, No Name (tributary of Riley), Big Spring (tributary of Riley), Mutton (tributary of Riley), and Boulder creeks (Skamania Co.): Statewide season, minimum size, and limits.
 - (56) Lewis River, East Fork (Clark/Skamania counties):**
 - (a) The following areas are closed:
 - (i) From the posted markers at the lower end of Big Eddy to 100 feet above Lucia Falls.
 - (ii) From 400 feet below to 400 feet above Moulton Falls.
 - (iii) From 400 feet below Horseshoe Falls upstream, including all tributaries above Horseshoe Falls.
 - (b) From the mouth to 400 feet below Horseshoe Falls:
 - (i) Open the first Saturday in June through March 15.

(ii) Barbless hooks are required for salmon and steelhead.

(iii) Release all trout except anglers may retain up to 3 hatchery steelhead.

(iv) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) Salmon:

(i) Open August 1 through December 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(d) From the mouth to the top boat ramp at Lewisville Park:

(i) Additional hatchery steelhead season from April 16 through the Friday before the first Saturday in June.

(ii) Selective gear rules apply.

(iii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(iv) Release all fish except anglers may retain up to 3 hatchery steelhead.

(57) **Little Ash Lake (Skamania County):** It is unlawful to retain more than 2 trout 20 inches or more in length.

(58) **Little Washougal River (Clark County):**

(a) Release all fish except anglers may retain up to 3 hatchery steelhead.

(b) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) Selective gear rules apply.

(d) Salmon:

(i) Open August 1 through October 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(59) **Little White Salmon River (Skamania County) and all tributaries including Rock, Lapham, Lava, Moss, Wilson, Cabbage, Berry, Lusk, Homes, and Beetle creeks:**

(a) Open the Saturday before Memorial Day through October 31, except Little White Salmon River is closed from the orange fishing boundary markers at Drano Lake upstream to the intake near the north boundary of the Little White Salmon National Fish Hatchery.

(b) Release all fish except trout.

(c) Trout: Limit 5.

(60) **Love Lake (Clark County):** Closed.

(61) **Mayfield Lake (Reservoir) (Lewis County):**

(a) Open from the Mayfield Dam to Onion Rock Bridge.

(b) From the Tacoma Power safety signs at Onion Rock Bridge to Mossyrock Dam: Closed.

(c) Trout:

(i) Minimum length 8 inches.

(ii) Release cutthroat and rainbow trout, except it is permissible to retain rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin.

(iii) September 1 through last day in February: Limit 10.

(d) Salmon open September 1 through December 31:

(i) Minimum length 8 inches.

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

(iii) Only hatchery Chinook and hatchery coho may be retained.

(62) **Merrill Lake (Cowlitz County):**

(a) Open for fly fishing only.

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

(c) Catch and release only.

(63) **Merwin Lake (Reservoir) (Clark/Cowlitz counties):**

(a) Landlocked salmon rules apply.

(b) Kokanee: Limit 10; kokanee do not count as part of the trout limit.

(64) **Merwin Lake (Reservoir) (Clark/Cowlitz counties) tributaries including Marble, Cape Horn, Day, Jim, Indian George, Squaw, Buncombe Hollow, Rock creeks, Speelyai Creek and its tributaries, Brooks, and West Fork creeks (except Canyon Creek):** Statewide season, minimum size, and limits apply.

(65) **Mill Creek (Cowlitz County):**

(a) Open the first Saturday in June through August 31 and November 1 through March 15.

(b) Selective gear rules apply.

(c) Bass: No limit and no size restriction.

(d) Channel catfish: No limit.

(e) Trout:

(i) Release all trout except anglers may retain up to 3 hatchery steelhead.

(ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(f) Walleye: No limit and no size restriction.

(g) Salmon:

(i) Open November 1 through December 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(66) **Mill Creek (Lewis County):** From the mouth to the hatchery road crossing culvert.

(a) Selective gear rules apply.

(b) Open the first Saturday in June through October 31 and from December 1 through December 31.

(c) Anti-snagging rule applies and night closure in effect December 1 through December 31. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(d) Release all fish except anglers may retain up to 3 trout.

(e) Release all trout except hatchery steelhead and hatchery cutthroat.

(f) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(g) Salmon:

(i) Open August 1 through October 31 and December 1 through December 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(67) **Mineral Lake (Lewis County):** Open the fourth Saturday in April through September 30.

(68) **Mulholland Creek (Cowlitz County):**

(a) Open first Saturday in June through August 31 and November 1 through March 15.

(b) Catch and release except anglers may retain up to 3 hatchery steelhead.

(c) Selective gear rules apply.

(d) Salmon:

(i) Open November 1 through December 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(69) **Nelson Creek (Skamania County):** Selective gear rules apply.

(70) **Ohanapecosh Creek (tributary to Cowlitz River) (Lewis/Pierce counties):**

(a) Selective gear rules apply.

(b) Trout: Minimum length 12 inches.

(71) **Olequa Creek (Lewis/Cowlitz counties):**

(a) Closed from 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek.

(b) Trout: Limit 3.

(c) Release all trout except hatchery steelhead and hatchery cutthroat.

(d) Selective gear rules apply.

(e) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(f) Salmon:

(i) Open August 1 through October 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(72) **Ostrander Creek (Cowlitz County):** Selective gear rules apply.

(73) **Outlet Creek (Cowlitz County):**

(a) First Saturday in June through November 30.

(b) Trout:

(i) Release all trout except anglers may retain up to 3 hatchery steelhead.

(ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) Selective gear rules apply.

(d) Salmon:

(i) Open August 1 through November 30.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(74) **Packwood Lake (Lewis County):**

(a) Closed: All inlet streams and the outlet from the log boom to the dam.

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

(c) Selective gear rules apply.

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

(e) Trout: Minimum length 10 inches.

(75) **Plummer Lake (Lewis County):** Open the fourth Saturday in April through the last day in February.

(76) **Rainey Creek (Lewis County):**

(a) Open from the mouth to Highway 12.

(b) Trout limit 5; release cutthroat and rainbow trout, except it is permissible to retain rainbow trout that have a clipped adipose fin and a healed scar at the location of the clipped fin.

(77) **Riffe Lake (Reservoir) (Lewis County):**

(a) Open from Mossyrock Dam to Cowlitz Falls Dam, except closed from Cowlitz Falls Dam downstream to the Lewis County PUD safety signs located approximately 800 feet below the dam.

(b) It is permissible to fish up to the base of Swofford Pond Dam.

(c) Landlocked salmon rules apply.

(78) **Riffe Lake (Reservoir) tributaries (Lewis County)**(excluding Rainey Creek), including Sulphur, Simmons, Swigert, Shelton, Steel Canyon, Indian, Sand, Landers, Peterson, Goat, and Tumwater creeks: Statewide season, minimum size, and limits apply.

(79) **Rock Creek (Skamania County):**

(a) Open from the mouth to the falls at approximately river mile one.

(i) From the first Saturday in June through March 15.

(ii) Bass: No limit and no size restriction.

(iii) Channel catfish: No limit.

(iv) Walleye: No limit and no size restriction.

(v) Trout:

(A) Release all trout except anglers may retain up to 3 hatchery steelhead.

(B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Barbless hooks are required for salmon and steelhead.

(c) Salmon:

(i) Open August 1 through December 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(d) From the falls upstream to source/headwaters and all tributaries including Spring Creek, Hot Springs, Budweiser Creek, Forest Creek, Steep Creek, North Fork Rock Creek, and Snag Creek: Statewide seasons, minimum size, limits apply.

(80) **Salmon Creek (Clark County):** From the mouth to 182nd Avenue Bridge:

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

(b) Bass: No limit and no size restriction.

(c) Channel catfish: No limit.

(d) Walleye: No limit and no size restriction.

(e) Trout:

(i) Release all trout except anglers may retain up to 3 hatchery steelhead.

(ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(f) Barbless hooks are required for salmon and steelhead.

(g) Salmon:

(i) Open August 1 through December 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(81) **Salmon Creek (Lewis County):**

(a) Release all fish except anglers may retain up to 3 hatchery trout.

(b) Release all trout except hatchery steelhead and hatchery cutthroat.

(c) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(d) Selective gear rules apply.

(e) Salmon:

(i) Open August 1 through October 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook or hatchery coho may be retained.

(82) **Silver Lake (Cowlitz County):** Crappie limit 10; minimum length 9 inches.

(83) **Silver Creek (tributary to Cowlitz River) (Lewis County):**

(a) Open from the mouth to USFS Road 4778.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(84) **Skamokawa Creek (Wahkiakum County):**

(a) Open the first Saturday in June through August 31 and November 1 through March 15.

(b) Bass: No limit and no size restriction.

(c) Channel catfish: No limit.

(d) Walleye: No limit and no size restriction.

(e) Trout:

(i) Release all trout except anglers may retain up to 3 hatchery steelhead.

(ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(f) Selective gear rules apply.

(g) Salmon:

(i) Open November 1 through December 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(85) **Skate Creek (tributary to Cowlitz River) (Lewis County):**

(a) Release all cutthroat.

(b) Selective gear rules apply.

(86) **South Lewis County Park Pond (Lewis County):** Closed the Monday before Thanksgiving Day through Thanksgiving Day.

(87) **Spirit Lake (Skamania County):** Closed.

(88) **Stillwater Creek (Lewis County):**

(a) Trout: Limit 3.

(i) Release all trout except hatchery steelhead and hatchery cutthroat.

(ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Selective gear rules apply.

(c) Salmon:

(i) Open August 1 through October 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(89) **Swift Reservoir (Skamania County):**

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

(b) Release all trout, except rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin may be retained.

(c) From the posted markers approximately 3/8 mile below Eagle Cliff Bridge to the bridge: Selective gear rules apply.

(d) From the dam to the markers approximately 3/8 mile below Eagle Cliff Bridge: Trout limit 10 from September 1 through November 30.

(e) Salmon:

(i) Open the first Saturday in June through November 30.

(ii) Landlocked salmon rules apply.

(iii) Maximum length 15 inches.

(90) **Swift Reservoir tributaries (Skamania County)** including Ole, Swift, Worm, Diamond, Marble, Range, Drift, and Camp creeks: Selective gear rules apply.

(91) **Swofford Pond (Lewis County):** It is unlawful to fish from a floating device equipped with an internal combustion motor.

(92) **Tilton River (Lewis County):**

(a) Open year-round from the mouth to the West Fork, except closed to all angling within posted "Closed Waters" signs around the adult fish release site.

(b) Barbless hooks are required for salmon and steelhead.

(c) First Saturday in June through July 31: Selective gear rules apply.

(d) September 1 through October 31: Anti-snagging rule applies and night closure in effect. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(e) Release all trout except 2 hatchery steelhead may be retained.

(f) Salmon:

(i) Open year-round.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(93) **Tilton River, East, North, South and West Forks (Lewis County):**

(a) Selective gear rules apply.

(b) Trout: Minimum length 12 inches.

(94) **Toutle River (Cowlitz County):** From the mouth to the forks, and the North Fork from the mouth to the posted deadline below the fish collection facility:

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

(b) September 1 through October 15: Anti-snagging rule applies and night closure in effect on the North Fork from the confluence with the South Fork to the mouth of Green River. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(c) Barbless hooks are required for salmon and steelhead.

(d) Game fish:

(i) Release all fish except anglers may retain up to 3 hatchery steelhead.

(ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(e) Salmon open August 1 through November 30:

(i) Limit 6; up to 2 may be adults.

(ii) Only hatchery Chinook and hatchery coho may be retained.

(95) Toutle River, South Fork (Cowlitz County):

(a) Release all fish except anglers may retain up to 3 hatchery steelhead.

(b) Trout:

(i) Barbless hooks are required for salmon and steelhead from August 1 through November 30.

(ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) Salmon:

(i) Open August 1 through November 30.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(d) From the mouth to 4700 Road Bridge:

(i) Open the last Saturday in May to the Friday before the first Saturday in June.

(ii) Selective gear rules apply.

(e) From the mouth to the 4100 Road Bridge:

(i) Open the first Saturday in June through March 15.

(ii) From December 1 through March 15 selective gear rules apply.

(f) From 4100 Road Bridge upstream to source: Open the first Saturday in June through November 30.

(96) Tunnel Lake (Skamania County): It is unlawful to retain more than 2 trout 20 inches or more in length.

(97) Vancouver Lake and all other waters west of Burlington Northern Railroad from the Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County):

(a) Vancouver Lake flushing channel and the lake shoreline 400 feet east and west of the channel exit: Closed April 1 through May 31.

(b) Chumming is permissible.

(c) Trout: Release all trout except anglers may retain up to 2 hatchery steelhead.

(98) Walupt Lake (Lewis County):

(a) All inlet streams are closed.

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

(c) Selective gear rules apply.

(d) Trout: Minimum length 10 inches.

(99) Washougal River (Clark County): From the mouth to the bridge at Salmon Falls:

(a) Closed from 1,000 feet (or posted markers) below to 200 feet above the temporary weir when the weir is installed in the river.

(b) Open the first Saturday in June through March 15.

(c) Barbless hooks are required for salmon and steelhead.

(d) Night closure in effect:

(i) Year-round from the mouth to Mount Norway Bridge.

(ii) August 1 through October 31 from Mount Norway Bridge upstream.

(e) Anti-snagging rule applies:

(i) July 1 through October 31 from the mouth to Mount Norway Bridge; and

(ii) August 1 through October 31 from Mount Norway Bridge upstream.

(iii) When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(f) Bass: No limit and no size restriction.

(g) Channel catfish: No limit.

(h) Trout:

(i) Release all trout except anglers may retain up to 3 hatchery steelhead.

(ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(i) Walleye: No limit and no size restriction.

(j) Open from April 16 through the Friday before the first Saturday in June:

(i) Selective gear rules apply.

(ii) Bass: No limit and no size restriction.

(iii) Channel catfish: No limit.

(iv) Trout:

(A) Release all trout except anglers may retain up to 3 hatchery steelhead.

(B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(v) Walleye: No limit and no size restriction.

(k) Salmon:

(i) Open August 1 through December 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(100) Washougal River, West (North) Fork (Clark/Skamania counties):

(a) From the mouth to the water intake at the department hatchery: Closed.

(b) From the intake at the department hatchery to the source:

(i) Open the first Saturday in June through March 15.

(ii) Trout:

(A) Release all trout except anglers may retain up to 3 hatchery steelhead.

(B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) Salmon:

(i) Open August 1 through December 31.

(ii) Limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(d) Barbless hooks are required for salmon and steelhead.

(101) Willame Lake (Lewis County):

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

(b) Selective gear rules apply.

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

(d) Trout: Limit 2; minimum length 15 inches.

(102) Wind River (Skamania County):

(a) From the mouth to 100 feet above Shipherd Falls:

(i) Barbless hooks are required for salmon and steelhead except from March 16 through June 30.

(ii) Closed from 400 feet below to 100 feet above Shipherd Falls fish ladder, including all tributaries.

(iii) June 16 through October 31: Night closure in effect.

(iv) March 16 through 31: Closed from the Highway 14 Bridge upstream.

(v) August 1 through October 31: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(vi) May 1 through June 30:

(A) Anti-snagging rule applies from the Highway 14 Bridge upstream. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(B) From the mouth to the Highway 14 Bridge, each angler aboard a vessel may deploy salmon/steelhead angling gear until the salmon/steelhead limit for all anglers aboard has been achieved and two-pole fishing for salmon/steelhead is permissible so long as the angler possesses a two-pole endorsement.

(C) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(vii) Open year-round.

(viii) Bass: No limit and no size restriction.

(ix) Channel catfish: No limit.

(x) Trout:

(A) Open November 1 through March 15.

(B) Release all trout except anglers may retain up to 3 hatchery steelhead.

(xi) Salmon and steelhead:

(A) Open March 16 through June 15:

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

(II) Release wild Chinook.

(B) Open June 16 through July 31:

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

(II) Release wild Chinook.

(C) Open August 1 through October 31:

(I) From the mouth to the Highway 14 Bridge, the limit and retention regulations for hatchery and wild fish follows the most liberal regulations of the mainstem Columbia and Wind rivers when both areas are open concurrently for salmon.

(II) From August 1 through August 31: Limit 6; up to 2 adult salmon may be retained. Release all steelhead.

(III) From September 1 through October 31: Limit 6; up to 2 adult salmon or one adult salmon and one hatchery steelhead may be retained.

(IV) Only hatchery Chinook or hatchery coho may be retained.

(xii) Walleye: No limit and no size restriction.

(b) From 100 feet above Shipherd Falls to Moore Bridge:

(i) The following areas are closed: All tributaries; from 400 feet below to 100 feet above Coffey Dam.

(ii) From 100 feet above Shipherd Falls to 800 yards downstream from Carson National Fish Hatchery:

(A) Open September 16 through November 30:

(I) Catch and release only.

(II) Selective gear rules apply.

(B) Salmon and steelhead open May 1 through June 30:

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

(II) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead;

(III) Anti-snagging rule applies;

(IV) Only fish hooked inside the mouth may be retained;

(V) Night closure in effect.

(iii) From 800 yards downstream from Carson National Fish Hatchery to Moore Bridge open September 16 through November 30:

(A) Catch and release only.

(B) Selective gear rules apply.

(103) **Winston Creek (tributary to Cowlitz River) (Lewis County):**

(a) Selective gear rules apply.

(b) Trout: Minimum length 10 inches.

(104) **Yale Reservoir (Cowlitz County):**

(a) Kokanee: Limit 16; kokanee do not count toward the trout limit.

(b) Landlocked salmon rules apply.

(105) **Yale Reservoir tributaries (Cowlitz and Clark counties) excluding Cougar Creek and including Dog, Dry, Siouxon and its tributaries including North Siouxon, West, Horseshoe, Wildcat, Chinook, and Calamity creeks: State-wide season, minimum size and limits apply.**

(106) **Yellowjacket Creek (tributary to Cispus River) (Lewis County):**

(a) Selective gear rules apply.

(b) Trout: Minimum length 12 inches.

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

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

NEW SECTION

WAC 220-312-04000E Freshwater exceptions to statewide rules—Puget Sound. Notwithstanding the provisions of WAC 220-312-040, effective immediately the following rules apply:

(1) Beaver ponds located within or adjacent to streams that drain into Puget Sound listed as open to trout and other game fish follow the same rules as the adjacent stream.

(2) **County-wide freshwater exceptions to statewide rules:**

(a) Beaver ponds in Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3):

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

(ii) Trout: No minimum length.

(b) Beaver ponds in Kitsap County and Mason County east of Belfair-Bremerton Highway (S.R. 3):

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

(ii) Trout: No minimum length.

(3) **Alder Lake (Thurston County):** Kokanee limit 10; kokanee do not count toward the trout daily limit. See also Nisqually River.

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

(5) **Alexander Lake (Kitsap County):** Closed.

(6) **All Creek (Skagit County) (Suitttle River tributary):**

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

- (b) Selective gear rules apply.
- (7) **Alma Creek (Skagit County):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Release all fish except anglers may retain up to two hatchery steelhead.
- (8) **American Lake (Pierce County):** Chumming is permissible.
- (9) **Anderson Creek (Kitsap County):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.
- (10) **Anderson Creek (Whatcom County) (Nooksack River tributary):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (11) **Armstrong Lake (Snohomish County):** Open the fourth Saturday in April through October 31.
- (12) **Bacon Creek (Skagit County):**
- (a) Open the first Saturday in June through August 15.
- (b) Selective gear rules apply.
- (c) Release all fish except anglers may retain up to 2 hatchery steelhead.
- (13) **Bacus Creek (Skagit County):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (14) **Bainbridge Island - All streams (Kitsap County):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Minimum size 14 inches.
- (15) **Baker Lake (Whatcom County):**
- (a) Chumming is permissible.
- (b) Closed waters within a two hundred foot radius around the pump discharge at the south end of the lake.
- (c) Open the fourth Saturday in April through October 31:
- (d) Kokanee: Minimum length 8 inches and maximum length 18 inches.
- (e) Salmon: Open July 8 through September 7.
- (i) Sockeye: Limit 4; minimum length 18 inches.
- (ii) Each angler aboard a vessel may deploy salmon angling gear until the limit for all licensed and juvenile anglers aboard is reached.
- (16) **Baker River (Skagit/Whatcom County):** From the Baker River fish barrier dam to the headwaters: Open the first Saturday in June through August 31.
- (17) **Baker River:** All tributaries and their tributaries, except Channel Creek, from the Baker River fish barrier dam to the headwaters including Shannon and Baker lakes: Open the first Saturday in June through October 31.
- (18) **Barnaby Slough (Skagit County):** Closed.
- (19) **Beaver Creek (Pierce County) (South Prairie Creek tributary):** Open the first Saturday in June through October 31.
- (20) **Beaver Creek (Thurston County) from the mouth to I-5:**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Night closure in effect.
- (d) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
- (21) **Beaver Lake (King County):** Trout: No more than 2 over 15 inches in length.
- (22) **Benson Lake (Mason County):** Open the fourth Saturday in April through October 31.
- (23) **Bertrand Creek (Whatcom County) (Nooksack River tributary):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (24) **Big Bear Creek (tributary of Sammamish River) (Snohomish/King counties):** Open the first Saturday in June through August 31 to juvenile anglers only.
- (25) **Big Beaver Creek (Whatcom County), from 1/4 mile upstream of the closed water markers on Ross Lake upstream, including tributary streams and beaver ponds:**
- (a) Open July 1 through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.
- (26) **Big Beef Creek (Kitsap County):**
- (a) From Seabeck Highway Bridge to Lake Symington:
- (i) Open the first Saturday in June through August 31.
- (ii) Selective gear rules apply.
- (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iv) Catch and release only.
- (v) August 1 through August 31: Closed within 100 feet of the Seabeck Highway N.W. Bridge.
- (b) From Lake Symington upstream:
- (i) Open the first Saturday in June through October 31.
- (ii) Selective gear rules apply.
- (iii) Trout: Catch and release only.
- (27) **Big Creek (Skagit County) (Suitttle River tributary):**
- (a) From TeePee Falls to the source: Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (28) **Big Mission Creek (Mason County):**
- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.
- (29) **Big Quilcene River (Jefferson County):**
- (a) From the mouth to Rodgers Street:
- (i) Open the first Saturday in June through August 15.
- (ii) Selective gear rules apply.
- (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iv) Catch and release only.
- (b) From Rodgers Street to the Highway 101 Bridge:
- (i) Open the first Saturday in June through October 31.
- (ii) Catch and release only.
- (iii) From the first Saturday in June through August 15:
- (A) Selective gear rules apply.
- (B) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iv) August 16 through October 31:
- (A) Night closure in effect.
- (B) Anti-snagging rule applies.

- (v) Salmon:
 - (A) Open August 16 through October 31.
 - (B) Limit 4 coho only.
- (vi) Closed waters from the Highway 101 Bridge to the weir at Quilcene National Fish Hatchery.
 - (c) From the weir at Quilcene National Fish Hatchery to the upper boundary of Falls View campground:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
 - (iii) Catch and release only.
 - (d) From the upper boundary of Falls View campground upstream: Open the Saturday before Memorial Day through October 31.
- (30) **Big Scandia Creek (Kitsap County):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (c) Trout: Minimum size 14 inches.
- (31) **Big Soos Creek (King County):** From the mouth to the hatchery rack:
 - (a) Open for game fish the first Saturday in June through August 31.
 - (b) Trout: Minimum length 14 inches, daily limit 2.
- (32) **Bingham Creek (Mason County) (Satsop River tributary):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
- (33) **Black Creek (Snohomish County) (South Fork Stillaguamish River tributary):** Open the Saturday before Memorial Day through October 31 from the Bear Creek confluence upstream.
 - (34) **Black Lake (Thurston County):** Crappie: Limit 10; minimum length 9 inches.
 - (35) **Black Lake Ditch (Thurston County):** From the confluence with Percival Creek upstream to Black Lake.
 - (a) Selective gear rules apply.
 - (b) Open the first Saturday in June through October 31.
 - (c) Trout: Minimum size 14 inches.
 - (d) Open November 1 through the Friday before the first Saturday in June: Catch and release only.
 - (36) **Blackjack Creek (Kitsap County):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (c) Trout: Minimum size 14 inches.
 - (37) **Blackman's Lake (Snohomish County):** Trout limit 5; no more than 2 over 15 inches in length.
 - (38) **Blooms Ditch (Thurston County) (Black River tributary):** From the mouth to I-5:
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (c) Night closure in effect.
 - (d) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 - (39) **Boise Creek (King County) (White River tributary):** Open the first Saturday in June through October 31 upstream of the Highway 410 crossing.
 - (40) **Bosworth Lake (Snohomish County):** Open the fourth Saturday in April through October 31.
 - (41) **Boulder Creek (Skagit County) (Cascade River tributary):**
 - (a) Open the first Saturday in June through August 15.
 - (b) Selective gear rules apply.
 - (c) Catch and release only.
 - (42) **Boulder River (Snohomish County) (N.F. Stillaguamish River tributary):**
 - (a) From the mouth to Boulder Falls:
 - (i) Open the first Saturday in June through June 30.
 - (ii) Selective gear rules apply.
 - (iii) Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (b) From Boulder Falls upstream: Open the Saturday before Memorial Day through October 31.
 - (43) **Boxley Creek (North Bend, King County) (Tributary to the South Fork Snoqualmie River):** Open the Saturday before Memorial Day through October 31 upstream from the falls located approximately at river mile 0.9.
 - (44) **Boyle Lake (King County):**
 - (a) Open the fourth Saturday in April through October 31.
 - (b) The inlet and outlet streams to Boyle Lake are closed.
 - (45) **Bradley Lake (Pierce County):**
 - (a) Open May 15 through the last day of free fishing weekend, as defined in WAC 220-220-230, to juvenile anglers only.
 - (b) Salmon: Landlocked salmon rules apply.
 - (46) **Bridges Lake (King County):**
 - (a) Open the fourth Saturday in April through October 31.
 - (b) The inlet and outlet streams to Bridges Lake are closed.
 - (47) **Buck Creek (Skagit County) (Suiattle River tributary):**
 - (a) Open the first Saturday in June through July 31 from the upstream boundary of Buck Creek campground.
 - (b) Selective gear rules apply.
 - (48) **Buck Lake (Kitsap County):** Open the fourth Saturday in April through October 31.
 - (49) **Burley Creek (Kitsap County):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (c) Trout: Minimum length 14 inches.
 - (50) **Cady Lake (Mason County):**
 - (a) Open to fly fishing only.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) Catch and release only.
 - (51) **Cain Lake (Whatcom County):** Open the fourth Saturday in April through October 31.
 - (52) **California Creek (Whatcom County):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
 - (53) **Calligan Lake (King County):**
 - (a) Open June 1 through October 31.
 - (b) All tributary streams and the upper third of the outlet are closed.
 - (c) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(54) Camp Creek (Snohomish County) (Whitechuck River tributary):

- (a) Open the first Saturday in June through July 31.
- (b) Selective gear rules apply.

(55) Campbell Creek (Mason County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Catch and release only.

(56) Campbell Lake (Skagit County): Grass carp: No limit for anglers and bow and arrow fishing.

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

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(58) Canyon Creek (Snohomish County) (S.F. Stillaguamish River):

- (a) Open the first Saturday in June through June 30 from the mouth to the forks.
- (b) Selective gear rules apply.
- (c) Release all fish except anglers may retain up to 2 hatchery steelhead.

(59) Canyon Creek (Whatcom County) (North Fork Nooksack River):

(a) Open the Saturday before Memorial Day through October 31 from Canyon Creek Road Bridge upstream, including tributaries.

- (b) Selective gear rules apply.

(60) Capitol Lake (Thurston County): Closed.**(61) Carbon River (Pierce County):**

- (a) From the mouth to Voight Creek:
 - (i) Open September 1 through January 15.
 - (ii) From September 1 through November 30: Night closure in effect and anti-snagging rule applies.
 - (iii) Trout:
 - (A) September 1 through November 30: Minimum length 14 inches.
 - (B) From December 1 through January 15:
 - (I) Selective gear rules apply.
 - (II) Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (iv) Salmon:
 - (A) Open September 1 through November 30.
 - (B) Limit 6 fish of which no more than 2 may be adult hatchery Chinook.

(C) Release chum and wild adult Chinook salmon.

(b) From Voight Creek to the Highway 162 Bridge:

(i) Open from December 1 through January 15.

(ii) Selective gear rules apply.

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

(62) Carney Lake (Pierce County):

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

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

(c) Salmon: Landlocked salmon rules apply.

(63) Carson Lake (Mason County): Open the fourth Saturday in April through October 31.

(64) Cascade Creek (San Juan County):

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

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain eastern brook trout.

(65) Cascade Lake (San Juan County): Open the fourth Saturday in April through October 31.

(66) Cascade River (Skagit County):

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

(i) Open June 1 through July 15 and December 15 through January 31:

(A) Anti-snagging rule applies and night closure in effect June 1 through July 15.

(B) Trout: Limit 2; minimum length 14 inches. Anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(ii) Salmon:

(A) Open June 1 through July 15:

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

(C) Release all other salmon.

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

(i) Open the first Saturday in June through July 15 and December 15 through January 31.

(ii) Selective gear rules apply.

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

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

(68) Cavanaugh Lake (Skagit County): Chumming is permissible.

(69) Cayada Creek (Pierce County) (Carbon River tributary): Open the first Saturday in June through September 30.

(70) Cedar Creek (Mason County): Open the Saturday before Memorial Day through October 31.

(71) Cedar River (King County):

(a) Open for game fish the first Saturday in June through August 31 from the mouth to Landsburg Road.

(i) Trout: Catch and release only.

(ii) Other game fish: Statewide minimum size/daily limit.

(b) Selective gear rules apply and night closure.

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

(72) Chain Lake (Snohomish County):

(a) Selective gear rules apply.

(b) Trout: Limit 2; minimum length 14 inches.

(73) Chambers Creek (Pierce County):

(a) From the mouth (Burlington Northern Bridge) to the markers 400 feet below the Boise-Cascade Dam (Pierce County):

(i) Selective gear rules apply, except bait is permissible September 1 through October 15.

(ii) Open July 1 through November 15 for game fish and salmon.

(iii) Night closure in effect and anti-snagging rule applies.

(iv) Trout: Catch and release.

(v) Salmon:

(A) Limit 6 fish of which no more than 4 may be adult salmon.

(B) Release wild coho.

(b) From Boise-Cascade Dam to Steilacoom Lake:

(i) Open July 1 through October 31.

(ii) Night closure in effect and selective gear rules apply.

(iii) Trout: Minimum size 14 inches.

(74) Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County):

(a) Selective gear rules apply.

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

(c) Trout: Catch and release only.

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

(76) Chaplain Creek (Snohomish County) (Sultan River tributary):

(a) Above the falls near the mouth to the inlet to the beaver pond (Grass Lake) below the water filtration plant gate, including tributaries and beaver ponds: Open the Saturday before Memorial Day through October 31.

(b) Waters adjacent to the water filtration plant, from the inlet to the beaver pond (Grass Lake) below the water filtration plant gate to the waterfall approximately .4 miles upstream: Closed.

(c) Above the waterfall located approximately .4 miles upstream of the water filtration plant gate, including tributaries and beaver ponds: Open the Saturday before Memorial Day through October 31.

(77) Chaplain Lake (Snohomish County): Closed.

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

(79) Chilliwack River (Whatcom County): Open the first Saturday in June through October 31, including all tributaries and their tributaries.

(80) Church Creek (Mason County): Open the Saturday before Memorial Day through October 31 upstream of the bridge on U.S. Forest Service Road #2361.

(81) Clarks Creek (Pierce County):

(a) Open the first Saturday in June through August 31 from the mouth to 12th Avenue S.W.

(b) Selective gear rules apply.

(c) Trout: Limit 2; minimum length 14 inches.

(82) Clear Creek (Snohomish County) (Sauk River tributary): Open the Saturday before Memorial Day through October 31 above Asbestos Creek Falls.

(83) Clear Lake (Pierce County):

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

(b) Chumming is permissible.

(c) Kokanee: Limit 10; no size restrictions.

(d) Salmon: Landlocked salmon rules apply.

(84) Clear Lake (Thurston County): Open the fourth Saturday in April through October 31.

(85) Clearwater River (Pierce County):

(a) Open July 1 through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(86) Clover Creek (Pierce County):

(a) Open July 1 through October 31 upstream of Steilacoom Lake, including all tributaries.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(87) Coal Creek (tributary of Lake Washington) (King County): Open the first Saturday in June through August 31 to juvenile anglers only.

(88) Coal Creek (near Snoqualmie) (King County):

(a) From the mouth to Highway I-90:

(i) Open the fourth Saturday in April through October 31 to juvenile anglers only.

(ii) Trout: No minimum length.

(b) From Highway I-90 upstream: Open the Saturday before Memorial Day through October 31.

(89) Copper Creek (Snohomish County) (Clear Creek tributary, a tributary of Sauk River): Open the Saturday before Memorial Day through October 31.

(90) Cottage Lake (King County): Open the fourth Saturday in April through October 31.

(91) Coulter Creek (Kitsap/Mason counties):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(92) County Line Ponds (Skagit County): Closed.

(93) Crabapple Lake (Snohomish County): Open the fourth Saturday in April through October 31.

(94) Cranberry Creek (Mason County):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(95) Crescent Creek (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(96) Crescent Lake (Pierce County): Open the fourth Saturday in April through October 31.

(97) Cumberland Creek (Whatcom County): Open the Saturday before Memorial Day through October 31 upstream from the USFS 17 Road Bridge located 0.7 lineal miles from its confluence with the Skagit River, including all tributaries.

(98) Dakota Creek (Whatcom County):

(a) Open the first Saturday in June through December 31 from the mouth to Giles Road Bridge.

(b) Selective gear rules apply.

(c) Salmon:

(i) Open October 1 through December 31.

(ii) Limit 2 salmon.

(iii) Release wild Chinook and wild coho.

(99) De Coursey Pond (Pierce County):

(a) Open the fourth Saturday in April through November 30 to juvenile anglers only.

(b) Salmon: Landlocked salmon rules apply.

(100) Decker Creek (Mason County) (Satsop River tributary):

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

(b) Selective gear rules apply.

(101) Deer Creek (Mason County):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(102) Deer Lake (Island County): Open the fourth Saturday in April through October 31.

(103) Deer Lake (Mason County): Open the fourth Saturday in April through October 31.

(104) Dempsey Creek (Thurston County) (Black River tributary):

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

(b) Selective gear rules apply.

(105) Deschutes River (Thurston County):

(a) From Old Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park:

(i) Selective gear rules apply, except bait is allowed September 1 through October 15.

(ii) Trout: Open year-round; catch and release only.

(iii) All other game fish: Open the first Saturday in June through October 15.

(iv) Salmon:

(A) Open July 1 through October 15.

(B) Limit 6; no more than 2 adult salmon may be retained.

(C) Release coho.

(b) From Henderson Boulevard Bridge upstream:

(i) Open year-round.

(ii) Selective gear rules apply.

(iii) Trout: Catch and release only.

(iv) Salmon:

(A) Open July 1 through October 15.

(B) Limit 6; no more than 2 adult salmon may be retained.

(C) Release coho.

(106) Devereaux Lake (Mason County): Open the fourth Saturday in April through October 31.

(107) Dewatto River (Mason County):

(a) From the mouth to Dewatto-Holly Road Bridge:

(i) Open the first Saturday in June through August 15 and October 1 through October 31.

(ii) Selective gear rules apply.

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

(iv) October 1 through October 31: Night closure in effect.

(v) Game fish: Catch and release only.

(vi) No steelhead retention.

(vii) Salmon:

(A) Open October 1 through October 31.

(B) Limit 2 coho only.

(b) From Dewatto-Holly Road Bridge upstream:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(108) Diobsud Creek (Skagit County):

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

(b) Selective gear rules apply.

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

(109) Dogfish Creek (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(110) Don Lake (also known as "Clara Lake") (Mason County): Open the fourth Saturday in April through October 31.

(111) Dosewallips River (Jefferson County):

(a) From the mouth to Highway 101 Bridge:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

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

(iv) Release all game fish.

(v) Salmon:

(A) Open November 1 through December 15.

(B) Limit 2 chum only.

(b) From Highway 101 Bridge to Olympic National Park boundary about three-quarters of a mile downstream of the falls:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

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

(iv) Release all game fish.

(112) Downey Creek (Snohomish County) (Suiattle River tributary):

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

(b) Selective gear rules apply.

(113) Duckabush River (Jefferson County):

(a) From the mouth to Mason County PUD #1 overhead distribution line:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

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

(iv) Release all game fish.

(v) No steelhead retention.

(vi) Salmon:

(A) Open November 1 through December 15.

(B) Limit 2 chum only.

(b) From Mason County PUD #1 overhead distribution line to the Olympic National Park boundary:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(114) Dyes Inlet (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(115) Eaton Creek (Thurston County) (Lake St. Clair tributary):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(116) Echo Lake (Snohomish County): Open the fourth Saturday in April through October 31.**(117) Eglon Creek (Kitsap County):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Minimum size 14 inches.

(118) Erie Lake (Skagit County): Open the fourth Saturday in April through October 31.**(119) Evans Creek (Pierce County) (Carbon River tributary):** Open the first Saturday in June through September 30 from Carbon River Fairfax Road upstream.**(120) Falls Creek (Snohomish County) (Sauk River tributary):** From the falls located 0.4 mile upstream from the mouth to the headwaters: Open the Saturday before Memorial Day through October 31.**(121) Fazon Lake (Whatcom County):**

(a) It is unlawful to fish from any floating device from the first Friday in October through January 27.

- (b) Channel catfish: Limit 2.

(122) Finch Creek (Mason County): Anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card may fish from the ADA accessible site at the Hoodspout Salmon Hatchery, so long as those anglers follow all applicable rules of the adjoining waters of Marine Area 12.**(123) Finney Creek (Skagit County) including all tributaries from upstream of the USFS 17 road bridge:** Open the Saturday before Memorial Day through October 31.**(124) Fisher Slough (Snohomish County):**

(a) Open the first Saturday in June through October 31 from the mouth to the I-5 Bridge.

- (b) Trout: Minimum length 14 inches.

(125) Fishtrap Creek (Whatcom County): Open from Kok Road to Bender Road from the first Saturday in June through October 31 for juvenile anglers only.**(126) Fiske Creek (Pierce County) (Puyallup River tributary):** Open upstream from Fiske Road from the first Saturday in June through August 31 and October 16 through October 31.**(127) Fortson Mill Pond #2 (Snohomish County):** Open the fourth Saturday in April through October 31 for juvenile anglers only.**(128) Found Creek (Skagit County) (Cascade River tributary):**

- (a) Open the first Saturday in June through July 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.

(129) Fox Creek (Pierce County) (Puyallup River tributary): Open upstream from Fiske Road East from the first Saturday in June through August 31 and October 16 through October 31.**(130) Friday Creek (Whatcom County) (Samish River tributary):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(131) Fulton Creek (Mason County):

- (a) From the mouth to falls at river mile 0.8:
 - (i) Open the first Saturday in June through October 31.
 - (ii) Selective gear rules apply.
 - (iii) Catch and release only.

(b) From the falls at river mile 0.8 upstream: Open the Saturday before Memorial Day through October 31.

(132) Gale Creek (Pierce County) (South Prairie Creek tributary): Open upstream of the confluence with Wilkeson Creek from the first Saturday in June through October 31.**(133) Gamble Creek (Kitsap County):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.

(134) Geneva Lake (King County): Open the fourth Saturday in April through October 31.**(135) Gissberg Pond, North (Snohomish County):** Open for juvenile anglers only.**(136) Gissberg Ponds (Snohomish County):** Channel catfish limit 2; no minimum size.**(137) Goldsborough Creek (Mason County):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Catch and release only.

(138) Goodell Creek (Skagit County):

- (a) Open the first Saturday in June through August 15.
- (b) Selective gear rules apply.
- (c) Release all fish except anglers may retain up to 2 hatchery steelhead.

(139) Goodman Creek (Skagit County) above the Mountain Loop Highway: Open Saturday before Memorial Day through October 31.**(140) Goodwin Lake (Snohomish County):** Chumming is permissible.**(141) Goss Lake (Island County):** Open the fourth Saturday in April through October 31.**(142) Grade Creek (Snohomish County) (Suittale River tributary):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(143) Granite Lakes (near Marblemount) (Skagit County): Grayling: Catch and release only.**(144) Grass Lake (Mason County):** Open the fourth Saturday in April through October 31.**(145) Green (Duwamish) River (King County):**

(a) From an east-west line extending through the southernmost tip of Harbor Island to the First Avenue South Bridge:

- (i) Open for game fish the first Saturday in June through July 31: Trout minimum length 14 inches, daily limit 2.
- (ii) In years ending in odd numbers, open for game fish and salmon August 20 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Limit 6 salmon of which no more than 3 may be any combination of adult coho and adult chum.

(I) Release Chinook.

(II) Salmon minimum length 12 inches.

(III) Trout minimum length 14 inches, daily limit 2.

(iii) In years ending in even numbers, open for game fish and salmon September 1 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Limit 6 salmon of which no more than 3 adults may be retained.

(I) Release Chinook.

(II) Salmon minimum length 12 inches.

(III) Trout minimum length 14 inches, daily limit 2.

(b) From the First Avenue South Bridge to Tukwila International Boulevard/Old Highway 99:

(i) Open for game fish the first Saturday in June through July 31: Trout minimum length 14 inches, daily limit 2.

(ii) In years ending in odd numbers, open for game fish and salmon August 20 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Limit 6 salmon of which no more than 3 may be any combination of adult coho and adult chum.

(I) Release Chinook.

(II) Salmon minimum length 12 inches.

(III) Trout minimum length 14 inches, daily limit 2.

(D) In years ending in even numbers, open for game fish and salmon September 1 through December 31:

(I) Anti-snagging rule applies.

(II) Night closure in effect.

(III) Limit 6 salmon of which no more than 3 adults may be retained.

(iii) Release Chinook.

(iv) Salmon minimum length 12 inches.

(v) Trout minimum length 14 inches, daily limit 2.

(c) From Tukwila International Boulevard/Old Highway 99 to the Interstate 405 Bridge:

(i) Open for game fish the first Saturday in June through July 31: Trout minimum length 14 inches, daily limit 2.

(ii) In years ending in odd numbers: Open for salmon and game fish August 20 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) In years ending in odd numbers, open for game fish and salmon August 20 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Limit 6 salmon of which no more than 3 may be any combination of adult coho and adult chum.

(iv) August 20 through August 31: Release Chinook.

(v) September 1 through December 31: Only one Chinook may be retained.

(A) Salmon minimum length 12 inches.

(B) Trout: Minimum length 14 inches, daily limit 2.

(vi) In years ending in even numbers, open for game fish and salmon September 1 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Limit 6 salmon of which no more than 3 adults may be retained.

(I) Release Chinook.

(II) Salmon: Minimum length 12 inches.

(III) Trout: Minimum length 14 inches, daily limit 2.

(d) From the Interstate 405 Bridge to South 277th Street Bridge in Auburn:

(i) Open for game fish the first Saturday in June through July 31. Trout: Minimum length 14 inches, daily limit 2.

(ii) In years ending in odd numbers, open for game fish and salmon September 1 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Limit 6 salmon of which no more than 3 may be any combination of adult coho and adult chum.

(I) Release Chinook.

(II) Salmon: Minimum length 12 inches.

(D) Trout: Minimum length 14 inches, daily limit 2.

(iii) In years ending in even numbers, open for game fish and salmon October 1 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Limit 6 salmon of which no more than 3 adults may be retained.

(I) Release Chinook.

(II) Salmon: Minimum length 12 inches.

(D) Trout: Minimum length 14 inches, daily limit 2.

(e) From the South 277th Street Bridge to the Auburn-Black Diamond Road Bridge:

(i) Open for game fish the first Saturday in June through August 15: Trout: Minimum length 14 inches, daily limit 2.

(ii) In years ending in odd numbers, open for game fish and salmon September 16 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Limit 6 salmon of which no more than 3 may be any combination of adult coho and adult chum.

(I) Release Chinook.

(II) Salmon: Minimum length 12 inches.

(D) Trout: Minimum length 14 inches, daily limit 2.

(iii) In years ending in even numbers, open for game fish and salmon October 16 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Limit 6 salmon of which no more than 3 adults may be retained.

(I) Release Chinook.

(II) Salmon: Minimum length 12 inches.

(D) Trout: Minimum length 14 inches, daily limit 2.

(f) From the Auburn-Black Diamond Road Bridge to the mouth of Crisy Creek (at Flaming Geysers State Park):

(i) Closed waters within 150 feet of the mouth of Keta (Crisp) Creek.

(ii) Open for game fish the first Saturday in June through September 15: Trout: Minimum length 14 inches, daily limit 2.

(iii) Open for game fish and salmon November 1 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Limit 6 salmon of which no more than 3 may be any combination of adult coho and adult chum.

(I) Release Chinook.

(II) Salmon: Minimum length 12 inches.

(D) Trout: Minimum length 14 inches, daily limit 2.

(g) From the mouth of Cristy Creek (at Flaming Geyser State Park) to the water pipeline walk bridge (1/2 mile downstream of Tacoma Headworks Dam):

(i) Closed waters within 150 feet of the Palmer Pond outlet rack.

(ii) Open for game fish the first Saturday in June through October 31: Trout: Minimum length 14 inches, daily limit 2.

(iii) Open for game fish and salmon November 1 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Limit 6 salmon of which no more than 3 may be any combination of adult coho and adult chum.

(I) Release Chinook.

(II) Salmon: Minimum length 12 inches.

(D) Trout: Minimum length 14 inches, daily limit 2.

(h) From Friday Creek upstream, including all tributaries and their tributaries:

(i) Open for game fish the Saturday before Memorial Day through October 31.

(ii) Trout: Statewide minimum size/daily limit.

(146) Greenwater River (King County):

(a) From the mouth to Greenwater Lakes:

(i) Open November 1 through January 31.

(ii) Release all fish except whitefish.

(iii) Whitefish gear rules apply.

(b) From Greenwater Lakes upstream: Open the first Saturday in June through August 31 and October 16 through October 31.

(147) Grovers Creek (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(148) Hamma Hamma River (Mason County):

(a) From the mouth to 400 feet below the falls:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(b) From the falls upstream: Open the Saturday before Memorial Day through October 31.

(149) Hancock Lake (King County):

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

(b) All tributary streams and the upper third of the outlet are closed.

(c) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(150) Hansen Creek (Skagit County): Including all tributaries and their tributaries:

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

(b) Selective gear rules apply.

(151) Harrison Slough (Skagit County): Open the first Saturday in June through October 31.

(152) Hatchery Lake (Mason County): Open the fourth Saturday in April through October 31.

(153) Haven Lake (Mason County): Open the fourth Saturday in April through October 31.

(154) Heart Lake (near Anacortes) (Skagit County): Open the fourth Saturday in April through October 31.

(155) Heins Lake (Kitsap County): Closed.

(156) Hicks Lake (Thurston County): Open the fourth Saturday in April through October 31.

(157) Hilt Creek (Skagit County) (Sauk River tributary) and all connected tributaries and beaver ponds above the falls (located 0.2 miles above the Highway 530 crossing): Open the Saturday before Memorial Day through October 31.

(158) Horseshoe Lake (Kitsap County):

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

(b) Salmon: Landlocked salmon rules apply.

(159) Howard Creek (Whatcom County): Open the Saturday before Memorial Day through October 31 upstream from where Howard Creek flows into Section 13 of Township 36N, Range 6E, 0.3 lineal miles upstream from the South Fork Nooksack River, including all tributaries.

(160) Howard Lake (Snohomish County): Open the fourth Saturday in April through October 31.

(161) Howell Lake (Mason County): Open the fourth Saturday in April through October 31.

(162) Hozomeen Lake (Whatcom County):

(a) Open July 1 through October 31.

(b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(163) Hylebos Creek (Pierce County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(164) Illabot Creek (Skagit County):

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

(b) Selective gear rules apply.

(165) Illahee Creek (Kitsap County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(166) Issaquah Creek (King County): Open the first Saturday in June through August 31 for juvenile anglers only.

(167) Jackman Creek (Skagit County): Open the Saturday before Memorial Day through October 31 from the falls located 0.7 miles above Highway 20 upstream.

(168) Jackson Lake (Pierce County): Open the fourth Saturday in April through October 31.

(169) Jefferson Creek (Mason County): Open the Saturday before Memorial Day through October 31.

(170) Jennings Park Pond (Snohomish County): Open the fourth Saturday in April through October 31 for juvenile anglers only.

(171) Johns Creek (Mason County):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(172) Johnson Creek (Thurston County) (Skookumchuck River tributary):

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

(b) Selective gear rules apply.

(173) Johnson Creek (Whatcom County): Open the first Saturday in June through October 31 from the Northern

Pacific Railroad tracks to the Lawson Street footbridge in Sumas for juvenile anglers only.

(174) **Jones Creek (Skagit County):** Open the Saturday before Memorial Day through October 31 above the falls located 0.6 miles above Highway 20 upstream.

(175) **Jordan Creek (Skagit County) (Cascade River tributary):**

- (a) Open the first Saturday in June through August 15.
- (b) Selective gear rules apply.

(176) **Jorsted Creek (Mason County):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Catch and release only.

(177) **Kelsey Creek (tributary of Lake Washington) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.

(178) **Kendall Creek (Whatcom County) (N.F. Nooksack tributary):** Open the Saturday before Memorial Day through October 31 above the hatchery grounds.

(179) **Kennedy Creek (Mason County):**

(a) From the mouth to Highway 101 Bridge:
(i) Open the first Saturday in June through the last day in February.

(ii) October 1 through December 31:

- (A) Anti-snagging rule applies.
- (B) Night closure in effect.

(iii) Trout minimum length 14 inches.

(iv) Salmon:

- (A) Open October 1 through November 30.
- (B) Limit 6; no more than 2 adults may be retained.
- (C) Release wild coho.

(b) From Highway 101 Bridge to 400 feet below the falls:

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

(ii) Selective gear rules apply.

(iii) Trout: Catch and release only.

(iv) October 1 through October 31:

- (A) Anti-snagging rule applies.
- (B) Night closure in effect.

(c) From the falls upstream, including all tributaries:

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

(ii) Selective gear rules apply within the mainstem of Kennedy Creek.

(180) **Kennedy Creek Pond (Thurston County):** Open the fourth Saturday in April through October 31.

(181) **Ki Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(182) **Kimball Creek (near Snoqualmie) (King County):**

(a) Open the fourth Saturday in April through October 31 for juvenile anglers only.

(b) Trout: No minimum length.

(183) **Kindy Creek (Skagit County) (Cascade River tributary):**

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

(b) Selective gear rules apply.

(c) Catch and release only.

(184) **King's Creek (Pierce County) (Puyallup River tributary):** Open the first Saturday in June through August 31 and October 16 through October 31.

(185) **Kings Lake Bog (King County):** Closed.

(186) **Klaus Lake (King County):**

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

(b) The inlet and outlet to first Weyerhaeuser spur are closed.

(187) **Koeneman Lake (Fern Lake) (Kitsap County):**

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

(b) Selective gear rules apply.

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

(d) Catch and release only.

(188) **Ladder Creek (Skagit County):**

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

(b) Selective gear rules apply.

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

(189) **Langlois Lake (King County):** Open the fourth Saturday in April through October 31.

(190) **LeBar Creek (Mason County):** Open the Saturday before Memorial Day through October 31 from the falls at river mile one upstream.

(191) **Lena Creek (Mason County):** Open the Saturday before Memorial Day through October 31.

(192) **Lilliwaup River (Mason County):**

(a) From the mouth to 200 feet below the falls:

- (i) Open the first Saturday in June through August 31.
- (ii) Selective gear rules apply.

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

(iv) Catch and release only.

(b) From the falls upstream: Open the Saturday before Memorial Day through October 31.

(193) **Lime Creek (Snohomish County) (Suittle River tributary):**

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

(b) Selective gear rules apply.

(194) **Limerick Lake (Mason County):** Open the fourth Saturday in April through October 31.

(195) **Little Bear Creek (tributary of Sammamish River) (Snohomish/King counties):** Open the first Saturday in June through August 31 for juvenile anglers only.

(196) **Little Mission Creek (Mason County) from falls upstream:**

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

(b) Selective gear rules apply.

(c) Catch and release only.

(197) **Little Scandia Creek (Kitsap County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(198) **Lone Lake (Island County):**

(a) Selective gear rules apply.

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

(c) Trout: Limit 1; minimum length 18 inches.

(d) Grass carp: No limit for anglers and bow and arrow fishing.

(199) **Long's Pond (Thurston County)**: Open for juvenile anglers only.

(200) **Lyle Creek (King County) (White River tributary)**: Open the first Saturday in June through August 31 and October 16 through October 31.

(201) **Maggie Lake (Mason County)**: Open the fourth Saturday in April through November 30.

(202) **Malaney Creek (Mason County)**:

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(203) **Maple Creek (Whatcom County) (N.F. Nooksack tributary) above Maple Falls**: Open the Saturday before Memorial Day through October 31.

(204) **Marble Creek (Skagit County) (Cascade River tributary)**:

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

(b) Selective gear rules apply.

(c) Catch and release only.

(205) **Margaret Lake (King County)**: Open the fourth Saturday in April through October 31.

(206) **Marsh Creek (Snohomish County) (Sultan River tributary)**: Open the Saturday before Memorial Day through October 31 above the falls, including tributaries and beaver ponds.

(207) **Martha Lake (Snohomish County)**: Open the fourth Saturday in April through October 31.

(208) **Martha Lake (Warm Beach) (Snohomish County)**:

(a) Selective gear rules apply.

(b) Trout: Limit 2; minimum length 14 inches.

(209) **May Creek (tributary of Lake Washington) (King County)**: Open the first Saturday in June through August 31 for juvenile anglers only.

(210) **McAllister Creek (Thurston County)**:

(a) Open the first Saturday in June through September 30 and November 16 through November 30.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(d) Salmon:

(i) Open July 1 through September 30 and November 16 through November 30.

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

(iii) Release coho.

(211) **McLane Creek (Thurston County)**:

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

(b) Selective gear rules apply.

(c) Catch and release.

(d) Night closure in effect.

(212) **McLane Creek Ponds (Thurston County)**: Open the fourth Saturday in April through October 31.

(213) **McMurray Lake (Skagit County)**:

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

(b) Landlocked salmon rules apply.

(214) **Melbourne Lake (Mason County)**: Open the fourth Saturday in April through October 31.

(215) **Mercer Slough (tributary of Lake Washington) (King County)**: Open the first Saturday in June through August 31 for juvenile anglers only.

(216) **Milk Creek (Snohomish County) (Suittle River tributary)**:

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

(b) Selective gear rules apply.

(217) **Mill Creek (Mason County)**:

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

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(218) **Mill Pond (Auburn) (King County)**: Open the fourth Saturday in April through October 31 for juvenile anglers only, except open for all anglers during free fishing weekend, as defined by department rule.

(219) **Mima Creek (Thurston County) (Black River tributary)**:

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

(b) Selective gear rules apply.

(220) **Minter Creek (Pierce/Kitsap counties)**: From the mouth to the fishing boundary markers approximately 50 feet downstream of the hatchery rack:

(a) Open for salmon November 1 through December 31.

(b) Night closure in effect.

(c) Limit 4 chum; release all other salmon.

(221) **Mission Lake (Kitsap County)**: Open the fourth Saturday in April through October 31.

(222) **Monte Cristo Lake (Snohomish County)**:

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

(b) Selective gear rules apply.

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

(223) **Mountain Lake (San Juan County)**: It is unlawful to retain more than one trout over 18 inches in length.

(224) **Mud Lake (Mason County)**: Open the fourth Saturday in April through October 31.

(225) **Munn Lake (Thurston County)**:

(a) Selective gear rules apply.

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

(c) Catch and release only.

(226) **New Pond Creek (Pierce County) (South Prairie Creek tributary)**: Open the first Saturday in June through October 31.

(227) **Newhalem Creek (Whatcom County)**: Open the Saturday before Memorial Day through October 31 above the power facility.

(228) **Newhalem Ponds (Whatcom County)**: Closed.

(229) **Nisqually River (Pierce County)**:

(a) From the mouth to Military Tank Crossing Bridge:

(i) Anti-snagging rule applies.

(ii) Night closure in effect.

(iii) Barbless hooks are required.

(iv) Open July 1 through November 15: Trout minimum length 14 inches.

(v) Salmon:

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

(B) Release wild Chinook and chum.

(b) From Military Tank Crossing Bridge to 400 feet below La Grande Powerhouse:

- (i) Open July 1 through September 30.
- (ii) Selective gear rules apply.
- (iii) Release all fish except anglers may retain up to 2 hatchery steelhead.
- (c) From Alder Reservoir upstream including all tributaries to mainstem and reservoir:
 - (i) Open the Saturday before Memorial Day through October 31.
 - (ii) Selective gear rules apply.
 - (iii) Trout minimum length 14 inches.
- (230) **Nookachamps Creek (Skagit County):**
 - (a) Open the first Saturday in June through August 31, including all tributaries and their tributaries.
 - (b) Selective gear rules apply.
- (231) **Nooksack River (Whatcom County):**
 - (a) From the Lummi Indian Reservation boundary to the yellow marker at the FFA High School barn at Deming:
 - (i) Open the first Saturday in June through January 31.
 - (ii) From the first Saturday in June through November 30:
 - (A) Anti-snagging rule applies.
 - (B) Night closure in effect.
 - (iii) Trout: Minimum length 14 inches.
 - (iv) Salmon:
 - (A) Open September 1 through December 31:
 - (I) Limit 2, plus 2 additional hatchery coho; release wild coho.
 - (II) Release wild Chinook September 1 through September 30.
 - (B) In odd-numbered years, open July 16 through August 31:
 - (I) Limit 4 pink salmon.
 - (II) It is unlawful to use bait.
 - (III) It is unlawful to use anything other than single-point barbless hooks measuring 1/2 inch or less from point to shank.
 - (b) From the yellow marker at the FFA High School barn in Deming to the confluence of the forks:
 - (i) Open from October 1 through January 31.
 - (ii) October 1 through November 30:
 - (A) Anti-snagging rule applies.
 - (B) Night closure in effect.
 - (iii) Trout: Minimum length 14 inches.
 - (iv) Salmon open October 1 through December 31:
 - (A) Limit 2, plus anglers may retain 2 additional hatchery coho.
 - (B) Release wild coho and wild Chinook.
 - (232) **Nooksack River, North Fork (Whatcom County):**
 - (a) From the mouth to Maple Creek:
 - (i) Open the first Saturday in June through February 15.
 - (ii) From the first Saturday in June through November 30:
 - (A) Anti-snagging rule applies.
 - (B) Night closure in effect.
 - (iii) November 1 through February 15: It is unlawful to fish from a floating device equipped with a motor.
 - (iv) Trout minimum length 14 inches.

- (v) Salmon open October 1 through November 30: Limit 2 salmon, plus anglers may retain 2 additional hatchery coho; release wild coho.
- (b) From Maple Creek to Nooksack Falls:
 - (i) Open the first Saturday in June through January 31.
 - (ii) Selective gear rules apply.
 - (iii) November 1 through January 31: It is unlawful to fish from a floating device equipped with a motor.
 - (iv) Trout: Minimum length 14 inches.
- (c) The waters above Nooksack Falls, including all tributaries and their tributaries are open the Saturday before Memorial Day through October 31.
- (233) **Nooksack River, Middle Fork (Whatcom County):**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) From the mouth to the city of Bellingham diversion dam:
 - (i) November 1 through January 31: It is unlawful to use motors.
 - (ii) Open the first Saturday in June through January 31.
 - (iii) Selective gear rules apply.
 - (iv) Trout: Minimum size 14 inches.
 - (c) The waters above the diversion dam, including all tributaries and their tributaries are open the Saturday before Memorial Day through October 31.
- (234) **Nooksack River, South Fork (Skagit/Whatcom counties):**
 - (a) Release all fish except mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) From the mouth to Skookum Creek:
 - (i) Open October 1 through January 31.
 - (ii) From October 1 through November 30: Night closure in effect.
 - (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iv) Salmon open October 1 through December 31:
 - (A) Limit 2; plus anglers may retain 4 additional hatchery coho.
 - (B) Release chum and wild coho.
 - (C) Release wild Chinook October 1 through October 15.
 - (D) In years ending in odd numbers, release pink salmon.
 - (c) Upstream from and including Wanlick Creek, including all tributaries:
 - (i) Open the Saturday before Memorial Day through October 31 for fly fishing only.
 - (ii) Catch and release only except mandatory hatchery steelhead retention.
- (235) **North Creek (Snohomish/King counties) (tributary of Sammamish River):** Open the first Saturday in June through August 31 for juvenile anglers only.
- (236) **North Lake (King County):** Open the fourth Saturday in April through October 31.
- (237) **Northern State Hospital Pond (Skagit County):** Open the fourth Saturday in April through October 31 for juvenile anglers only.
- (238) **Ohop Creek (Pierce County):**
 - (a) Open July 1 through September 30.
 - (b) Selective gear rules apply.

(c) Catch and release only.

(239) **Ohop Lake (Pierce County):** There are no size restrictions for kokanee.

(240) **Olalla Creek (Kitsap County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(241) **Old Fishing Hole Pond (Kent, King County):** Open the fourth Saturday in April through October 31 for juvenile anglers only.

(242) **Olney Creek (Snohomish County) (Wallace River tributary):** The waters upstream of Olney Falls, including tributaries and beaver ponds are open the Saturday before Memorial Day through October 31.

(243) **Olson Creek (Skagit County):**

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

(b) Selective gear rules apply.

(244) **Osborne Lake (Mason County):** Open the fourth Saturday in April through October 31.

(245) **O'Toole (Marietta) Creek (Whatcom County):** The waters upstream from Marietta Falls, located 0.3 lineal miles from the Skagit River, are open the Saturday before Memorial Day through October 31.

(246) **Outlet Creek (Mason County) (Satsop River tributary):**

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

(b) Selective gear rules apply.

(247) **Owl Creek (Snohomish County) (Whitechuck River tributary):**

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

(b) Selective gear rules apply.

(248) **Padden Lake (Whatcom County):**
(a) Open the fourth Saturday in April through October 31.

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

(249) **Panhandle Lake (Mason County):** Open the fourth Saturday in April through October 31.

(250) **Panther Lake (Kitsap/Mason counties):** Open the fourth Saturday in April through October 31.

(251) **Pass Lake (Skagit County):**

(a) Open to fly fishing only.

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

(c) Catch and release only.

(252) **Percival Creek (Thurston County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(253) **Perry Creek (Thurston County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(254) **Phillips Lake (Mason County):** Open the fourth Saturday in April through October 31.

(255) **Pilchuck Creek (Snohomish County):**

(a) From the mouth to the Highway 9 Bridge:

(i) Open the first Saturday in June through June 30.

(ii) From the first Saturday in June through June 30: Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(b) From the Highway 9 Bridge to Pilchuck Falls:

(i) Open the first Saturday in June through June 30.

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(c) From Pilchuck Falls upstream, including all tributaries and their tributaries, and all tributaries to Lake Cavanaugh: Open the Saturday before Memorial Day through October 31.

(256) **Pilchuck River (Snohomish County):**

(a) Open from December 1 through January 31 from the mouth to 500 feet downstream from the Snohomish City diversion dam.

(b) It is unlawful to fish from any floating device.

(c) Trout: Minimum length 14 inches.

(257) **Pine Creek (Mason County):** Open the Saturday before Memorial Day through October 31.

(258) **Pine Lake (King County):** Open the fourth Saturday in April through October 31.

(259) **Pine Lake (Mason County):** Open the fourth Saturday in April through October 31.

(260) **Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County):** Closed.

(261) **Plumbago Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 upstream from the Sierra Pacific 140 road bridge located 0.5 lineal miles upstream from the South Fork Nooksack River, including all tributaries.

(262) **Pratt River (tributary to Middle Fork Snoqualmie River) (King County):**

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

(b) Selective gear rules apply.

(c) Catch and release only.

(263) **Pressentin Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 upstream from the waterfall located 0.3 miles from the Skagit River, including all tributaries.

(264) **Prices Lake (Mason County):**

(a) Selective gear rules apply.

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

(c) Catch and release only.

(265) **Pugh Creek (Snohomish County) (Whitechuck River tributary):**

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

(b) Selective gear rules apply.

(266) **Puyallup River (Pierce County):**

(a) From the 11th Street Bridge to Freeman Road:

(i) Open for game fish August 15 through December 31.

(ii) Closed within 400 feet of the mouth of Clarks Creek.

(iii) August 15 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Barbless hooks are required.

(iv) Trout: Minimum length 14 inches.

(v) Salmon:

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

- (B) Release wild adult Chinook.
 (b) From Freeman Road to the Carbon River:
 (i) Open for game fish August 10 through December 31.
 (ii) August 10 through November 30:
 (A) Anti-snagging rule applies.
 (B) Night closure in effect.
 (C) Barbless hooks are required.
 (iii) Trout: Minimum length 14 inches.
 (iv) Salmon:
 (A) Limit 6. No more than 2 adults may be retained.
 (B) Release wild adult Chinook.
 (c) From Carbon River upstream:
 (i) Open October 16 through January 15.
 (ii) Selective gear rules apply.
 (iii) Release all fish except anglers may retain up to 2 hatchery steelhead.
- (267) **Pyramid Creek (King County) upstream of Forest Service Road 7000:** Open the first Saturday in June through October 31.
- (268) **Racehorse Creek (Whatcom County) (N.F. Nooksack tributary) above the falls located 0.2 miles above the North Fork Road:** Open the Saturday before Memorial Day through October 31.
- (269) **Raging River (King County):**
 (a) From the mouth to the Highway 18 Bridge:
 (i) Open the first Saturday in June through August 31 and November 1 through January 31.
 (ii) Trout: Minimum length 14 inches.
 (b) From Highway 18 Bridge upstream: Open the first Saturday in June through August 31.
- (270) **Rapjohn Lake (Pierce County):** Open the fourth Saturday in April through October 31.
- (271) **Rattlesnake Lake (King County):**
 (a) Selective gear rules apply.
 (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (c) Trout: Limit 2; minimum length 14 inches.
- (272) **Ravensdale Lake (King County):**
 (a) Open the fourth Saturday in April through October 31.
 (b) Selective gear rules apply.
 (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (d) Trout: Limit 2; minimum length 12 inches.
- (273) **Red Creek (King County) (White River tributary):** Open the first Saturday in June through October 31.
- (274) **Rendsland Creek (Mason County):**
 (a) Open the first Saturday in June through October 31.
 (b) Selective gear rules apply.
 (c) Catch and release only.
- (275) **Riley Lake (Snohomish County):** Open the fourth Saturday in April through October 31.
- (276) **Roaring Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 upstream from the confluence with Deer Creek, including all tributaries.
- (277) **Robbins Lake (Mason County):** Open the fourth Saturday in April through October 31.
- (278) **Rocky Creek (Mason County):**
 (a) Open the first Saturday in June through October 31.
 (b) Selective gear rules apply.
 (c) Trout: Catch and release only.
 (279) **Roesiger Lake (Snohomish County):** Crappie limit 10; minimum length 9 inches.
 (280) **Rose Lake (Mason County):** Open the fourth Saturday in April through October 31.
 (281) **Ross Lake (Reservoir) (Whatcom County):**
 (a) Open July 1 through October 31:
 (b) Selective gear rules apply.
 (c) Trout, except eastern brook trout: Limit 1; minimum length 16 inches.
 (d) Eastern brook trout: Limit 5; no minimum length.
 (282) **Ross Lake tributary streams, and their tributaries, except Big Beaver Creek and Ruby Creek (Whatcom County):**
 (a) From one mile above the mouths to the headwaters: Open July 1 through October 31.
 (b) Tributaries to Ruby Creek: Open July 1 through October 31.
 (283) **Salmon Creek (Thurston County) (Black River tributary):**
 (a) Open the first Saturday in June through October 31.
 (b) Selective gear rules apply.
 (c) Night closure in effect.
 (d) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
 (284) **Salmonberry Creek (Kitsap County):**
 (a) Open the first Saturday in June through October 31.
 (b) Selective gear rules apply.
 (c) Trout: Minimum size 14 inches.
 (285) **Samish Lake (Whatcom County):** Cutthroat trout limit 2; minimum length 14 inches.
 (286) **Samish River (Skagit County):**
 (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 (b) From the mouth to the I-5 Bridge:
 (i) Open the first Saturday in June through November 30.
 (ii) From the first Saturday in June through November 30: Trout minimum length 14 inches.
 (iii) From August 1 through November 30:
 (A) Night closure in effect.
 (B) It is unlawful to use anything other than one single-point hook.
 (iv) From December 1 through December 31:
 (A) Selective gear rules apply.
 (B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 (v) Salmon:
 (A) Open August 1 through November 30.
 (B) Limit 2; anglers may only retain fish hooked inside the mouth.
 (C) Release wild coho.
 (c) From the I-5 Bridge to the Old Highway 99 Bridge:
 (i) Closed from the Old Highway 99 Bridge to the WDFW salmon rack.
 (ii) Open the first Saturday in June through August 30:
 (iii) Selective gear rules apply.
 (iv) Release all fish except mandatory hatchery steelhead retention.

(d) From the WDFW hatchery rack to Hickson Bridge upstream:

- (i) Open the first Saturday in June through November 30.
- (ii) Selective gear rules apply.
- (iii) Release all fish except mandatory hatchery steelhead retention.

(e) From Hickson Bridge upstream:

- (i) Open the first Saturday in June through October 31.
- (ii) Selective gear rules apply.
- (iii) Mandatory hatchery steelhead retention.

(287) Sammamish Lake (King County):

(a) Open for game fish year-round.
 (b) Closed to fishing within 100 yards of the mouth of Issaquah Creek August 16 through November 30.

(c) Kokanee: Catch and release only.

(d) December 1 through June 30: Release all steelhead and rainbow trout over 20 inches in length.

(e) Landlocked salmon rules apply for December 1 through May 31. Hatchery coho only may be retained as part of the trout daily limit under the landlocked salmon rules, 12 inch minimum size.

(f) Open for salmon from October 1 through November 30.

(i) Salmon: Daily limit 4 coho only.

(ii) Release Chinook and sockeye.

(288) Sammamish River (Slough) (King County):

From the 68th Avenue N.E. Bridge to Lake Sammamish:

(a) Open from January 1 through August 31.

(b) Selective gear rules apply.

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

(d) Trout: Catch and release only.

(289) Sauk River (Skagit/Snohomish counties):

(a) Selective gear rules apply.

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

(c) From the mouth to Darrington Bridge:

(i) Open the first Saturday in June through July 15 and December 15 through January 31.

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

(d) From Darrington Bridge to the mouth of the White Chuck River, open the first Saturday in June through July 15 and December 15 through January 31.

(e) From the Whitechuck River to the headwaters, including the North Fork from mouth to North Forks Falls and the South Fork from mouth to Elliot Creek, open the first Saturday in June through July 15.

(f) In the South Fork upstream from Elliot Creek: Open the first Saturday in June through August 31.

(290) Sauk, North Fork, (Snohomish County): Open the Saturday before Memorial Day through October 31 above North Fork falls including all tributaries.

(291) Sawyer Lake (King County): Chumming is permissible.

(292) Scatter Creek (King County) (White River tributary): Open the first Saturday in June through October 31.

(293) Scatter Creek (Thurston County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(294) Schneider Creek (Thurston County):

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

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(295) Serene Lake (Snohomish County): Open the fourth Saturday in April through October 31.

(296) Shady Lake (King County):

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

(b) Trout: It is unlawful to retain more than one trout over 14 inches in length.

(297) Shannon, Lake (Skagit County):

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

(b) Chumming is permissible.

(c) Trout: Minimum length 6 inches and maximum length 18 inches.

(298) Shelton Creek (Mason County):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(299) Sherman Creek (Thurston County) (Chehalis River tributary):

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

(b) Selective gear rules apply.

(300) Sherwood Creek (Mason County):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(301) Sherwood Creek Mill Pond (Mason County):

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

(b) Trout: Limit 2; minimum length 14 inches.

(302) Shoe Lake (Mason County): Open the fourth Saturday in April through October 31.

(303) Silesia Creek (Chilliwack River tributary)

(Whatcom County): Open the first Saturday in June through October 31.

(304) Silver Creek (Skagit County) (Samish River tributary):

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

(b) Selective gear rules apply.

(305) Silver Creek (Whatcom County) (Nooksack River tributary):

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

(b) Selective gear rules apply.

(306) Silver Lake (Pierce County): Open the fourth Saturday in April through October 31.

(307) Silver Lake (Whatcom County): Open the fourth Saturday in April through October 31.

(308) Sixteen Lake (Skagit County): Open the fourth Saturday in April through October 31.

(309) Skagit River (Skagit/Whatcom counties):

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to Highway 530 Bridge at Rockport: Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull Trout with a minimum length of 20 inches as part of the trout limit.

(c) From the mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon):

(i) Open March 1 through July 15 and December 15 through January 31, except closed waters June 28 and 29, July 6, 7, and 11.

(ii) March 1 through July 15:

(A) Selective gear rules apply, except anglers fishing for sturgeon must use bait.

(B) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank, except anglers fishing for sturgeon may use single-point barbless hooks of any size.

(d) From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek:

(i) Open June 1 through July 15 and December 15 through January 31, except closed waters June 28 and 29, July 6, 7, and 11.

(A) Night closure in effect June 1 through July 15.

(B) June 1 through June 10:

(I) Selective gear rules apply, except for sturgeon.

(II) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank, except anglers fishing for sturgeon may use single-point barbless hooks of any size.

(ii) Salmon: Open June 11 through July 15; limit 3 sock-eye only.

(e) From Gilligan Creek to The Dalles Bridge at Concrete:

(i) Open June 1 through July 15 and December 15 through January 31, except closed waters June 28 and 29, July 6, 7, and 11.

(ii) From June 1 through July 15:

(A) Selective gear rules apply.

(B) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.

(C) Night closure in effect.

(f) From The Dalles Bridge at Concrete to the Highway 530 Bridge at Rockport:

(i) Open June 1 through July 15 and December 15 through January 31, except closed waters June 28 and 29, July 6, 7, and 11.

(ii) June 1 through July 15: Closed between a line projected across the thread of the river 200 feet above the east bank of the Baker River to a line projected across the thread of the river 200 feet below the west bank of the Baker River.

(iii) June 1 through July 15:

(A) Night closure in effect.

(B) Selective gear rules apply.

(C) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.

(g) From the Highway 530 Bridge at Rockport to the Cascade River Road (Marblemount Bridge):

(i) Open June 1 through July 15 and December 15 through January 31:

(A) Trout catch and release only, except mandatory hatchery steelhead retention.

(B) June 1 through July 15 anti-snagging rule applies.

(C) June 1 through July 15 night closure in effect.

(ii) Salmon: Open June 1 through July 15:

(A) Limit 4 hatchery Chinook only.

(B) Only 2 adult hatchery Chinook may be retained as part of the limit.

(h) From Cascade River Road to the Gorge Powerhouse:

(i) Open June 1 through July 15 and December 15 through January 31.

(ii) Selective gear rules apply.

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

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

(i) Gorge and Diablo lakes' tributary streams and their tributaries, except Stetattle Creek: Open the first Saturday in June through October 31.

(310) Skokomish River (Mason County):

(a) From the mouth to the city of Tacoma PUD overhead distribution lines: Closed.

(b) From the city of Tacoma PUD overhead distribution lines to the Bonneville Transmission lines west of Highway 101: Closed.

(c) From the Bonneville Transmission lines west of Highway 101 to the forks:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(iv) No steelhead retention.

(311) Skokomish River, North Fork (Mason County):

(a) Selective gear rules apply.

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

(c) Catch and release only.

(d) From the mouth to the lower dam: Open the first Saturday in June through October 31.

(e) Above Lake Cushman, from the mouth to Olympic National Park boundary: Open the first Saturday in June through August 31.

(312) Skokomish River, South Fork (Mason County):

(a) From the mouth to the mouth of LeBar Creek:

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

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(v) No steelhead retention.

(b) From the mouth of Rule Creek to the headwaters:

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

(ii) Selective gear rules apply.

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

(iv) Trout: Minimum length 12 inches.

(313) Skookum Creek (Mason County):

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(314) Skookum Creek (Whatcom County): From the mouth of Arlecho Creek upstream, including Arlecho Creek and all other tributaries: Open the Saturday before Memorial Day through October 31.

(315) Skookumchuck Reservoir (Thurston County):

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

(b) Trout: Daily limit 2; minimum length 12 inches.

(316) Skykomish River (Snohomish County):

(a) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(b) From the mouth to the mouth of Wallace River:

(i) Open June 1 through January 31.

(ii) Anti-snagging rule applies and night closure in effect August 1 through November 30.

(iii) November 1 through January 31: It is unlawful to fish from any floating device from the boat ramp below Lewis Street Bridge at Monroe downstream 2,500 feet.

(iv) Salmon:

(A) Open June 1 through July 31: Limit 4 hatchery Chinook; no more than 2 of which may be adults.

(B) For years ending in odd numbers:

(I) Open August 16 through December 31 from the mouth to Lewis Street Bridge in Monroe.

(II) Open September 1 through December 31 from the Lewis Street Bridge to Wallace River.

(III) Limit 3 salmon; release Chinook and chum.

(c) From the mouth of the Wallace River to the forks:

(i) Open June 1 through January 31.

(ii) From the Highway 2 Bridge at the Gold Bar/Big Eddy Access to the confluence of the North and South Forks: Also open February 1 through February 15.

(iii) August 1 through November 30: Anti-snagging rule applies and night closure in effect from Wallace River to the forks.

(iv) June 1 through February 15: It is unlawful to fish from any floating device in the area 1,500 feet upstream and 1,000 feet downstream of the outlet at Reiter Ponds.

(v) Salmon: For years ending in odd numbers:

(A) Open September 1 through December 31.

(B) Limit 3 salmon; release Chinook and chum.

(317) Skykomish River, North Fork (Snohomish County):

(a) From the mouth to 1,000 feet downstream of Bear Creek Falls:

(i) Open the first Saturday in June through August 31 and November 1 through January 31.

(ii) Selective gear rules apply.

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

(b) From Deer Falls (about 1/4 mile upstream of Goblin Creek) upstream, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

(318) Skykomish River, South Fork (King/Snohomish counties):

(a) From the mouth to 600 feet downstream from the Sunset Falls fishway:

(i) Open the first Saturday in June through August 31 and November 1 through January 31.

(ii) August 1 through August 31 and November 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(b) From Sunset Falls to the source, including all tributaries and their tributaries:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(iv) December 1 through the last day in February:

(A) All tributaries of this river section are closed.

(B) Open for whitefish only; release all other fish.

(319) Smith Creek (Whatcom County) (Nooksack River tributary):

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

(b) Selective gear rules apply.

(320) Snohomish River (Snohomish County):

(a) From the Burlington-Northern Railroad bridges to Highway 9 Bridge, including all channels, sloughs, and interconnected waterways, but excluding all tributaries:

(i) Sturgeon catch and release is permissible July 1 through June 30.

(ii) August 1 through November 30:

(A) Anti-snagging rule applies; except anglers fishing for sturgeon may use single-point barbless hooks of any size.

(B) Night closure in effect.

(iii) Game fish:

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

(B) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(iv) Salmon, for years ending in odd numbers:

(A) Open August 1 through December 31.

(B) Limit 3 salmon; release Chinook and chum.

(b) From the Highway 9 Bridge to the confluence of the Skykomish and Snoqualmie rivers (all channels):

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

(ii) August 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(iv) Salmon, for years ending in odd numbers:

(A) Open August 16 through December 31.

(B) Limit 3; release Chinook and chum.

(321) Snoqualmie River (King County):

(a) From the mouth to Snoqualmie Falls:

(i) Closed within the Puget Power tunnel at the falls and within 50 feet of any point on Puget Power's lower Plant #2 building (north bank).

(ii) From the first Saturday in June through November 30: Selective gear rules apply.

(iii) September 1 through November 30: Night closure in effect.

(iv) From the mouth to the boat ramp at the Plum access: Open the first Saturday in June through January 31.

(v) From the boat ramp at the Plum access to the falls: Open the first Saturday in June through February 15.

(vi) From November 1 through February 15: It is unlawful to fish from any floating device in the waters from the boat ramp at the Plum access to the mouth of Tokul Creek (about 1/4 mile).

(vii) Trout: Minimum length 14 inches.

- (viii) Salmon, for years ending in odd numbers:
 - (A) Open September 1 through December 31.
 - (B) Limit 3 salmon; release Chinook and chum.
- (b) From Snoqualmie Falls upstream, including the North and South Forks:
 - (i) Selective gear rules apply.
 - (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iii) Open the Saturday before Memorial Day through October 31: Trout minimum length 10 inches.
 - (iv) Open November 1 through the Friday before Memorial Day: Catch and release only.
- (c) Snoqualmie River tributaries upstream of the falls, and the tributaries of the North and South Forks (except Tate, Sunday and Phillapa creeks): Open the Saturday before Memorial Day through October 31. From November 1 through the Friday before Memorial Day: Catch and release only.
- (d) In the Snoqualmie River Middle Fork from the mouth to the source, including all tributaries except Pratt and Taylor rivers:
 - (i) Open year-round.
 - (ii) Selective gear rules apply.
 - (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iv) Catch and release only.
- (322) **South Prairie Creek (Pierce County):** Open the Saturday before Memorial Day through August 31 and October 16 through October 31 from the city of Buckley diversion dam upstream.
- (323) **Spada Lake (Reservoir) (Snohomish County):**
 - (a) Open the fourth Saturday in April through October 31.
 - (b) Selective gear rules apply.
 - (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (d) Trout: Maximum length 12 inches.
- (324) **Spada Lake (Reservoir) tributaries (Snohomish County):** Closed.
- (325) **Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County):** Open year-round.
- (326) **Squalicum Creek (Whatcom County):**
 - (a) Open the first Saturday in June through October 31.
 - (b) Selective gear rules apply.
- (327) **Squalicum Lake (Whatcom County):**
 - (a) Open for fly fishing only.
 - (b) It is unlawful to fish from a floating device equipped with a motor.
 - (c) Trout: Limit 2.
- (328) **Squire Creek (Snohomish County) (N.F. Stillaguamish River tributary):**
 - (a) Open the first Saturday in June through June 30.
 - (b) Selective gear rules apply.
 - (c) Release all fish except anglers may retain up to 2 hatchery steelhead.
- (329) **Steel Lake (King County):** Open the fourth Saturday in April through October 31.

- (330) **Stetattle Creek (Whatcom County):** Open the first Saturday in June through October 31 above the mouth of Bucket Creek (approximately 1.5 miles upstream).
- (331) **Stevens, Lake (Snohomish County):**
 - (a) Chumming is permissible.
 - (b) Kokanee: Limit 10; kokanee do not count toward the trout limit.
- (332) **Steves Lake (Mason County):** Open the fourth Saturday in April through October 31.
- (333) **Stickney Lake (Snohomish County):** Open the fourth Saturday in April through October 31.
- (334) **Stillaguamish River (Snohomish County):**
 - (a) From the mouth to Marine Drive, including all sloughs:
 - (i) Open year-round.
 - (ii) Night closure in effect.
 - (iii) August 1 through November 30: Anti-snagging rule applies, except anglers fishing for sturgeon may use single-point barbless hooks of any size.
 - (iv) Trout: Minimum length 14 inches.
 - (b) From Marine Drive to the forks:
 - (i) From the barrier dam (downstream of I-5) downstream 200 feet: Closed.
 - (ii) Open the first Saturday in June through June 30.
 - (A) Selective gear rules apply.
 - (B) Release all fish except anglers may retain up to 2 hatchery steelhead.
- (335) **Stillaguamish River, North Fork (Snohomish County):**
 - (a) From the North Fork mouth to the mouth of French Creek:
 - (i) It is unlawful to fish from any floating device upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge).
 - (ii) It is unlawful to fish from any floating device equipped with a motor downstream from the Highway 530 Bridge.
 - (iii) Open the first Saturday in June through July 31:
 - (A) Fly fishing only.
 - (B) Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (b) From the mouth of French Creek to Swede Heaven Bridge:
 - (i) Open the first Saturday in June through July 31:
 - (A) Fly fishing only.
 - (B) Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (ii) Open December 1 through January 31:
 - (A) Fly fishing only.
 - (B) Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (c) From Swede Heaven Bridge to North Forks Falls approximately one mile upstream of Cascade Creek:
 - (i) Open the first Saturday in June through June 30.
 - (ii) Selective gear rules apply.
 - (iii) Release all fish except anglers may retain up to 2 hatchery steelhead.
 - (d) Upstream of North Fork Falls, approximately one mile upstream of Cascade Creek including all tributaries and

their tributaries: Open the Saturday before Memorial Day through October 31.

(336) Stillaguamish River, South Fork (Snohomish County):

(a) From the mouth to 400 feet downstream of the outlet to Granite Falls fishway:

- (i) Open the first Saturday in June through June 30.
- (ii) Trout: Minimum length 14 inches.

(b) From the Mountain Loop Highway Bridge above Granite Falls upstream to the source:

- (i) Open the first Saturday in June through September 4.
- (ii) Selective gear rules apply.
- (iii) August 1 through September 4:
 - (A) Anti-snagging rule applies.
 - (B) Night closure in effect.

(337) Stimson Creek (Mason County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply
- (c) Catch and release only.

(338) Storm Lake (Snohomish County): Open the fourth Saturday in April through October 31.

(339) Straight Creek (Snohomish County) (Suiattle River tributary):

- (a) Open the first Saturday in June through July 31.
- (b) Selective gear rules apply.

(340) Suiattle River (Skagit County):

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

(b) Selective gear rules apply.

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

(341) Sulphur Creek (Snohomish County) (Suiattle River tributary):

- (a) Open the first Saturday in June through July 31.
- (b) Selective gear rules apply.

(342) Sultan River (Snohomish County):

(a) From the mouth to a point 400 feet downstream from the diversion dam at river mile 9.7:

(i) Open the first Saturday in June through August 31 and November 1 through January 31.

(ii) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(b) Upstream of the diversion dam to Culmback Dam: Open the first Saturday in June through October 31.

(343) Sumas River (Whatcom County): Open the first Saturday in June through October 31, including all tributaries except Johnson Creek.

(344) Summit Lake (Thurston County):

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

(b) Trout: It is unlawful to retain more than 2 over 14 inches in length, except there are no size restrictions for kokanee.

(345) Susan Lake (Thurston County):

- (a) Selective gear rules apply.
- (b) Catch and release only.

(346) Swamp Creek (tributary to Sammamish River) (Snohomish/King counties): Open the first Saturday in June through August 31 for juvenile anglers only.

(347) Swan's Mill Pond (Stossel Creek) (King County): Open the first Saturday in June through October 31.

(348) Symington Lake (Kitsap County):

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.
- (c) Trout: Catch and release only.

(349) Tahuya River (Mason County):

(a) From the mouth to the steel bridge approximately 1 mile upstream of North Shore Road Bridge:

(i) Open the first Saturday in June through August 15 and October 1 through October 31.

(ii) Selective gear rules apply.

(iii) October 1 through October 31: Night closure in effect.

(iv) Release all game fish.

(b) From the steel bridge approximately one mile upstream of North Shore Road Bridge upstream:

(i) Open the first Saturday in June through August 15 and October 1 through October 31.

(ii) Selective gear rules apply.

(iii) October 1 through October 31: Night closure in effect.

(iv) Catch and release only.

(350) Tanwax Creek (Thurston County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(351) Tanwax Lake (Pierce County): Crappie: Limit 10; minimum length 9 inches.

(352) Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within four hundred feet of the screen at Dingle Basin: Open year-round.

(353) Taylor River (tributary to the Middle Fork Snoqualmie) (King County):

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

(b) Selective gear rules apply.

(c) Catch and release only.

(354) Tenmile Creek (Whatcom County) (Nooksack River tributary):

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

(b) Selective gear rules apply.

(355) Tenas Creek (Skagit County) (Suiattle River tributary):

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

(b) Selective gear rules apply.

(356) Tenas Lake (Mason County): Open the fourth Saturday in April through October 31.

(357) Tennant Lake (Whatcom County): It is unlawful to fish from any floating device from the first Friday in October through January 27.

(358) Terrell Creek (Whatcom County):

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

(b) Selective gear rules apply.

(359) Terrell, Lake (Whatcom County): It is unlawful to fish from any floating device from the first Saturday after Labor Day through the following Friday and from October 1

through January 31, except fishing from a floating dock is permissible.

(360) **Texas Pond (Skagit County):** No limit for eastern brook trout.

(361) **Thomas Creek (Skagit County) (Samish River tributary):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(362) **Thompson Creek (Thurston County) (Skookumchuck River tributary):**

- (a) Open the first Saturday in June through October 31.
- (b) Selective gear rules apply.

(363) **Thornton Creek (tributary to Lake Washington) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.

(364) **Thornton Creek (Whatcom County):**

(a) From the Highway 20 Bridge downstream to the Skagit River: Closed.

(b) From the Highway 20 Bridge upstream:

- (i) Open the first Saturday in June through October 31.
- (ii) Release all fish except anglers may retain up to 2 hatchery steelhead and there is no limit on cutthroat trout.

(365) **Thornton Lake, lower (Whatcom County):** Cutthroat trout: No limit.

(366) **Tibbetts Creek (tributary to Lake Sammamish) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.

(367) **Tiger Lake (Kitsap/Mason counties):** Open the fourth Saturday in April through October 31.

(368) **Toad Lake (Whatcom County):** Open the fourth Saturday in April through October 31.

(369) **Tokul Creek (King County) (Snoqualmie River tributary):**

(a) From the mouth to the Fish Hatchery Road Bridge:

(i) Open December 1 through February 15, except closed to fishing from 5:00 p.m. to 7:00 a.m.

(ii) Anti-snagging rule applies.

(iii) Trout: Minimum length 14 inches.

(b) From Fish Hatchery Road Bridge to the posted boundary marker located approximately 400 feet downstream of the diversion dam:

(i) Open January 15 through February 15, except closed to fishing from 5:00 p.m. to 7:00 a.m.

(ii) Anti-snagging rule applies.

(iii) Trout: Minimum length 14 inches.

(c) From Tokul Road S.E. upstream, including all tributaries and beaver ponds: Open the Saturday before Memorial Day through October 31.

(370) **Tolt River (King County):**

(a) From the mouth to the USGS trolley cable near the confluence of the North and South Forks:

(i) Open the first Saturday in June through January 31: Selective gear rules apply.

(ii) Trout: Minimum length 14 inches.

(b) From the falls on the North Fork, located approximately 3 miles above the confluence of the North and South forks, upstream, including all tributaries:

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

(ii) Selective gear rules apply.

(ii) Catch and release only.

(c) On the South Fork, from the dam upstream:

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

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 10 inches.

(371) **Twenty-two Lake Creek (Snohomish County):** Open the Saturday before Memorial Day through October 31 upstream from the falls located approximately at river mile 0.25 upstream.

(372) **Tye River (King County):**

(a) From Foss River to Alpine Falls:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(iv) Open November 1 through the last day in February for whitefish only; release all other fish.

(b) From Alpine falls upstream, and all tributaries to the Tye River, including their tributaries: Open the first Saturday in June through October 31.

(373) **U Lake (Mason County):** Open the fourth Saturday in April through October 31.

(374) **Uncle John Creek (Mason County):**

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

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(375) **Union River (Mason County):**

(a) From the mouth to the North Shore Road Bridge:

(i) Open the first Saturday in June through August 15.

(ii) Catch and release only.

(b) From the North Shore Road Bridge to the lower bridge on Old Belfair Highway:

(i) Open the first Saturday in June through August 15.

(ii) Selective gear rules apply.

(iii) Catch and release only.

(c) From the lower bridge on Old Belfair Highway upstream:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(376) **Vogler Lake (Skagit County):**

(a) Fly fishing only.

(b) Catch and release only.

(377) **Voight Creek (Pierce County):** Open the Saturday before Memorial Day through August 31 and October 16 through October 31 from the falls, approximately 4.0 river miles upstream of the mouth and under the power lines, upstream.

(378) **Waddell Creek (Thurston County) (Black River tributary):**

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

(b) Selective gear rules apply.

(379) **Wagners Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(380) **Walker Lake (King County):** Open the fourth Saturday in April through October 31.

(381) **Wallace River (Snohomish County):**

(a) From the mouth to 363rd Ave. S.E./Reece Rd:

(i) Open from the first Saturday in June through February 15.

- (ii) From first Saturday in June through November 30:
 - (A) Anti-snagging rule applies.
 - (B) Night closure in effect.
- (iii) From November 1 through February 15: It is unlawful to fish from any floating device.
- (iv) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.
- (v) Salmon open September 16 through November 30 in years ending in odd numbers: Limit 3 salmon; release Chinook and chum.
 - (b) From 363rd Avenue S.E./Reece Road to 200 feet upstream of the water intake of the salmon hatchery:
 - (i) Open November 1 through February 15.
 - (ii) November 1 through November 30:
 - (A) Anti-snagging rule applies.
 - (B) Night closure in effect.
 - (iii) November 1 through February 15: It is unlawful to fish from any floating device.
 - (iv) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.
 - (v) Salmon open September 16 through November 30 in years ending in odd numbers: Limit 3 salmon plus 1 additional pink; release Chinook and chum.
 - (c) From 200 feet upstream of the water intake of the salmon hatchery to Wallace Falls:
 - (i) Open November 1 through January 31.
 - (ii) It is unlawful to fish from any floating device.
 - (iii) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.
 - (d) From Wallace Falls upstream, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.
- (382) **Wapato Lake (Pierce County):** Open to juvenile anglers only.
- (383) **Washington Creek (Mason County):** Open the Saturday before Memorial Day through October 31.
- (384) **Washington Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream (King County):**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) Open year-round.
 - (c) It is unlawful to fish from a floating device within 100 yards of either side of the floating bridges.
 - (d) Chumming is permissible.
 - (e) Trout:
 - (i) December 1 through the last day in February: Release steelhead and rainbow trout over 20 inches in length.
 - (ii) March 1 through June 30:
 - (A) Minimum length 12 inches.
 - (B) Release steelhead and rainbow trout over 20 inches in length.
 - (f) Salmon:
 - (i) Open September 16 through October 31 north of Highway 520 Bridge and east of Montlake Bridge.
 - (ii) Limit 4 coho only.

- (385) **Washington Lake, Ship Canal (King County) (waters east of a north-south line 400 feet west of the fish ladder at the Chittenden Locks and west of a north-south line at the eastern ends of the concrete abutments east of the Montlake Bridge):**
 - (a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
 - (b) East of the Fremont Bridge: Chumming is permissible.
 - (c) From the west boundary to a north-south line 400 feet east of the eastern end of the northern wing wall of Chittenden Locks: Closed.
 - (d) From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary:
 - (i) Open year-round for game fish.
 - (ii) Trout:
 - (A) Open December 1 through the last day in February: No minimum length.
 - (B) Open March 1 through June 30: Minimum length 12 inches.
 - (C) Open July 1 through November 30: No minimum length.
 - (D) Release steelhead and rainbow trout over 20 inches in length.
- (386) **Waughop Lake (Pierce County):** Landlocked salmon rules apply.
- (387) **Whatcom Creek (Whatcom County):**
 - (a) From the mouth to the markers below the footbridge below Dupont Street in Bellingham:
 - (i) Open the first Saturday in June through December 31.
 - (ii) August 1 through December 31:
 - (A) Anti-snagging rule applies.
 - (B) Night closure in effect.
 - (iii) Trout: Minimum length 14 inches.
 - (iv) Salmon: Open August 1 through December 31.
 - (A) Limit 6; anglers may retain up to 2 adult salmon.
 - (B) Release wild coho.
 - (C) Anglers fishing lawfully within 50 yards of the Bellingham Technical College Hatchery Collection Tube and on the hatchery side of the creek that hook and land chum salmon may remove those chum salmon from the water and immediately place them unharmed into the Hatchery Collection Tube.
 - (b) From the footbridge below Dupont Street in Bellingham to the stone bridge at Whatcom Falls Park:
 - (i) Open the first Saturday in June through October 31.
 - (ii) August 1 through October 31:
 - (A) Anti-snagging rule applies.
 - (B) Night closure in effect.
 - (iii) Trout: Minimum length 14 inches.
 - (c) From the stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Open the fourth Saturday in April through October 31 for juvenile anglers only. Trout: No minimum length.
 - (388) **Whatcom, Lake (Whatcom County):**
 - (a) Open the fourth Saturday in April through October 31, except the waters between the Electric Avenue Bridge and the outlet dam are closed.
 - (b) Cutthroat trout: Catch and release only.

(389) **Whatcom, Lake, tributaries (Whatcom County):** Closed.

(390) **White (Stuck) River (Pierce County):**

(a) From the mouth to R Street Bridge in Auburn, open November 1 through January 15:

- (i) Night closure in effect.
- (ii) Selective gear rules apply.
- (iii) Trout minimum length 14 inches.

(b) From R Street Bridge to the Highway 410 Bridge at Buckley:

(i) Open October 1 through October 31, except closed in the Puget Power canal, including the screen bypass channel above the screen at Dingle Basin.

- (ii) Selective gear rules apply.
- (iii) Night closure in effect.
- (iv) Trout: Minimum length 14 inches.

(c) From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) upstream to the source:

(i) Open July 1 through October 31.

(A) October 1 through October 31: Night closure in effect.

(B) Selective gear rules apply.

(C) Catch and release only.

(ii) Open for whitefish only November 1 through January 31; whitefish gear rules apply.

(391) **Whitechuck River (Snohomish County):**

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

(b) Selective gear rules apply.

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

(392) **Wildberry Lake (Mason County):** Open the fourth Saturday in April through October 31.

(393) **Wildcat Lake (Kitsap County):** Open the fourth Saturday in April through October 31.

(394) **Wilderness Lake (King County):**

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

(b) Landlocked salmon rules apply.

(395) **Wilkeson Creek (Pierce County) (South Prairie Creek tributary) upstream of confluence with Gale Creek:** Open the first Saturday in June through August 31 and October 16 through October 31.

(396) **Woodard Creek (Thurston County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(397) **Wood Lake (Mason County):** Open the fourth Saturday in April through October 31.

(398) **Woodland Creek (Thurston County):**

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

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(399) **Woods Creek, East Fork (Snohomish County) (Skykomish River tributary):** Open the first Saturday before Memorial Day through October 31 upstream of Old Pipeline Road above Woods Creek Falls, including tributaries and beaver ponds.

(400) **Wooten Lake (Mason County):** Open the fourth Saturday in April through October 31.

(401) **Wye Lake (Kitsap County):** Open the fourth Saturday in April through October 31.

(402) **Youngs Creek (Snohomish County) (Skykomish River tributary) (Elwell Creek tributary, Skykomish River tributary near town of Sultan):** Open the Saturday before Memorial Day through October 31 above Potson Road (299th Avenue S.E. Bridge) including all tributaries and beaver ponds.

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

NEW SECTION

WAC 220-312-05000B Freshwater exceptions to statewide rules—Eastside. Notwithstanding the provisions of WAC 220-312-050, effective immediately the following rules apply:

(a) All lake, pond, and reservoir inlets and outlets and irrigation canals, wasteways, and drains in Grant and Adams counties (except Crab Creek, Rocky Ford Creek and Ponds, Columbia Basin Hatchery Creek, Bobcat Creek, Coyote Creek, Hays Creek, Red Rock Creek, Sand Hollow Creek, and Lake Lenore inlet and outlet) are open year-round.

(b) In Adams, Douglas, Franklin, Grant, and Okanogan counties, except Zosel Dam (Okanogan River) and Enloe Dam (Similkameen River): It is permissible to fish up to the base of all dams.

(c) In Ferry, Lincoln, and Stevens counties: Unless otherwise provided in this section, all tributaries to Lake Roosevelt between Grand Coulee Dam and the Canadian border are open the Saturday before Memorial Day through October 31.

(2) **Aeneas Lake (Okanogan County):**

(a) Open the fourth Saturday in April through October 31 for fly fishing only.

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

(c) Trout: Limit one.

(3) **Ahtanum Creek, including North and Middle Forks (Yakima County):**

(a) Selective gear rules apply.

(b) Trout minimum length ten inches.

(c) In the North Fork, open from the mouth to Grey Rock Trailhead Bridge crossing and upstream from the mouth of Shellneck Creek.

(d) In the Middle Fork, open from the mouth to the A2000 Road Spur Road Bridge in NE Section 34 and upstream of the A2800 Road Bridge at Tree Phones Campground.

(4) **Alta Lake (Okanogan County):** Open the fourth Saturday in April through October 31.

(5) **Amber Lake (Spokane County):**

(a) Selective gear rules apply.

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

(c) Open March 1 through November 30.

(i) From March 1 through the Friday before fourth Saturday in April, and October 1 through November 30: Catch and release only.

(ii) From the fourth Saturday in April through September 30:

(A) Trout: Limit two; minimum length fourteen inches.

(B) Release rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin.

(6) **American River (Yakima County):**

(a) Selective gear rules apply.

(b) From the Highway 410 Bridge at river mile 5.4 to the Mesatchee Creek Trail crossing at river mile 15.8:

(i) Open the first Saturday in June to July 15.

(ii) Open September 16 to October 31.

(c) From the mouth to the Highway 410 Bridge at river mile 5.4 and upstream of the Mesatchee Creek Trail river crossing at river mile 15.8: Open the first Saturday in June through October 31.

(d) Trout minimum length ten inches in the mainstem only.

(e) American River tributaries, except Union and Kettle creeks: Open.

(7) **Amon Wasteway (Benton County):**

(a) Selective gear rules apply.

(b) Trout minimum length ten inches.

(8) **Asotin Creek, mainstem and forks (Asotin County):**

(a) It is unlawful to fish for steelhead.

(b) From SR 129 Bridge upstream to the forks: It is permissible to fish up to the base of Headgate Dam.

(c) Asotin mainstem and the mainstem North Fork from the mouth upstream to the USFS boundary: Selective gear rules apply.

(d) North Fork from the USFS boundary upstream and all other tributaries: Closed.

(e) South Fork and tributaries: Closed.

(9) **B.C. Mill Pond (Stevens County):** Open the fourth Saturday in April through October 31.

(10) **Badger Lake (Spokane County):** Open the fourth Saturday in April through September 30.

(11) **Banks Lake (Grant County):**

(a) Chumming is permissible.

(b) Crappie: Limit 10; minimum size 9 inches.

(c) Perch: Limit twenty-five.

(12) **Bayley Lake (Stevens County):**

(a) Inlet stream: Closed.

(b) Fly fishing only.

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

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

(i) From the fourth Saturday in April through July 4: Trout limit one; minimum length 14 inches.

(ii) From July 5 through October 31: Catch and release only.

(13) **Bear Creek (Yakima County) (tributary to South Fork Tieton River):** Open upstream of the Bear Creek Falls, approximately 3/4 mile upstream of USFS Road 1000.

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

(15) **Beaver Lake (Columbia County):**

(a) Open March 1 through October 31.

(b) It is unlawful to fish from any floating device.

(16) **Beaver Lake (Big) (Okanogan County):** Open the fourth Saturday in April through October 31.

(17) **Beaver Lake (Little) (Okanogan County):** Open the fourth Saturday in April through October 31.

(18) **Beda Lake (Grant County):**

(a) Selective gear rules apply.

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

(c) Trout: Limit one.

(19) **Beehive (Lake) Reservoir (Chelan County):**

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

(b) From July 5 through October 31:

(i) Selective gear rules apply.

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

(iii) Catch and release only.

(20) **Bennington Lake (Mill Creek Reservoir) (Walla Walla County):**

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

(b) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(21) **Beth Lake (Okanogan County):** Open the fourth Saturday in April through October 31.

(22) **Big Four Lake (Columbia County):**

(a) Open March 1 through October 31 for fly fishing only.

(b) It is unlawful to fish from any floating device.

(c) Trout: Limit two.

(23) **Big Meadow Creek (Chelan County):** From the mouth upstream:

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

(b) Selective gear rules apply.

(c) Trout:

(i) Rainbow trout: Catch and release only.

(ii) Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(d) Big Meadow Creek tributaries from the mouth of Big Meadow Creek upstream: Open the Saturday before Memorial Day through October 31.

(24) **Big Meadow Lake (Pend Oreille County):**

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

(b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(25) **Big Tiffany Lake (Okanogan County):**

(a) Eastern brook trout: No limit; eastern brook trout do not count toward the trout limit.

(b) Cutthroat: Limit two.

(26) **Big Twin Lake (Okanogan County):**

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

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(27) Bird Creek (Klickitat County):

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

(b) Trout: Limit 5.

(28) Blackbird Island Pond (Chelan County): Open July 1 through September 30 for juvenile anglers only.

(29) Black Lake (Okanogan County):

(a) Selective gear rules apply.

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

(30) Black Lake (Stevens County): Open the fourth Saturday in April through October 31.

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

(32) Blue Lake (Columbia County):

(a) It is unlawful to fish from any floating device.

(b) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(33) Blue Lake (Grant County): Open the fourth Saturday in April through September 30.

(34) Blue Lake (near Sinlahekin) (Okanogan County):

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

(b) Selective gear rules apply.

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

(d) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(e) Trout: Limit one.

(35) Blue Lake (near Wannacut Lake) (Okanogan County):

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

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

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

(37) Bonaparte Creek (Okanogan County): From the falls upstream to river mile 1.0, including all tributaries:

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

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

(c) Channel catfish: No limit.

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

(38) Bonaparte Lake (Okanogan County):

(a) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(b) Trout: It is unlawful to retain more than one trout over twenty inches in length.

(39) Boulder Creek and tributaries (Okanogan County):

(a) From the mouth to the barrier falls at river mile 1.0:

(i) Open the Saturday before Memorial Day through August 15:

(ii) Selective gear rules apply.

(iii) Catch and release only.

(b) From barrier falls at river mile 1.0 upstream, including all tributaries:

(i) Open the Saturday before Memorial Day through October 31:

(ii) Eastern brook trout: Limit 10; eastern brook trout do not count toward the trout limit.

(c) Cutthroat: Limit 2.

(40) Bowman Creek (Klickitat County): From Canyon Creek upstream to source: Trout limit 5.

(41) Box Canyon Creek and tributaries (Kittitas County): Upstream from the 20 foot waterfall approximately 2 miles upstream of the mouth to the USFS Road #4930 Bridge: Selective gear rules apply. Open the first Saturday in June through October 31.

(42) Browns Creek (Pend Oreille County):

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

(b) Fly fishing only.

(43) Browns Lake (Pend Oreille County):

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

(b) Fly fishing only.

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

(d) Trout: It is unlawful to retain more than one trout greater than 11 inches in length.

(44) Buck Creek and tributaries (Chelan County):

(a) Open the Saturday before Memorial Day through October 31 from the mouth of Buck Creek upstream.

(b) Selective gear rules apply.

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

(45) Bumping Lake (Reservoir) (Yakima County):

(a) It is permissible to fish two poles, so long as the angler possesses a valid two-pole endorsement.

(b) Chumming is permissible.

(c) Kokanee: Limit sixteen; kokanee do not count towards the trout limit.

(46) Bumping River (Yakima County):

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

(b) From the mouth to Bumping Reservoir, including all tributaries except American River:

(i) Selective gear rules apply.

(ii) Trout minimum size ten inches.

(c) From Bumping Lake upstream, including all tributaries except Deep Creek: Open the Saturday before Memorial Day through October 31.

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

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

(49) Buttermilk Creek (Okanogan County), including all tributaries:

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

- (b) Catch and release only.
(c) Selective gear rules apply.
(50) Buzzard Lake (Okanogan County):
(a) Open the fourth Saturday in April through October 31.
(b) Selective gear rules apply.
(c) Trout: Limit one.
(51) Caldwell Lake (Pend Oreille County):
(a) Open the fourth Saturday in April through October 31.
(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(c) Trout: Limit two; minimum length twelve inches.
(52) Caliche Lakes, Upper (Grant County): Open March 1 through July 31.
(53) Calispell Creek (Calispell River) (Pend Oreille County):
(a) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.
(b) From the mouth to Calispell Lake: Open year-round.
(c) From Calispell Lake upstream to the source:
(i) Selective gear rules apply.
(ii) Open the Saturday before Memorial Day through October 31.
(54) Calispell Creek tributaries (Pend Oreille County):
(a) Open the Saturday before Memorial Day through October 31.
(b) Selective gear rules apply.
(c) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.
(55) Campbell Lake (Okanogan County):
(a) Open year-round.
(b) April 1 through August 31.
(i) Selective gear rules apply.
(ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(iii) Catch and release only.
(56) Carl's Lake (Pend Oreille County): Open the fourth Saturday in April through October 31.
(57) Cascade Lake (Grant County): Open March 1 through July 31.
(58) Cattail Lake (Grant County): Open April 1 through September 30.
(59) Cedar Creek (Okanogan County):
(a) From the mouth to Cedar Falls: Open the Saturday before Memorial Day through August 15.
(i) Selective gear rules apply.
(ii) Catch and release only.
(b) Cedar Creek and all tributaries above Cedar Falls:
(i) Open the Saturday before Memorial Day through October 31.
(ii) Selective gear rules apply.
(60) Cedar Creek and tributaries (Pend Oreille County):
(a) Open the Saturday before Memorial Day through October 31.
(b) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.
(61) Cedar Lake (Stevens County): Open the fourth Saturday in April through October 31.
(62) Chain Lake (Pend Oreille County):
(a) Open the fourth Saturday in April through October 31.
(b) Release kokanee.
(63) Chapman Lake (Spokane County):
(a) Open the fourth Saturday in April through October 31.
(b) Chumming is permissible.
(c) Kokanee: Limit ten; kokanee do not count toward the trout limit.
(64) Chelan Lake (Chelan County):
(a) South of a line from Purple Point at Stehekin and Painted Rocks:
(i) Within 400 feet of all tributaries: Closed.
(ii) Trout:
(A) Release wild cutthroat.
(B) Kokanee and lake trout do not count toward the trout limit.
(iii) Kokanee: Limit 10; no minimum size.
(iv) Lake trout: No limit; no minimum size.
(v) Salmon open year-round: Daily limit 1; no minimum size.
(b) North of a line between Purple Point at Stehekin and Painted Rocks:
(i) Lake trout open year-round: No limit.
(ii) Salmon open year-round: Limit 1; minimum length 15 inches.
(iii) From August 1 through March 31:
(A) Trout:
(I) Release wild cutthroat.
(II) Kokanee and lake trout do not count toward the trout limit.
(B) Kokanee: Limit 10.
(65) Chelan Lake tributaries (Chelan County):
(a) Open August 1 through September 30 from the mouths upstream one mile, except Stehekin River.
(b) Selective gear rules apply.
(c) Trout: Release wild cutthroat.
(66) Chelan River (Chelan County): From the railroad bridge to the Chelan PUD safety barrier below the power house:
(a) Open May 15 through August 31.
(b) July 1 through October 15: Anti-snagging rule and night closure in effect.
(c) Trout: Catch and release only.
(d) Salmon:
(i) Open July 1 through October 15.
(ii) Barbless hooks required.
(iii) Minimum size 12 inches; limit 4; no more than 2 adult hatchery Chinook may be retained.
(iv) Release coho and wild adult Chinook.
(67) Chewuch River (Okanogan County):
(a) From the mouth to Eight Mile Creek:
(i) Open the Saturday before Memorial Day through August 15.

(ii) Selective gear rules apply.
 (iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iv) Catch and release only.

(b) From the mouth to Pasayten Wilderness boundary falls: Open December 1 through March 31 for whitefish only; whitefish gear rules apply.

(c) From the Pasayten Wilderness boundary falls upstream, including tributaries: Open the Saturday before Memorial Day through October 31.

(68) Chikamin Creek and all tributaries (Chelan County):

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

(b) Selective gear rules apply.

(c) Trout:

(i) Rainbow trout are catch and release only.

(ii) Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(69) Chiwaukum Creek and all tributaries from Fool Hen Creek upstream, not including Fool Hen Creek (Chelan County):

(a) Selective gear rules apply.

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

(c) Chiwaukum Creek tributaries from mouth of Chiwaukum Creek to Fool Hen Creek, including Fool Hen Creek: Open the Saturday before Memorial Day through October 31.

(70) Chiwawa River and all tributaries from Buck Creek upstream, including Buck Creek (Chelan County):

(a) Selective gear rules apply.

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

(c) Chiwawa River tributaries from the mouth to Buck Creek, except Big Meadow, Buck, Chikamin, Clear, Phelps and Rock creeks: Open the Saturday before Memorial Day through October 31.

(71) Chopaka Lake (Okanogan County):

(a) Open the fourth Saturday in April through October 31 for fly fishing only.

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

(c) Trout: Limit one.

(72) Chumstick Creek (Chelan County): From the mouth upstream:

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

(b) Selective gear rules apply.

(c) Trout:

(i) Rainbow trout, catch and release only.

(ii) Eastern brook trout: Limit 16. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(d) Chumstick Creek tributaries from the mouth of Chumstick Creek upstream: Open the Saturday before Memorial Day through October 31.

(73) Clear Creek (Chelan County): Closed.

(74) Clear Lake (Chelan County):

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

(b) From July 5 through October 31:

(i) Selective gear rules apply.

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

(c) Catch and release only.

(75) Clear Lake (Spokane County): Open the fourth Saturday in April through October 31.

(76) Cle Elum Lake (Reservoir) (Kittitas County):

(a) Trout: Lake trout, brown trout, and eastern brook trout are not included in the trout limit.

(b) Kokanee: Minimum length 9 inches and maximum length 15 inches.

(77) Cle Elum River (Kittitas County):

(a) From the mouth to Cle Elum Dam:

(i) Open year-round.

(ii) Selective gear rules apply.

(iii) Trout: Catch and release only.

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

(v) December 1 through January 31: Whitefish gear rules apply.

(b) From above Cle Elum Lake to outlet of Hvas Lake (not including Tucquala Lake):

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

(ii) Selective gear rules apply.

(iii) Trout minimum size ten inches.

(c) All tributaries to Cle Elum River above Cle Elum Lake to outlet of Hvas Lake not otherwise provided for in this section: Open the Saturday before Memorial Day through October 31.

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

(79) Coffee Pot Lake (Lincoln County):

(a) Open March 1 through September 30.

(b) Selective gear rules apply.

(c) Crappie: Limit ten; minimum length nine inches.

(d) Trout: Limit one; minimum length eighteen inches.

(80) Columbia Basin Hatchery Creek (Grant County):

(a) Open April 1 through September 30 from the hatchery outflow to the confluence with Rocky Coulee Wasteway.

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

(c) Trout: Limit 3; no minimum size.

(81) Columbia Park Pond (Benton County):

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

(b) All species: Limit 5 fish combined.

(82) Columbia River tributaries (all independent tributaries in Kittitas County between Wanapum Dam and Chelan County boundary line):

(a) Selective gear rules apply.

- (b) Trout minimum size ten inches.
- (83) Colville River (Stevens County):**
- (a) From the mouth to the bridge at town of Valley:
- (i) Open year-round.
- (ii) Trout:
- (A) Limit 5.
- (B) From October 1 through November 30, no more than 2 brown trout may be retained.
- (iii) Walleye: Limit 16; no size restrictions.
- (b) All tributaries to Colville River, from the mouth to the bridge at the town of Valley, open the Saturday before Memorial Day through October 31.
- (c) From the bridge at the town of Valley upstream, including tributaries:
- (i) Open the Saturday before Memorial Day through October 31.
- (ii) Selective gear rules apply.
- (84) Conconully Lake (Okanogan County):** Open the fourth Saturday in April through October 31.
- (85) Conconully Reservoir (Okanogan County):** Open the fourth Saturday in April through October 31.
- (86) Conger Pond (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (87) Conner Lake (Okanogan County):** Open the fourth Saturday in April through October 31.
- (88) Coot Lake (Grant County):** Open April 1 through September 30.
- (89) Corral Creek (Benton County):**
- (a) Selective gear rules apply.
- (b) Trout minimum size ten inches.
- (90) Cottonwood Creek (Lincoln County):** Open year-round.
- (91) Cottonwood Creek (Walla Walla County):** Closed.
- (92) Cougar Lake (Pasayten Wilderness) (Okanogan County):**
- (a) Selective gear rules apply.
- (b) It is permissible to fish two poles so long as the angler possesses a two-pole endorsement.
- (93) Cougar Lake (near Winthrop) (Okanogan County):**
- (a) Open year-round.
- (b) Selective gear rules apply.
- (c) From April 1 through August 31:
- (i) Catch and release only.
- (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (94) Coyote Creek and Ponds (Adams County):** Open April 1 through September 30.
- (95) Crab Creek (Adams/Grant/Lincoln counties):**
- (a) From the mouth to Morgan Lake Road in Section 36: Open April 1 through September 30.
- (b) From Morgan Lake Road in Section 36 to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed.
- (c) From the confluence of the Moses Lake outlets to Sand Dune Rd. (including all tributaries):
- (i) Open year-round.
- (ii) For minimum size and limits see Potholes Reservoir Rules (Eastside Lakes).
- (iii) All species from March 1 through May 31: Only one single-point hook 3/4 inch or less measured from point to shank may be used.
- (d) From the fountain buoy and shoreline markers or 150' downstream of the Alder Street fill to Grant County Rd. 7 (including all tributaries except Columbia Basin Hatchery Creek):
- (i) Open year-round.
- (ii) For minimum size and limits see Moses Lake Rules (Eastside Lakes).
- (iii) All species from March 10 through May 31: Only one single-point hook 3/4 inch or less measured from point to shank may be used.
- (e) Above Grant County Rd. 7 (including all tributaries, except Goose Creek in the city of Wilbur): Open year-round.
- (96) Crawfish Lake (Okanogan County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (97) Crescent Lake (Pend Oreille County):** Open the Fourth Saturday in April through October 31.
- (98) Crystal Lake (Grant County):** Open March 1 through July 31.
- (99) Cup Lake (Grant County):** Open March 1 through July 31.
- (100) Curl Lake (Columbia County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) It is unlawful to fish from any floating device.
- (c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.
- (101) Dalton Lake (Franklin County):** It is unlawful to retain more than 2 trout over 13 inches in length.
- (102) Davis Lake (Ferry County):** Open the fourth Saturday in April through October 31.
- (103) Davis Lake (Okanogan County):**
- (a) Open year-round.
- (b) April 1 through August 31:
- (i) Selective gear rules apply.
- (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iii) Catch and release only.
- (104) Davis Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (105) Dayton Pond (Columbia County):**
- (a) Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.
- (b) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.
- (106) Deadman Lake (Adams County):** Open April 1 through September 30.
- (107) Deep Creek (tributary to Bumping Lake) (Yakima County):** Upstream from the waterfall approximately 1/3 mile above the second bridge crossing on USFS Road 1808 upstream: Open the Saturday before Memorial Day through October 31.
- (108) Deep Lake (Grant County):** Open the fourth Saturday in April through September 30.

(109) **Deep Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(110) **Deer Lake (Columbia County):**

(a) Open March 1 through October 31.

(b) It is unlawful to fish from any floating device.

(c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(111) **Deer (Deer Springs) Lake (Lincoln County):** Open the fourth Saturday in April through September 30.

(112) **Deer Lake (Stevens County):**

(a) Open March 1 through October 31.

(b) Trout: It is unlawful to retain more than two trout over thirty inches in length.

(113) **Diamond Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(114) **Dog Lake (Yakima County):** It is unlawful to retain more than 1 trout over 14 inches in length.

(115) **Domerie Creek (Kittitas County):**

(a) Selective gear rules apply.

(b) Trout minimum size ten inches.

(116) **Downs Lake (Lincoln/Spokane counties):**

(a) Open March 1 through September 30.

(b) Crappie: Limit ten; minimum length nine inches.

(117) **Dry Falls Lake (Grant County):**

(a) Open April 1 through November 30.

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(118) **Dune Lake (Grant County):**

(a) Selective gear rules apply.

(b) Trout: Limit one.

(119) **Dusty Lake (Grant County):**

(a) Open March 1 through November 30.

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(120) **Early Winters Creek (Okanogan County):** From the mouth upstream; including all tributaries except Cedar Creek:

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

(b) Selective gear rules apply.

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

(d) Catch and release only.

(121) **East Little Walla Walla River (Walla Walla County):** Closed.

(122) **Eightmile Lake (Chelan County):** It is unlawful to retain more than two mackinaw as part of the trout limit.

(123) **Elbow Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(124) **Ell Lake (Okanogan County):**

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

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(125) **Ellen Lake (Ferry County):**

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

(b) Release all fish, except anglers may retain up to five rainbow trout.

(126) **Eloika Lake (Spokane County):** Crappie limit ten; minimum length nine inches.

(127) **Lake Entiat (Col.R.) tributaries (Chelan/Douglas County):** Open the Saturday before Memorial Day through October 31 from Rocky Reach Dam to Wells Dam, except the Entiat River, Chelan River and Chelan Hatchery Creek.

(128) **Entiat River (Chelan County):**

(a) From mouth (railroad bridge) to the boundary marker/markers located approximately 1,500 feet upstream of the upper Roaring Creek Road Bridge (immediately downstream of the Entiat National Fish Hatchery): Salmon open July 15 through September 30.

(i) Selective gear rules apply.

(ii) Night closure in effect.

(iii) Minimum size 12 inches; limit 2 adult hatchery Chinook salmon.

(iv) Release coho and wild adult Chinook.

(b) From mouth (railroad bridge) to Entiat Falls: Whitefish open December 1 through March 31; Whitefish gear rules apply.

(c) Entiat River tributaries from the mouth to Entiat Falls, except the Mad River and Roaring Creek: Open the Saturday before Memorial Day through October 31.

(d) Entiat River and all tributaries above Entiat Falls:

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

(ii) Selective gear rules apply.

(iii) Trout:

(A) Limit 5; it is unlawful to retain more than one trout greater than 12 inches in length.

(B) Eastern brook trout: Limit 10. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(129) **Ephrata Lake (Grant County):** Closed.

(130) **Empire Lake (Ferry County):** Open the fourth Saturday in April through October 31.

(131) **Esquatzel Coulee (Franklin County):** Open year-round.

(132) **Esquatzel Coulee, West Branch (Franklin County):** Open year-round.

(133) **Fan Lake (Pend Oreille County):**

(a) Open the fourth Saturday in April through September 30.

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

(134) **Ferry Lake (Ferry County):** It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(135) **Fio Rito Lakes (Kittitas County):** It is unlawful to fish from a floating device equipped with an internal combustion motor.

- (136) **Fish Lake (Chelan County):**
 (a) Perch: Limit 25.
 (b) Trout: It is unlawful to retain more than 2 trout over 15 inches in length.
- (137) **Fish Lake (Ferry County):** Open the fourth Saturday in April through October 31.
- (138) **Fish Lake (Okanogan County):** Open the fourth Saturday in April through October 31.
- (139) **Fish Lake (Spokane County):**
 (a) Open the fourth Saturday in April through September 30.
 (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (140) **Fishhook Pond (Walla Walla County):**
 (a) Open March 1 through October 31.
 (b) It is unlawful to fish from a floating device.
 (c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.
- (141) **Fishtrap Lake (Lincoln/Spokane counties):** Open the fourth Saturday in April through September 30.
- (142) **Forde Lake (Okanogan County):** Open the fourth Saturday in April through October 31.
- (143) **Fourth of July Lake (Adams/Lincoln counties):**
 (a) Open the first Friday after Thanksgiving through March 31.
 (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (c) Trout: It is unlawful to retain more than two trout over fourteen inches in length.
- (144) **Frater Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (145) **Frenchman Hills Lake (Grant County):** Open February 1 through September 30.
- (146) **Gadwall Lake (Grant County):** Open April 1 through September 30.
- (147) **Garfield Juvenile Pond (Whitman County):** Open to juvenile anglers only.
- (148) **Gillette Lake (Stevens County):** Open the fourth Saturday in April through October 31.
- (149) **Goat Creek (Okanogan County):** From the mouth upstream including all tributaries:
 (a) Open the Saturday before Memorial Day through August 15.
 (b) Selective gear rules apply.
 (c) Catch and release only.
- (150) **Golf Course Pond (Asotin County):** It is unlawful to retain more than 2 trout over 13 inches in length.
- (151) **Goose Creek (Lincoln County), within the city limits of Wilbur:** Open year-round to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.
- (152) **Goose Lake, Lower (Grant County):**
 (a) Bluegill: It is unlawful to retain more than five fish over six inches in length.
 (b) Crappie: Limit ten; minimum length nine inches.
- (153) **Grande Ronde River (Asotin County):**
 (a) General river rules:
 (i) For all portions of the Grande Ronde River and its tributaries that are open to game fish angling:
 (A) Bass: No limit.
 (B) Channel catfish: No limit.
 (C) Walleye: No limit and no size restrictions.
 (ii) From September 15 through March 15: It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (b) Rules by river section:
 (i) From the mouth to County Road Bridge, about 2.5 miles upstream:
 (A) Open year-round for game fish other than trout.
 (B) September 1 through May 31: Selective gear rules apply.
 (C) Trout:
 (I) Minimum length 10 inches.
 (II) No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.
 (III) From January 1 through April 15: Mandatory hatchery steelhead retention; daily limit 2, except anglers may retain up to 3 hatchery steelhead.
 (IV) From April 16 through December 31: Maximum length 20 inches; steelhead catch and release only.
 (ii) From County Road Bridge upstream to the Oregon state line and all tributaries, except Wenaha River tributaries:
 (A) Open the first Saturday in June through October 31:
 (I) Trout: No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.
 (II) Anglers may retain up to 3 hatchery steelhead.
 (B) From the first Saturday in June through August 31: Selective gear rules apply.
 (C) From September 1 through April 15: It is unlawful to use anything other than barbless hooks.
 (D) Open November 1 through April 15, except all tributaries are closed.
 (E) Release all fish except anglers may retain up to 15 whitefish and 3 hatchery steelhead.
 (F) From January 1 through April 15 mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
- (154) **Granite Creek and tributaries (Pend Oreille County):** Closed.
- (155) **Green Lake (Upper) (Okanogan County):**
 (a) Open year-round.
 (b) March 1 through November 30:
 (i) Selective gear rules apply.
 (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (iii) Catch and release only.
- (156) **Green Lake (Lower) (Okanogan County):**
 (a) Open year-round.
 (b) March 1 through November 30:
 (i) Selective gear rules apply.
 (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (iii) Catch and release only.
- (157) **Grimes Lake (Douglas County):**
 (a) Open June 1 through August 31:
 (b) Selective gear rules apply.
 (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

- (d) Trout: Limit one.
- (158) **Halfmoon Lake (Adams County):** Open April 1 through September 30.
- (159) **Halfmoon Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (160) **Hampton Lakes, Lower and Upper (Grant County):**
- (a) Open April 1 through September 30.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (161) **Harris Lake (Grant County):**
- (a) Selective gear rules apply.
- (b) Trout: Limit one.
- (162) **Harvey Creek (tributary to Sullivan Lake) (Pend Oreille County) and tributaries:**
- (a) From the mouth to Bridge 4830 on county road (about 1 1/2 miles): Closed.
- (b) From Bridge 4830 upstream: Selective gear rules apply.
- (163) **Hatch Lake (Stevens County):**
- (a) Open the first Friday after Thanksgiving through March 31.
- (b) Release all fish, except up to five rainbow trout may be retained.
- (164) **Hawk Creek and tributaries (Lincoln County) upstream of the Falls at Hawk Creek Campground:** Open year-round.
- (165) **Hays Creek and Ponds (Adams County):** Open April 1 through September 30.
- (166) **Headgate Pond (Asotin County):** Open the fourth Saturday in April through October 31 to juvenile anglers, seniors, and anglers with a disability who possess a designated harvester companion card only.
- (167) **Hen Lake (Grant County):** Open April 1 through September 30.
- (168) **Heritage Lake (Stevens County):** Open the fourth Saturday in April through October 31.
- (169) **Hog Canyon Creek (Spokane County):** Open year-round from the Hog Canyon Dam to Scroggie Road.
- (170) **Hog Canyon Lake (Spokane County):**
- (a) Open the first Friday after Thanksgiving through March 31.
- (b) Trout: It is unlawful to retain more than two trout over fourteen inches in length.
- (171) **Homestead Lake (Grant County):**
- (a) Selective gear rules apply.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) Trout: Limit one.
- (172) **Horseshoe Lake (Pend Oreille County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Kokanee: Limit ten; kokanee do not count toward the trout limit.
- (173) **Horsethief Lake (Klickitat County):** Open the fourth Saturday in April through October 31.
- (174) **Hourglass Lake (Grant County):** Open April 1 through September 30.
- (175) **Huff Lake (Pend Oreille County):** Closed.
- (176) **Hutchinson Lake (Adams County):**
- (a) Open April 1 through September 30.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (177) **I-82 Ponds, 1 through 7 (Yakima County):** It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (178) **Icicle River and all tributaries (Creek) (Chelan County):**
- (a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (b) From the mouth to 500 feet below Leavenworth National Fish Hatchery:
- (i) Open for hatchery Chinook salmon only.
- (ii) Open May 15 to July 31; night closure in effect.
- (iii) Minimum length 12 inches.
- (iv) Limit 2; it is unlawful to retain more than 2 hatchery Chinook.
- (c) From shoreline markers where Cyo Road would intersect the Icicle River at the Sleeping Lady Resort to the Icicle Peshastin Irrigation District footbridge (approximately 750 feet upstream of the "Snow Lakes Trailhead" parking lot):
- (i) Trout:
- (A) Open the Saturday before Memorial Day through October 31; selective gear rules apply.
- (B) Trout: Eastern brook trout: Daily limit 16. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.
- (ii) Salmon:
- (A) Open for hatchery Chinook only.
- (B) Open May 15 to July 31; night closure in effect.
- (C) Minimum length 12 inches.
- (D) Limit 2; it is unlawful to retain more than 2 hatchery Chinook.
- (iii) Other gamefish:
- (A) Open the Saturday before Memorial Day through October 31.
- (B) Selective gear rules apply.
- (d) From the Icicle Irrigation Peshastin District footbridge upstream to Leland Creek, and all tributaries including Leland Creek:
- (i) Open the Saturday before Memorial Day through October 31.
- (ii) Selective gear rules apply.
- (iii) Trout: Eastern brook trout: Limit 16. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.
- (e) From Leland Creek upstream, including all tributaries except Leland Creek: Open the Saturday before Memorial Day through October 31.
- (179) **Indian Creek and tributaries (Pend Oreille County):**
- (a) Open the Saturday before Memorial Day through October 31.

(b) Eastern brook trout: Limit 10. Once an angler has retained 2 trout other than eastern brook trout, the entire trout limit has been taken and the angler must cease fishing for trout.

(180) **Indian Creek (Yakima County):** Upstream of the waterfall approximately 6 miles upstream from the mouth:

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

(b) Eastern brook trout:

(i) No limit and no length restrictions.

(ii) Eastern brook trout do not count toward the trout limit.

(181) **Ingalls Creek and all tributaries upstream of the Alpine Lakes Wilderness boundary (Chelan County):**

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

(b) Ingalls Creek tributaries from the mouth of Ingalls Creek to the Alpine Lakes Wilderness boundary: Open the Saturday before Memorial Day through October 31.

(182) **Jameson Lake (Douglas County):** Open the fourth Saturday in April through July 4 and October 1 through October 31.

(183) **Jasmine Creek (Okanogan County):** Open year-round to juvenile anglers only.

(184) **Jefferson Park Pond (Walla Walla County):**

(a) Open to juvenile fishers only.

(b) It is unlawful to retain more than 2 trout over 13 inches in length.

(185) **Jolanda, Lake (Chelan County):** Closed.

(186) **Jump-Off Joe Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(187) **Kachess Lake (Reservoir) (Kittitas County):**

(a) Chumming is permissible.

(b) Kokanee limit ten; kokanee do not count toward the trout limit.

(c) Trout limit 2; minimum length 12 inches.

(188) **Kachess River (Kittitas County):**

(a) From the mouth to Kachess Dam:

(i) It is permissible to fish up to the base of Kachess Dam.

(ii) Selective gear rules apply.

(iii) Trout minimum size ten inches.

(b) Kachess Lake tributaries, except Box Canyon Creek: Open.

(c) Upstream of impassable 50 to 60 foot fall about 1/2 mile upstream of Mineral Creek: Open.

(189) **Kalispell Creek and tributaries (Pend Oreille County):**

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

(b) Selective gear rules apply.

(190) **Keechelus Lake (Reservoir) (Kittitas County):**

(a) Chumming is permissible.

(b) Trout limit 2; minimum length 12 inches.

(c) Kokanee limit 10; kokanee do not count toward the trout limit.

(191) **Keechelus Lake tributaries, except Gold Creek:** Open the Saturday before Memorial Day through October 31.

(192) **Kettle River (Stevens County):**

(a) The tributaries from the mouth to Barstow Bridge: Open from the Saturday before Memorial Day through October 31.

(b) From Barstow Bridge upstream:

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

(ii) Selective gear rules apply, except for juvenile anglers, from the Canadian border upstream to Highway 21 Bridge at Curlew.

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

(iv) Trout: Minimum length 12 inches.

(v) Open November 1 through May 31 for whitefish only. Whitefish gear rules apply.

(c) Tributaries to Kettle River, from Barstow Bridge upstream: Open from the Saturday before Memorial Day through October 31.

(193) **Kings Lake and tributaries (Pend Oreille County):** Closed.

(194) **Kiwanis Pond (Kittitas County):** Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.

(195) **Klickitat River (Klickitat County):**

(a) From the mouth (Burlington Northern Railroad Bridge) to Fisher Hill Bridge:

(i) Game fish open April 1 through January 31.

(A) Release all fish except hatchery steelhead from April 1 through May 31 and December 1 through January 31.

(B) June 1 through January 31: Anglers may retain up to 3 hatchery steelhead.

(C) Bass: No limit and no size restriction.

(D) Channel catfish: No limit.

(E) Walleye: No limit and no size restriction.

(ii) Barbless hooks are required for salmon and steelhead, except from September 1 through December 31.

(iii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(iv) Anti-snagging rule in effect and night closure applies April 1 through May 31 and August 1 through January 31. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(v) Salmon and steelhead: Open April 1 through May 31 on Sundays, Mondays, Wednesdays and Saturdays only:

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

(B) Release wild Chinook.

(vi) Salmon: Open June 1 through January 31.

(A) June 1 through July 31: Limit 6 fish; no more than 2 adults may be retained. Release wild Chinook.

(B) August 1 through January 31: Limit 6 fish, no more than 3 may be adults, of which only 2 may be coho.

(b) From Fisher Hill Bridge to the boundary markers above Klickitat Salmon Hatchery, the following waters are closed: From Fishery Hill Bridge to 400 feet above #5 fishway, all tributaries except Bird, Blockhouse, Bowman, Spring, Outlet creeks and the Little Klickitat River, and the waters from the boundary markers above Klickitat Salmon Hatchery to the boundary markers below the hatchery.

(c) From 400 feet above #5 fishway to the boundary markers below Klickitat Salmon Hatchery:

(i) Barbless hooks are required for salmon and steelhead.

(ii) Game fish open June 1 through November 30:

(A) Daily limit 3 trout of which only 2 may be other than hatchery steelhead.

(B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(C) Trout minimum length twelve inches.

(iii) Whitefish open December 1 through March 31: Whitefish gear rules apply.

(iv) Salmon open June 1 through November 30:

(A) June 1 through July 31:

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

(II) Release wild Chinook.

(B) From August 1 through November 30: Limit 6 fish; no more than 3 may be adults, of which only 2 may be coho.

(d) From the boundary markers above Klickitat Salmon Hatchery to the Yakama Indian Reservation boundary:

(i) Game fish open June 1 through November 30:

(A) Daily limit 3 trout of which no more than 2 may be other than hatchery steelhead.

(B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(C) Trout minimum length 12 inches.

(ii) Whitefish open December 1 through March 31: Whitefish gear rules apply.

(iii) Barbless hooks are required for salmon and steelhead.

(196) **Lake Creek (Okanogan County):**

(a) From the mouth to Black Lake: Closed.

(b) From Black Lake to Three Prong Creek: Closed.

(197) **Latah (Hangman) Creek (Spokane County):** From the mouth upstream to Idaho state line: Open year-round.

(198) **Latah (Hangman) Creek Tributaries (Spokane County) including all tributaries within this system:** Open the Saturday before Memorial Day through October 31 from the mouths upstream.

(199) **Le Clerc Creek and tributaries (Pend Oreille County):**

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

(b) Eastern brook trout: Limit 10. Once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.

(200) **Ledbetter Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(201) **Ledking Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(202) **Leech Lake (Yakima County):**

(a) Open for fly fishing only.

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

(c) Trout: It is unlawful to retain more than one trout over 14 inches in length.

(203) **Lemna Lake (Grant County):** Open April 1 through September 30.

(204) **Lenice Lake (Grant County):**

(a) Open March 1 through November 30.

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(205) **Lenore Lake (Grant County):**

(a) The waters within a 200 yard radius of the trash rack leading to the irrigation pumping station (on the south end of the lake) and the area approximately 100 yards beyond the mouth of inlet stream to State Highway 17: Closed.

(b) Selective gear rules apply.

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

(d) Open from March 1 through November 30:

(i) From March 1 through May 31: Catch and release only.

(ii) June 1 through November 30: Trout limit one.

(206) **Leo Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(207) **Liberty Lake (Spokane County):** Open March 1 through October 31.

(208) **Lilly Lake (Chelan County):**

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

(b) July 5 through October 31:

(i) Selective gear rules apply.

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

(iii) Catch and release only.

(209) **Lions Park Pond (Walla Walla County):**

(a) Open to juvenile anglers only.

(b) It is unlawful to retain more than 2 trout over 13 inches in length.

(210) **Little Klickitat River (Klickitat County):**

(a) Within Goldendale city limits:

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

(ii) Open the fourth Saturday in April through May 31 to juvenile and senior fishers only.

(iii) Trout: Limit five; no minimum length.

(b) All other waters including tributaries: Open first Saturday in June through October 31.

(211) **Little Lost Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(212) **Little Pend Oreille River (Stevens County):**

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

(b) From the Little Pend Oreille wildlife refuge boundary approximately one mile downstream from the refuge headquarters office, to Crystal Falls:

(i) Selective gear rules apply.

(ii) Release all fish except anglers may retain up to 5 eastern brook trout.

(c) All tributaries to the Little Pend Oreille River are open the Saturday before Memorial Day through October 31.

(213) **Little Spokane River (Spokane County):**

(a) Open year-round from the mouth to the SR 291 Bridge.

(b) From the SR 291 Bridge upstream to the West Branch:

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

(ii) Open December 1 through March 31 for whitefish only; whitefish gear rules apply; limit 15 whitefish; no minimum size.

(c) From the West Branch upstream:

(i) Closed from the inlet of Chain Lake upstream one-quarter mile to the railroad crossing culvert.

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

(iii) Kokanee: It is unlawful to retain kokanee taken upstream from the bridge at Frideger Road, including Chain Lake.

(d) Unless otherwise provided in this section, all tributaries to the Little Spokane River are open the Saturday before Memorial Day through October 31.

(214) Little Twin Lake (Okanogan County):

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

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(215) Little Twin Lake (Stevens County): Open the fourth Saturday in April through October 31.

(216) Little Wenatchee River (Chelan County):

(a) From the falls below USFS Rd. 6700 Bridge upstream: Open the Saturday before Memorial Day through October 31.

(b) Little Wenatchee tributaries from the mouth upstream, except Rainy Creek: Open the Saturday before Memorial Day through October 31.

(217) Long Lake (Ferry County):

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

(b) Fly fishing only.

(c) It is unlawful to use flies containing lead.

(d) It is unlawful to fish from a floating device equipped with a motor.

(218) Long Lake (Okanogan County): Open the fourth Saturday in April through October 31.

(219) Long Lake (Spokane County): Landlocked salmon rules apply.

(220) Loon Lake (Stevens County):

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

(b) Kokanee: Limit ten; kokanee do not count toward the trout limit.

(c) Trout (except kokanee): Limit five, except it is unlawful to retain more than two trout over twenty inches in length.

(221) Lost Lake (Kittitas County): It is unlawful to retain more than one trout over 14 inches in length.

(222) Lost Lake (Okanogan County):

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

(b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(223) Lost River (Okanogan County):

(a) From the mouth to the mouth of Monument Creek: Closed.

(b) Lost River and all tributaries from the mouth of Monument Creek to the outlet of Cougar Lake, including Monument Creek:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(iv) Trout: Minimum length 14 inches; it is permissible to retain Dolly Varden/Bull Trout with a minimum length of 14 inches as part of the trout limit.

(224) Lucky Duck Pond (Stevens County): Open to juvenile anglers only.

(225) Mad River and all tributaries from mouth to Jimmy Creek, including Jimmy Creek (Chelan County):

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

(b) Selective gear rules apply.

(c) Trout:

(i) Rainbow trout, catch and release only.

(ii) Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(d) Mad River and all tributaries from Jimmy Creek upstream, not including Jimmy Creek: Open the Saturday before Memorial Day through October 31.

(226) Marshall Lake (Pend Oreille County): Open the fourth Saturday in April through October 31.

(227) Martha Lake (Grant County): Open March 1 through July 31.

(228) Mattoon Lake (Kittitas County): It is unlawful to fish from a floating device equipped with an internal combustion motor.

(229) McCabe Pond (Kittitas County):

(a) It is unlawful to fish from any floating device equipped with a motor.

(b) Five fish limit for all game fish species combined.

(230) McDowell Lake (Stevens County):

(a) Open the fourth Saturday in April through October 31 for fly fishing only.

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

(c) Catch and release only.

(231) McManaman Lake (Adams County): Open April 1 through September 30.

(232) Medical Lake (Spokane County):

(a) Open March 1 through October 31.

(b) Selective gear rules apply.

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

(d) Trout: Limit two; minimum length fourteen inches.

(233) Medical Lake, West (Spokane County): Open the fourth Saturday in April through September 30.

(234) Mercer Creek (Kittitas County):

(a) Open to juvenile anglers only within the Ellensburg city limits.

(b) Trout ten inch minimum length.

(c) Selective gear rules apply.

(235) Merritt Lake (Chelan County):

(a) Trout limit sixteen, except eastern brook trout. Eastern brook trout do not count towards the trout limit.

(b) Eastern brook trout: No minimum size and no limit.

(236) Merry Lake (Grant County):

(a) Open March 1 through November 30.

(b) Selective gear rules apply.

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

(d) Trout: Limit one.

(237) Methow River (Okanogan County):

(a) From County Road 1535 (Burma Road) Bridge to Gold Creek:

(i) Open the Saturday before Memorial Day through September 15.

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(b) From Gold Creek to Foghorn Dam:

(i) Open the Saturday before Memorial Day through September 30.

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(c) Methow River tributaries from Gold Creek to Foghorn Dam; except Twisp River and Chewuch River:

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

(ii) Selective gear rules apply.

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

(iv) Trout:

(A) Catch and release rainbow trout.

(B) Eastern brook trout: Limit 16. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(d) From Foghorn Dam to Weeman Bridge:

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

(ii) Selective gear rules apply.

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

(iv) Trout:

(A) Catch and release only for rainbow trout.

(B) Eastern brook trout: Limit 16. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(e) Methow River tributaries from Weeman Bridge to the falls above Brush Creek; excluding Lost River, Goat Creek, and Early Winters Creek.

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

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(f) Methow River and tributaries above the falls above Brush Creek: Open the Saturday before Memorial Day through October 31.

(g) From Gold Creek to the falls above Brush Creek:

(i) Open December 1 through March 31 for whitefish only.

(ii) Whitefish gear rules apply.

(h) Methow River tributaries not otherwise provided for in this section:

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

(ii) Selective gear rules apply.

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

(238) Mill Creek and tributaries (Pend Oreille County):

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

(b) Eastern brook trout: Limit 10.

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

(239) Mill Creek (Walla Walla County):

(a) From the mouth to Bennington Dam, including tributaries: Closed waters.

(b) From Bennington Dam upstream: All tributaries: Closed waters.

(c) Selective gear rules apply.

(d) Release steelhead.

(240) **Mill Pond (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(241) **Mineral Creek (tributary to upper Kachess River) (Kittitas County):** Statewide rules apply upstream of the Wilderness Boundary.

(242) Molson Lake (Okanogan County):

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

(b) Trout: Limit 2.

(243) **Monument Creek (Okanogan County), including tributaries:** Selective gear rules apply.

(244) **Morgan Lake (Adams County):** Open April 1 through September 30.

(245) Moses Lake (Grant County):

(a) Bluegill: Limit five; minimum length eight inches.

(b) Crappie: Limit ten; minimum length nine inches.

(c) Yellow perch: Limit 25.

(246) Mud Lake (Yakima County):

(a) Selective gear rules apply.

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

(c) Trout: Limit one.

(247) **Mudgett Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(248) Muskegon Lake (Pend Oreille County):

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

(b) Selective gear rules apply.

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

(d) Trout: Limit two.

(249) Myron Lake (Yakima County):

(a) Selective gear rules apply.

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

(c) Trout: Limit one.

(250) Myrtle Lake (Chelan County): Eastern brook trout no minimum size and no limit.

(251) Mystic Lake (Pend Oreille County): Open the fourth Saturday in April through October 31.

(252) Naches River (Yakima/Kittitas counties):

(a) From the mouth to Little Naches River:

(i) Selective gear rules apply.

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

(iii) Trout:

(A) Minimum length twelve inches, maximum length twenty inches.

(B) Release trout from the confluence with Tieton River to the confluence of the Little Naches River and Bumping River (origin of Naches River).

(b) From the mouth to the Tieton River:

(i) December 1 through January 31.

(ii) Only whitefish may be retained;

(iii) Whitefish gear rules apply.

(253) Naches River tributaries except Bumping River, Tieton River and Rattlesnake Creek:

(a) Selective gear rules apply.

(b) Trout: Minimum size ten inches.

(254) Naneum Creek and tributaries (Kittitas County):

(a) Selective gear rules apply.

(b) Trout: Minimum size ten inches.

(255) Naneum Pond (Kittitas County): Open to juvenile anglers only.

(256) Napeequa River and all tributaries from Twin Lakes Creek upstream (Chelan County): Open.

(257) Nason Creek (Chelan County):

(a) From Smith Brook to Stevens Creek:

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

(ii) Selective gear rules apply.

(iii) Eastern brook trout: Limit 16. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(b) Nason Creek and all tributaries from Stevens Creek upstream, including Stevens Creek:

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

(ii) Eastern brook trout: Limit 16. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(c) Nason Creek tributaries from mouth of Nason Creek to Smith Brook, including Smith Brook, except the Mill Creek drainage:

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

(ii) Eastern brook trout: Limit 16. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(258) Negro Creek (Whitman County): Open the fourth Saturday in April through July 15.

(259) Nile Lake (Pend Oreille County): Open the fourth Saturday in April through October 31.

(260) No Name Lake (Pend Oreille County): Open the fourth Saturday in April through October 31.

(261) North Elton Pond (Yakima County):

(a) Open the first Friday after Thanksgiving through March 31.

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

(c) Trout: Limit two.

(262) North Fork Teanaway River tributaries from mouth to Beverly Creek, including Beverly Creek:

(a) Selective gear rules apply.

(b) Trout: Minimum size ten inches.

(263) North Potholes Reserve Ponds (Grant County):
(a) Open February 1 through the day before waterfowl season begins.

(b) It is unlawful to fish from any floating device, except it is permissible to fish using float tubes.

(264) Nunnally Lake (Grant County):

(a) The outlet stream of Nunnally Lake is closed.

(b) Open March 1 through November 30:

(i) Selective gear rules apply.

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

(iii) Trout: Limit one.

(265) Okanogan River (Okanogan County):

(a) Within the mainstem or tributaries open for game fish angling:

(i) It is unlawful to fish for salmon and steelhead using anything other than barbless hooks.

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

(iii) Channel catfish: No limit.

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

(b) From the mouth to Highway 97 Bridge immediately upstream of the mouth:

(i) Open year-round.

(ii) July 1 through October 15: Anti-snagging rule applies and night closure in effect.

(iii) Hatchery trout: Open July 1 through August 15. Minimum size 12 inches. Daily limit 10. Barbless hooks required.

(iv) Salmon:

(A) Open July 1 through October 15.

(B) It is permissible to fish two poles from July 1 through August 31 so long as the angler possesses a two-pole endorsement.

(C) Limit 4; no more than 2 adult hatchery Chinook may be retained.

(D) Release coho and wild adult Chinook.

(c) From Highway 97 Bridge immediately upstream of the mouth to the highway bridge at Malott:

(i) Open year-round.

(ii) July 1 through September 15: Anti-snagging rule applies and night closure in effect.

(iii) Trout: Catch and release only.

(iv) Salmon:

(A) Open July 1 through September 15.

(B) Limit 4; no more than 2 adult hatchery Chinook may be retained.

(C) Release coho and wild adult Chinook.

(d) From the highway bridge at Malott upstream:

(i) From Zosel Dam downstream to the first Highway 97 Bridge downstream of the dam: Closed.

(ii) Open the Saturday before Memorial Day through September 15.

(iii) July 1 through September 15: Anti-snagging rule applies and night closure in effect.

(iv) Trout: Catch and release only.

(v) Salmon:

(A) Open July 1 through September 15.

(B) Limit 4; no more than 2 adult hatchery Chinook may be retained.

(C) Release coho and wild adult Chinook.

(e) All Okanogan River tributaries, except Salmon Creek, Jasmine Creek, Bonaparte Creek, and the Similkameen River:

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

(ii) Selective gear rules apply.

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

(iv) Trout: Catch and release trout.

(266) **Outlet Creek (Klickitat County):**

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

(b) Trout: Limit 5.

(267) **Palouse River (Whitman County):**

(a) Open year-round from the mouth to the base of Palouse Falls.

(b) Bass: No limit.

(c) Channel catfish: No limit.

(d) Trout: Open June 16 through March 31 only.

(i) From June 16 through August 31:

(A) Limit 6; minimum length 10 inches.

(B) No minimum size for trout with clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.

(C) Anglers may retain up to 3 hatchery steelhead. Mandatory steelhead retention. No catch and release of hatchery steelhead.

(D) It is permissible to fish with two poles so long as the angler possesses a valid two-pole endorsement.

(ii) From September 1 through March 31:

(A) Limit 6; minimum length 10 inches.

(B) No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.

(C) Anglers may retain up to 3 hatchery steelhead. Mandatory steelhead retention. No catch and release of hatchery steelhead.

(D) It is unlawful to fish for steelhead using anything other than barbless hooks.

(e) Walleye: No limit.

(268) **Palouse River (Whitman County) mainstem above Palouse Falls and tributaries (Washington waters only), except Rock Creek:** Open year-round.

(269) **Pampa Pond (Whitman County):**

(a) Open March 1 through September 30.

(b) It is unlawful to fish from any floating device.

(c) Trout: It is unlawful to retain more than two over 13 inches in length.

(270) **Para-Juvenile Lake (Adams/Grant counties):** Open April 1 through September 30 to juvenile anglers only.

(271) **Park Lake (Grant County):** Open the fourth Saturday in April through September 30.

(272) **Parker Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(273) **Pataha Creek (Garfield County):**

(a) Bass: No limit.

(b) Channel catfish: No limit.

(c) Walleye: No limit.

(d) Within the city limits of Pomeroy: Open to juvenile anglers only.

(e) From the city limits of Pomeroy upstream:

(i) Selective gear rules apply.

(ii) Trout:

(A) Eastern brook trout: Limit 10.

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

(274) **Pearrygin Lake (Okanogan County):** Open the fourth Saturday in April through October 31.

(275) **Pend Oreille River (Pend Oreille County):**

(a) In the mainstem:

(i) Open year-round.

(ii) All sloughs within the boundaries of the Kalispel Reservation, except Calispell Slough: Closed.

(iii) Two pole fishing is permissible so long as the angler possesses a two-pole endorsement.

(b) Pend Oreille River tributaries are open the Saturday before Memorial Day through October 31, unless otherwise provided for in this section.

(276) **Perch Lake (Grant County):** Open the fourth Saturday in April through September 30.

(277) **Peshastin Creek and all tributaries from Ruby Creek upstream, not including Ruby Creek (Chelan County):**

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

(b) Selective gear rules apply.

(c) Trout:

(i) Rainbow trout, catch and release only.

(ii) Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern

brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(d) Peshastin Creek tributaries from the mouth of Peshastin Creek to Ruby Creek (including Ruby Creek), except Ingalls Creek: Open the Saturday before Memorial Day through October 31.

(278) Petit Lake (Pend Oreille County):

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

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

(279) **Phalon Lake (Stevens County):** Closed.

(280) Phelps Creek and all tributaries from the mouth to the barrier falls (mile 1) (Chelan County):

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

(b) Selective gear rules apply.

(c) From the barrier falls (mile 1) upstream, including all tributaries: Open the Saturday before Memorial Day through October 31.

(281) **Phillips Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(282) **Pierre Lake (Stevens County):** It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(283) **Pillar Lake (Grant County):** Open April 1 through September 30.

(284) **Ping Pond (Grant County):**

(a) Open the third Saturday in April through Labor Day to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.

(b) Limit 5 game fish; no minimum size restrictions.

(285) **Pit Lake (Douglas County):** Open to juvenile anglers only.

(286) **Poacher Lake (Grant County):** Open April 1 through September 30.

(287) **Potholes Reservoir (Grant County):**

(a) Crappie: Minimum length nine inches.

(b) Crappie and bluegill: Combined limit of twenty-five fish.

(c) Perch: Limit twenty-five fish.

(288) **Potter's Pond (Stevens County):** Open the fourth Saturday in April through October 31.

(289) **Powerline Lake (Franklin County):** Trout limit 2.

(290) **Priest Lake tributaries (Pend Oreille County):** Open the Saturday before Memorial Day through October 31, including Upper Priest Lake tributaries, except as otherwise provided in this section.

(291) **Priest River tributaries (Pend Oreille County):** Open the Saturday before Memorial Day through October 31.

(292) **Quail Lake (Adams County):**

(a) Open for fly fishing only.

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

(c) Catch and release only.

(293) **Quarry Pond (Walla Walla County):**

(a) It is unlawful to fish from any floating device.

(b) It is unlawful to retain more than 2 trout over 13 inches in length.

(294) **Quincy Lake (Grant County):** Open March 1 through July 31.

(295) **Rainbow Lake (Columbia County):**

(a) Open March 1 through October 31.

(b) It is unlawful to fish from any floating device.

(c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(296) **Rainy Creek (Chelan County):** From the mouth of Rainy Creek upstream:

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

(b) Selective gear rules apply.

(297) **Rat Lake (Okanogan County):**

(a) Open year-round.

(b) From April 1 to November 30:

(i) Selective gear rules apply.

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

(iii) Catch and release only.

(298) **Rattlesnake Creek (Yakima County):**

(a) Selective gear rules apply.

(b) Catch and release only for all species in the mainstem.

(299) **Rattlesnake Creek tributaries:**

(a) Selective gear rules apply.

(b) Trout minimum size 10 inches.

(300) **Red Rock Creek (Grant County):** Open April 1 through September 30.

(301) **Reflection Pond (Okanogan County):** Open the fourth Saturday in April through October 31.

(302) **Renner Lake (Ferry County):** Open the fourth Saturday in April through October 31.

(303) **Rigley Lake (Stevens County):**

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

(b) Selective gear rules apply.

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

(d) Trout: Limit two, minimum length twelve inches.

(304) **Rimrock Lake (Reservoir) (Yakima County):**
(a) It is permissible to fish using two poles, so long as the angler possesses a valid two-pole endorsement.

(b) Chumming is permissible.

(c) Kokanee: Limit sixteen; kokanee do not count toward the trout limit.

(305) **Roaring Creek (Entiat River Tributary) and all tributaries (Chelan County):** From the mouth of Roaring Creek upstream:

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

(b) Selective gear rules apply.

(c) Trout:

(i) Rainbow trout are catch and release only.

(ii) The eastern brook trout limit of 5 fish does not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing for trout.

(306) **Rock Creek (Adams/Whitman counties):**

(a) From the mouth to Endicott West Road: Open year-round.

(b) From Endicott West Road to the bridge on Jordan Knott Road at Revere:

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

(ii) Selective gear rules apply.

(iii) Catch and release only.

(c) From the bridge on Jordan Knott Road upstream: Open year-round.

(307) **Rock Creek (Chelan County):**

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

(b) Selective gear rules apply.

(308) **Rock Creek (Klickitat County):**

(a) From Army Corps of Engineers Park upstream to the source: Closed waters.

(b) Open year-round from the mouth to the Army Corps of Engineers Park. Limits, size restrictions and gear restrictions are the same as those in the adjacent portion of the Columbia River.

(309) **Rock Island Pool (Col.R.) tributaries (Chelan/Douglas County):** Open the Saturday before Memorial Day through October 31 from Rock Island Dam to Rocky Reach Dam, except the Wenatchee River.

(310) **Rocky Ford Creek and Ponds (Grant County):**

(a) Open to fly fishing and fishing from the bank only (no wading).

(b) Catch and release only.

(311) **Rocky Lake (Stevens County):**

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

(b) From June 1 through October 31:

(i) Selective gear rules apply.

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

(iii) Catch and release only.

(312) **Roosevelt Lake (Grant/Ferry/Lincoln/Stevens counties):**

(a) The following areas are closed:

(i) From the Little Dalles power line crossing upstream approximately one mile to the marked rock point, and from Northport power line crossing upstream to the most upstream point of Steamboat Rock, from March 1 through the Friday before Memorial Day.

(ii) The Kettle arm upstream to Barstow Bridge from April 1 through the Friday before Memorial Day.

(b) Carp: It is unlawful to fish for carp with bow and arrow.

(c) From Grand Coulee Dam to the Little Dalles power line crossing:

(i) Kokanee: Limit 6; no more than 2 with intact adipose fins may be retained.

(ii) Salmon: Landlocked salmon rules apply.

(iii) Trout (except kokanee): Limit 5; it is unlawful to retain trout with an intact adipose fin.

(iv) Walleye: No size restrictions; limit 16 fish.

(d) From the Little Dalles power line crossing to the Canadian border:

(i) Kokanee: Limit 6; no more than 2 with intact adipose fins may be retained.

(ii) Salmon: Landlocked salmon rules apply.

(iii) Trout (except kokanee): Limit 2; minimum size 18 inches.

(iv) Walleye: No size restrictions; limit 16 fish.

(313) **Round Lake (Okanogan County):** Open the fourth Saturday in April through October 31.

(314) **Rowland Lake, North (Klickitat County):** Open the fourth Saturday in April through the last day in February, except closed the Monday before Thanksgiving Day through Thanksgiving Day.

(315) **Royal Lake (Adams County):** Closed.

(316) **Royal Slough (including Marsh Unit IV impoundments) (Adams County):** Closed.

(317) **Ruby Creek and tributaries (Pend Oreille County):**

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

(b) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken and the angler must cease fishing for trout.

(318) **Rufus Woods Lake (Douglas/Okanogan counties):**

(a) From Grand Coulee Dam downstream to State Route 155 Bridge: Closed.

(b) Trout: Limit 2; only uninjured trout caught using artificial lures or flies with single-point barbless hooks may be released.

(c) Tributaries to Rufus Woods Lake: Open the Saturday before Memorial Day through October 31.

(319) **Sacheen Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(320) **Saddle Mountain Lake (Grant County):** Closed.

(321) **Sago Lake (Grant County):** Open April 1 through September 30.

(322) **Salmon Creek, mainstem (Okanogan County):**

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

(b) Selective gear rules apply.

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

(d) Trout: Catch and release only.

(323) **Salmon Creek, North Fork and West Fork from mouth to South Fork (Okanogan County):**

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

(b) Selective gear rules apply.

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

(324) **San Poil River (Ferry County):**

(a) From the western shoreline at the mouth of the San Poil Arm (as marked by a regulatory buoy) directly eastward across the San Poil Arm to the eastern shoreline of the San Poil Arm (as marked by a regulatory buoy) upstream to the north shore of the outlet of French Johns Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek:

(i) Open June 1 through January 31 for kokanee, small-mouth bass, trout, and walleye:

(A) Kokanee: Limit 2 fish in addition to the trout limit; no minimum size requirement.

(B) Trout: Limit 5; it is unlawful to retain trout with an intact adipose fin.

(C) Walleye: Limit 16; no size restrictions.

(ii) Open year-round for other game fish, salmon, and carp:

(A) Carp: It is unlawful to fish for carp with bow and arrow.

(B) Salmon: Landlocked salmon rules apply.

(b) From the north shore of the outlet of French Johns Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek to approximately 5 miles upstream from the outlet of French Johns Lake, as marked by regulatory buoys:

(i) It is unlawful to fish for or retain trout.

(ii) Open June 1 through January 31 for walleye and smallmouth bass: Walleye: Limit 16; no size restrictions.

(iii) Open year-round for other game fish, salmon, and carp:

(A) Carp: It is unlawful to fish for carp with bow and arrow.

(B) Salmon: Landlocked salmon rules apply.

(c) The waters from approximately 5 miles upstream from the outlet of French Johns Lake, as marked by regulatory buoys, to all waters north of the regulatory buoy line at or above 1,310 feet mean sea level elevation are managed under the regulatory authority of the Colville Confederated Tribe of Indians.

(d) From above the Colville Confederated Tribe of Indians Reservation northern boundary, upstream to the headwaters, including tributaries: Open the Saturday before Memorial Day through October 31.

(325) **Sand Hollow Creek (Grant County) including all tributaries:** Open April 1 through September 30 from State Route 243 upstream.

(326) **Sarg Hubbard Park Pond (Reflection Pond) (Yakima County):** Open to juvenile anglers and anglers with a disability who possess a designated harvester companion card only.

(327) **Schaefer Lake (Chelan County):**

(a) Trout limit sixteen, except eastern brook trout. Eastern brook trout do not count towards the trout limit.

(b) Eastern brook trout: No minimum size and no limit.

(328) **Scooteney Reservoir (Franklin County):** Walleye limit 8; minimum size 12 inches. It is unlawful to retain more than one walleye over 22 inches in length.

(329) **Sedge Lake (Grant County):**

(a) Selective gear rules apply.

(b) Trout: Limit one.

(330) **Sherman Creek (Ferry County) and all tributaries:**

(a) From the hatchery boat dock to 400 feet upstream of hatchery water diversion dam: Closed.

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

(331) **Sherry Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(332) **Shiner Lake (Adams County):**

(a) Open April 1 through September 30.

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

(333) **Shoveler Lake (Grant County):** Open April 1 through September 30.

(334) **Sidley Lake (Okanogan County):** Trout limit two.

(335) **Silver Lake (Spokane County):** Crappie limit ten; minimum length nine inches.

(336) **Silver Nail Lake (Okanogan County):** Open to juvenile anglers only.

(337) **Similkameen River (Okanogan County):**

(a) Barbless hooks required for salmon and steelhead.

(b) From the mouth to Enloe Dam:

(i) Closed from Enloe Dam downstream 400 feet.

(ii) July 1 through September 15:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Salmon:

(A) Open July 1 through September 15.

(B) Limit 4; no more than 2 adult hatchery Chinook may be retained.

(C) Release coho and wild adult Chinook.

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

(c) From Enloe Dam to the Canadian border, including tributaries, except Sinlahekin Creek:

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

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

(338) **Sinlahekin Creek (Okanogan County):**

(a) From Palmer Lake to Cecile Creek Bridge:

(i) Open the Saturday before Memorial Day through August 31.

(ii) Selective gear rules apply.

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

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

(b) From Cecile Creek Bridge upstream, including all tributaries: Open the Saturday before Memorial Day through October 31.

(339) **Skookum Lake, North (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(340) **Skookum Lake, South (Pend Oreille County):** It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(341) **Slate Creek and tributaries (Pend Oreille County):**

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

(b) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.

(342) **Snake River:**

(a) Columbia River rules apply downstream of the Burbank-to-Pasco railroad bridge at Snake River mile 1.5.

(b) Open year-round, except the following areas are closed:

(i) Within 400 feet of the base of any dam;

(ii) Within a 400 foot radius around the fish ladder entrance at Lyons Ferry Hatchery;

(iii) Within a 200 foot radius upstream of the fish ladder exit above Lower Granite Dam; and

(iv) Within an area 1,200 feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and 100 feet out into the river from the south river bank.

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

(d) Channel catfish: No limit.

(e) Trout:

(i) Open June 16 through March 31.

(ii) April 1 through June 15: Catch and release only.

(iii) Limit 6; minimum length 10 inches.

(iv) From mouth of Snake River to Bridge Street bridge in Clarkston (Blue Bridge) it is unlawful to retain more than 3 hatchery steelhead, except it is unlawful to retain more than one hatchery steelhead August 1 through March 31:

(A) August 1 through March 31 release all steelhead longer than 30 inches.

(B) Barbless hooks required for steelhead.

(v) Release all steelhead upstream of Bridge Street bridge in Clarkston (Blue Bridge).

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

(343) **Snipe Lake (Grant County):** Open April 1 through September 30.

(344) **Snipes Creek (Benton County):**

(a) Selective gear rules apply.

(b) Trout minimum length ten inches.

(345) **South Salmo River (Pend Oreille County), including tributaries:** Open the Saturday before Memorial Day through October 31.

(346) **Spearfish Lake (Klickitat County):** Open the fourth Saturday in April through last day in February.

(347) **Spectacle Lake (Okanogan County):** Open April 1 through September 30.

(348) **Spokane River (Spokane County):**

(a) From SR 25 Bridge upstream to 400 feet below Little Falls Dam:

(i) It is permissible to fish with two poles so long as the angler possesses a two-pole endorsement.

(ii) Open year-round:

(A) Kokanee: Limit 6; no more than 2 with intact adipose fins may be retained. Kokanee does not count towards the trout limit.

(B) Salmon: Landlocked salmon rules apply.

(C) Trout: Limit 5, it is unlawful to retain trout with an intact adipose fin.

(D) Walleye: Limit 16; no size restrictions.

(b) From the Little Falls Dam to the upstream boundary of the Plese Flats Day Use Area (Riverside State Park), except Long Lake (Nine Mile Dam to Long Lake Dam): Open year-round.

(i) Landlocked salmon rules apply.

(ii) Trout: Limit 5; no more than 2 trout over 20 inches in length may be retained.

(c) From the upstream boundary at Plese Flats Day Use Area (Riverside State Park) upstream to the Monroe Street Dam:

(i) Selective gear rules apply.

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

(iii) Open June 1 through March 15:

(A) Salmon: Landlocked salmon rules apply.

(B) Trout:

(I) Limit one; minimum length 8 inches.

(II) Release wild trout (only rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin may be retained).

(d) From Monroe Street Dam upstream to Upriver Dam:

(i) Open year-round.

(ii) Landlocked salmon rules apply.

(e) From Upriver Dam upstream to the Idaho/Washington state line:

(i) Selective gear rules apply.

(ii) Open the first Saturday in June through March 15.

(iii) Catch and release only.

(f) Unless otherwise provided in this section, all tributaries to the Spokane River (Washington waters only) are open the Saturday before Memorial Day through October 31.

(349) **Sprague Lake (Adams/Lincoln counties):**

(a) The following waters are closed:

(i) Cow Creek;

(ii) The marsh at the southwest end of the lake from the lakeside edge of the reeds to Danekas Road;

(iii) The small bay at the southeast end of the lake; and

(iv) Those waters within 50 feet of Harper Island.

(b) All other waters southwest of the southwest tip of Harper Island: Closed from October 1 through April 30.

(c) Crappie: Minimum length nine inches.

(d) Crappie and bluegill: Combined limit of twenty-five fish.

(e) Trout: Limit 5; it is unlawful to retain more than two trout over twenty inches in length.

(350) **Spring Creek (Benton County):**

(a) Selective gear rules apply.

(b) Trout minimum length ten inches.

(351) **Spring Creek (Klickitat County):**

(a) Goldendale Hatchery: Open the Saturday before Memorial Day through October 31. Trout: Limit 5.

(b) All other waters: Open the first Saturday in June through October 31.

(352) **Spring Hill Reservoir (Black Lake, Lower Wheeler Reservoir) (Chelan County):**

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

(b) July 5 through October 31: Selective gear rules apply.

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

(d) Catch and release only.

(353) **Spring Lake (Columbia County):**

(a) It is unlawful to fish from any floating device.

(b) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(354) **Spring Lakes (Grant County):** Open March 1 through July 31.

(355) **Stan Coffin Lake (Grant County):** Bass: Catch and release only.

(356) **Starvation Lake (Stevens County):**

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

- (b) From June 1 through October 31:
 - (i) Selective gear rules apply.
 - (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iii) Catch and release only.
- (357) **Stehekin River (Chelan County):**
 - (a) From the mouth to Agnes Creek:
 - (i) Selective gear rules apply.
 - (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iii) Open July 1 through October 31: Trout minimum length fifteen inches; release cutthroat.
 - (iv) Open March 1 through June 30: Catch and release only.
 - (b) From Agnes Creek upstream: Open the Saturday before Memorial Day through October 31.
- (358) **Stratford/Brook Lake (Grant County):** Open February 1 through September 30.
- (359) **Sullivan Creek (Pend Oreille County):**
 - (a) From the mouth to Mill Pond: Open the Saturday before Memorial Day through October 31.
 - (i) Barbless hooks are required.
 - (ii) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.
 - (iii) Release cutthroat.
 - (b) From Mill Pond upstream and tributaries:
 - (i) Selective gear rules apply.
 - (ii) Release cutthroat.
 - (iii) Open the Saturday before Memorial Day through October 31.
 - (iv) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken.
- (360) **Sullivan Lake (Pend Oreille County):**
 - (a) Kokanee: Limit ten; kokanee do not count toward the trout limit.
 - (b) Trout (except kokanee): Limit two trout.
- (361) **Sullivan Lake tributaries (Pend Oreille County), except as otherwise provided in this section:** Open the Saturday before Memorial Day through October 31.
- (362) **Summit Lake (Stevens County):** Open the fourth Saturday in April through October 31.
- (363) **Swan Lake (Ferry County):**
 - (a) Open the fourth Saturday in April through October 31.
 - (b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
- (364) **Tacoma Creek and tributaries (Pend Oreille County):**
 - (a) Open the Saturday before Memorial Day through October 31.
 - (b) Eastern brook trout: Limit 10; once an angler retains 2 trout other than eastern brook trout, the entire trout limit has been taken and the angler must cease fishing for trout.
- (365) **Teal Lakes (North and South) (Grant/Adams counties):** Open April 1 through September 30.
- (366) **Teanaway River (Kittitas County), and tributaries except North Fork:**
 - (a) Selective gear rules apply.

- (b) Trout minimum length ten inches.
- (367) **Teanaway River, North Fork (Kittitas County):** From the mouth to Beverly Creek:
 - (a) Selective gear rules apply.
 - (b) Trout: Catch and release only.
- (368) **Tern Lake (Grant County):**
 - (a) Selective gear rules apply.
 - (b) Trout: Limit one.
- (369) **Thomas Lake (Stevens County):** Open the fourth Saturday in April through October 31.
- (370) **Tieton River (Yakima County):**
 - (a) From the mouth to Tieton Dam, including all tributaries:
 - (i) It is permissible to fish up to the base of Tieton (Rimrock) Dam.
 - (ii) Selective gear rules apply.
 - (iii) Trout minimum length ten inches.
 - (b) Tributaries upstream of Tieton Dam except North Fork Tieton River, South Fork Tieton River and Indian Creek: Open the Saturday before Memorial Day through October 31.
- (371) **Tieton River, North Fork (Yakima County):**
 - (a) Mainstem including that portion of the river that flows through the dry lakebed of Rimrock Reservoir, upstream to the USFS Road 740 Bridge below Clear Lake Dam:
 - (i) Open the Saturday before Memorial Day through August 15.
 - (ii) Selective gear rules apply.
 - (b) Mainstem upstream of Clear Lake:
 - (i) Open the Saturday before Memorial Day through August 15.
 - (ii) Selective gear rules apply.
 - (c) All North Fork Tieton tributaries, including Clear Creek: Open the Saturday before Memorial Day through October 31.
- (372) **Tieton River, South Fork (Yakima County):** From the bridge on USFS Road 1070 upstream and all tributaries, except Bear Creek and Spruce Creek: Open the Saturday before Memorial Day through October 31.
- (373) **Touchet River (Columbia/Walla Walla counties):**
 - (a) General river rules: For all portions of the Touchet River and its tributaries that are open to game fish angling:
 - (i) Bass: No limit.
 - (ii) Channel catfish: No limit.
 - (iii) Walleye: No limit and no size restrictions.
 - (iv) Release wild steelhead.
 - (b) Rules by river section:
 - (i) From the mouth to the confluence of Coppei Creek:
 - (A) Open the first Saturday in June through October 31:
 - (I) No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.
 - (II) Steelhead: Open September 1 through October 31; limit 3. It is unlawful to use anything other than barbless hooks when fishing for steelhead.
 - (B) Open November 1 through April 15:
 - (I) Release all fish except hatchery steelhead and brown trout.

(II) Limit 3 hatchery steelhead and brown trout combined.

(III) It is unlawful to use anything other than barbless hooks.

(ii) From the mouth of Coppei Creek to the confluence of North and South Forks and all tributaries:

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

(B) No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.

(C) Steelhead:

(I) Open September 1 through October 31; mandatory hatchery steelhead retention, limit 3. No catch and release of hatchery steelhead. Release wild steelhead. It is unlawful to use anything other than barbless hooks when fishing for steelhead.

(II) Open November 1 through April 15. Release all fish except hatchery steelhead and brown trout. Limit 3 hatchery steelhead and brown trout combined. It is unlawful to use anything other than barbless hooks when fishing for steelhead.

(iii) From the confluence of the North and South Forks upstream:

(A) Selective gear rules apply.

(B) Release steelhead.

(iv) From mouth of North Fork, upstream to Spangler Creek:

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

(B) Trout: No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.

(v) North Fork upstream of Spangler Creek:

(A) Open the first Saturday in June through August 31.

(B) Trout: No minimum size for trout with a clipped adipose fin.

(vi) Wolf Fork from the mouth to Coates Creek:

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

(B) No minimum size for trout with a clipped adipose fin.

(vii) Wolf Fork above Coates Creek:

(A) Open the first Saturday in June through August 31.

(B) No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.

(viii) Robinson Fork:

(A) Open the first Saturday in June through August 31.

(B) No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.

(ix) South Fork, from the mouth to Griffin Fork:

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

(B) No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.

(x) South Fork, upstream from Griffin Creek: Open the first Saturday in June through August 31.

(374) **Trapper Lake (Chelan County):** Trout: Limit two.

(375) **Trout Lake (Ferry County):** Open the fourth Saturday in April through October 31.

(376) **Trout Lake (tributary to Big White Salmon River) (Klickitat County) including all tributaries:** Open the first Saturday in June through October 31.

(377) **Tucannon River (Columbia County):**

(a) Unless otherwise provided in this section, all tributaries are closed, except Pataha Creek.

(b) Mouth upstream to Turner Road Bridge at Marengo:

(i) First Saturday in June through October 31.

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

(B) Channel catfish: No limit.

(C) Trout:

(I) No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.

(II) Steelhead: Limit 2 hatchery fish.

(III) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

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

(ii) November 1 through April 15.

(A) Release all fish, except anglers may retain up to 3 hatchery steelhead and 15 whitefish.

(B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(C) Barbless hooks required.

(c) Turner Road Bridge at Marengo to Tucannon Hatchery Bridge:

(i) First Saturday in June through August 31.

(ii) Selective gear rules apply.

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

(iv) Trout:

(A) No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.

(B) Steelhead: Limit 2 hatchery fish.

(C) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(v) Channel catfish: No limit.

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

(d) Tucannon Hatchery Bridge to 500 feet above intake for Rainbow Lake: Closed to fishing.

(e) 500 feet above intake for Rainbow Lake to Cow Camp Bridge:

(i) First Saturday in June through August 31.

(ii) Selective gear rules apply.

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

(iv) Channel catfish: No limit.

(v) Trout:

(A) No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.

(B) Release steelhead.

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

(f) Cow Camp Bridge upstream: Closed to fishing.

(378) **Tucquala Lake (Kittitas County):**

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

(b) Eastern brook trout: No limit; eastern brook trout do not count towards the trout limit.

(379) **Twin Lakes (Chelan County) and tributaries and outlet stream to junction with the Napeequa River:** Closed.

(380) **Twisp River (Okanogan County):** Mouth to War Creek:

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

(b) Selective gear rules apply.

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

(d) Catch and release only.

(e) Twisp River Tributaries from the mouth to War Creek; including Buttermilk Creek and Little Bridge Creek:

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

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(f) Twisp River tributaries from War Creek to the North Fork Twisp River, including War Creek, South Fork Twisp River, North Creek to Twisp River Road Bridge, and North Fork Twisp River to the falls:

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

(ii) Selective gear rules apply.

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

(iv) Catch and release only.

(g) North Fork Twisp River above the falls and North Creek above Twisp River Road Bridge are open from the Saturday before Memorial Day to October 31.

(381) **Union Creek (Yakima County):** Open upstream of the falls (approximately 1/4 mile from the mouth).

(382) **Upper Wheeler Reservoir (Chelan County):**

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

(b) Fly fishing only.

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

(d) Catch and release only.

(383) **Vanes Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(384) **Vic Meyers (Rainbow) Lake (Grant County):** Open the fourth Saturday in April through September 30.

(385) **Waitts Lake (Stevens County):** Open the fourth Saturday in April through last day in February.

(386) **Walla Walla River (Walla Walla County):**

(a) General rules in the mainstem:

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

(ii) Channel catfish: No limit.

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

(b) Rules by river section:

(i) From the mouth to McDonald Road Bridge:

(A) Open year-round, except all tributaries other than the Touchet River are closed.

(B) Trout:

(I) Open first Saturday in June through March 31.

(II) No minimum size for trout with a clipped adipose fin and healed scar at the location of the adipose fin.

(III) It is unlawful to fish for steelhead using anything other than barbless hooks.

(IV) Mandatory hatchery steelhead retention, limit 3. No catch and release of hatchery steelhead.

(ii) From the McDonald Road Bridge upstream to the Oregon state line:

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

(B) Selective gear rules apply.

(C) No minimum size for trout with a clipped adipose fin as evidenced by a healed scar at the location of the adipose fin.

(D) Limit 3 hatchery steelhead.

(E) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(F) From November 1 through March 31:

(I) Selective gear rules apply.

(II) Release all fish, except anglers may retain up to 3 hatchery steelhead.

(III) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(387) **Wanapum Pool (Columbia River) tributaries (Chelan/Douglas County):** Open the Saturday before Memorial Day through October 31 from Wanapum Dam to Rock Island Dam.

(388) **Wannacut Lake (Okanogan County):** Open the fourth Saturday in April through October 31.

(389) **Wapato Lake (Chelan County):**

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

(b) All other game fish: Open the fourth Saturday in April through October 31.

(390) **Ward Lake (Ferry County):** Open the fourth Saturday in April through October 31.

(391) **Warden Lake (Grant County):** Open the fourth Saturday in April through September 30.

(392) **Warden Lake, South (Grant County):** Open the fourth Saturday in April through September 30.

(393) **Washburn Island Pond (Okanogan County):**

(a) Open April 1 through September 30.

(b) It is unlawful to fish with use of an internal combustion motor. An internal combustion motor may be attached to a floating device, but must not be used.

(394) **Washburn Lake (Okanogan County):**

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

(b) Trout: Limit one.

(c) Selective gear rules apply.

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

(395) **Watson Lake (Columbia County):**

(a) Open March 1 through October 31.

(b) It is unlawful to fish from any floating device.

(c) Trout: It is unlawful to retain more than 2 trout over 13 inches in length.

(396) **Wenaha River tributaries within Washington:**

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

(b) Selective gear rules apply.

(c) Trout: Release steelhead.

(397) Wenas Creek (Yakima County):

(a) From the mouth to Wenas Lake, including all tributaries:

- (i) Selective gear rules apply.
- (ii) Trout: Minimum size ten inches.

(b) Upstream of Wenas Lake, including all tributaries: Open the Saturday before Memorial Day to October 31.

(398) Wenatchee Lake (Chelan County):

(a) Open year-round; selective gear rules apply.
 (b) Release bull trout, steelhead trout, sockeye, and Chinook salmon.
 (c) Trout: Limit two; minimum length twelve inches.

(399) Wenatchee River (Chelan County): From the mouth to 400 feet below Dryden Dam and from the mouth of Peshastin Creek (above Dryden Dam) to the Icicle River Road Bridge:

- (a) Salmon open August 1 through September 30.
- (b) Selective gear rules apply.
- (c) Night closure in effect.
- (d) Limit 4; it is unlawful to retain more than 2 adult hatchery Chinook.
- (e) Release coho and wild adult Chinook salmon.
- (f) Minimum length 12 inches.

(400) West Evans Pond (Asotin County): It is unlawful to retain more than 2 trout over 13 inches in length.

(401) White River (Chelan County), from White River Falls upstream: Open the Saturday before Memorial Day through October 31, including White River tributaries from the mouth of the White River upstream, except Panther Creek and the Napeequa River.

(402) White Salmon River (Klickitat/Skamania counties):

(a) From the mouth (Burlington Northern Railroad Bridge) to the county road bridge below the former location of the powerhouse:

- (i) It is unlawful to fish for salmon and steelhead using anything other than barbless hooks.
- (ii) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
- (iii) Open year-round.
- (iv) August 1 through December 31: Anti-snagging rule applies. When the anti-snagging rule is in effect, fish must be hooked inside the mouth to be retained.
- (v) June 16 through October 31: Night closure in effect for all species.

- (vi) Bass: No limit and no size restriction.
- (vii) Channel catfish: No limit.
- (viii) Salmon and steelhead open year-round:

(A) From April 1 through June 15:

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

(II) Release wild Chinook.

(B)(I) From June 16 through July 31:

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

(C) From August 1 through March 31:

(I) From August 1 through August 31: Limit 6; no more than 2 adult salmon, release all steelhead.

(II) October 1 through October 31: Limit 6; no more than 2 adult salmon or one hatchery steelhead and one hatchery salmon.

(III) From November 1 through March 31: Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.

(IV) Salmon: Only hatchery Chinook and hatchery coho may be retained.

(ix) Walleye: No limit and no size restriction.

(b) From the county road bridge below the former location of the powerhouse upstream to the Northwestern Road Bridge:

(i) Open April 1 through October 31:

(A) Catch and release, except up to 3 hatchery steelhead may be retained.

(B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(C) Selective gear rules.

(ii) Salmon and steelhead:

(A) April 1 through July 31:

(I) Daily limit 3 fish, of which no more than 2 may be salmon.

(II) Release wild Chinook.

(B) August 1 through October 31: Limit 6; up to 3 may be adults of which no more than 2 may be hatchery salmon.

(c) From the Northwestern Road Bridge upstream to Big Brothers Falls (river mile 16):

(i) From Big Brothers Falls downstream 400 feet: Closed.

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

(iii) Selective gear rules apply.

(iv) From the first Saturday in June through July 31, release all fish, except anglers may retain up to 3 hatchery steelhead.

(v) Salmon and steelhead: From August 1 through October 31: Limit 6, and up to 3 may be adults of which no more than 2 may be hatchery salmon.

(vi) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(d) Big Brothers Falls upstream to the source, including all tributaries: Open the first Saturday in June through October 31.

(403) Wide Hollow Creek (Yakima County): Open to juvenile anglers only.

(404) Widgeon Lake (Grant County): Open April 1 through September 30.

(405) Williams Lake (Spokane County): Open the fourth Saturday in April through September 30.

(406) Williams Lake (Stevens County):

(a) Open the first Friday after Thanksgiving through March 31.

(b) Release all fish except anglers may retain up to five rainbow trout.

(407) Wilson Creek (Kittitas County):

(a) Selective gear rules apply.

(b) Trout: Minimum size ten inches.

(c) Two branches within Ellensburg city limits: Open to juvenile anglers only.

(408) **Winchester Wasteway (Grant County) (that portion within the Winchester Game Reserve):** Open February 1 through September 30.

(409) **Yakima River (Yakima County):**

(a) General river rules:

(i) Release steelhead in the mainstem and tributaries.

(ii) Downstream of Highway 240 Bridge, Columbia River rules apply.

(iii) In the mainstem and tributaries:

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

(B) Channel catfish: No limit.

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

(b) Rules by river section:

(i) From the Highway 240 Bridge to 400 feet below Prosser Dam:

(A) Open March 1 through October 22.

(B) From 400 feet downstream to 400 feet upstream of the USBR Chandler Powerhouse/Pumping Station: Open March 1 through August 31.

(C) From March 1 through August 31; for all open species except sturgeon: It is permissible to fish with two poles so long as the angler possesses a valid two-pole endorsement.

(D) Chumming is permissible.

(E) Trout: Catch and release only.

(F) Salmon:

(I) Open September 1 through October 22.

(II) Night closure in effect.

(III) It is unlawful to fish for salmon using anything other than barbless hooks.

(IV) Limit 6; it is unlawful to retain more than 2 adults.

(V) Fishing from a floating device is prohibited from the Grant Avenue Bridge in Prosser downstream approximately 1.25 miles to the downstream side of the westbound Interstate 82 Bridge.

(ii) From Prosser Dam to Highway 223 Bridge:

(A) Open May 1 through October 31.

(B) Trout: Catch and release only.

(iii) From Highway 223 Bridge to 400 feet below Sunnyside Dam: Trout: Minimum length is 12 inches, maximum length is 20 inches.

(iv) From Sunnyside Dam to 3,500 feet below Roza Dam:

(A) Closed from Yakima Avenue-Terrace Heights Bridge upstream 400 feet.

(B) Selective gear rules apply.

(C) It is unlawful to fish from a floating device equipped with an internal combustion motor from the I-82 Bridge at Selah Gap to 3,500 feet below Roza Dam.

(D) Trout: Minimum length 12 inches, maximum length 20 inches.

(E) Open December 1 through January 31 for whitefish only; whitefish gear rules apply.

(v) From Roza Dam to 400 feet below Easton Dam:

(A) Open year-round.

(B) It is permissible to fish from floating devices equipped with motors only from the U.S. Bureau of Reclamation restricted area signs at Roza Dam upstream to the boat launch ramp on the Roza Access Area (approximately 1.3 river miles).

(C) Selective gear rules apply.

(D) Trout: Catch and release.

(E) Open December 1 through January 31 for whitefish only; whitefish gear rules apply.

(vi) From Easton Dam to the base of Keechelus Dam:

(A) Selective gear rules apply.

(B) Trout: Catch and release only, except anglers may retain eastern brook trout. There is no limit and no minimum size restriction for eastern brook trout.

(vii) For all Yakima River tributaries from Roza Dam to Keechelus Dam not otherwise provided for in this section:

(A) Selective gear rules apply.

(B) Trout: Minimum length ten inches.

(C) Wilson Creek downstream of BNSF railroad bridge: Yakima River rules apply.

(410) **Yakima Sportsmen's Park Ponds (Yakima County):** Open to juvenile anglers only.

(411) **Yellowhawk Creek (Walla Walla County):** Closed.

(412) **Yocum Lake (Pend Oreille County):**

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

(b) It is unlawful to use lead weights or lead jigs that measure 1.5 inches or less along the longest axis.

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

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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

[NEW SECTION]

WAC 220-312-060 Freshwater exceptions to state-wide rules—Columbia. The following exceptions to state-wide rules apply to the Columbia River, including impoundments and all connecting sloughs, except Wells Ponds:

(1) **General Columbia River rules:**

(a) In the concurrent waters of the Columbia River between Washington and Oregon, the license of either state is valid when fishing from a vessel.

(i) Anglers must comply with the fishing regulations of the state in which they are fishing.

(ii) This subsection does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington except as otherwise provided by department rule.

(iii) Anglers fishing the Columbia River are restricted to one limit, as defined by the laws of the state in which they are fishing, even if they are licensed by both states.

(b) It is unlawful to possess in the field salmon or steelhead mutilated so that size, species, or fin clip cannot be determined until the angler has reached their automobile or principal means of land transportation and completed his or her daily angling.

(c) Salmon and trout handling rules provided in WAC 220-56-118 apply to the Columbia River, except from February 15 through June 15 in the mainstem Columbia from the Rocky Point/Tongue Point line upstream to the Washington-

Oregon border where WAC 220-56-118 applies only to anglers fishing from vessels less than 30 feet in length (as substantiated by Coast Guard documentation or Marine Board registration).

(d) From Buoy 10 to the Washington/Oregon border:

(i) From March 1 through May 15, the mainstem Columbia River is open for retention of adipose fin-clipped steelhead and shad only during days and in areas that are open for the retention of adipose fin-clipped spring Chinook salmon.

(ii) From August 1 through December 31, each angler aboard a vessel may deploy salmon/steelhead angling gear until the salmon/steelhead limit for all anglers aboard has been achieved.

(iii) From June 16 through July 31, upstream of the Megler-Astoria Bridge to McNary Dam, night closure in effect for all anglers except those enrolled in the Pikeminnow Sport Reward Program fishing and targeting pikeminnow.

(iv) From August 1 through December 31, upstream to McNary Dam, night closure in effect for all anglers except those enrolled in the Pikeminnow Sport Reward Program fishing and targeting pikeminnow.

(e) Open year-round unless otherwise provided.

(f) Barbless hooks are required for salmon and steelhead.

(g) Walleye and bass: No limit and no size restriction.

(h) Channel catfish: No limit.

(2) **Rules by river section:**

(a) **From a true north-south line through Buoy 10, upstream to a line projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank:**

(i) Fishing from the north jetty is permissible when Marine Area 1 or Buoy 10 areas are open for salmon, and the limit and minimum size restrictions follow the most liberal regulations if both areas are open. Only single point barbless hooks may be used for salmon and steelhead.

(ii) Release all trout, except anglers may retain hatchery steelhead.

(iii) Salmon and steelhead:

(A) Open June 16 through July 31:

(I) Closed to fishing for salmon and steelhead from Buoy 10 to the Megler-Astoria Bridge.

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

(III) Release all salmon other than sockeye and hatchery Chinook.

(B) Open August 1 through September 4:

(I) Limit 2, of which only one Chinook and/or one hatchery steelhead may be retained except from August 1 through August 31 release all steelhead.

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

(III) Chinook minimum length 24 inches.

(IV) Coho minimum length 16 inches.

(C) Open September 5 through September 30:

(I) Limit 2, of which only one hatchery steelhead may be retained.

(II) Release all salmon other than hatchery coho.

(III) Coho minimum length 16 inches.

(D) Open October 1 through December 31:

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

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

(E) Open January 1 through March 31:

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

(II) Release all salmon except hatchery Chinook.

(iv) Shad open May 16 through March 31.

(v) Forage fish and bottomfish: Marine Area 1 general rules apply; eulachon closed.

(b) **From a line projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank, upstream to the I-5 Bridge:**

(i) Trout:

(A) Open May 16 through March 31.

(B) Release all trout except hatchery cutthroat and hatchery steelhead (the limit is as provided under (b)(v) of this subsection).

(I) Anglers may retain up to 2 hatchery cutthroat.

(II) Hatchery cutthroat minimum length 12 inches.

(III) Barbless hooks are required for cutthroat trout.

(ii) Salmon and steelhead:

(A) Open May 16 through June 15:

(I) Release all salmon except hatchery jack Chinook.

(II) Limit 6; no more than 2 hatchery steelhead may be retained.

(B) Open June 16 through July 31:

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

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

(C) Open August 1 through September 30:

(I) Upstream of Warrior Rock line: Limit 6; no more than 2 adult salmon, or one adult salmon and one hatchery steelhead, may be retained. Release all salmon except Chinook and hatchery coho. From August 1 through August 31 release all steelhead.

(II) Downstream of Warrior Rock line: Limit 6; no more than 2 adult salmon, or one adult salmon and one hatchery steelhead, may be retained. Only one may be an adult Chinook. Release wild Chinook from September 8 through September 14, and release all Chinook from September 15 through September 30. From August 1 through August 31 release all steelhead.

(D) For the purpose of this subsection, "Warrior Rock line" is defined as a line projected from the Warrior Rock Lighthouse, through Red Buoy 4, to the orange marker atop the dolphin on the Washington shore.

(E) Open October 1 through December 31:

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

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

(F) Open January 1 through March 31:

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

(II) Release all salmon except hatchery Chinook.

(iii) Shad open May 16 through March 31.

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

(i) The following waters are closed:

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

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

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

(ii) Camas Slough:

(A) It is permissible for an angler licensed in Oregon or Washington to fish from a floating device.

(B) In the waters of the Columbia River downstream from the mouth of the Washougal River, north of Lady Island, and downstream of the Highway 14 Bridge at the upstream end of Lady Island:

(I) From August 1 through December 31: It is permissible to fish with two poles so long as the angler possesses a valid two-pole endorsement.

(II) From August 1 through December 31: Each angler aboard a vessel may deploy salmon/steelhead angling gear until the salmon/steelhead limit for all anglers aboard has been achieved.

(III) Open for salmon when the adjacent mainstem Columbia or Washougal rivers are open for salmon.

(IV) The limit for salmon is the same as the most liberal regulation of either area, except anglers may only retain hatchery Chinook and hatchery coho; release all other salmon.

(iii) Release all trout except hatchery steelhead.

(iv) Salmon and steelhead:

(A) Open June 16 through July 31:

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

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

(B) Open August 1 through December 31:

(I) Limit 6; no more than 2 adult salmon, or one adult salmon and one hatchery steelhead, may be retained, except August 1 through August 31 release all steelhead.

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

(III) Closed to fishing for salmon and steelhead November 1 through December 31 from Beacon Rock to Bonneville Dam.

(v) Steelhead: Open January 1 through March 31. Daily limit 2 hatchery steelhead.

(vi) Shad: Open May 16 through March 31.

(d) **From Bonneville Dam to The Dalles Dam:**

(i) Closed waters:

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

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

(ii) Release all trout, except anglers may retain hatchery steelhead.

(iii) Salmon and steelhead:

(A) When open from March 16 through June 15:

(I) Bank fishing only from Bonneville Dam to Tower Island powerlines (approximately 6 miles below The Dalles Dam).

(II) Only hand-cast lines may be used. It is unlawful to use a floating device to set lines for salmon and steelhead.

(B) Open June 16 through July 31:

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

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

(C) Open August 1 through December 31:

(I) August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(II) Limit 6; no more than 2 adult salmon, one adult salmon and one hatchery steelhead may be retained, except from August 1 through August 31 release all steelhead.

(III) Release all salmon except Chinook and coho.

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

(iv) Steelhead: Open January 1 through March 31. Daily limit 2 hatchery steelhead.

(e) **From The Dalles Dam to McNary Dam:**

(i) Closed waters:

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

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

(ii) Release all trout except hatchery steelhead.

(iii) Salmon and steelhead:

(A) When open from March 16 through June 15:

(I) Anglers may possess up to 4 hatchery adult Chinook salmon in fresh form.

(II) Anglers aboard a boat may only possess one daily limit of salmon in fresh form.

(B) Open June 16 through July 31:

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

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

(C) Open August 1 through December 31:

(I) August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(II) Limit 6; no more than 2 adults, of which no more than 2 may be adult salmon or one adult salmon and one hatchery steelhead, except release all steelhead from The

Dalles Dam upstream to John Day Dam September 1 through September 30 and from John Day Dam upstream to McNary Dam September 1 through October 31.

(III) Release all salmon except Chinook and coho.

(iv) Steelhead: Open January 1 through March 31. Daily limit 2 hatchery steelhead.

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

(i) Columbia River rules apply downstream of the Burbank-to-Pasco railroad bridge at Snake River mile 1.5.

(ii) From June 16 through December 31, night closure in effect for all anglers except anglers enrolled in the Pikeminnow Reward Program fishing and targeting pikeminnow.

(iii) Release all trout except hatchery steelhead.

(iv) Salmon and steelhead:

(A) When open from March 16 through June 15 from McNary Dam to the Washington/Oregon border:

(I) Anglers may possess up to 4 hatchery adult Chinook in fresh form.

(II) Anglers aboard a boat may only possess one daily limit of salmon in fresh form.

(B) Open June 16 through July 31:

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

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

(C) Open August 1 through December 31:

(I) Limit 6; no more than 2 adult salmon or one adult salmon and one hatchery steelhead may be retained, except October 1 through November 30 release all steelhead.

(II) Release all salmon except Chinook and coho.

(III) Each angler aboard a vessel may deploy salmon/steelhead angling gear until the salmon/steelhead limit for all anglers aboard has been achieved.

(v) Steelhead: Open January 1 through March 31. Daily limit 2 hatchery steelhead.

(g) **From the Highway 395 Bridge at Pasco to the Interstate 182 Bridge:**

(i) Closed waters: Within a 400 foot radius of the Columbia Irrigation District (CID) fish barrier at the mouth of the CID wasteway at Columbia Park.

(ii) For all open species except sturgeon: It is permissible to fish with two poles so long as the angler possesses a two-pole endorsement.

(iii) From October 1 through December 31, night closure in effect for all anglers except anglers enrolled in the Pikeminnow Reward Program fishing and targeting pikeminnow.

(iv) Trout:

(A) October 1 through December 31 release all trout, except one hatchery steelhead with both the adipose and a ventral fin clipped may be retained.

(B) January 1 through March 31 release all trout, except anglers may retain one hatchery steelhead.

(v) Salmon:

(A) Open June 16 through August 15:

(I) Limit 4; no more than one adult hatchery Chinook salmon and no more than 2 sockeye salmon may be retained.

(II) Release wild adult Chinook.

(B) Open August 16 through October 22: Limit 6; no more than 2 adult salmon may be retained. Once the adult

salmon or steelhead limit is retained, anglers may not continue to fish for either species the remainder of the day.

(h) **From the Interstate 182 Bridge to the Old Hanford townsite wooden powerline towers, in Sec. 30, T13N, R28E:**

(i) Closed waters:

(A) The area of the Columbia River between the markers located 100 feet upstream and 100 feet downstream of the Ringold Springs Hatchery Creek, and extending 100 feet towards the middle of the river.

(B) September 1 through November 30: West Branch Esquatzel Coulee Block 1 Irrigation Wasteway Lagoon in the Columbia River.

(ii) Ringold Area Bank Fishery waters, from WDFW markers 1/4 mile downstream from the Ringold wasteway outlet, to WDFW markers 1/2 mile upstream from Spring Creek:

(A) Fishing is allowed only from the bank and only on the hatchery side of the river.

(B) Release all trout, except anglers may retain two hatchery steelhead from April 1 through April 15.

(iii) For all open species except sturgeon: It is permissible to fish with two poles so long as the angler possesses a two-pole endorsement.

(iv) From October 1 through December 31, night closure in effect for all anglers except anglers enrolled in the Pikeminnow Reward Program fishing and targeting pikeminnow.

(v) Trout:

(A) October 1 through December 31 release all trout, except one hatchery steelhead with both the adipose and a ventral fin clipped may be retained.

(B) January 1 through March 31 release all trout, except anglers may retain one hatchery steelhead.

(vi) Salmon:

(A) Open June 16 through August 15:

(I) Limit 6; no more than 2 adult hatchery Chinook and no more than 3 sockeye salmon may be retained.

(II) Release wild adult Chinook.

(B) Open August 16 through October 22: Limit 6; no more than 2 adult salmon may be retained. Once the adult salmon or steelhead daily limit has been retained, anglers may not continue to fish for either species the remainder of the day.

(i) **From the Old Hanford townsite wooden power line towers, in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24):**

(i) Open February 1 through October 22.

(ii) For all open species except sturgeon: It is permissible to fish with two poles so long as the angler possesses a two-pole endorsement.

(iii) Trout: Catch and release only.

(iv) Salmon:

(A) Open June 16 through August 15:

(I) Limit 6; no more than 2 adult hatchery Chinook and no more than 3 sockeye salmon may be retained.

(II) Release wild adult Chinook.

(B) Open August 16 through October 22: Limit 6; no more than 2 adult salmon may be retained.

(j) From Vernita Bridge (Highway 24) to Priest Rapids Dam:

(i) Closed waters:

(A) At Priest Rapids Dam; waters between the upstream line of Priest Rapids Dam downstream to the boundary markers 650 feet below the fish ladders.

(B) At Jackson (Moran) Creek, or Priest Rapids Hatchery Outlet Creek; waters of the Priest Rapids Hatchery system to the outlet on the Columbia River, extending to mid-stream Columbia River between boundary markers located 100 feet upstream and 400 feet downstream of the mouth.

(ii) For all open species except sturgeon: It is permissible to fish with two poles so long as the angler possesses a two-pole endorsement.

(iii) Trout: Catch and release only.

(iv) Salmon:

(A) Open June 16 through August 15:

(I) Limit 6; no more than 2 adult hatchery Chinook and no more than 3 sockeye salmon may be retained.

(II) Release wild adult Chinook.

(B) Open August 16 through October 22: Limit 6; no more than 2 adult salmon may be retained.

(k) From Priest Rapids Dam to Rock Island Dam:

(i) Closed waters:

(A) Wanapum Dam, between the upstream line of Wanapum Dam to the boundary markers 750 feet downstream of the east fish ladder and 500 feet downstream of the west fish ladder.

(B) Rock Island Dam, between the upstream line of Rock Island Dam to boundary markers 400 feet downstream of the fish ladders.

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

(iii) Release all trout.

(iv) Salmon:

(A) Open July 1 through August 31:

(I) Minimum size 12 inches; limit 4; no more than 2 adult hatchery Chinook may be retained.

(II) Release coho and wild adult Chinook.

(B) Open September 1 through October 22: Open for Chinook only; limit 6, no more than 3 adults may be retained.

(l) From Rock Island Dam to Wells Dam:

(i) Closed waters:

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

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

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

(iii) Release all trout.

(iv) Salmon open July 1 through October 15:

(A) Minimum size 12 inches; limit 4; no more than 2 adult hatchery Chinook may be retained.

(B) Release coho and wild adult Chinook.

(m) From Wells Dam to Highway 173 Bridge at Brewster:

(i) July 16 through August 31: Fishing two poles is permissible so long as the angler possesses a two-pole endorsement.

(ii) Hatchery trout: Open July 16 through August 15. Minimum size 12 inches. Daily limit 10. Barbless hooks required.

(iii) Salmon open July 16 through August 31:

(A) Minimum size 12 inches; limit 4; no more than 2 adult hatchery Chinook may be retained.

(B) Release coho and wild adult Chinook.

(n) From Highway 173 Bridge at Brewster to Chief Joseph Dam:

(i) Closed waters:

(A) From the Okanogan County shore between Chief Joseph Dam and the Highway 17 Bridge.

(B) From the Douglas County shore from Chief Joseph Dam to the rock jetty at the upstream shoreline of Foster Creek.

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

(iii) It is unlawful to fish from a floating device downstream of Chief Joseph Dam from the boundary marker to the Corps of Engineers safety zone marker.

(iv) Hatchery trout: Open July 1 through August 15. Minimum 12 inches. Daily limit 10. Barbless hooks required.

(v) Salmon: Open July 1 through October 15:

(A) Minimum size 12 inches; limit 4; no more than 2 adult hatchery Chinook may be retained.

(B) Release coho and wild adult Chinook.

(o) **Above Chief Joseph Dam:** See Rufus Woods Lake in WAC 220-310-195.

(p) **Above Grand Coulee Dam:** See Lake Roosevelt in WAC 220-310-195.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: The section above appears as filed by the agency pursuant to RCW 34.08.040; however, the reference to WAC 220-312-060 is probably intended to be WAC 220-312-06000C.

NEW SECTION

WAC 220-310-08000A Game fish seasons—General rules. Notwithstanding the provisions of WAC 220-310-080, effective immediately it is unlawful to fish for game fish except during the seasons and times below.

(1) Freshwater lakes, ponds and reservoirs: Open year-round except as provided for in WAC 220-312-010 through 220-312-060.

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

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

(b) All rivers, streams, and beaver ponds listed in WAC 220-312-010 through 220-312-060: Open the first Saturday

in June through October 31 except as otherwise provided for in WAC 220-312-010 through 220-312-060.

(3) Saltwater (all waters downstream and seaward of the mouths of rivers and streams generally defined in WAC 220-200-060 and specifically defined in WAC 220-300-220): Open year-round, except:

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

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

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

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

(e) Agate Pass - Waters of Catch Record Card Area 10 west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point are closed to game fish angling from January 1 through March 31; however, a person can fish with gear meeting the fly-fishing-only requirements of WAC 220-310-150 as long as he or she does not use lead-core fly line. It is unlawful to retain any fish taken during the period January 1 through March 31.

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

However, persons with disabilities who permanently use a wheelchair and who have a designated harvester card under WAC 220-220-240 may fish from the ADA-access site at the Hoodspout Salmon Hatchery, as long as such persons follow all department rules that apply to the adjoining waters of Marine Area 12.

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

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

NEW SECTION

WAC 220-310-09000A Game fish possession limits and size limits. Notwithstanding the provisions of WAC 220-310-090, effective immediately the following rules apply:

It is unlawful to retain or possess game fish taken in excess of the daily, possession, or license year possession limits, or game fish that do not conform to the size limits provided for in this section, unless otherwise provided for in WAC 220-312-010 through 220-312-060.

(1) Daily game fish possession and size limits:

Species	Daily limit	Size limits
Largemouth Bass	5	Release bass 12 to 17 inches in length. Not more than 1 largemouth bass 17 inches in length or greater may be retained.
Smallmouth Bass	10	No minimum size. Not more than one smallmouth bass over 14 inches in length or greater may be retained.
Burbot	5	No size restriction.
Channel catfish	5	No size restriction.
Eastern brook trout	Count as part of the 5 trout daily limit in lakes, ponds and reservoirs.	No size restriction.
	Bonus limit in rivers, streams and beaver ponds. Up to 5 trout including Eastern brook trout may be retained, but not more than 2 of which may be trout other than Eastern brook trout.	
	No daily limit for streams listed in WAC 220-312-020 and 220-312-040, unless otherwise provided in those rules.	
Grass carp	Unlawful to retain unless otherwise provided in WAC 220-312-020 and 220-312-040.	Not applicable.

Species	Daily limit	Size limits
Tiger Muske- lunge	1	Minimum size 50 inches in length.
Trout (except Eastern brook trout)	5 from lakes, ponds and res- ervoirs. 2 from rivers, streams, and beaver ponds. The daily trout limit is 5 trout, regardless of origin, of which not more than 2 may be steel- head.	No size restriction. 8-inch minimum size.
Walleye	8	12-inch minimum size. Not more than 1 wall- eye greater than 22 inches in length may be retained.
Whitefish	15	No size restriction.
All other game fish	No limit.	No size restriction.

(2) Possession limit: The game fish possession limit in the field is two daily limits in fresh, frozen or processed form.

(3) Wild steelhead, Dolly Varden, and bull trout: Except as provided for in this section and WAC 220-312-010 through 220-312-060, it is unlawful to retain wild steelhead, Dolly Varden, or bull trout.

(4) Saltwater game fish retention: Game fish taken in saltwater may not be retained, except that up to two hatchery steelhead per day may be retained.

NEW SECTION

WAC 220-300-16000A Definitions—Personal-use fishing. Notwithstanding the provisions of WAC 220-300-160, the following definitions apply to personal-use fishing rules in Title 220 WAC:

(1) "Anadromous game fish" means steelhead, sea-run cutthroat trout, and sea-run Dolly Varden and bull trout.

(2) "Anti-snagging rule" means:

(a) Except when fishing with a buoyant lure (with no weights added to the lure or line) or trolling from a vessel or floating device, terminal fishing gear is limited to a lure or bait with one single point hook.

(b) Only single point hooks measuring not more than 3/4 inch from point to shank may be used and all hooks must be attached to or below the lure or bait.

(c) Weights may not be attached below or less than 12 inches above the lure or bait.

(3) "Bait" means any substance which attracts fish by scent or flavors. Bait includes any lure which uses scent or flavoring to attract fish.

(4) "Barbless hook" means a hook on which all barbs have been deleted when manufactured or filed off or pinched down.

(5) "Bass" means largemouth and smallmouth bass.

(6) "Bow and arrow fishing" means any method of taking, or attempting to take, fish by the use of an arrow equipped with a barbed head and a line attached, and propelled by a bow, as in the sport of archery, while the fisher is above the surface of the water.

(7) "Buoy 10 line" means a true north-south line projected through Buoy 10 at the mouth of the Columbia River. "Buoy 10 fishery" means a fishery between a line in the Columbia River from Tongue Point in Oregon to Rocky Point in Washington and the Buoy 10 line.

(8) "Buoyant lure" means a lure that floats on the surface of freshwater when no additional weight is applied to the line or lure, and when not being retrieved by a line.

(9) "Channel Marker 13 line" means a true north-south line through Grays Harbor Channel Marker 13.

(10) "Daily limit" means the maximum number or pounds of fish, shellfish, or seaweed of the required size of a given species or aggregate of species which a person may retain in a single day.

(11) "Fresh" means fish or shellfish that are refrigerated, iced, salted, or surface glazed.

(12) "Freshwater area" means:

(a) Within any freshwater river, lake, stream or pond.

(b) On the bank or within 10 yards of any freshwater river, lake, stream or pond.

(c) On or within any boat launch, ramp, or parking facility associated with any freshwater river, lake, stream or pond.

(13) "Frozen" means fish or shellfish that are hard frozen throughout.

(14) "Gaffing" means an effort to take fish by impaling the fish with a hook attached directly to a pole or other device.

(15) "Hatchery" when used to describe the difference between a hatchery fish and a nonhatchery fish, except salmon, means a fish having a clipped adipose fin or a clipped ventral fin with a healed scar at the location of the clipped fin. A hatchery salmon is a salmon having a clipped adipose fin and a healed scar at the location of the clipped fin, regardless of whether the fish is missing a ventral fin.

(16) "Hook" means one single point, double or treble hook. A "single point hook" means a hook having only one point. A "double hook" means a hook having two points on a common shank. A "treble hook" means a hook having three points on a common shank.

(17) "Hook and line" or "angling" are identical in meaning and, except as provided in WAC 220-310-110, are defined as the use of not more than one line with three hooks attached to a pole held in hand while landing fish, or the use of a hand operated line without rod or reel, to which may be attached not more than three hooks. When fishing for bottom fish, "angling" and "jigging" are identical in meaning.

(18) "In the field or in transit" means at any place other than at the ordinary residence of the harvester. An ordinary residence is a residential dwelling where a person normally lives, with associated features such as address, telephone number, utility account, etc. A motor home or camper parked

at a campsite or a vessel are not considered to be an ordinary residence.

(19) "Juvenile" means a person under fifteen year of age.

(20) "Lure" means a manufactured article constructed of feathers, hair, fiber, wood, metal, glass, cork, leather, rubber or plastic which does not use scent or flavoring to attract fish. "Nonbuoyant lure" means a lure complete with hooks, swivels or other attachments, which does not float in freshwater.

(21) "Night closure" means closed to fishing from one hour after official sunset to one hour before official sunrise.

(22) "Opening day of lowland lake season" means the fourth Saturday in April.

(23) "Possession limit" means the number of daily limits allowed to be retained in the field or in transit.

(24) "Processed" means fish or shellfish which have been processed by heat for human consumption as kippered, smoked, boiled, or canned.

(25) "Steelhead license year limit" means the maximum number of steelhead trout any one angler may retain from April 1st through the following March 31st.

(26) "Selective gear rules" means terminal fishing gear is limited to artificial flies with barbless single hooks or lures with barbless single hooks and bait is prohibited. Up to three hooks may be used. Only knotless nets may be used to land fish. In waters under selective gear rules, fish may be released until the daily limit is retained.

(27) "Slough" means any swamp, marsh, bog, pond, side-channel, or backwater connected to a river by water. Waters called sloughs that are not connected to a river are considered lakes.

(28) "Snagging" means an effort to take fish with a hook and line in a manner that the fish does not take the hook or hooks voluntarily in its mouth.

(29) "Spearing" or "spear fishing" means an effort to take fish or shellfish by impaling the fish or shellfish on a shaft, arrow or other device.

(30) "Stationary gear restriction" means the line and weight and lure or bait must be moving while in the water. The line and weight and lure or bait may not be stationary.

(31) "Steelhead" means sea-run rainbow trout over twenty inches in length.

(32) "Trolling" means a method of fishing from a vessel or floating device that is underway and under power.

(33) "Unmarked salmon" means a salmon with intact adipose and ventral fins.

(34) "Trout" means brown trout, bull trout, cutthroat trout, Dolly Varden, Eastern brook trout, golden trout, grayling, Kokanee (silver trout), lake trout, rainbow trout, tiger trout, and, in WAC 220-312-010 through 220-312-060, salmon from waters designated as "landlocked salmon rules apply."

(35) "Whitefish gear rules" means terminal fishing gear is restricted to one single hook, maximum hook size three-sixteenths inch point to shank (hook size 14), and bait is allowed. All species: Release all fish except whitefish.

(36) "Wild" when used to describe the difference between a hatchery fish and a nonhatchery fish, except salmon, means a fish with all fins intact.

(37) "Wild" when used to describe a salmon (Chinook, coho, chum, pink or sockeye), means a salmon with an

unclipped adipose fin, regardless of whether the fish is ventral fin-clipped. A salmon with a clipped adipose fin and a healed scar at the site of the clipped fin is not a wild salmon.

(38) "Wild cutthroat release" means it is unlawful to retain any cutthroat trout that does not have a clipped adipose fin and a healed scar at the location of the clipped fin.

(39) "Wild steelhead release" means it is unlawful to retain any steelhead that does not have a clipped adipose or ventral fin and a healed scar at the location of the clipped fin.

(40) "Shoreline fishing" or "shore fishing" means fishing from shore or a structure affixed to the shore or by wading in the water.

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

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 220-312-02000X Freshwater exceptions to statewide rules—Coast. (18-44)
- WAC 220-312-03000N Freshwater exceptions to statewide rules—Southwest. (18-38)
- WAC 220-312-03000M Freshwater exceptions to statewide rules—Southwest. (18-36)
- WAC 220-312-03000Q Freshwater exceptions to statewide rules—Southwest. (18-52)
- WAC 220-312-05000A Freshwater exceptions to statewide rules—Eastside (18-10)
- WAC 220-312-06000Z Freshwater exceptions to statewide rules—Columbia River (18-27)
- WAC 220-312-06000B Freshwater exceptions to statewide rules—Columbia River (18-49)

REPEALER

The following sections of the Washington Administrative Code are repealed effective July 1, 2018:

- WAC 220-312-01000A Freshwater exceptions to general rules.
- WAC 220-312-02000Y Freshwater exceptions to statewide rules—Coast.
- WAC 220-312-03000R Freshwater exceptions to statewide rules—Southwest.
- WAC 220-312-04000E Freshwater exceptions to statewide rules—Puget Sound.
- WAC 220-312-05000B Freshwater exceptions to statewide rules—Eastside.
- WAC 220-312-06000C Freshwater exceptions to statewide rules—Columbia River.
- WAC 220-312-09000A Game fish possession limits.
- WAC 220-300-16000A Definitions—Personal use fishing
- WAC 220-310-08000A Game fish seasons—General rules.

Reviser's note: The repealer above appears as filed by agency pursuant to RCW 34.08.040; however the reference to WAC 220-312-09000A is probably intended to be WAC 220-310-09000A.

WSR 18-11-007
EMERGENCY RULES
DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Developmental Disabilities Administration)

[Filed May 2, 2018, 2:42 p.m., effective May 3, 2018]

Effective Date of Rule: May 3, 2018.

Purpose: The department is amending chapter 388-845 WAC as part of the developmental disabilities administration's (DDA) waiver renewal process. The emergency rules identified below reflect the changes approved by the Centers for Medicare and Medicaid Services (CMS) in August 2017. This subsequent emergency filing contains rule amendments identical to those filed on January 3, 2018, as WSR 18-02-093.

Citation of Rules Affected by this Order: New WAC 388-845-0515, 388-845-0520 and 388-845-0525; repealing WAC 388-845-1200, 388-845-1205, 388-845-1210, 388-845-1840, 388-845-1845 and 388-845-1850; and amending WAC 388-845-0110, 388-845-0210, 388-845-0215, 388-845-0220, 388-845-0225, 388-845-0230, 388-845-0425, 388-845-0500, 388-845-0501, 388-845-0505, 388-845-0506, 388-845-0510, 388-845-0603, 388-845-0700, 388-845-0820, 388-845-0910, 388-845-1000, 388-845-1015, 388-845-1150, 388-845-1615, 388-845-1620, 388-845-1650, 388-845-1655, 388-845-1660, 388-845-1700, 388-845-1710, 388-845-1865, 388-845-1900, 388-845-2000, 388-845-2010, and 388-845-2170.

Statutory Authority for Adoption: RCW 71A.12.030, 71A.12.120.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: DDA must not authorize waiver services unless they are part of a waiver application approved by CMS. CMS has approved DDA's waiver applications. These emergency rules are necessary to provide the services approved by CMS and for DDA to receive federal funding. This subsequent emergency rule filing is necessary to keep currently enacted emergency rules in effect while DDA completes the permanent rule-making process. The department has scheduled a public hearing on May 22, 2018, for proposed rules filed as WSR 18-07-049.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 3, Amended 31, Repealed 6.

Number of Sections Adopted at the Request of a Non-governmental 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 3, Amended 31, Repealed 6.

Date Adopted: April 24, 2018.

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-0110 What are ((~~there limitations~~) the limits to the waiver services you ((~~can~~) may receive? ((~~There are limitations~~) The following limits apply to the waiver services((~~-Those are~~) you may receive:

(1) A service must be available in your waiver and address an unmet need identified in your person-centered service plan.

(2) ((~~The need for a service must be identified and authorized in your person-centered service plan/individual support plan.~~

((~~3~~)) Behavioral health stabilization services may be added to your person-centered service ((~~plan/individual support~~) plan after the services ((~~are~~) have been provided.

((~~4~~)) (3) Waiver services are limited to services required to prevent ICF/IID placement.

((~~5~~)) (4) The daily cost of your waiver services ((~~cannot~~) must not exceed the average daily cost of care in an ICF/IID.

((~~6~~)) (5) Waiver services ((~~cannot~~) must not replace or duplicate other available paid or unpaid supports or services. You must first ((~~pursue~~) exhaust benefits available to you through private insurance, the medicaid state plan((~~;~~) including early and periodic screening, diagnosis, and treatment - or other resources.

((~~7~~)) (6) Waiver funding ((~~cannot~~) must not be authorized for treatments determined by DSHS to be experimental or investigational under WAC 182-531-0550.

(7) DDA does not authorize the use of waiver funding for:

(a) Restrictive technology;

(b) Location tracking services; or

(c) Audio or video technology to surveil the client.

(8) For IFS and basic plus waivers, services must not exceed the yearly limits specified in these programs for specific services or combinations of services.

(9) Your choice of qualified providers and services is limited to the most cost-effective option that meets your health and welfare needs.

(10) Services provided out-of-state, other than in recognized bordering cities, are limited to respite care and personal care during vacations of not more than thirty consecutive days.

(a) You may receive services in a recognized out-of-state bordering city on the same basis as in-state services.

(b) The only recognized bordering cities ((~~per~~) under WAC 182-501-0175 are:

(i) Coeur d'Alene, Moscow, Sandpoint, Priest River, and Lewiston, Idaho; and

(ii) Portland, The Dalles, Hermiston, Hood River, Rainier, Milton-Freewater, and Astoria, Oregon.

(11) Other out-of-state waiver services require an approved exception to rule before DDA ~~((can))~~ will authorize payment.

(12) Waiver services ~~((do))~~ does not cover copays, deductibles, dues, membership fees, or subscriptions.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-0210 ~~What ((is the scope of)) services ((for)) are available under the basic plus waiver?~~ What ((is the scope of)) services are available under the basic plus waiver? The following services are available under the basic plus waiver:

((BASIC-PLUS-WAIVER))	SERVICES	YEARLY LIMIT
	AGGREGATE SERVICES: <u>Positive behavior support and consultation</u> Community guide Environmental adaptations Occupational therapy <u>Chemical extermination of bedbugs (cimex lectularius)</u> Physical therapy Skilled nursing Specialized medical equipment/supplies Specialized psychiatric services Speech, hearing and language services Staff/family consultation and training Transportation	May not exceed ((6192)) <u>six thousand one hundred ninety-two dollars</u> per year on any combination of these services
	Wellness education EMPLOYMENT SERVICES: Prevocational services Supported employment Individual technical assistance	Limits are determined by DDA assessment and employment status; no new enrollment in prevocational services after September 1, 2015

((BASIC-PLUS-WAIVER))	SERVICES	YEARLY LIMIT
	Community ((access)) inclusion BEHAVIORAL HEALTH STABILIZATION SERVICES: <u>Positive behavior support and consultation</u> Behavioral health crisis diversion bed services Specialized psychiatric services	Limits are determined by DDA assessment Limits determined by a behavioral health professional or DDA
	Personal care	Limits determined by the CARE tool used as part of the DDA assessment
	Respite care	Limits are determined by the DDA assessment
	((Sexual deviancy evaluation)) <u>Risk assessment</u>	Limits are determined by DDA
	Emergency assistance is only for basic plus waiver aggregate services	((6000)) <u>Six thousand dollars</u> per year; preauthorization required

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-0215 ~~What ((is the scope of)) services ((for)) are available under the core waiver?~~ What ((is the scope of)) services are available under the core waiver? The following services are available under the core waiver:

((CORE-WAIVER))	SERVICES	YEARLY LIMIT
	<u>Positive behavior support and consultation</u> Community guide Community transition Environmental adaptations Occupational therapy <u>Chemical extermination of bedbugs (cimex lectularius)</u> Physical therapy	Determined by the person-centered service ((plan/individual support)) plan, not to exceed the average cost of an ICF/IID for any combination of services

((CORE-WAIVER))	SERVICES	YEARLY LIMIT
	((Sexual deviancy evaluation)) <u>Risk assessment</u> Skilled nursing Specialized medical equipment/supplies Specialized psychiatric services Speech, hearing and language services Staff/family consultation and training Transportation Wellness education	
	Residential habilitation	
	Community ((access)) <u>inclusion</u>	Limits are determined by DDA assessment
	Employment services Prevocational services Supported employment Individualized technical assistance	Limits are determined by DDA assessment and employment status; no new enrollment in prevocational services after September 1, 2015
	BEHAVIORAL HEALTH STABILIZATION SERVICES: <u>Positive behavior support and consultation</u> Behavioral health crisis diversion bed services Specialized psychiatric services	Limits determined by a behavioral health professional or DDA
	Respite care	Limits are determined by the DDA assessment

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-0220 **What is the scope of services for the community protection waiver? The following services are available under the community protection waiver:**

((COMMUNITY-PROTECTION-WAIVER))	SERVICES	YEARLY LIMIT
	<u>Positive behavior support and consultation</u> Community transition Environmental adaptations Occupational therapy <u>Chemical extermination of bedbugs (cimex lectularius)</u> Physical therapy ((Sexual deviancy evaluation)) <u>Risk assessment</u> Skilled nursing Specialized medical equipment and supplies Specialized psychiatric services Speech, hearing and language services Staff/family consultation and training Transportation	Determined by the person-centered service ((plan/individual support)) plan, not to exceed the average cost of an ICF/IID for any combination of services
	Residential habilitation	
	Employment Services:	Limits determined by DDA assessment and employment status; no new enrollment in prevocational services after September 1, 2015
	Prevocational services Supported employment Individual technical assistance	

((COMMUNITY-PROTECTION-WAIVER))	SERVICES	YEARLY LIMIT
	BEHAVIORAL HEALTH STABILIZATION SERVICES: Behavioral support and consultation Behavioral health crisis diversion bed services Specialized psychiatric services	Limits determined by a behavioral health professional or DDA

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-0225 What is the scope of services for the children's intensive in-home behavioral support (CIBS) waiver? The following services are available under the children's intensive in-home behavioral support (CIBS) waiver:

((CIBS-Waiver))	Services	Yearly Limit
	((*) <u>Positive behavior support and consultation</u> ((*) Staff/family consultation and training ((*) Environmental adaptations ((*) Occupational therapy (*) Physical therapy (*) Sexual deviancy evaluation) <u>Risk assessment</u> ((*) Nurse delegation ((*) Specialized medical equipment/supplies ((*) Specialized psychiatric services (*) Speech, hearing and language services (*) Transportation ((*) Assistive technology ((*) Therapeutic equipment and supplies ((*) Specialized ((nutrition and)) clothing ((*) Vehicle modifications	Determined by the person-centered service ((plan/individual support)) plan. Total cost of waiver services ((cannot)) <u>must not exceed the average cost of (((\$4,000)) four thousand dollars per month per participant.</u>
	Respite care	Limits determined by the DDA assessment. Costs are included in the total

((CIBS-Waiver))	Services	Yearly Limit
		average cost of (((\$4000)) <u>four thousand dollars</u> per month per participant for all waiver services.
	Behavioral health stabilization services: ((Behavioral)) <u>Positive behavior support and consultation</u> Crisis diversion bed services ((Specialized psychiatric services))	Limits determined by behavioral health specialist

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-0230 What ((is the scope of)) services ((for)) are available under the individual and family services (IFS) waiver? (1) IFS waiver services include:

((IFS-Waiver))	Services	Yearly Limit
	((*) Assistive technology ((*) <u>Positive behavior support and consultation</u> ((*) Community engagement ((*) Staff/family consultation and training ((*) Environmental adaptations ((*) Occupational therapy ((*) Physical therapy ((*) Sexual deviancy evaluation (paid for outside of annual allocation) (*) Nurse delegation (*) Peer mentoring ((*) Person-centered plan facilitation	Total cost of waiver services ((cannot)) <u>must not exceed annual allocation determined by the person-centered service ((plan/ISP)) plan.</u>

((IFS Waiver))	Services	Yearly Limit
	((*) Respite care <u>Skilled nursing</u> ((*) Specialized clothing ((*) Specialized medical equipment/supplies ((*) Specialized nutrition) ((*) Specialized psychiatric services ((*) Speech, hearing and language services ((*) Supported parenting services ((*) Transportation ((*) Therapeutic equipment and supplies ((*) Vehicle modifications ((*) Wellness education	
	<u>Risk assessment</u>	<u>Limits determined by DDA</u>
	((*) Behavioral health stabilization services: ((*) Behavioral) <u>Positive behavior support and consultation</u> ((*) Specialized psychiatric services	Limits determined by behavioral health specialist.

(2) Your IFS waiver services annual allocation is based upon the DDA assessment described in chapter 388-828 WAC. The DDA assessment determines your service level and annual allocation based on your assessed need. Annual allocations are as follows:

- (a) Level 1 = one thousand two hundred dollars;
- (b) Level 2 = one thousand eight hundred dollars;
- (c) Level 3 = two thousand four hundred dollars; or
- (d) Level 4 = three thousand six hundred dollars.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-0425 Are there limits to the assistive technology you ((can)) may receive? The assistive technology you may receive has the following limits:

(1) Clinical and support needs for assistive technology are identified in your DDA assessment and documented in the person-centered service ((plan/individual support)) plan.

(2) Assistive technology may be authorized as a waiver service by obtaining an initial denial of funding or information showing that the technology is not covered by medicaid or private insurance.

(3) The department does not pay for experimental technology as defined in WAC 182-531-0550.

(4) The department requires your treating professional's written recommendation regarding your need for the technology. This recommendation must take into account that:

(a) The treating professional has personal knowledge of and experience with the requested assistive technology; and

(b) The treating professional has recently examined you, reviewed your medical records, and conducted a functional evaluation of your use of the equipment and determined its effectiveness in meeting your identified need.

(5) Assistive technology requires prior approval by the DDA regional administrator or designee.

(6) The department may require a written second opinion from a department selected professional that meets the same criteria in subsection (4) of this section.

(7) The dollar amounts for your IFS waiver annual allocation limit the amount of assistive technology you are authorized to receive.

(8) Assistive technology excludes any item that is for recreational or diversion purposes such as a television, cable, or DVD player.

AMENDATORY SECTION (Amending WSR 13-24-045, filed 11/26/13, effective 1/1/14)

WAC 388-845-0500 What is positive behavior support and consultation? (1) Positive behavior support and consultation may be provided to persons on any of the DDA HCBS waivers and includes the development and implementation of programs designed to support waiver participants using:

(a) Individualized strategies for effectively relating to caregivers and other people in the waiver participant's life; and

(b) Direct interventions with the person to decrease aggressive, destructive, and sexually inappropriate or other behaviors that compromise their ability to remain in the community (i.e., training, specialized cognitive counseling, conducting a functional assessment, and development and implementation of a positive behavior support plan).

(2) Positive behavior support and consultation may also be provided as a behavioral health stabilization service in accordance with WAC 388-845-1150 through 388-845-1160.

AMENDATORY SECTION (Amending WSR 13-24-045, filed 11/26/13, effective 1/1/14)

WAC 388-845-0501 What is included in positive behavior support and consultation for the children's intensive in-home behavioral support (CIIBS) waiver? (1) In addition to the definition in WAC 388-845-0500, positive behavior support and consultation in the CIIBS waiver must include the following characteristics:

(a) Treatment must be evidence based, driven by individual outcome data, and consistent with DDA's positive behavior support guidelines as outlined in contract;

(b) The following written components will be developed in partnership with the child and family by a behavior specialist as defined in WAC 388-845-0506:

(i) Functional behavioral assessment; and

(ii) Positive behavior support plan based on functional behavioral assessment((-);

(c) Treatment goals must be objective and measurable. The goals must relate to an increase in skill development and a resulting decrease in challenging behaviors that impede quality of life for the child and family; and

(d) Behavioral support strategies will be individualized and coordinated across all environments, such as home, school, and community, in order to promote a consistent approach among all involved persons.

(2) Positive behavior support and consultation in the CIIBS waiver may also include the following components:

(a) Behavioral technicians (as defined in WAC 388-845-0506) may implement positive behavior support plans which may include 1:1 behavior interventions and skill development activity.

(b) Positive behavior support plans may include recommendations by either a music ~~((and/or))~~ or recreation therapist, or both, as defined in WAC 388-845-2005.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-0505 Who is a qualified provider of positive behavior support and consultation? Under the basic plus, core, ~~((CP))~~ community protection (CP), and IFS waivers, the provider of positive behavior support and consultation must be one of the following professionals contracted with DDA and duly licensed, registered, or certified to provide this service:

- (1) Marriage and family therapist;
- (2) Mental health counselor;
- (3) Psychologist;
- (4) Sex offender treatment provider;
- (5) Social worker;
- (6) Registered nurse (RN) or licensed practical nurse (LPN);
- (7) Psychiatrist;
- (8) Psychiatric advanced registered nurse practitioner (ARNP);
- (9) Physician assistant working under the supervision of a psychiatrist;
- (10) Counselor((s)) registered or certified ~~((in accordance with the requirements of))~~ under chapter 18.19 RCW;
- (11) Polygrapher; or
- (12) State-operated positive behavior support agency limited to behavioral health stabilization services.

AMENDATORY SECTION (Amending WSR 13-24-045, filed 11/26/13, effective 1/1/14)

WAC 388-845-0506 Who is a qualified provider of positive behavior support and consultation for the children's intensive in-home behavioral supports (CIIBS)

waiver? ~~((+))~~ Under the CIIBS waiver, providers of positive behavior support and consultation must be contracted with DDA to provide CIIBS intensive services as one of the following ~~((two provider types))~~:

~~((a))~~ (1) Master's or PhD-level behavior specialist, licensed, certified, or ~~((certified/))~~ registered to provide behavioral assessment, intervention, and training; or

~~((b))~~ (2) Behavior technician, licensed, certified, or ~~((certified/))~~ registered to provide behavioral intervention and training, following the lead of the behavior specialist.

~~((2))~~ Providers of behavior support and consultation per WAC 388-845-0505 may be utilized to provide counseling and/or therapy services to augment the work of the CIIBS intensive service provider types.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-0510 Are there limits to the positive behavior support and consultation you ~~((can))~~ may receive? (1) Clinical and support needs for positive behavior support and consultation are identified in your DDA assessment and documented in the person-centered service ~~((plan/individual support))~~ plan.

(2) DDA and the treating professional will determine the need and amount of service you will receive, subject to the ~~((limitations))~~ limits in subsection (3) of this section.

(3) The dollar amounts for aggregate services in your basic plus waiver or the dollar amounts in the annual allocation for the ~~((IFS))~~ individual and family services (IFS) waiver limit the amount of service unless provided as a behavioral health stabilization service.

(4) DDA ~~((reserves the right to))~~ may require a second opinion from a department-selected provider.

(5) Positive behavior support and consultation not provided as a behavioral health stabilization service requires prior approval by the DDA regional administrator or designee for the following waivers:

(a) Basic plus;

(b) Core;

(c) Children's intensive in-home behavior support (CIIBS); and

(d) IFS.

(6) Positive behavior support and consultation services are limited to services:

(a) Consistent with waiver objectives of avoiding institutionalization; and

(b) Not otherwise covered under the medicaid state plan, including early and periodic screening, diagnosis, and treatment.

NEW SECTION

WAC 388-845-0515 What is chemical extermination of bedbugs? (1) Chemical extermination of cimex lectularius (bedbugs) is professional chemical extermination of bedbugs.

(2) DDA covers professional chemical extermination of bedbugs in your primary residence if you:

(a) Receive residential habilitation services; or

(b) Live in a private house or apartment for which you are financially responsible.

NEW SECTION

WAC 388-845-0520 Who are qualified providers of chemical extermination of bedbugs? A qualified chemical extermination provider must be:

- (1) Licensed as a chemical pesticide applicator by the Washington state department of agriculture; and
- (2) Contracted with DDA to provide chemical extermination of bedbugs.

NEW SECTION

WAC 388-845-0525 Are there limits to the chemical extermination of bedbugs services I may receive? (1) Chemical extermination services covers only:

- (a) The assessment or inspection by the qualified provider;
 - (b) Application of chemical-based pesticide; and
 - (c) One follow-up visit.
- (2) Chemical extermination of bedbugs is limited to two treatments per plan year.
- (3) Chemical extermination of bedbugs excludes:
- (a) Lodging during the chemical extermination process; and
 - (b) Preparatory housework associated with the extermination process.
- (4) DDA does not cover chemical extermination of bedbugs for a client who lives with their family.
- (5) DDA requires prior approval by the regional administrator or designee for chemical extermination of bedbugs.

AMENDATORY SECTION (Amending WSR 17-12-002, filed 5/24/17, effective 6/24/17)

WAC 388-845-0603 Who is eligible to receive community ((access)) inclusion services? You are eligible for community ((access)) inclusion services if you are enrolled in the basic plus or core waivers and:

- (1) You are sixty-two or older; or
- (2) You meet age requirements under WAC 388-845-2110(1) and((;));
 - (a) You have participated in the developmental disabilities ((administration (DDA's)) administration's (DDA) supported employment services for nine consecutive months; or
 - (b) DDA has determined that you are exempt from the nine-month DDA supported employment service requirement because:
 - (i) Your medical or behavioral health records document a condition that prevents you from completing nine consecutive months of DDA supported employment services; or
 - (ii) You were referred to and were available for DDA supported employment services, but the service was not delivered within ninety days of the referral.

AMENDATORY SECTION (Amending WSR 13-24-045, filed 11/26/13, effective 1/1/14)

WAC 388-845-0700 What ((is-a)) are community guide services? Community guide services ((increases)) increase access to informal community supports. Community guide services are short-term ((and)) services designed to

develop creative, flexible, and supportive community resources for individuals with developmental disabilities to meet a goal identified in the waiver participant's person-centered service plan. ((This service is)) These services are available in basic plus and core waivers.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-0820 Are there limits to your use of emergency assistance? All of the following ((limitations)) limits apply to your use of emergency assistance:

- (1) Prior approval by the DDA regional administrator or designee is required based on a reassessment of your person-centered service ((plan/individual support)) plan to determine the need for emergency services;
- (2) Payment authorizations are reviewed every thirty days and ((cannot)) must not exceed six thousand dollars per twelve months based on the effective date of your current person-centered service ((plan/individual support)) plan;
- (3) Emergency assistance services are limited to the following basic plus waiver aggregate services((; and)):
 - (a) Positive behavior support and consultation;
 - (b) Community guide;
 - (c) Environmental adaptations;
 - (d) Occupational therapy;
 - (e) Physical therapy;
 - (f) Specialized medical equipment and supplies;
 - (g) Specialized psychiatric services;
 - (h) Speech hearing and language services;
 - (i) Skilled nursing;
 - (j) Staff and family consultation and training, which excludes individual and family counseling; and
 - (k) Transportation;
- (4) Emergency assistance may be used for interim services until:
 - (a) The emergency situation has been resolved; ((or))
 - (b) You are transferred to alternative supports that meet your assessed needs; or
 - (c) You are transferred to an alternate waiver that provides the service you need.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-0910 What ((limitations)) limits apply to environmental adaptations? The following service ((limitations)) limits apply to environmental adaptations:

- (1) Clinical and support needs for environmental adaptations are identified in the waiver participant's DDA assessment and documented in the person-centered service ((plan/individual support)) plan.
- (2) Environmental adaptations require prior approval by the DDA regional administrator or designee and must be supported by itemized and written bids from licensed contractors. For an adaption that costs:
 - (a) One ((bid is required for adaptations costing one)) thousand five hundred dollars or less((-Two bids are required for adaptations costing)), one bid is required;

(b) More than one thousand five hundred dollars and equal to or less than five thousand dollars~~((Three bids are required for adaptations costing))~~, two bids are required; or

(c) More than five thousand dollars, three bids are required.

(3) All bids must include:

- (a) The cost of all required permits and sales tax; and
- (b) An itemized and clearly outlined scope of work.

~~((3))~~ (4) DDA may require an occupational therapist, physical therapist, or construction consultant to review and recommend an appropriate environmental adaptation statement of work prior to the waiver participant soliciting bids or purchasing adaptive equipment.

~~((4))~~ (5) Environmental adaptations ~~((or improvements))~~ to the home are excluded if they are of general utility without direct medical or remedial benefit to the individual, such as carpeting, roof repair, or central air conditioning.

~~((5))~~ (6) Environmental adaptations must meet all local and state building codes. Evidence of any required completed inspections must be submitted to DDA prior to authorizing payment for work.

~~((6) Deteriorated)~~ (7) The condition of the dwelling or other ~~((remodeling))~~ projects in progress in the dwelling may prevent or limit some or all environmental adaptations at the discretion of DDA.

~~((7))~~ (8) Location of the dwelling in a flood plain, landslide zone, or other hazardous area may limit or prevent any environmental adaptations at the discretion of DDA.

~~((8))~~ (9) Written consent from the dwelling landlord is required prior to starting any environmental adaptations for a rental property. The landlord must not require removal of the environmental adaptations at the end of the waiver participant's tenancy as a condition of the landlord approving the environmental adaptation to the waiver participant's dwelling.

~~((9))~~ (10) Environmental adaptations ~~((cannot))~~ must not add to the total square footage of the home.

~~((10))~~ (11) The dollar amounts for aggregate services in your basic plus waiver or the dollar amount of your annual IFS allocation limit the amount of service you may receive.

~~((11))~~ (12) For core, community protection, and CIIBS waivers, annual environmental adaptation costs must not exceed twelve thousand one hundred ninety-two dollars.

(13) Damage repairs under the CIIBS and IFS waivers are subject to the following restrictions:

(a) Limited to the cost of restoration to the original ~~((condition))~~ function;

(b) Limited to the dollar amounts of the IFS waiver participant's annual allocation;

(c) Behaviors of waiver participants that resulted in damage to the dwelling must be addressed in a positive behavior support plan prior to the repair of damages; ~~((and))~~

(d) Repairs to personal property such as furniture ~~((;))~~ and appliances ~~((; and normal wear and tear))~~ are excluded; and

(e) Repairs due to normal wear and tear are excluded.

~~((12))~~ (13) The following adaptations are not ~~((included in this service))~~ covered as an environmental adaptation:

- (a) Building fences and fence repairs; ~~((and))~~

(b) Carpet or carpet replacement;

(c) Air conditioning, heat pumps, or ceiling fans; and

(d) Roof repair or siding.

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

AMENDATORY SECTION (Amending WSR 13-24-045, filed 11/26/13, effective 1/1/14)

WAC 388-845-1000 What are extended state plan services? (1) Extended state plan services ~~((refer to))~~ means physical therapy ~~((;))~~, occupational therapy ~~((;))~~, and speech, hearing, and language services not available to you under the medicaid ~~((without regard to your waiver status. They are "extended" services when the waiver pays for more services than is provided under the))~~ state ~~((medicaid))~~ plan. ~~((These services are available under all DDA HCBS waivers))~~

(2) Extended state plan services are available to clients age twenty-one and older under the following waiver programs:

(a) Basic plus;

(b) Core;

(c) Individual and family services; and

(d) Community protection;

(3) Extended state plan services are available to a client if the therapy:

(a) Addresses a remedial need and allows the client to remain in the home; or

(b) Is medically necessary and all state plan services have been exhausted.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-1015 Are there limits to the extended state plan services you ~~((can))~~ may receive? (1) ~~((Clinical and support needs for))~~ Extended state plan services are limited to ~~((those))~~ therapies identified in your DDA assessment and ~~((documented in the))~~ person-centered service plan ~~((individual support plan)).~~

(2) ~~((Additional therapy may be authorized as a waiver service only after you have accessed what is available to you under medicaid and any other private health insurance plan.~~

~~((3))~~ The department does not pay for treatment determined by DSHS to be experimental as described in WAC 182-531-0550.

~~((4) The department and the treating professional)~~ (3) The department determines the need for and amount of service you ~~((can))~~ may receive ~~((;))~~.

(a) The department may require a second opinion from a ~~((department))~~ DDA-selected provider.

(b) The department will require evidence that you have ~~((accessed))~~ exhausted your full benefits through the medicaid state plan, your private health insurance, or other resources before authorizing this waiver service.

~~((5))~~ (4) The dollar amount for basic plus waiver aggregate services limit the amount of service you may receive.

~~((6))~~ (5) The dollar amount for your annual allocation on the IFS waiver limit the amount of service you may receive.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-1150 What are behavioral health stabilization services? Behavioral health stabilization services assist persons who are experiencing a behavioral health crisis or meet criteria for enhanced respite or community crisis stabilization services. These services are available in the basic plus, core, CIIBS, IFS, and community protection waivers to individuals determined by behavioral health professionals or DDA to be at risk of institutionalization or hospitalization who need one or more of the following services:

- (1) Positive behavior support and consultation;
- (2) Specialized psychiatric services for people age twenty-one and older; or
- (3) Behavioral health crisis diversion bed services not available to participants on the IFS waiver.

AMENDATORY SECTION (Amending WSR 17-12-011, filed 5/26/17, effective 6/26/17)

WAC 388-845-1615 Who may be qualified providers of respite care? Providers of respite care may be any of the following individuals or agencies contracted with the developmental disabilities administration (DDA) for respite care:

- (1) Individuals who meet the provider qualifications under chapter 388-825 WAC;
- (2) Homecare/home health agencies licensed under chapter 246-335 WAC, Part 1;
- (3) Licensed and contracted group homes, foster homes, child placing agencies, staffed residential homes, and foster group care homes;
- (4) Licensed and contracted adult family homes;
- (5) Licensed and contracted adult residential care facilities;
- (6) Licensed and contracted adult residential treatment facilities under chapter 246-337 WAC;
- (7) Licensed child care centers under chapter 170-295 WAC;
- (8) Licensed child day care centers under chapter 170-295 WAC;
- (9) Adult day care providers under chapter 388-71 WAC contracted with DDA;
- (10) Certified providers under chapter 388-101 WAC when respite is provided within the DDA contract for certified residential services; ~~((6))~~
- (11) A licensed practical nurse (LPN) or registered nurse (RN) acting within the scope of the standards of nursing conduct or practice under chapter 246-700 WAC and contracted with DDA to provide this service; or
- (12) Other DDA contracted providers such as a community center, senior center, parks and recreation, and summer programs.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-1620 Are there limits to the respite care you can receive? The following limitations apply to the respite care you can receive:

- (1) For basic plus, core, and CIIBS waivers, the DDA assessment will determine how much respite you can receive per chapter 388-828 WAC.
- (2) For the IFS waiver, the dollar amount for your annual allocation in your IFS waiver limits the amount of respite care you may receive.
- (3) Respite cannot replace:
 - (a) Day care while your parent or guardian is at work; or
 - (b) Personal care hours available to you. When determining your unmet need, DDA will first consider the personal care hours available to you.
- (4) Respite providers have the following limitations and requirements:
 - (a) If respite is provided in a private home, the home must be licensed unless it is the client's home or the home of a relative of specified degree per WAC 388-825-345;
 - (b) The respite provider cannot be the spouse of the caregiver receiving respite if the spouse and the caregiver reside in the same residence; and
 - (c) If you receive respite from a provider who requires licensure, the respite services are limited to those age-specific services contained in the provider's license.
- (5) Your individual respite provider may not provide:
 - (a) Other DDA services for you during your respite care hours; or
 - (b) DDA paid services to other persons during your respite care hours.
- (6) Your primary caregivers may not provide other DDA services for you during your respite care hours.
- (7) If your personal care provider is your parent and you live in your parent's adult family home you may not receive respite.
- (8) DDA may not pay for any fees associated with the respite care; for example, membership fees at a recreational facility, or insurance fees.
- (9) If you require respite care from a licensed practical nurse (LPN) or a registered nurse (RN), respite services may be authorized ~~((as skilled nursing services per WAC 388-845-1700))~~ using an LPN or RN. Respite services are limited to the assessed respite care ~~((from a))~~ hours identified in your person-centered service plan. Respite provided by an LPN or RN requires a prior approval ~~((per WAC 388-845-1700(2). If you are on the IFS or basic plus waiver, skilled nursing services are limited to the dollar amounts of your basic plus aggregate services or IFS annual allocation per WAC 388-845-0210 and 388-845-0230))~~ by the regional administrator or designee.

AMENDATORY SECTION (Amending WSR 13-24-045, filed 11/26/13, effective 1/1/14)

WAC 388-845-1650 What are ~~((sexual deviancy evaluations))~~ is a risk assessment? (1) ~~((Sexual deviancy evaluations))~~ A risk assessment:

(a) ~~((Are))~~ Is a professional evaluation~~((s))~~ that ~~((assess the))~~ assesses a person's needs and the person's level of risk of~~((sexual offending or sexual recidivism))~~ sexual predatory behavior or aggression;

(b) Determines the need for psychological, medical, or therapeutic services; and

(c) Provides treatment recommendations to mitigate any assessed risk.

(2) ~~((Sexual deviancy evaluations are))~~ A risk assessment is available in all DDA HCBS waivers.

AMENDATORY SECTION (Amending WSR 13-24-045, filed 11/26/13, effective 1/1/14)

WAC 388-845-1655 Who is a qualified provider of ~~((sexual deviancy evaluations))~~ a risk assessment? The provider of ~~((sexual deviancy evaluations))~~ a risk assessment must:

(1) Be a ~~((certified sexual offender treatment provider (SOTP); and))~~ licensed psychologist under chapter 246-924 WAC; or

(2) ~~((Meet the standards contained in))~~ Be a certified sexual offender treatment provider (SOTP) and meet requirements under WAC 246-930-030 ~~((education required prior to certification))~~ and WAC 246-930-040 ~~((professional experience required prior to examination))~~ if the provider is performing a risk assessment.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-1660 Are there ~~((limitations))~~ limits to the ~~((sexual deviancy evaluations))~~ risk assessment you ~~((can))~~ may receive? (1) Clinical and support needs for ~~((sexual deviancy evaluations))~~ a risk assessment are limited to those identified in your DDA assessment and documented in the person-centered service ~~((plan/individual support))~~ plan. ~~((Sexual deviancy evaluations))~~ A risk assessment must meet the standards ~~((contained))~~ in WAC 246-930-320.

(2) ~~((Sexual deviancy evaluations require))~~ A risk assessment requires prior approval by the DDA regional administrator or designee.

(3) The ~~((costs))~~ cost of ~~((sexual deviancy evaluations do))~~ a risk assessment does not count toward the dollar limits for aggregate services in the basic plus waiver~~((s))~~ or the annual allocation in the IFS waiver.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-1700 What is waiver skilled nursing? (1) Waiver skilled nursing ~~((is continuous))~~ means long-term, intermittent, ~~((or part time))~~ and hourly skilled nursing services~~((These services are));~~

(a) Available in the basic plus, core, IFS, and ~~((CP))~~ community protection (CP) waivers; and

(b) That address nursing care tasks not available to you under the medicaid state plan - including early and periodic screening, diagnosis, and treatment.

(2) Waiver skilled nursing services include nurse delegation services~~((per))~~ provided by a registered nurse under

WAC 388-845-1170~~((, provided by a registered nurse, including the initial visit, follow-up instruction, and supervisory visits)).~~

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-1710 Are there ~~((limitations))~~ limits to the skilled nursing services you ~~((can))~~ may receive? The following ~~((limitations))~~ limits apply to your receipt of skilled nursing services:

(1) Clinical and support needs for skilled nursing services are limited to those identified in your DDA assessment and documented in the person-centered service ~~((plan/individual support))~~ plan.

(2) Skilled nursing services with the exception of nurse delegation and nursing evaluations require prior approval by the DDA regional administrator or designee.

(3) ~~((DDA and the treating professional determine the need for and amount of service))~~ Skilled nursing hours must not exceed the number of hours determined by the nursing care consultant skilled nursing assessment.

(4) DDA ~~((reserves the right to))~~ may require a second opinion by a department-selected provider.

(5) The dollar amount for aggregate services in your basic plus waiver or the dollar amount of your annual allocation in your IFS waiver limits the amount of skilled nursing services you may receive.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-1865 Are there ~~((limitations))~~ limits to your receipt of specialized clothing? (1) The following ~~((limitations))~~ limits apply to your receipt of specialized clothing:

(a) Clinical and support needs for specialized clothing are limited to those identified in your DDA assessment and documented in the person-centered service ~~((plan/individual support))~~ plan.

(b) Specialized clothing may be authorized as a waiver service if the service is not covered by medicaid or private insurance. You must assist the department in determining whether third-party payments are available.

(c) The department requires written documentation from an appropriate health professional regarding your need for the service. This recommendation must take into account that the health professional has recently examined you, reviewed your medical records, and conducted an assessment.

(d) The department may require a second opinion from a department selected provider that meets the criteria in subsection (1)(c) of this section.

(2) For the IFS waiver, the dollar amount for your annual allocation limits the amount of service you may receive.

(3) You must receive prior approval from the DDA regional administrator or designee to receive specialized clothing.

AMENDATORY SECTION (Amending WSR 13-24-045, filed 11/26/13, effective 1/1/14)

WAC 388-845-1900 What are specialized psychiatric services? (1) Specialized psychiatric services are specific to the individual needs of persons with developmental disabilities who are experiencing behavioral health symptoms. These services are available (~~in all DDA HCBS waivers~~) to people age twenty-one and older.

(2) ~~(Service)~~ Specialized psychiatric services may be any of the following:

- (a) Psychiatric evaluation~~(s);~~
- (b) Medication evaluation and monitoring~~(s);~~
- (c) Psychiatric consultation.

(3) These services are also available as a behavioral health stabilization service in accordance with WAC 388-845-1150 through 388-845-1160.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-2000 What is staff/family consultation and training? (1) Staff/family consultation and training is professional assistance to families or direct service providers to help them better meet the needs of the waiver person. This service is available in all DDA HCBS waivers.

(2) Consultation and training is provided to families, direct staff, or personal care providers to meet the specific needs of the waiver participant as outlined in the person-centered service plan/individual support plan, including:

- (a) Health and medication monitoring;
- (b) Positioning and transfer;
- (c) Basic and advanced instructional techniques;
- (d) Positive behavior support;
- (e) Augmentative communication systems;
- (f) Diet and nutritional guidance;
- (g) Disability information and education;
- (h) Strategies for effectively and therapeutically interacting with the participant;
- (i) Environmental consultation; and
- (j) For the basic plus, IFS, and CIIBS waivers only, individual and family counseling.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-2010 Are there ~~((limitations))~~ limits to the ~~((staff/family))~~ staff and family consultation and training you ~~((can))~~ may receive? (1) Clinical and support needs for ~~((staff/family))~~ staff and family consultation and training are limited to those identified in your DDA assessment and documented in the person-centered service ~~((plan/individual support))~~ plan.

(2) Expenses to the family or provider for room and board or attendance, including registration, at conferences are excluded as a service under ~~((staff/family))~~ staff and family consultation and training.

(3) The dollar amounts for aggregate service in your basic plus waiver or the dollar amount of the annual allocation in your IFS waiver limit the amount of ~~((staff/family))~~ staff and family consultation and training you may receive.

(4) Basic plus waiver individual and family counseling is limited to family members who:

- (a) Live with the waiver participant; and
- (b) Have been assaulted by the waiver participant and the assaultive behavior was:
 - (i) Documented in the person-centered service plan; and
 - (ii) Addressed in the waiver participant's positive behavior support plan or therapeutic plan.

AMENDATORY SECTION (Amending WSR 16-17-009, filed 8/4/16, effective 9/4/16)

WAC 388-845-2170 Are there ~~((limitations on))~~ limits to your receipt of therapeutic equipment and supplies? The following ~~((limitations))~~ limits apply to your receipt of therapeutic equipment and supplies under the CIIBS and IFS waivers:

(1) Therapeutic equipment and supplies may be authorized as a waiver service if the service is not covered by Medicaid or private insurance. You must assist the department in determining whether third party payments are available.

(2) The department does not pay for experimental equipment and supplies.

(3) The department requires your treating professional's written recommendation regarding your need for the service. This recommendation must take into account that the treating professional has recently examined you, reviewed your medical records, and conducted a functional evaluation.

(4) The department may require a written second opinion from a department selected professional that meets the same criteria in subsection (3) of this section.

(5) The dollar amount of your annual allocation in your IFS waiver limits the amount of therapeutic equipment and supplies you are authorized to receive.

(6) Therapeutic equipment and supplies requires a prior approval by the DDA regional administrator or designee.

(7) Therapeutic equipment and supplies excludes non-specialized recreational items such as trampolines, swing sets, or hot tubs.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-845-1200 What are "person-to-person" services?

WAC 388-845-1205 Who are qualified providers of person-to-person services?

WAC 388-845-1210 Are there limits to the person-to-person service I can receive?

WAC 388-845-1840 What is specialized nutrition?

WAC 388-845-1845 Who are qualified providers of specialized nutrition?

WAC 388-845-1850 Are there limitations to your receipt of specialized nutrition?

WSR 18-11-010
EMERGENCY RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed May 3, 2018, 9:05 a.m., effective May 3, 2018, 9:05 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule-making order is to amend WAC 392-121-182 to help ensure that school districts and charter schools comply with statutory full-day kindergarten (FDK) requirements, RCW 28A.150.-315, when offering alternative learning experience (ALE) courses or course work to students.

Citation of Rules Affected by this Order: Amending WAC 392-121-182.

Statutory Authority for Adoption: RCW 28A.150.290.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: RCW 28A.150.315 requires that FDK must be implemented statewide in the 2017-18 school year. Accordingly, FDK programs offered starting in August and September of the current year, including ALE courses or course work provided to FDK students, are required to meet the statutory conditions set forth in RCW 28A.150.315. Immediate adoption of this emergency rule is necessary to ensure that kindergarten students are receiving access to legally appropriate education services.

A preproposal statement of inquiry regarding the adoption of permanent rules for this subject was filed on September 6, 2017 (WSR 17-18-105). The public hearing was held on April 12, 2018 (CR-102 filed March 7, 2018, WSR 18-06-105). The permanent rule-making order was filed on April 26, 2018 (WSR 18-10-105), and will take effect on May 27, 2018.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 3, 2018.

Chris P. S. Reykdal
 State Superintendent
 of Public Instruction

AMENDATORY SECTION (Amending WSR 15-18-078, filed 8/28/15, effective 9/28/15)

WAC 392-121-182 Alternative learning experience requirements. (1) **Purposes:** The purposes of this section are the following:

(a) To ensure that students enrolled in an alternative learning experience offered by a school district or public charter school have available to them educational opportunities designed to meet their individual needs;

(b) To provide general program requirements for alternative learning experiences offered by or through school districts and charter schools;

(c) To provide a method for determining full-time equivalent enrollment and a process school districts and charter schools must use when claiming state funding for alternative learning experiences.

(2) **General requirements:** A school district or charter school must meet the requirements of this section to count an alternative learning experience as a course of study pursuant to WAC 392-121-107. This section applies solely to school districts and charter schools claiming state funding pursuant to WAC 392-121-107 for an alternative learning experience. It is not intended to apply to alternative learning experiences funded exclusively with federal or local resources. This section does not apply to alternative learning experiences offered by charter schools pursuant to charter contract terms governing the operation of alternative learning experience in the school.

(3) **Definitions:** For the purposes of this section the following definitions apply:

(a)(i) "Alternative learning experience" means a course, or for grades kindergarten through eight, grade-level course work, that is a delivery method for the program of basic education and is:

(A) Provided in whole or in part independently from a regular classroom setting or schedule, but may include some components of direct instruction;

(B) Supervised, monitored, assessed, evaluated, and documented by a certificated teacher employed by the school district or charter school, or under contract as permitted by applicable rules; and

(C) Provided in accordance with a written student learning plan that is implemented pursuant to the school district's or charter school's policy and this chapter.

(ii) The categories of alternative learning experience courses are:

(A) "Online course" means an alternative learning experience course that has the same meaning as provided in RCW 28A.250.010.

(B) "Remote course" means an alternative learning experience course or course work that is not an online course where the student has in-person instructional contact time for less than twenty percent of the total weekly time for the course.

(C) "Site-based course" means an alternative learning experience course or course work that is not an online course where the student has in-person instructional contact time for at least twenty percent of the total weekly time for the course.

(b) "Alternative learning experience program" is a school or a program within a school that offers alternative learning experience courses or course work;

(c) "Certificated teacher" means an employee of a school district or charter school, of a school district contractor pursuant to WAC 392-121-188, or a charter school contractor pursuant to WAC 392-121-1885, who is assigned and endorsed according to the provisions of chapter 181-82 WAC;

(d) "Direct personal contact" means a one-to-one meeting between a certificated teacher and the student, or, where appropriate, between the certificated teacher, the student, and the student's parent. Direct personal contact can be accomplished in person or through the use of telephone, email, instant messaging, interactive video communication, or other means of digital communication. Direct personal contact:

(i) Must be for the purposes of instruction, review of assignments, testing, evaluation of student progress, or other learning activities or requirements identified in the written student learning plan;

(ii) Must be related to an alternative learning experience course or course work identified in the written student learning plan; and

(iii) Must at minimum include a two-way exchange of information between a certificated teacher and the student. All required direct personal contact must be documented.

(e) "In-person instructional contact" means face-to-face contact between a certificated teacher and the student in a classroom environment. In-person instructional contact may be accomplished in a group setting between the teacher and multiple students. The in-person instructional contact must be:

(i) For the purposes of actual instruction, review of assignments, testing, evaluation of student progress, or other learning activities or requirements identified in the written student learning plan; and

(ii) Related to an alternative learning experience course identified in the written student learning plan.

(f) "Intervention plan" means a plan designed to improve the progress of students determined to be not making satisfactory progress. An intervention plan must be developed, documented, and implemented by a certificated teacher in conjunction with the student and, for students in grades K-8, the student's parent(s). For students whose written student learning plan includes only online courses, the intervention plan may be developed by the school-based support staff in conjunction with the student and certificated teacher and must be approved by the student's online certificated teacher. At minimum, the intervention plan must include at least one of the following interventions:

(i) Increasing the frequency or duration of contact with a certificated teacher for the purposes of enhancing the ability of the certificated teacher to improve student learning;

(ii) Modifying the manner in which contact with a certificated teacher is accomplished;

(iii) Modifying the student's learning goals or performance objectives;

(iv) Modifying the number of or scope of courses or the content included in the learning plan.

(g) "Parent" has the same definition as "parent" in WAC 392-172A-01125;

(h) "Satisfactory progress" means a determination made in accordance with subsection (4)(c) that a student's progress toward achieving the specific learning goals and performance objectives specified in the written student learning plan is satisfactory;

(i) "School week" means any seven-day calendar period starting with Sunday and continuing through Saturday that includes at least three days when a district's schools are in session or when a charter school is in session;

(j) "School-based support staff" means an employee of a school district or a charter school, of a school district contractor pursuant to WAC 392-121-188, or a charter school contractor pursuant to WAC 392-121-1885, who is supporting a student in an online course. The school-based support staff may or may not hold a teaching certificate;

(k) "Substantially similar experiences and services" means that for each purchased or contracted instructional or cocurricular course, lesson, trip, or other experience, service, or activity identified on an alternative learning experience written student learning plan, there is an identical or similar experience, service, or activity made available to students enrolled in the district's regular instructional program:

(i) At a similar grade level;

(ii) At a similar level of frequency, intensity, and duration including, but not limited to, consideration of individual versus group instruction;

(iii) At a similar level of cost to the student with regard to any related club, group, or association memberships; admission, enrollment, registration, rental or other participation fees; or any other expense associated with the experience or service;

(iv) In accordance with district adopted or charter school adopted content standards or state defined grade level standards; and

(v) That is supervised, monitored, assessed, evaluated, and documented by a certificated teacher.

(l) "Synchronous digital instructional contact" means real-time communication between a certificated teacher and the student using interactive online, voice, or video communication technology. Synchronous digital instructional contact may be accomplished in a group setting between the teacher and multiple students. The synchronous digital contact must be:

(i) For the purposes of actual instruction, review of assignments, testing, evaluation of student progress, or other learning activities or requirements identified in the written student learning plan; and

(ii) Related to an alternative learning experience course or course work identified in the written student learning plan.

(m) "Total weekly time" means the estimated average hours per school week the student will engage in learning activities to meet the requirements of the written student learning plan;

(n) "Written student learning plan" means a written plan for learning that includes at least the following elements:

(i) A beginning and ending date for the student's alternative learning experience courses;

(ii) An estimate by a certificated teacher of the average number of hours per school week the student will engage in learning activities to meet the requirements of the written stu-

dent learning plan. This estimate must consider only the time the student will engage in learning activities necessary to accomplish the learning goals and performance objectives specified in the written student learning plan;

(iii) For online courses and remote courses, a description of how weekly contact requirements will be fulfilled;

(iv) A description of each alternative learning experience course or course work included as part of the learning plan, including specific learning goals, performance objectives, and learning activities for each course, written in a manner that facilitates monthly evaluation of student progress. This requirement may be met through the use of individual course syllabi or other similarly detailed descriptions of learning requirements. The description must clearly identify the requirements a student must meet to successfully complete the course or course work. Courses or course work must be identified using course names, codes, and designators specified in the most recent *Comprehensive Education Data and Research System* data manual published by the office of superintendent of public instruction;

(v) Identification of the certificated teacher responsible for each course or course work included as part of the plan;

(vi) Identification of all instructional materials that will be used to complete the learning plan; and

(vii) A description of the timelines and methods for evaluating student progress toward the learning goals and performance objectives specified in the learning plan;

(viii) Identification of whether each alternative learning experience course or course work meets one or more of the state essential academic learning requirements or grade-level expectations and any other academic goals, objectives, and learning requirements defined by the school district or charter school.

(o) "Full-day kindergarten" means a program that is eligible for state-funded full-day kindergarten, as provided for in RCW 28A.150.315 in which any student's alternative learning experience enrollment is claimed as greater than 0.50 full-time equivalent.

(4) Alternative learning experience program requirements:

(a) Each student participating in an alternative learning experience must have a written student learning plan developed and approved by a certificated teacher that is designed to meet the student's individual educational needs. A certificated teacher must have responsibility and accountability for each course specified in the plan, including supervision and monitoring, and evaluation and documentation of the student's progress. The written student learning plan may be developed with assistance from the student, the student's parents, or other interested parties. For students whose written student learning plan includes only online courses, the written student learning plan may be developed and approved by a certificated teacher or a school-based support staff.

(b) Each student enrolled in an alternative learning experience must have one of the following methods of contact with a certificated teacher at least once a school week until the student completes all course objectives or otherwise meets the requirements of the learning plan:

- (i) Direct personal contact; or
- (ii) In-person instructional contact; or

(iii) Synchronous digital instructional contact.

(c) The educational progress of each student enrolled in an alternative learning experience must be evaluated at least once each calendar month of enrollment by a certificated teacher or, for students whose written student learning plans include only online classes, school-based support staff in accordance with this section. The results of each evaluation must be communicated to the student or, if the student is in grades K-8, both the student and the student's parent. For students whose written student learning plan includes only online courses, a school-based support staff may communicate the progress evaluation to the student. Educational progress must be evaluated according to the following requirements:

(i) Each student's educational progress evaluation must be based on the learning goals and performance objectives defined in the written student learning plan.

(ii) The evaluation of satisfactory progress must be conducted in a manner consistent with school district or charter school student evaluation or grading procedures, and be based on the professional judgment of a certificated teacher.

(iii) In the event that the monthly evaluation is not completed within the calendar month being evaluated, the evaluation must be completed within five school days of the end of the month. Districts and charter schools must not claim funding for the subsequent month for a student who was not evaluated within that time frame.

(iv) The progress evaluation conducted by a certificated teacher must include direct personal contact with the student with the following exceptions:

(A) After an initial month of satisfactory progress, in subsequent months where progress continues to be satisfactory the evaluation may be communicated to the student without direct personal contact.

(B) Direct personal contact is not required as a part of the evaluation conducted in the final month of the school year if the evaluation takes the form of the delivery of final grades to the student.

(v) Based on the progress evaluation, a certificated teacher must determine and document whether the student is making satisfactory progress reaching the learning goals and performance objectives defined in the written student learning plan.

(vi) For students whose written student learning plan includes only online courses, school-based support staff, according to school policy and procedures, may use the student's progress grades in the online course or courses to determine whether a student's progress is satisfactory. School-based support staff, following school policy and procedures, may take into account nonacademic factors or local school expectations to finalize the determination of satisfactory progress. The progress grades posted in the learning management system may serve as the documentation of determining satisfactory progress.

(vii) If it is determined that the student failed to make satisfactory progress or that the student failed to follow the written student learning plan, an intervention plan must be developed for the student. An intervention plan is not required if the evaluation is delivered within the last five school days of the school year.

(viii) If after no more than three consecutive calendar months in which it is determined the student is not making satisfactory progress despite documented intervention efforts, a course of study designed to more appropriately meet the student's educational needs must be developed and implemented by a certificated teacher in conjunction with the student and where possible, the student's parent. This may include removal of the student from the alternative learning experience and enrollment of the student in another educational program offered by the school district or charter school.

(5) Required school district or charter school board policies for alternative learning experiences: The board of directors of a school district or charter school board claiming state funding for alternative learning experiences must adopt and annually review written policies authorizing such alternative learning experiences, including each alternative learning experience program and program provider. The policy must designate, by title, one or more school district official(s) or charter school official(s) responsible for overseeing the district's or charter school's alternative learning experience courses or programs, including monitoring compliance with this section, and reporting at least annually to the school district board of directors or charter school board on the program. This annual report shall include at least the following:

(a) Documentation of alternative learning experience student headcount and full-time equivalent enrollment claimed for basic education funding;

(b) Identification of the overall ratio of certificated instructional staff to full-time equivalent students enrolled in each alternative learning experience program;

(c) A description of how the program supports the district's or charter school's overall goals and objectives for student academic achievement; and

(d) Results of any self-evaluations conducted pursuant to subsection (10) of this section.

(6) Alternative learning experience implementation requirements:

(a) School districts or charter schools that offer alternative learning experience courses or course work must ensure that they are accessible to all students, including students with disabilities. Alternative learning experience courses or course work for special education students must be provided in accordance with chapter 392-172A WAC.

(b) Contracting for alternative learning experience courses or course work is subject to the provisions of WAC 392-121-188.

(c) It is the responsibility of the school district or school district contractor, or charter school or charter school contractor, to ensure that students have all curricula, course content, instructional materials and learning activities that are identified in the alternative learning experience written student learning plan.

(d) School districts and charter schools must ensure that no student or parent is provided any compensation, reimbursement, gift, reward, or gratuity related to the student's enrollment or participation in, or related to another student's recruitment or enrollment in, an alternative learning experience course or course work unless otherwise required by law. This prohibition includes, but is not limited to, funds pro-

vided to parents or students for the purchase of educational materials, supplies, experiences, services, or technological equipment.

(e) School district employees are prohibited from receiving any compensation or payment as an incentive to increase student enrollment of out-of-district students in an alternative learning experience course or course work.

(f) Curricula, course content, instructional materials, learning activities, and other learning resources for alternative learning experience courses or course work must be consistent in quality with those available to the district's or charter school's overall student population.

(g) Instructional materials used in alternative learning experience courses or course work must be approved pursuant to school board policies adopted in accordance with RCW 28A.320.230.

(h) A district or charter school may purchase educational materials, equipment, or other nonconsumable supplies for students' use in alternative learning experience courses or course work if the purchase is consistent with the district's or charter school's approved instructional materials or curriculum, conforms to applicable laws and rules, and is made in the same manner as such purchases are made for students in the district's or charter school's regular instructional program. Items so purchased remain the property of the school district or charter school upon program completion.

(i) School districts and charter schools are prohibited from purchasing or contracting for instructional or cocurricular experiences and services that are included in an alternative learning experience written student learning plan including, but not limited to, lessons, trips, and other activities, unless substantially similar experiences or services are also made available to students enrolled in the district's or charter school's regular instructional program. This prohibition extends to a district's or charter school's contracted providers of alternative learning experience programs, and each district and charter school shall be responsible for monitoring the compliance of its contracted providers. Nothing herein shall:

(i) Prohibit school districts or charter schools from contracting with school district or charter school employees to provide services or experiences to students; or

(ii) Prohibit school districts or charter schools from contracting with online providers approved by the office of superintendent of public instruction pursuant to chapter 28A.250 RCW; or

(iii) Require school districts or charter schools that contract with school district or charter school employees to provide services or experiences to students, or with online providers approved by the office of superintendent of public instruction pursuant to chapter 28A.250 RCW, to provide substantially similar experiences and services under this subsection.

(j)(i) A school district or charter school that provides alternative learning experience courses or course work to a student must provide the parent(s) of the student, prior to the student's enrollment, with a description of the difference between home-based instruction pursuant to chapter 28A.200 RCW and the enrollment option selected by the student. The parent must sign documentation attesting to his or her understanding of the difference. Such documentation must be

retained by the district or charter school and made available for audit.

(ii) In the event a school district or charter school cannot locate a student's parent within three days of a student's request for enrollment in an alternative learning experience, the school district or charter school may enroll the student for a conditional period of no longer than thirty calendar days. The student must be disenrolled from the alternative learning experience if the school district or charter school does not obtain the documentation required under this subsection before the end of the thirty day conditional enrollment period.

(k) The school district or school district contractor, or charter school or charter school contractor, is prohibited from advertising, marketing, and otherwise providing unsolicited information about learning programs offered by the school district or charter school including, but not limited to, digital learning programs, part-time enrollment opportunities, and other alternative learning programs, to students and their parents who have filed a declaration of intent to cause a child to receive home-based instruction under RCW 28A.200.010. School districts and charter schools may respond to requests for information that are initiated by a parent. This prohibition does not apply to general mailings, newsletters, or other general communication distributed by the school district, school district contractor, charter school, or charter school contractor to all households in the district.

(l) Work-based learning as a component of an alternative learning experience course of study is subject to the provisions of WAC 392-410-315 and 392-121-124.

(m) The school district or charter school must institute reliable methods to verify a student is doing his or her own work. The methods may include proctored examinations or projects, including the use of web cams or other technologies. "Proctored" means directly monitored by an adult authorized by the school district or charter school.

(n) School districts may accept nonresident students under the school choice enrollment provisions of RCW 28A.225.200 through 28A.225.230 and chapter 392-137 WAC for enrollment in alternative learning experiences.

(o) School districts enrolling a nonresident student must inform the resident school district if the student drops out of the alternative learning experience program or is otherwise no longer enrolled.

(p) The alternative learning experience must satisfy the office of superintendent of public instruction's requirements for courses of study and equivalencies as provided in chapter 392-410 WAC.

(q) High school alternative learning experience courses must be offered for high school credit. Courses offering credit or alternative learning experience programs issuing a high school diploma must satisfy the state board of education's high school credit and graduation requirements as provided in chapter 180-51 WAC.

(r) Beginning in the 2013-14 school year and continuing through the 2016-17 school year, school districts and charter schools offering or contracting to offer alternative learning experience courses must pay costs associated with a biennial measure of student outcomes and financial audit of the district's or charter school's alternative learning experience courses by the office of the state auditor.

(7) **Enrollment reporting procedures:** Effective the 2011-12 school year, the full-time equivalency of students enrolled in an alternative learning experience must be determined as follows:

(a) The school district or charter school must use the definition of full-time equivalent student in WAC 392-121-122 and the number of hours the student is expected to engage in learning activities as follows:

(i) On the first enrollment count date on or after the start date specified in the written student learning plan, subject to documented evidence of student participation as required by WAC 392-121-106(4), the student's full-time equivalent must be based on the estimated average weekly hours of learning activity described in the student's written student learning plan.

(ii) On any subsequent monthly count date, the student's full-time equivalent must be based on the estimated average weekly hours of learning activity described in the written student learning plan if:

(A) The student's progress evaluation conducted in the prior calendar month pursuant to subsection (4)(c) of this section indicates satisfactory progress; or

(B) The student's progress evaluation conducted in the prior calendar month pursuant to subsection (4)(c) of this section indicates a lack of satisfactory progress, and an intervention plan designed to improve student progress has been developed, documented, and implemented within five school days of the date of the prior month's progress evaluation.

(iii) On any subsequent monthly count date if an intervention plan has not been developed, documented, and implemented within five days of the prior month's progress evaluation, the student's full-time equivalent must not be included by the school district or charter school in the subsequent month's enrollment count.

(iv) Enrollment of part-time students is subject to the provisions of RCW 28A.150.350, and generates a pro rata share of full-time funding.

(b) The enrollment count must exclude students meeting the definition of enrollment exclusions in WAC 392-121-108 or students who have not had contact with a certificated teacher for twenty consecutive school days. Any such student must not be counted as an enrolled student until the student has met with a certificated teacher and resumed participation in their alternative learning experience or is participating in another course of study as defined in WAC 392-121-107;

(c) The enrollment count must exclude students who are not residents of Washington state as defined by WAC 392-137-115;

(d) The enrollment count must exclude students who as of the enrollment count date have completed the requirements of the written student learning plan prior to ending date specified in the plan and who have not had a new written student learning plan established with a new beginning and ending date that encompasses the count date;

(e) For alternative learning experience programs that end prior to June 1st, the June enrollment count date may be the last school day in May and include students whose written student learning plan includes an ending date that is the last school day in May.

(f) Graduating alternative learning experience students whose last school day is in May may be included in the June enrollment count if the following conditions are met:

(i) The alternative learning experience program calendar identifies that the last day of school for the graduating students is in May.

(ii) The students' written student learning plan includes an end date that is the last day of school for graduating students in May.

(g) School districts claiming alternative learning experiences students for funding for nonresident students must document the district of the student's physical residence, and shall establish procedures that address, at a minimum, the coordination of student counting for state funding so that no student is counted for more than one full-time equivalent in the aggregate including, but not limited to:

(i) When a resident district and one or more nonresident district(s) will each be claiming basic education funding for a student in the same month or months, the districts shall execute a written agreement that at minimum identifies the maximum aggregate basic education funding each district may claim for the duration of the agreement. A nonresident district may not claim funding for a student until after the effective date of the agreement.

(ii) When a district is providing alternative learning experiences to nonresident students under the school choice enrollment provisions of RCW 28A.225.200 through 28A.225.230 and chapter 392-137 WAC the district may not claim funding for the student until after the release date documented by the resident district.

(8) Assessment requirements:

(a) All students enrolled in alternative learning experience courses or course work must be assessed at least annually, using, for full-time students, the state assessment for the student's grade level and using any other annual assessments required by the school district or charter school. Part-time students must also be assessed at least annually. However, part-time students who are either receiving home-based instruction under chapter 28A.200 RCW or who are enrolled in an approved private school under chapter 28A.195 RCW are not required to participate in the assessments required under chapter 28A.655 RCW.

(b) Any student whose alternative learning experience enrollment is claimed as greater than 0.8 full-time equivalent in any one month through the January count date must be included by the school district or charter school in any required state or federal accountability reporting for that school year, subject to existing state and federal accountability rules and procedures.

(c) Students enrolled in nonresident district alternative learning experience courses or course work who are unable to participate in required annual state assessments at the nonresident district must have the opportunity to participate in such required annual state assessments at the district of physical residence, subject to that district's planned testing schedule. It is the responsibility of the nonresident enrolling district to establish a written agreement with the district of physical residence that facilitates all necessary coordination between the districts and with the student and, where appropriate, the student's parent(s) to fulfill this requirement. Such coordination

may include arranging for appropriate assessment materials, notifying the student of assessment administration schedules, arranging for the forwarding of completed assessment materials to the enrolling district for submission for scoring and reporting, arranging for any allowable testing accommodations, and other steps as may be necessary. The agreement may include rates and terms for payment of reasonable fees by the enrolling district to the district of physical residence to cover costs associated with planning for and administering the assessments to students not enrolled in the district of physical residence. Assessment results for students assessed according to these provisions must be included in the enrolling district's accountability measurements, and not in the district of physical residence's accountability measurements.

(d) School districts and charter schools offering alternative learning experience courses or course work to students enrolled in full-day kindergarten must administer the Washington kindergarten inventory of developing skills (WaKIDS) to identify the skills, knowledge, and characteristics of kindergarten students at the beginning of the school year in order to support social-emotional, physical, and cognitive growth and development of individual children; support early learning provider and parent involvement; and inform instruction.

(i) The administration of WaKIDS under this section shall replace the administration of other school district or charter school assessments. Other assessments may only be administered if they seek to obtain information not covered by WaKIDS.

(ii) School districts and charter schools must provide an opportunity for parents and guardians to excuse their children from participation in WaKIDS.

(9) Reporting requirements:

(a) Each school district or charter school offering alternative learning experience courses or course work must report monthly to the superintendent of public instruction accurate monthly headcount and full-time equivalent enrollment for students enrolled in alternative learning experiences. Each school district offering alternative learning experience courses or course work must further report monthly to the superintendent information about the resident and serving districts of such students.

(b) Each school district or charter school offering alternative learning experience courses or course work must submit an annual report to the superintendent of public instruction detailing the costs and purposes of any expenditure made pursuant to subsection (6)(i) of this section, along with the substantially similar experiences or services made available to students enrolled in the district's or charter school's regular instructional program.

(c) Each school district or charter school offering alternative learning experience courses or course work must annually report the following to the superintendent of public instruction:

(i) The number of certificated instructional staff full-time equivalent assigned to each alternative learning experience program; and

(ii) Separately identify alternative learning experience enrollment of students where instruction is provided entirely

under contract pursuant to RCW 28A.150.305 and WAC 392-121-188.

(d) Each school district or charter school offering alternative learning experience courses must report all required information to the office of superintendent of public instruction's *Comprehensive Education Data and Research System* under RCW 28A.300.500. School districts and charter schools must designate alternative learning experience courses as such when reporting course information to the *Comprehensive Education Data and Research System*.

(e) School districts and charter schools offering alternative learning experience courses or course work to students enrolled in full-day kindergarten must submit a report to the superintendent of public instruction by December 15, 2017, describing the ways the school district or charter school is addressing the requirements of RCW 28A.150.315. The report must be made in a form prescribed by the superintendent of public instruction.

(10) **Documentation and record retention requirements:** School districts and charter schools claiming state funding for alternative learning experiences must retain all documentation required in this section in accordance with established records retention schedules and must make such documentation available upon request for purposes of state monitoring and audit. School districts and charter schools must maintain the following written documentation:

(a) School board policy for alternative learning experiences pursuant to this section;

(b) Annual reports to the school district board of directors or charter school board as required by subsection (5) of this section;

(c) Monthly and annual reports to the superintendent of public instruction as required by subsection (9) of this section;

(d) The written student learning plans required by subsection (4) of this section;

(e) Evidence of weekly contact required by subsection (4) of this section.

(i) For students participating in regularly scheduled classes, including in-person instructional contact and synchronous digital instructional contact, evidence may include classroom attendance records.

(ii) For students who are not participating in regularly scheduled classes, evidence of contact must include the date of the contact, the method of communication by which the contact was accomplished, and documentation to support the subject of the communication.

(f) Student progress evaluations and intervention plans required by subsection (4) of this section;

(g) The results of any assessments required by subsection (9) of this section;

(h) Student enrollment detail substantiating full-time equivalent enrollment reported to the state; and

(i) Signed parent enrollment disclosure documents required by subsection (6)(j) of this section.

(j) For students enrolled in full-day kindergarten, evidence of the following:

(i) On a monthly basis, how the school district or charter school is meeting the following requirements under RCW 28A.150.315(1):

(A) The provision of at least a one thousand-hour instructional program;

(B) The provision of a curriculum that offers a rich, varied set of experiences that assist students in:

(I) Developing initial skills in the academic areas of reading, mathematics, and writing;

(II) Developing a variety of communication skills;

(III) Providing experiences in science, social studies, arts, health, and physical education, and a world language other than English;

(IV) Acquiring large and small motor skills;

(V) Acquiring social and emotional skills including successful participation in learning activities as an individual and as part of a group; and

(VI) Learning through hands-on experiences.

(C) The establishment of learning environments that are developmentally appropriate and promote creativity;

(D) The demonstration of strong connections and communication with early learning community providers;

(E) The participation in kindergarten program readiness activities with early learning providers and parents.

(i) On a monthly basis, the number of hours each student enrolled in the full-day kindergarten program is served in a site-based authentic classroom environment with direct instruction provided by a WaKIDS-trained, Washington state certificated teacher, including a description of instruction.

(ii) On a monthly basis, the number of hours each student enrolled in the full-day kindergarten program is served by someone other than a WaKIDS-trained, Washington state certificated teacher, including a description of the services and who is providing the services.

WSR 18-11-016

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 18-87—Filed May 3, 2018, 3:36 p.m., effective June 1, 2018]

Effective Date of Rule: June 1, 2018.

Purpose: Amends recreational fishing rules for the Hoh River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-02000A and 220-312-02000B; and amending WAC 220-312-020.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is necessary to correct the area description in WSR 18-10-072 filed on April 30, 2018. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 2.

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

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

Date Adopted: May 3, 2018.

Joe Stohr
Director

NEW SECTION

WAC 220-312-02000B Freshwater exceptions to statewide rules—Coast. Notwithstanding the provisions of WAC 220-312-02000Y and WAC 220-312-020, effective June 1 through June 30, 2018:

Hoh River from the Olympic National Park boundary upstream to the boat launch at the DNR's Oxbow Campground:

- (1) Salmon open June 1 through June 30, 2018:
 - (a) Daily limit 1, minimum length 12 inches.
 - (b) Release all salmon other than hatchery Chinook.
- (2) Gamefish open June 1 through June 30, 2018:
 - (a) Trout: daily limit 2, minimum length 14 inches.
 - (b) Release wild rainbow trout and wild steelhead.
- (3) Only 1 barbless hook may be used.
- (4) Bait is prohibited.

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:

WAC 220-312-02000A Freshwater exceptions to statewide rules—Coast.

The following section of the Washington Administrative Code is repealed effective July 1, 2018:

WAC 220-312-02000B Freshwater exceptions to statewide rules—Coast.

**WSR 18-11-017
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 18-90—Filed May 3, 2018, 5:02 p.m., effective May 3, 2018, 5:02 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amends freshwater recreational rules for the Kalama River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-03000Q.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is necessary to open the recreational steelhead fishery in the Kalama River. Kalama River hatchery facilities are expected to meet their egg collection goals for hatchery winter steelhead programs. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental 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 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 3, 2018.

Nate Pamplin
for Joe Stohr
Director

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:

WAC 220-312-03000Q Freshwater exceptions to statewide rules—Southwest. (18-52)

**WSR 18-11-019
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 18-86—Filed May 4, 2018, 11:35 a.m., effective May 10, 2018, 8:00 a.m.]

Effective Date of Rule: May 10, 2018, 8:00 a.m.

Purpose: Amends coastal commercial crab rules.

Citation of Rules Affected by this Order: Repealing WAC 220-340-45000F; and amending WAC 220-340-450.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule opens an additional five miles of the Quinault Special Management Area to state fishers and implements a one hundred pot limit in the newly opened area as [a] result of recent data sharing between state-Quinault fishery managers and policy leaders. This emergency rule also continues the closure of the Quileute Special Secondary Management Area as provided in the state-Quileute Harvest Management Agreement. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 3, 2018.

Joe Stohr
Director

NEW SECTION

WAC 220-340-45000G Commercial crab fishery—Seasons and areas—Coastal. Notwithstanding the provisions of WAC 220-340-450, effective 8:00 a.m. May 10, 2018 until further notice, it is unlawful to fish for Dungeness crab in Washington coastal waters, the Pacific Ocean, Grays Harbor, Willapa Bay, or the Columbia River, except as provided for in this section.

(1) The area from the U.S./Canada border to the WA/OR border (46°15.00') and Willapa Bay is open.

(2) For the purposes of this section, the waters of Willapa Bay are defined to include the marine waters east of a line connecting 46°44.76' N, 124°05.76' W and 46°38.93' N, 124°04.33' W.

(3) The Quileute Special Management Area (SMA) is open to fishing for Dungeness crab. The SMA includes the area shoreward of a line approximating the 30-fathom depth curve between Destruction Island and Cape Johnson according to the following points:

Northwest Corner:	47°58.00' N. Lat.	124°49.00' W. Lon.
Southwest Corner:	47°40.50' N. Lat.	124°40.00' W. Lon.
Southeast Corner (Destruction Island):	47°40.50' N. Lat.	124°24.43' W. Lon.

Northwest Corner:	47°58.00' N. Lat.	124°49.00' W. Lon.
Southwest Corner:	47°40.50' N. Lat.	124°40.00' W. Lon.
Southeast Corner (Destruction Island):	47°40.50' N. Lat.	124°24.43' W. Lon.

(4) It is unlawful for a vessel to use more than 100 pots in the Quileute SMA until 8:00 a.m. June 1, 2018. Fishers must pre-register with the Department of Fish and Wildlife 24 hours prior to deploying gear in this area by one of the three following methods:

- Fax transmission to Carol Henry at 360-249-1229;
- E-mail to Carol Henry at Carol.Henry@dfw.wa.gov; or
- Telephone call to Carol Henry at 360-249-1296.

(5) The Quinault Secondary Special Management Area (SSMA) will be closed to fishing for Dungeness crab, from the area shoreward of a line approximating the 27-fathom depth curve between the mouth of the Joe Creek (47°12.25') and Split Rock (47°24.50'). This area will be closed until further notice. This SSMA is described by the following coordinates:

Northwest Corner:	47°58.00' N. Lat.	124°49.00' W. Lon.
Southwest Corner:	47°40.50' N. Lat.	124°40.00' W. Lon.
Southeast Corner (Destruction Island):	47°40.50' N. Lat.	124°24.43' W. Lon.
Northwest Corner:	47°24.50' N. Lat.	124°20.00' W. Lon.
Southwest Corner:	47°24.50' N. Lat.	124°32.40' W. Lon.
Southeast Corner (Joe Creek):	47°12.25' N. Lat.	124°27.50' W. Lon.
Southeast Corner (Joe Creek):	47°12.25' N. Lat.	124°12.28' W. Lon.

(6) It is unlawful for a vessel to use more than 100 pots in the area between the Copalis River (47°08.00') and Joe Creek (47°12.25') shoreward of a line approximating the 27-fathom depth curve until further notice. Fishers must pre-register with the Department of Fish and Wildlife 24 hours prior to deploying gear in this area by one of the three following methods:

- Fax transmission to Carol Henry at 360-249-1229;
- E-mail to Carol Henry at Carol.Henry@dfw.wa.gov; or
- Telephone call to Carol Henry at 360-249-1296.

(7) All other provisions of the permanent rule remain in effect.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective 8:00 a.m. May 10, 2018:

WAC 220-340-45000F Commercial crab fishery—Seasons and areas—Coastal. (18-82)

WSR 18-11-021
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 18-74—Filed May 4, 2018, 12:45 p.m., effective June 15, 2018]

Effective Date of Rule: June 15, 2018.

Purpose: Amends recreational fishing rules for Roosevelt Lake.

Citation of Rules Affected by this Order: Amending WAC 220-312-050.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The white sturgeon population in the Upper Columbia Transboundary Reach (Grand Coulee Dam, Washington to Hugh Keenleyside Dam, British Columbia (BC)) has experienced consistent juvenile year-class production failure for more than thirty years. In response to production failure, the Upper Columbia White Sturgeon Recovery Initiative (UCWSRI) was formed in 2000. UCWSRI produced a recovery plan (finalized in 2002) with the goal, "To ensure the persistence and viability of naturally-reproducing populations of white sturgeon in the Upper Columbia River and restore opportunities for beneficial use, if feasible." A white sturgeon hatchery program began in 2001 (2002 releases) in BC and 2004 (with brood year 2003 fish from BC) in Washington using conventional broodstock and hatchery rearing methods. Stocking ranged from two thousand to twelve thousand juvenile sturgeon per year from 2001 to 2010 (including both Washington and BC releases). Survival of hatchery produced juvenile sturgeon was much higher than anticipated. As a result, there is a surplus of approximately twenty thousand five hundred sturgeon that are available for harvest from Lake Roosevelt over the next decade. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 3, 2018.

Joe Stohr
 Director

NEW SECTION

WAC 220-312-05000G Freshwater exceptions to statewide rules—Eastside. Notwithstanding the provisions of WAC 220-312-05000B and WAC 220-312-050:

(1) Effective June 15, 2018, until further notice, it is permissible to fish for sturgeon in waters of Lake Roosevelt from Grand Coulee Dam to China Bend Boat Ramp (including the Spokane River from Highway 25 Bridge upstream to 400' below Little Falls Dam, Colville River upstream to Meyers Falls and the Kettle River upstream to Barstow Bridge).

(a) Daily limit of one sturgeon between 53 and 63 inches fork length. Annual limit of two sturgeon.

(b) Anglers are required to record harvested on a Catch Record Card.

(c) Anglers may fish with two poles with the purchase of a Two-Pole Endorsement license.

(d) Night closure is in effect. All other statewide rules for white sturgeon apply.

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

WSR 18-11-036
EMERGENCY RULES
HEALTH CARE AUTHORITY

[Filed May 8, 2018, 9:51 a.m., effective May 8, 2018, 9:51 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The agency is revising the following rules to align with changes to the foundational community supports program protocol that was recently approved by the Centers for Medicare and Medicaid Services (CMS): WAC 182-559-100 Foundational community supports program—General, 182-559-150 Foundational community supports program—Definitions, 182-559-200 Foundational community supports program—Eligible providers, 182-559-300 Foundational community supports program—Eligibility, and 182-559-400 Foundational community supports program—Payment. The agency is revising the name of WAC 182-559-300 to reflect that this section contains eligibility for community support services (also known as supportive housing services) only. The agency is adding new WAC 182-559-350 Foundational community supports program—Eligibility for supported employment services, to provide more detailed information as required by the protocol. The agency is adding new WAC 182-559-600 Foundational community supports program—Grievance and appeals system, to clarify the grievance and appeals process for clients receiving services through the foundational community supports program.

Citation of Rules Affected by this Order: New WAC 182-559-350 and 182-559-600; and amending WAC 182-559-100, 182-559-150, 182-559-200, 182-559-300, and 182-559-400.

Statutory Authority for Adoption: RCW 41.05.021, 41.05.160.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline

for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: The implementation of the foundational community supports program is dependent upon the protocol. The protocol is an attachment to a binding contract between the agency and CMS. The agency's rules must align with the protocol in order to receive funding for the program. The authorized foundational community supports funding for year one of the medicaid transformation project expires on December 31, 2017. The agency filed a CR-101 to begin the permanent rule-making process under WSR 18-01-133 on December 20, 2017.

This emergency filing replaces the emergency rules filed under WSR 18-03-056, on January 10, 2018. The agency is refiling the emergency to continue the emergency rule while proceeding through the permanent rule-making process. Since the last emergency filing, the gency [agency] has completed external review and is currently reviewing stakeholder comments.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 2, Amended 5, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 2, Amended 5, Repealed 0.

Date Adopted: May 8, 2018.

Wendy Barcus
Rules Coordinator

AMENDATORY SECTION (Amending WSR 17-11-136, filed 5/24/17, effective 7/1/17)

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))~~ Community support services; and

(b) Supported employment services.

(2) ~~((Supportive housing))~~ Community support 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))~~ (a) Pretenancy supports:

(i) Conducting a functional needs assessment identifying the participant's preferences related to housing (type, location, living alone or with someone else, identifying a roommate, accommodations needed, or other important preferences) and needs for support to maintain community integration, including what type of setting works best for the client, assistance in budgeting for housing/living expenses, assistance in connecting the client with social services to assist with filling out applications and submitting appropriate documentation in order to obtain sources of income necessary for community living and establishing credit, and in understanding and meeting obligations of tenancy;

(ii) Assisting clients to connect with social services to help with finding and applying for housing necessary to support the clients in meeting their medical care needs;

(iii) Developing an individualized community integration plan based upon the assessment as part of the overall person-centered plan;

(iv) Identifying and establishing short and long-term measurable goal(s), and establishing how goals will be achieved and how concerns will be addressed;

(v) Participating in person-centered plan meetings at redetermination and/or revision plan meetings as needed;

(vi) Providing supports and interventions per the person-centered plan.

(b) Tenancy-sustaining services:

(i) Service planning support and participating in person-centered plan meetings at redetermination and revision plan meetings as needed;

(ii) Coordinating and linking the client to services including primary care and health homes; substance use treatment providers; mental health providers; medical, vision, nutritional and dental providers; vocational, education, employment and volunteer supports; hospitals and emergency rooms; probation and parole; crisis services; end of life planning; and other support groups and natural supports;

(iii) Entitlement assistance including assisting clients in obtaining documentation, navigating and monitoring application process and coordinating with the entitlement agency;

(iv) Assistance in accessing supports to preserve the most independent living, including skills coaching, financing counseling, anger management, individual and family counseling, support groups, and natural supports;

(v) Providing supports to assist the client in communicating with the landlord and/or property manager regarding the participant's disability (if authorized and appropriate), detail-

ing accommodations needed, and addressing components of emergency procedures involving the landlord and/or property manager;

(vi) Coordinating with the client to review, update and modify their housing support and crisis plan on a regular basis to reflect current needs and address existing or recurring housing retention barriers; and

(vii) Connecting the client to training and resources that will assist the client in being a good tenant and lease compliance, including ongoing support with activities related to household management.

(c) The CSS benefit does not include:

(i) Payment of rent or other room and board costs;

(ii) Capital costs related to the development or modification of housing;

(iii) Expenses for utilities or other regular occurring bills;

(iv) Goods or services intended for leisure or recreation;

(v) Duplicative services from other state or federal programs; and

(vi) Services to clients in a correctional institution or an institute for mental disease (IMD) (other than services that meet the exception to the IMD exclusion).

(d) Community support services must be provided:

((a)) (i) In an integrated setting of the client's choice; and

((b)) (ii) In a manner that ensures the client's individual right of privacy, dignity, respect, and freedom from coercion and restraint;

((c)) (iii) 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:

((1)) (A) Do not have the qualities of an institution;

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

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

((4)) (D) Do not have the effect of isolating the client from community members who are not receiving medicaid services; and

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

((6)) (3) Supported employment, such as individual placement and support (IPS) services, ~~is~~ individualized and ~~(may include any combination)~~ includes one or more 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)) ~~Preemployment services:~~

(i) ~~Prevocational/job-related discovery or assessment;~~

(ii) ~~Person-centered employment planning;~~

(iii) ~~Individualized job development and placement;~~

(iv) ~~Job carving;~~

(v) ~~Benefits education and planning; or~~

(vi) ~~Transportation (only in conjunction with the delivery of an authorized service).~~

(b) ~~Employment sustaining services:~~

(i) ~~Career advancement services;~~

(ii) ~~Negotiation with employers;~~

(iii) ~~Job analysis;~~

(iv) ~~Job coaching;~~

(v) ~~Benefits education and planning;~~

(vi) ~~Transportation (only in conjunction with the delivery of an authorized service);~~

(vii) ~~Asset development; or~~

(viii) ~~Follow-along supports.~~

(c) ~~The IPS benefit does not include:~~

(i) ~~Generalized employer contacts that are not connected to a specific enrolled individual or an authorized service;~~

(ii) ~~Employment support for individuals in subminimum wage, or sheltered workshop settings; and~~

(iii) ~~Facility-based habilitation or personal care services.~~

(d) ~~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).~~

(4) ~~Clients who meet the eligibility criteria for both community support services and supported employment services are able to receive both services concurrently. See WAC 182-559-300 for community support services eligibility criteria and WAC 182-559-350 for supported employment eligibility criteria.~~

(5) ~~In order to ensure the demand for services remains within available funds, the agency may impose enrollment wait lists for services.~~

(6) ~~No services described in this chapter shall be provided without explicit authority of the medicaid transformation project.~~

AMENDATORY SECTION (Amending WSR 17-11-136, filed 5/24/17, effective 7/1/17)

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.)

"Adverse benefit determination" means one or more of the following:

(a) ~~The denial or limited authorization of a requested foundational community support services, including determi-~~

nations based on the type of service, requirements for medical necessity, appropriateness, setting, or effectiveness of a service;

(b) The reduction, suspension, or termination of a previously authorized service;

(c) The denial, in whole or in part, of payment for a service;

(d) The failure to provide services in a timely manner, as defined by the state; or

(e) The failure of the third-party administrator (TPA) to act within the time frames provided in WAC 182-559-600 for standard resolution of grievances and appeals.

"Community support services (also called supportive housing services)" 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. These services include:

(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.

"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.)~~

AMENDATORY SECTION (Amending WSR 17-11-136, filed 5/24/17, effective 7/1/17)

WAC 182-559-200 Foundational community supports program—Eligible providers. (1) Providers of ~~((supportive housing))~~ community support services 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))~~ community support services, supported employment, or equivalent services.

(i) Community support services experience may be demonstrated by:

(A) Two years' experience in the coordination of supportive housing or in the coordination of independent living services in a social service setting under qualified supervision; or

(B) Certified in supportive housing services (WAC 388-877A-0335 or 388-877B-0740) by the department of social and health services/division of behavioral health and recovery (DSHS/DBHR).

(ii) Supported employment experience may be demonstrated by one or more of the following:

(A) Accredited by the commission on accreditation of rehabilitation facilities (CARF) in employment services;

(B) Certified in employment services (WAC 388-877A-0330 or 388-877B-0730) by DSHS/DBHR; or

(C) All staff that will be performing supported employment services meet one of the following criteria:

(I) Be a certified employment support professional (CESP) by the employment support professional certification council (ESPCC);

(II) Be a certified rehabilitation counselor (CRC) by the commission of rehabilitation counselor certification (CRCC);

(III) Have a bachelor's degree or higher in human or social services from an accredited college or university and at least two years of demonstrated experience providing supported employment or similar services; or

(IV) Have four or more years of demonstrated experience providing supported employment or similar services.

(2) Providers of ~~((supportive housing))~~ community support services 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))~~ community support services or supported employment services.

AMENDATORY SECTION (Amending WSR 17-11-136, filed 5/24/17, effective 7/1/17)

WAC 182-559-300 Foundational community supports program—Eligibility for community support services. ~~((+))~~ To be eligible for ~~((supportive housing))~~ community support services, a client must:

~~((a))~~ (1) Be age eighteen or older;
~~((b))~~ (2) 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~~ (3) Meet at least one of the following health criteria and be expected to benefit from community support services:

(a) Clients assessed by a licensed behavioral health agency, under chapter 388-877 WAC, to have a behavioral health need, which is defined as one or both of the following criteria:

(i) Mental health needs, including a need for improvement, stabilization, or prevention of deterioration of functioning (including the ability to live independently without support) resulting from the presence of a mental illness; or

(ii) Substance use needs determined by an assessment using the American Society of Addiction Medicine (ASAM) criteria indicates that the client meets at least ASAM level 1.0, indicating the need for outpatient substance use disorder (SUD) treatment. The ASAM is a multi-dimensional assessment approach for determining a client's need for SUD treatment.

(b) Clients assessed via a CARE assessment, per WAC 388-106-0050, to have a need for assistance demonstrated by:

(i) The need for assistance with at least three activities of daily living (ADLs) defined in WAC 388-106-0010, one of which may be body care; or

(ii) Hands-on assistance with at least one ADL which may include body care.

(c) Clients assessed to be a homeless person with a disability, according to 24 C.F.R. 578.3, which is defined as a long continuing or indefinite physical condition requiring improvement, stabilization, or prevention of deterioration of functioning (including ability to live independently without support).

(4) Exhibit at least one of the following risk factors:

(a) Homeless clients who:

(i) Have been homeless for at least twelve months; or

(ii) Have been homeless on at least four separate occasions in the last three years, as long as the combined occasions equal at least twelve months.

(iii) Homeless is defined as living in a safe haven, an emergency shelter, or a place not meant for human habitation. See 24 C.F.R. 578.3.

(b) A history of frequent or lengthy institutional contact;

~~((iii))~~ Have frequent or lengthy);

(i) Institutional care facilities include jails, substance abuse or mental health treatment facilities, hospitals, or other

similar facilities, as defined in 24 C.F.R. 578.3, or skilled nursing facilities as defined in WAC 388-97-0001.

(ii) Frequent means more than one contact in the past twelve months.

(iii) Lengthy means ninety or more consecutive days within an institutional setting in the past twelve months.

(c) A history of frequent stays at adult residential care facilities as defined by WAC 388-110-020 ~~((and))~~ or residential treatment facilities as defined by WAC 246-337-005;

~~((iv))~~ Frequent means more than one contact in the past twelve months.

(d) Have frequent turnover of in-home caregivers as defined by WAC 388-106-0040;

~~((v))~~ where within the last twelve months the client utilized three or more different in-home caregiver providers and the current placement is not appropriate for the client.

(e) 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.)

AMENDATORY SECTION (Amending WSR 17-11-136, filed 5/24/17, effective 7/1/17)

WAC 182-559-400 Foundational community supports program—Payment. The medicaid agency pays for

(~~supportive housing~~) community support services 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 182-559-350 Foundational community supports program—Eligibility for supported employment services. To be eligible for supported employment services, a client must:

- (1) Be age sixteen or older;
- (2) Be eligible for apple health (medicaid);
- (3) Desire to obtain employment;
- (4) Meet at least one of the following health criteria and is expected to benefit from supported employment services:
 - (a) Clients assessed by a licensed behavioral health agency, under chapter 388-877 WAC, to have a behavioral health need, which is defined as one or both of the following criteria:
 - (i) Mental health needs, including a need for improvement, stabilization, or prevention of deterioration of functioning (including ability to live independently without support) resulting from the presence of a mental illness; or
 - (ii) Substance use needs determined by an assessment using the American Society of Addiction Medicine (ASAM) criteria indicates that the client meets at least ASAM level 1.0, indicating the need for outpatient substance use disorder (SUD) treatment. The ASAM is a multi-dimensional assessment approach for determining a client's need for SUD treatment.
 - (b) Clients assessed via a CARE assessment, per WAC 388-106-0050, to have a need for assistance demonstrated by:
 - (i) The need for assistance with at least three activities of daily living (ADLs) defined in WAC 388-106-0010, one of which may be body care; or
 - (ii) Hands-on assistance with at least one ADL which may include body care.
 - (c) There is objective evidence, as defined by the progressive evaluation process in chapter 388-447 WAC, of physical impairments because of which the client needs assistance with basic work-related activities, including one or more of the following: Sitting, standing, walking, lifting, carrying, handling, manipulative or postural functions (pushing, pulling, reaching, handling, stooping or crouching), seeing, hearing, communicating, remembering, understanding and following instructions, responding appropriately to supervisors and coworkers, tolerating the pressures of a work setting, maintaining appropriate behavior, using judgment, and adapting to changes in a routine work setting.
 - (5) Exhibit at least one of the following risk factors:
 - (a) Unable to be gainfully employed for at least ninety consecutive days due to a mental or physical impairment, as demonstrated by eligibility for 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;

- (b) More than one instance of treatment for a substance use disorder within the past two years;
- (c) At risk of deterioration of mental illness and/or substance use disorder, including one or more of the following:
 - (i) Persistent or chronic risk factors such as social isolation due to a lack of family or social supports, poverty, criminal justice involvement, or homelessness;
 - (ii) Care for mental illness and/or substance use disorder requires multiple provider types, including behavioral health, primary care, long-term services and supports, or other supportive services; or
 - (iii) Past psychiatric history, with no significant functional improvement that can be maintained without treatment and/or supports.
 - (d) Dysfunction in role performance due to a behavioral health condition, including one or more of the following:
 - (i) Behaviors that disrupt employment or schooling, or put employment at risk of termination or schooling suspension;
 - (ii) A history of multiple terminations from work or suspensions/expulsions from school;
 - (iii) Cannot succeed in a structured work or school setting without additional support or accommodations; or
 - (iv) Performance significantly below expectations for cognitive/developmental level.
 - (e) An inability to obtain or maintain employment resulting from age, physical disability, or traumatic brain injury.

NEW SECTION

WAC 182-559-600 Foundational community supports program—Grievance and appeals system. (1) This section contains information about the third-party administrator (TPA) grievance and appeal system and the medicaid agency's administrative hearing process for clients under the foundational community supports program.

- (a) The TPA must have a grievance and appeal system and access to an agency administrative hearing to allow clients to file grievances and seek review of a TPA adverse benefit determination as defined in WAC 182-559-150.
- (b) The agency's administrative hearing rules in chapter 182-526 WAC apply to agency administrative hearings requested by a client to review the resolution of a client's appeal of a TPA adverse benefit determination.
- (c) If a conflict exists between the requirements of this chapter and specific program rules, the requirements of this chapter prevail.
- (d) The TPA's policies and procedures regarding the grievance system must be approved by the agency.
- (e) The TPA must maintain records of grievances and appeals.
 - (2) TPA grievance and appeal system. The TPA grievance and appeal system includes:
 - (a) A grievance process for addressing complaints about any matter that is not an adverse benefit determination;
 - (b) A TPA appeals process to address a client's request for review of a TPA adverse benefit determination;

(c) Access to the agency's administrative hearing process for review of a TPA's resolution of an appeal; and

(d) Allowing clients and the client's authorized representatives to file grievances and appeals orally or in writing. The TPA cannot require clients to provide written follow up for a grievance or an appeal that the TPA received orally.

(3) The TPA grievance process.

(a) A client or client's authorized representative may file a grievance with the TPA. A provider may not file a grievance on behalf of a client without the client's written consent.

(b) Clients do not have a right to an agency administrative hearing regarding the resolution of a grievance.

(c) The TPA must acknowledge receipt of each grievance either orally or in writing within two business days.

(d) The TPA must notify clients of the resolution of grievances within five business days of determination.

(4) The TPA appeals process.

(a) A client, the client's authorized representative, or a provider acting on behalf of the client with the client's written consent may appeal a TPA adverse benefit determination.

(b) The TPA treats oral inquiries about appealing an adverse benefit determination as an appeal to establish the earliest possible filing date for the appeal. The TPA confirms the oral appeal in writing.

(c) The TPA must acknowledge in writing the receipt of each appeal to both the client and the requesting provider within five calendar days of receiving the appeal request. The appeal acknowledgment letter sent by the TPA serves as written confirmation of an appeal filed orally by a client.

(d) The client must file an appeal of a TPA action within sixty calendar days of the date on the TPA's notice of adverse benefit determination.

(e) The TPA is not obligated to continue services pending the results of an appeal or subsequent agency administrative hearing.

(f) The TPA internal appeal process:

(i) Provides the client a reasonable opportunity to present evidence and allegations of fact or law, both in person and in writing;

(ii) Provides the client and the client's representative the client's case file, other documents and records, and any new or additional evidence considered, relied upon, or generated by the TPA (or at the direction of the TPA) in connection with the action. This information must be provided free of charge in advance of the resolution time frame for appeals as specified in this section; and

(iii) Includes as parties to the appeal:

(A) The client and the client's authorized representative; and

(B) The legal representative of the deceased client's estate.

(g) The TPA ensures that the people making decisions on appeals were not involved in any previous level of review or decision making.

(h) Time frames for resolution of appeals.

(i) The TPA resolves each appeal and provides notice as expeditiously as the client's health condition requires and no longer than three calendar days after the day the TPA receives the appeal.

(ii) The TPA may extend the time frame by an additional fourteen calendar days if it is necessary in order to complete the appeal.

(i) Notice of resolution of appeal. The notice of the resolution of the appeal must:

(i) Be in writing and be sent to the client and the requesting provider;

(ii) Include the results of the resolution of the appeal process and the date it was completed; and

(iii) Include information on the client's right to request an agency administrative hearing and how to do so as provided in the agency hearing rules under WAC 182-526-0095, if the appeal is not resolved wholly in favor of the client.

(j) Deemed completion of the TPA appeal process. If the TPA fails to adhere to the notice and timing requirements for appeals, the client is deemed to have completed the TPA's appeals process and may request an agency administrative hearing under WAC 182-526-0095.

(5) Agency administrative hearing.

(a) Only a client or the client's authorized representative may request an agency administrative hearing. A provider may not request a hearing on behalf of a client.

(b) If the client does not agree with the TPA's resolution of an appeal at the completion of the TPA appeal process, the client may file a request for an agency administrative hearing based on the rules in this section and the agency hearing rules in chapter 182-526 WAC. The client must request an agency administrative hearing within ninety calendar days of the notice of resolution of appeal.

(c) The TPA is an independent party and responsible for its own representation in any administrative hearing, appeal to the board of appeals, and any subsequent judicial proceedings.

(6) Effect of reversed resolutions of appeals. If the TPA or a final order as defined in chapter 182-526 WAC reverses a decision to deny or limit services, the TPA must authorize or provide the disputed services promptly and as expeditiously as the client's health condition requires.

(7) Available resources exhausted. When available resources are exhausted, any appeals process, or agency administrative hearing process related to a request to authorize a service will be terminated, since services cannot be authorized without funding regardless of medical necessity.

WSR 18-11-043

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 18-96—Filed May 9, 2018, 12:12 p.m., effective May 9, 2018, 12:12 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amend recreational halibut fishing rules.

Citation of Rules Affected by this Order: Repealing WAC 220-314-03000J; and amending WAC 220-314-030.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is

necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to close the Marine Area 1 all depth recreational halibut fishery after May 11. There is sufficient quota remaining to continue the all depth recreational halibut fishery through Friday, May 11 but not enough to keep the fishery open Sunday, May 13 without risk of exceeding the quota. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 9, 2018.

Joe Stohr
Director

NEW SECTION

WAC 220-314-03000K Halibut—Seasons—Daily and possession limits. Notwithstanding the provisions of WAC 220-314-030, 220-314-040, and 220-314-010, effective immediately until further notice, it is unlawful to fish for or possess halibut taken for personal use, except as provided in this section:

(1) **Catch Record Card Area 1:**

(a) Open Thursday May 10 and Friday May 11, 2018.

(b) It is unlawful during any vessel trip to bring into port or land bottomfish except sablefish, Pacific Cod, or flat fish species when halibut are on board.

(c) Lingcod can be retained when halibut are on board during the month of May when fishing north of the Washington-Oregon border.

(2) **Catch Record Card Area 1 (Nearshore fishery);**

Those waters shoreward from 46°38.17'N. lat., 124°15.88'W. long., to the WA/OR border at 46°16.00'N. lat., 24°15.88'W. long. (then connecting to the 40 fathom depth contour in Oregon):

(a) May 7, 2018, until further notice, Mondays through Wednesdays.

(b) It is permissible to retain bottomfish while possessing halibut onboard boats in the nearshore area.

(3) **Catch Record Card Area 2:** Open May 11, 13, 25 and May 27, 2018.

(4) **Card Areas 3 and 4:**

(a) Open May 11, 13, 25 and May 27, 2018.

(b) The following area southwest of Cape Flattery is closed to fishing for halibut at all times:

Beginning at 48°18'N., 125°18'W.; thence to 48°18'N., 124°59'W.; thence to 48°11'N., 124°59'W.; thence to 48°11'N., 125°11'W.; thence to 48°04'N., 125°11'W.; thence to 48°04'N., 124°59'W.; thence to 48°N., 124°59'W.; thence to 48°N., 125°18'W.; thence to point of origin.

(c) In Marine Areas 3 and 4 (west of the Bonille-Tatoosh Line); effective May 9, 2018: it is unlawful to fish for or possess bottomfish seaward of a line approximating the 20-fathom depth contour except, on days open to the Pacific halibut fishery in these areas, it is permissible to retain lingcod, sablefish and Pacific cod seaward of the 20 fathom depth contour as defined by the following coordinates:

48°23.9'N. lat., 124°44.2'W. long.
48°23.6'N. lat., 124°44.9'W. long.
48°18.6'N. lat., 124°43.6'W. long.
48°18.6'N. lat., 124°48.2'W. long.
48°10.0'N. lat., 124°48.8'W. long.
48°02.4'N. lat., 124°49.3'W. long.
47°37.6'N. lat., 124°34.3'W. long.
47°31.7'N. lat., 124°32.4'W. long.

(d) In Marine Area 4 (east of the Bonilla-Tatoosh Line) it is unlawful to fish for or possess bottomfish seaward of a line approximating 120-feet (20 fathoms), except, on days open to the Pacific halibut fishery in this area, it is permissible to retain lingcod, and Pacific cod seaward of the 120 feet (20 fathoms) as defined by WAC 220-314-010.

(5) **Catch Record Card Area 5 through 10:**

(a) Open May 11, 13, 25, and May 27, 2018.

(b) It is permissible for halibut anglers to retain lingcod and Pacific cod caught while fishing for halibut in waters deeper than 120 feet on days when halibut fishing is open in Areas 5 and 6.

(6) **Catch Record Card Areas 11, 12 and 13:** Closed.

(7) Daily limit one halibut, no minimum size limit. The possession limit is two daily limits of halibut in any form, except the possession limit aboard the fishing vessel is one daily limit.

(8) It is unlawful to land halibut in a port within an area closed to halibut fishing.

(9) Annual halibut limit is four.

(10) All other permanent rules remain in effect.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:

WAC 220-314-03000J Halibut—Seasons—Daily and possession limits. (18-85)

WSR 18-11-048
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 18-93—Filed May 9, 2018, 3:26 p.m., effective June 16, 2018]

Effective Date of Rule: June 16, 2018.

Purpose: Amends recreational fishing rules for the Skagit River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-04000I; and amending WAC 220-312-040.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is needed because the department of fish and wildlife is in the process of adopting permanent rules that are necessary to implement the personal use fishing plans agreed-to with resource comanagers at the North of Falcon proceedings. This emergency rule is necessary to comply with agreed-to management plans, and is interim until permanent rules take effect. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 9, 2018.

Joe Stohr
Director

NEW SECTION

WAC 220-312-04000I Freshwater exceptions to statewide rules—Puget Sound. Notwithstanding the provisions of WAC 220-312-04000E and WAC 220-312-040, effective June 16, 2018:

Skagit River, from the Highway 536 Bridge at Mt. Vernon to the mouth of Gilligan Creek:

- (a) Salmon open June 16 through July 15, 2018:
- (i) Daily limit 3, minimum length 12 inches.
- (ii) Release all salmon other than sockeye.

REPEALER

The following section of the Washington Administrative Code is repealed effective July 16, 2018:

WAC 220-312-04000I Freshwater exceptions to statewide rules—Puget Sound, (18-93)

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

WSR 18-11-049
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 18-95—Filed May 9, 2018, 3:30 p.m., effective May 18, 2018]

Effective Date of Rule: May 18, 2018.

Purpose: Amends recreational fishing rules for the Yakima River.

Citation of Rules Affected by this Order: Amending WAC 220-312-050.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Yakama Nation (YN) and Washington department of fish and wildlife fishery managers are forecasting a harvestable return of two thousand or more adult Cle Elum Hatchery spring Chinook to the Yakima River despite the run timing being late again this year. Opening the river for a Chinook salmon fishery will provide angling opportunity. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 9, 2018.

Joe Stohr
Director

NEW SECTION

WAC 220-312-05000K Exceptions to statewide rules—Yakima River. Notwithstanding the provisions of WAC 220-312-05000B and WAC 220-312-050, the following rules apply:

(1) Effective May 18, 2018, until further notice, a person may fish for salmon in waters of the Yakima River from:

a. The Hwy. 240 Bridge in Richland (river mile 2.1) to the Grant Avenue Bridge in Prosser (river mile 47.0), about 1,000 feet downstream of Prosser Dam.

b. The Wine Country Rd. Bridge in Prosser (river mile 47.3), about 1,300 feet upstream of Prosser Dam, to the State Route 241 (Sunnyside - Mabton Hwy.) Bridge (river mile 59.8).

c. The Interstate 82 Bridge at Union Gap (river mile 107.1) to the BNSF railroad bridge approximately 600 feet downstream of Roza Dam (river mile 127.8).

(2) Daily limit of two hatchery Chinook, minimum size 12 inches in length. Terminal gear is restricted to two, single (point), barbless hooks with a hook gap from point to shank of 3/4 inch or less when fishing for salmon. Use of bait is allowed.

(3) In Area (1) a., for the duration of the salmon fishery the Yakima River is closed to all fishing from 200 feet downstream to 200 feet upstream of the U.S. Bureau of Reclamation Chandler Powerhouse/Pumping Station (river mile 35.8).

(4) In Area (1) c., the Selective Gear Rules requirement prohibiting use of bait and knotted nets is suspended for all species for the duration of the salmon fishery. Night closure in effect.

(5) The Columbia River Salmon/Steelhead Endorsement is required to participate in this fishery.

(6) In all areas open to salmon fishing, the use of two (2) fishing poles is permitted during the salmon fishery provided the participating angler has purchased a "Two-Pole Endorsement" (in addition to the freshwater fishing license and Columbia River salmon/steelhead endorsement).

**WSR 18-11-056
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 18-94—Filed May 10, 2018, 3:46 p.m., effective May 30, 2018]

Effective Date of Rule: May 30, 2018.

Purpose: Amends freshwater recreational rules for Heart Lake.

Citation of Rules Affected by this Order: Repealing WAC 220-312-04000J; and amending WAC 220-312-040.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule change is necessary to ensure a successful kids fishing event. The fish will be planted in the lake three days prior to the event to better acclimate them. On the day of the event only children fourteen years of age or less will be allowed to fish in the lake. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 9, 2018.

Joe Stohr
Director

NEW SECTION

WAC 220-312-04000J Freshwater exceptions to statewide rules—Puget Sound. Notwithstanding the provisions of WAC 220-312-04000E and WAC 220-312-040, effective 12:01 a.m. May 30 through 11:59 p.m. June 2, 2018, it is unlawful to fish in those waters of Heart Lake, except open to fishing 7:00 a.m. to 12:00 p.m. June 2, 2018, to anglers participating in the youth fishing event. Juvenile anglers can continue to fish on June 2, 2018, after the youth fishing event closes.

REPEALER

The following section of the Washington Administrative Code is repealed effective June 3, 2018:

WAC 220-312-04000J Exceptions to statewide rules—Heart Lake (Skagit Co.)

**WSR 18-11-059
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 18-98—Filed May 10, 2018, 4:34 p.m., effective May 10, 2018, 4:34 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amend recreational fishing rules for the Lewis River.

Citation of Rules Affected by this Order: Amending WAC 220-312-030.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is needed because the 2018 Lewis River spring Chinook run is currently on track to meet the Lewis River Hatchery broodstock goals, allow for transport of fish to the upper Lewis River Basin for reintroduction, and allow anglers to fish for and retain hatchery Chinook. Similarly, broodstock goals for summer steelhead are expected to be met on the Lewis River. Therefore, the section from Johnson Creek to the overhead power lines below Merwin Dam will be open early and allow hatchery steelhead retention.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 10, 2018.

Amy H. Windrope
for Joe Stohr
Director

NEW SECTION

WAC 220-312-03000S Freshwater exceptions to statewide rules—Southwest. Notwithstanding the provisions of WAC 220-312-03000R and WAC 220-312-030, effective May 12, 2018 until further notice:

Lewis River (Clark/Cowlitz Co.):

(1) From the mouth to Johnson Creek:

(a) Salmon:

(i) Daily limit 6, minimum length 12 inches

(ii) Only 1 adult salmon may be retained

(iii) Release all salmon other than hatchery Chinook

(2) From Johnson Creek to the overhead powerlines below Merwin Dam:

(a) Fishing from a floating device is prohibited.

(b) Salmon:

(i) Daily limit 6, minimum length 12 inches

(ii) Only 1 adult salmon may be retained

(iii) Release all salmon other than hatchery Chinook

(c) Steelhead:

(i) Daily limit 3 hatchery steelhead, minimum length 20 inches

WSR 18-11-070

EMERGENCY RULES

EASTERN WASHINGTON UNIVERSITY

[Filed May 15, 2018, 12:11 p.m., effective May 15, 2018, 12:11 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Eastern Washington University (EWU) is concerned about the health, welfare, and safety of all of its students. To promote an educational environment where all students can be successful, it is necessary for the university to engage with students whose ability to function successfully or safely as students is compromised. In such circumstances, the university may encourage a student to take voluntary leave. However, when a student's behavior renders the student unable to effectively function in the residential or educational community without harming him/herself, others, or unduly disrupting the university community, these emergency regulations permit the dean of students, after a careful and collaborative review, to place a student on mandatory medical leave of absence.

Citation of Rules Affected by this Order: New WAC 172-135-010, 172-135-020, 172-135-030, 172-135-040, 172-135-050, 172-135-060, 172-135-070, 172-135-080, and 172-135-090.

Statutory Authority for Adoption: RCW 28B.35.120 (12), 34.05.350 (1)(a).

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These regulations are necessary for the immediate preservation of the health and safety of the university community. At present, EWU does not have a process for placing students who may pose a risk of harm to self or others, or who are not able to fulfill the essential functions of a student such as proper hygiene and regular class attendance, on mandatory leave. These regulations, as set forth in WAC 172-135-010, are meant to be used in rare situations where other options have been pursued and a student continues to pose a risk to the health, welfare, and safety of the campus community and/or his/herself. Observing the regular time requirements for adoption of a permanent rule would be contrary to the public interest, as it would delay the university's ability to address these health and safety risks for at least six months.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 9, Amended 0, Repealed 0.

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

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

Date Adopted: May 11, 2018.

Joseph Fuxa
Labor Relations Manager

Chapter 172-135 WAC

MANDATORY MEDICAL LEAVE OF ABSENCE AND RETURN

NEW SECTION

WAC 172-135-010 Purpose. Eastern Washington University is concerned about the health, welfare, and safety of all of its students. To promote an educational environment where all students can be successful, it is necessary for the university to engage with students whose ability to function successfully or safely as students is compromised. In such circumstances, the university may encourage a student to take voluntary leave. However, when a student's behavior renders the student unable to effectively function in the residential or educational community without harming him/herself, others, or unduly disrupting the university community, the dean of students may, after a careful and collaborative review, place a student on mandatory medical leave of absence in accordance with the procedures set forth in this chapter.

This process is only considered in rare situations when other options have been utilized and considered. A mandatory leave of absence is not the preferred option when addressing students' health, welfare, and safety. Any assessment or action taken under this policy will be based on legitimate safety concerns and not based on speculation, stereotypes, or generalizations about individuals with disabilities.

NEW SECTION

WAC 172-135-020 Definitions. "Dean" refers to the dean of students or designee.

"Director of CAPS" refers to the director of counseling and psychological services or designee.

"Essential function requirements for a student" are those tasks and responsibilities an individual student is required to perform, with or without reasonable accommodation, in order to remain enrolled at the university. These functions are all related to and consistent with educational necessity. The primary foci of the essential function requirements is the ability to learn, retain information, exhibit self-mastery, and demonstrate knowledge pertaining to academic and personal success. The essential functions for general enrollment include:

(a) Mental/psychological requirements:

(i) Communicating effectively, both verbally and non-verbally, and receiving communication effectively;

(ii) Managing and maintaining control over emotions;

(iii) Concentrating on tasks;

(iv) Remembering information and details;

(v) Making appropriate decisions; and

(vi) Adjusting to changing environments that include maintaining emotional health and a demeanor suitable for an academic environment.

(b) Performance requirements:

(i) Meeting academic/administrative deadlines, completing tasks as assigned;

(ii) Attending and participating in classes and required meetings with university faculty and staff;

(iii) Managing stressors associated with studying and, if relevant, residing in a university community.

(c) Interpersonal and intrapersonal requirements:

(i) Maintaining organization related to academics, health, and well-being, including appropriate hygiene and dress;

(ii) Adhering to university policies, including the student conduct code and academic integrity policies;

(iii) Demonstrating appropriate interactions with others including faculty, staff and fellow students;

(iv) Self-evaluating, identifying, and articulating needs and being able to identify and utilize resources in order to meet those needs.

(d) Other requirements: Additional requirements may be required for some university programs, activities, housing options, majors, and courses.

"Service" means to send notice via email to the student's university email account and via certified letter to the student's last known address. Alternatively, it may be hand delivered to the student.

"Student conduct code" refers to the regulations contained in the student conduct code, chapter 172-121 WAC.

"University" means Eastern Washington University.

"Vice president for student affairs" refers to the vice president for student affairs or designee.

NEW SECTION

WAC 172-135-030 Risk of health, danger, or disruption. (1) Upon notification of a serious health or safety concern involving a student, the dean will make an individualized assessment of whether a student should be placed on a mandatory medical leave of absence. The dean may require a student to take a medical leave of absence if all of the following elements are met:

(a) A student has a physical, emotional, or psychological condition;

(b) As a result of such condition:

(i) Is not meeting the essential function requirements for a student as set forth in WAC 172-135-020 Definitions;

(ii) Is engaging in, or is threatening to engage in, behavior that poses a significant risk of causing substantial harm to the health, safety, or welfare of others or actual risk to his or her own health, safety or welfare, based on an individualized assessment of current medical knowledge or the best available objective evidence, to ascertain: The nature, duration and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifica-

tions of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk; or

(iii) Is so severely disruptive as to directly and substantially deny or limit another's ability to work, study, participate in, or benefit from the university's programs or activities.

(c) There are no reasonable accommodations that would permit the student to continue participating in the university community without taking a leave of absence or the student has rejected all reasonable accommodations offered by the university and cannot meet the essential function requirements for a student.

(2) In determining whether a student should be placed on a mandatory medical leave of absence, the dean should consult with the director of CAPS, and, where possible, other persons who can provide relevant information about a student's condition and recent behaviors. The dean should consider whether the student could be provided with any reasonable accommodations that would allow the student to perform the essential function requirements of a student and whether there are other conditions that could be imposed on the student to address the health and safety concerns.

(3) While the dean is gathering all of the relevant information, the dean may issue interim conditions on the student's attendance, campus participation, or ability to reside on campus. The dean may require a student to timely provide documentation from a treating medical provider that the student is able to perform the essential function requirements for a student before lifting the interim conditions. The dean will respect the student's confidentiality and will only require a release of medical information for access to the student's medical and mental health records as is reasonably necessary to complete the dean's individualized assessment. Before requesting such a release, absent exigent circumstances, the dean or designee will explain the individualized assessment process and appeal rights to the student in a mode of communication accessible to the student.

(4) Prior to the dean requiring a student to take a medical leave of absence, the student shall be provided, where reasonably possible, with an opportunity to present information about his or her circumstances and/or treatment, where reasonably possible, to the dean. The dean will discuss with the student the option of pursuing a voluntary withdrawal in lieu of proceeding with the process for a mandatory medical leave of absence. The student waives his or her opportunity to provide information to the dean if he or she is unwilling or unable to meet with the dean in a timely manner, or is unable or unwilling to provide written documentation or a release to the dean.

NEW SECTION

WAC 172-135-040 Written notification and conditions of leave. (1) Notice: The dean shall issue a written notification of the mandatory medical leave of absence. The written notice shall include:

- (a) Effective date of the leave;
- (b) Reasons for requiring the leave;
- (c) Conditions during the leave of absence, if any;
- (d) Conditions for reenrollment, if any;
- (e) A university point of contact during the absence; and

(f) Information about the appeals process.

(2) Service: The notice shall be served on the student.

(3) Conditions: If the dean issues a mandatory medical leave of absence, the dean may also impose conditions on the student during the mandatory leave as well as conditions for returning to the university after the mandatory leave. The goal of such conditions is to prepare the student for a successful return to the university. Such conditions may include, but are not limited to:

- (a) Restrictions on access to university property;
- (b) Restrictions on participation in university programs or activities;
- (c) Release of treatment records;
- (d) Mandatory medical or psychological assessment of student to address the identified health or safety risks;
- (e) Compliance with treatment recommendations;
- (f) Documentation of ability to meet the essential functions of a student prior to returning; and
- (g) Consultation and assessment with the dean or designee prior to being able to register for classes and the end of the leave period.

(4) Length: The length of the mandatory medical leave of absence will be determined on a case-by-case basis and identified in the notice given to the student. A student placed on a mandatory leave of absence must normally remain out of school for the remainder of the academic year.

(5) Appeal: The notice of mandatory medical leave of absence is subject to the appeal procedures set forth in this chapter.

NEW SECTION

WAC 172-135-050 Financial aid, tuition, and grades.

A student placed on a mandatory medical leave of absence will automatically be granted an exceptional circumstances withdrawal for medical purposes from the university for the quarter in which the student is removed in accordance with EWU Policy 303-30. The student will receive a "W" for any courses in which he or she is currently enrolled at the time of the notice of mandatory medical leave. Tuition and fee payments for that quarter will be reversed/refunded. Housing and dining charges will be prorated to the effective date of the student's leave.

NEW SECTION

WAC 172-135-060 Returning from a mandatory medical leave of absence.

A student requesting to return to the university after a mandatory leave of absence must notify the dean of his/her intention to return or reenroll approximately two months in advance of the anticipated return. The student must then meet with the dean or dean's designee. The dean will determine the student's readiness to return to assure the health, safety, and well-being of the student and the entire campus community. The dean will conduct an individualized review of the student's records to determine his or her readiness to return. The dean may request documentation to support the student's return including, but not limited to, medical evaluations, treatment plans, release of medical records, personal statements, and evidence of the ability to meet academic and conduct requirements. A returning student must

provide medical documentation that he/she is able to perform the essential functions of a student, with or without an accommodation. The dean will provide the student with a written determination of whether or not the student may return, and any conditions imposed on such return. If the dean determines a student is not ready to return, the dean may issue a new notice of mandatory leave of absence. The new notice is subject to the appeal process set forth in this chapter.

NEW SECTION

WAC 172-135-070 Appeal. (1) Filing: A student may appeal the dean's decision to impose a mandatory medical leave of absence. The appeal must be submitted in writing to the vice president for student affairs within twenty-one calendar days from service of the dean's decision. The appeal shall be in writing and shall include:

- (a) Student's name;
 - (b) Basis for disagreeing with the dean's determination, including any supporting documentation; and
 - (c) What remedy the student is seeking.
- (2) Appeal authority: The vice president will forward the appeal to the students of concern board. The students of concern board shall consist of the director of CAPS (or other designated mental health professional), a faculty member, and the director of disability support services or designee.

(3) Appeal period: During the appeal period, the dean's imposition of mandatory medical leave of absence remains in effect until terminated, in writing, by the students of concern board or the vice president.

NEW SECTION

WAC 172-135-080 Appeal hearing. (1) Upon receipt of a timely appeal by the student, the vice president shall convene the students of concern board and notify the student of the date, time, and location of the appeal hearing in writing. The notice will include information about how to request accommodations or interpreters. The notice must be served on the student at least seven calendar days prior to the hearing. The vice president may coordinate with the student to facilitate scheduling, but is not required to do so. The vice president shall serve as the presiding officer for the students of concern board. The appeal hearing shall be conducted in accordance with the Administrative Procedure Act, chapter 34.05 RCW.

(2) Evidence.

(a) Types of evidence: The students of concern board shall be provided with the documentation reviewed by the dean that formed the basis of the mandatory medical leave of absence notice. The student may provide the board with additional documentation for the board to consider, may testify before the board, and may present witnesses to the board. Evidence, including hearsay evidence, is admissible if in the judgment of the board it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs.

(b) Review of evidence: The student has the right to view all material presented to the board.

(c) Oath: Any testimony of persons before the board shall be made under oath or affirmation.

(d) Witnesses: The student may present witnesses at the board meeting. The presiding officer and board may also ask other witnesses and professionals to attend the hearing and provide the board with additional information beyond what was contained in the written documentation provided to the board. If the student wishes to call a witness, the student is responsible for ensuring the witness is available and present at the time of the hearing.

(e) Exclusion: As the hearing will cover sensitive material, the presiding officer may exclude anyone from the hearing room other than the student, the student's advisor, the presiding officer, and the board.

(f) Accommodations: The student should inform the vice president of any possible need for an interpreter or any accommodation requests at least three days prior to the hearing.

(g) Questioning: The student and the board may ask questions of the witnesses, except the presiding officer may preclude any questions that are inappropriate, irrelevant, immaterial, or unduly repetitious. The presiding officer should explain to the student the reasons for rejecting any questions and will maintain a record of the questions submitted and the determinations made.

(3) Advisor: A student may be assisted by one advisor of his or her choice.

(4) Hearing on the record: A student may waive the opportunity for an in-person hearing and request the board conduct the hearing based solely on written documentation. In such a case, the student may submit written documentation of any additional evidence the student wishes the board to consider in addition to the materials provided by the dean.

(5) Records: The presiding officer shall keep a record of all materials submitted to and reviewed by the board. The presiding officer shall make and keep a recording of the hearing and subsequent transcript, if any. Records shall be kept for seven years and shall be kept confidential to the extent provided by law.

(6) Deliberations and decision: Following the appeal hearing, the board shall meet in private and, within seven business days, determine by majority vote whether to:

- (a) Affirm the dean's decision;
- (b) Affirm the dean's decision but alter the conditions imposed; or
- (c) Reverse the dean's decision and allow the student to remain enrolled with or without conditions.

(7) Service: The board's decision shall be in writing and shall set forth the reasons for the board's decision. A copy of the decision shall be served on the student and a copy provided to the vice president.

(8) Final decision: The board's decision is final and no further appeals may be made under these regulations. Judicial review of the university's decision may be available under chapter 34.05 RCW.

NEW SECTION

WAC 172-135-090 Relationship to the student conduct code and other policies. (1) A mandatory medical leave of absence is an administrative decision and is not a disciplinary action. A student may still be held responsible for

his or her conduct if the conduct constituted a violation of the student conduct code.

(2) A student who is placed on mandatory leave remains responsible for adhering to and complying with all university regulations, policies, and procedures. Students on probation for disciplinary or academic reasons will resume their probationary status upon their return for the duration of the assigned probationary period.

WSR 18-11-095
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 18-97—Filed May 18, 2018, 4:16 p.m., effective June 8, 2018, 6:00 p.m.]

Effective Date of Rule: June 8, 2018, 6:00 p.m.

Purpose: Amends freshwater recreational rules for Lake Sylvia.

Citation of Rules Affected by this Order: Repealing WAC 220-312-02000C; and amending WAC 220-312-020.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule change is necessary to ensure a safe and successful kids fish-in event. The fish will be planted the evening prior to the event to better acclimate them to the lake. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 18, 2018.

Joe Stohr
Director

NEW SECTION

WAC 220-312-02000C Freshwater exceptions to statewide rules—Coastal. Notwithstanding the provisions

of WAC 220-312-02000Y and WAC 220-312-020, effective 6:00 p.m. June 8 through 6:00 a.m. June 9, 2018, it is unlawful to fish in waters of Lake Sylvia (Grays Harbor Co.).

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:01 a.m. June 9, 2018:

WAC 220-312-02000C Freshwater exceptions to statewide rules—Coastal.

WSR 18-11-096
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 18-100—Filed May 18, 2018, 4:18 p.m., effective June 1, 2018]

Effective Date of Rule: June 1, 2018.

Purpose: Amend recreational fishing rules for the Stillaguamish River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-04000K; and amending WAC 220-312-040.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is needed to close a portion of the mainstem Stillaguamish [Stillaguamish] River due to concern over impacts to critically low Chinook salmon. The decision came from the list of agreed to fisheries which came out of North of Falcon talks for state and tribal agreed to fisheries. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 18, 2018.

Joe Stohr
Director

NEW SECTION

WAC 220-312-04000K Freshwater exceptions to statewide rules—Puget Sound. Notwithstanding the provisions of WAC 220-312-040, effective June 1 through June 30, 2018, it is unlawful to fish in those waters of the Stillaguamish River from Marine Drive to the forks. Catch and release is not allowed.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective July 1, 2018:

WAC 220-312-04000K Freshwater exceptions to statewide rules—Puget Sound.

WSR 18-11-102
EMERGENCY RULES
PARAEDUCATOR BOARD

[Filed May 21, 2018, 10:22 a.m., effective May 21, 2018, 10:22 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Chapters 179-01 and 179-03 WAC are filed as emergency chapters. The newly formed paraeducator board is advancing the rules for implementation of HB [ESHB] 1115, 2017. An act relating to paraeducators; amending RCW 28A.150.203, 28A.410.062, 28A.630.400, 28A.660.040, 28A.660.042, and 28B.50.891; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.410 RCW; adding a new chapter to Title 28A RCW; repealing RCW 28A.415.310; and providing expiration dates.

Citation of Rules Affected by this Order: New WAC 179-01-010, 179-01-020, 179-03-010, 179-03-020, and 179-03-022.

Statutory Authority for Adoption: Chapter 28A.410 RCW.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The newly created paraeducator board is filing emergency rule changes to establish authority per HB [ESHB] 1115, 2017. The board is currently preparing all chapters of new Title 179 WAC.

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

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 5, 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 5, Amended 0, Repealed 0.

Date Adopted: May 21, 2018.

David Brenna
Senior Policy Analyst

Chapter 179-01 WAC**AUTHORITY**NEW SECTION

WAC 179-01-010 Authority for Title 179. The authority for this title is RCW 28A.413.020 and 28A.413.030 which creates and authorizes the paraeducator board with the powers and duties to effectively and efficiently implement chapter 28A.413 RCW.

NEW SECTION

WAC 179-01-020 Definitions. The definitions set forth in this section apply throughout this title.

(1)(a) "Paraeducator" means a classified public school or school district employee who works under the supervision of a certificated or licensed staff member, from grades kindergarten to grade 12, to support and assist in providing instructional and other services to students and their families, including library assistants, and excluding bus monitors, lunchroom aides, and community service aides.

(b) Paraeducators are not considered certificated instructional staff as that term and its meaning are used in this title.

(2) "College or university" means any accredited institution as defined in WAC 250-61-050.

Chapter 179-03 WAC**PARAEDUCATOR MINIMUM EMPLOYMENT REQUIREMENTS**NEW SECTION

WAC 179-03-010 Authority. The authority for this chapter is RCW 28A.413.030 which authorizes the paraeducator board with the powers and duties to adopt rules for the effective and efficient implementation of RCW 28A.413.040.

NEW SECTION

WAC 179-03-020 Paraeducator minimum employment requirements. (1)(a) A person working as a paraeducator for the employing school district before or during the 2017-18 school year must meet the requirements of subsection (2) of this section by the date of hire for the 2019-20 school year or any subsequent school year.

(b) A person who has not previously worked as a paraeducator for the employing school district must meet the requirements of subsection (2) of this section by the date of hire for the 2018-19 school year or any subsequent school year.

(2) The minimum employment requirements for paraeducators are as provided in this subsection. A paraeducator must:

(a) Be at least eighteen years of age and hold a high school diploma or its equivalent, as described in WAC 179-03-022; and

(b) In addition, a paraeducator must meet one or more of the following:

(i) Have received a qualifying score on the education testing service paraeducator assessment as published by the professional educator standards board; or

(ii) Hold an associate degree or higher from an accredited college or university; or

(iii) Have earned seventy-two quarter credits or forty-eight semester credits at the one hundred level or higher at an accredited college or university; or

(iv) Have completed an apprenticeship as a paraeducator, in a program registered with the Washington state apprenticeship and training council.

NEW SECTION

WAC 179-03-022 Requirement for a high school diploma or its equivalent. The requirement in WAC 179-03-020 for a paraeducator to hold a high school diploma or its equivalent may be met with any one or more of the following:

(1)(a) High school diploma, or copy of high school diploma; or

(b) High school transcript, or copy of transcript, which documents a high school diploma; or

(c) If the diploma or transcript has been lost or destroyed, or the institution holding the records no longer exists, a statement from an official of the school where the high school diploma was issued, or a statement from an official of the institution holding the records, indicating completion of the diploma by the individual; or

(2) Documentation of achievement of the minimum proficiency level on the general educational development (GED) test or award of certificate of educational competence as described in chapter 131-48 WAC; or

(3) College or university transcript, or copy of transcript, which documents:

(a) A high school diploma; or

(b) Achievement of the minimum proficiency level on the GED test or award of certificate of educational competence as described in chapter 131-48 WAC; or

(4) Associate degree or higher from an accredited college or university; or

(5) Equivalency for course work, diplomas, degrees, and programs completed in countries outside the United States: Individuals who have completed course work, diplomas, degrees, and programs in a country other than the United States may provide one or more of the following:

(a) A transcript, or copy of a transcript, from an accredited United States college or university indicating that the

college or university has accepted the course work, diplomas, degrees, or programs as equivalent to a high school diploma, associate degree, or higher; or

(b) A statement of degree equivalency for a high school diploma, associate degree, or higher from an international credentials' evaluation agency approved by the professional educator standards board; or

(c) A statement from an official of the school, college, or university where the high school diploma, associate degree, or higher was completed, indicating completion of the diploma, program, or degree, and approval of the program by an agency governing education in that country; or

(6) A transcript, or copy of a transcript, from an accredited college or university documenting seventy-two quarter or forty-eight semester credits at the one hundred level or higher will be accepted as an equivalent to a high school diploma; or

(7) Home-based instruction: On a case-by-case basis, a district may, at its own discretion, choose to accept a certification of completion of a program of home-based instruction as described in WAC 180-96-053.

WSR 18-11-119

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 18-102—Filed May 22, 2018, 11:17 a.m., effective May 24, 2018]

Effective Date of Rule: May 24, 2018.

Purpose: Amend recreational fishing rules for the halibut fishery.

Citation of Rules Affected by this Order: Repealing WAC 220-314-03000K; and amending WAC 220-314-030.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: There is sufficient quota remaining for the nearshore recreational Pacific halibut fishery in Marine Area 1 to extend the days per week that the fishery is open from three days per week (Monday through Wednesday) to seven days per week until further notice. This rule conforms to federal action taken by the National Marine Fisheries Service and the International Pacific Halibut Commission. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 22, 2018.

Joe Stohr
Director

NEW SECTION

WAC 220-314-03000L Halibut—Seasons—Daily and possession limits. Notwithstanding the provisions of WAC 220-314-030, 220-314-040, and 220-314-010, effective May 24, 2018, until further notice, it is unlawful to fish for or possess halibut taken for personal use, except as provided in this section:

(1) **Catch Record Card Area 1:** - Closed.

(2) **Catch Record Card Area 1 (Nearshore fishery);**

Those waters shoreward from 46°38.17'N. lat., 124°15.88'W. long., to the WA/OR border at 46°16.00'N. lat., 24°15.88'W. long. (then connecting to the 40 fathom depth contour in Oregon):

(a) Open until further notice, seven days a week.

(b) It is permissible to retain bottomfish while possessing halibut onboard boats in the nearshore area.

(3) **Catch Record Card Area 2:** Open May 25 and May 27, 2018.

(4) **Card Areas 3 and 4:**

(a) Open May 25 and May 27, 2018.

(b) The following area southwest of Cape Flattery is closed to fishing for halibut at all times:

Beginning at 48°18'N., 125°18'W.; thence to 48°18'N., 124°59'W.; thence to 48°11'N., 124°59'W.; thence to 48°11'N., 125°11'W.; thence to 48°04'N., 125°11'W.; thence to 48°04'N., 124°59'W.; thence to 48°N., 124°59'W.; thence to 48°N., 125°18'W.; thence to point of origin.

(c) In Marine Areas 3 and 4 (west of the Bonille-Tatoosh Line); effective May 9, 2018: it is unlawful to fish for or possess bottomfish seaward of a line approximating the 20-fathom depth contour except, on days open to the Pacific halibut fishery in these areas, it is permissible to retain lingcod, sablefish and Pacific cod seaward of the 20 fathom depth contour as defined by the following coordinates:

48°23.9'N. lat., 124°44.2'W. long.
48°23.6'N. lat., 124°44.9'W. long.
48°18.6'N. lat., 124°43.6'W. long.
48°18.6'N. lat., 124°48.2'W. long.
48°10.0'N. lat., 124°48.8'W. long.
48°02.4'N. lat., 124°49.3'W. long.
47°37.6'N. lat., 124°34.3'W. long.
47°31.7'N. lat., 124°32.4'W. long.

(d) In Marine Area 4 (east of the Bonilla-Tatoosh Line) it is unlawful to fish for or possess bottomfish seaward of a line approximating 120-feet (20 fathoms), except, on days open to the Pacific halibut fishery in this area, it is permissible to retain lingcod, and Pacific cod seaward of the 120 feet (20 fathoms) as defined by WAC 220-314-010.

(5) **Catch Record Card Area 5 through 10:**

(a) Open May 25 and May 27, 2018.

(b) It is permissible for halibut anglers to retain lingcod and Pacific cod caught while fishing for halibut in waters deeper than 120 feet on days when halibut fishing is open in Areas 5 and 6.

(6) **Catch Record Card Areas 11, 12 and 13:** Closed.

(7) Daily limit one halibut, no minimum size limit. The possession limit is two daily limits of halibut in any form, except the possession limit aboard the fishing vessel is one daily limit.

(8) It is unlawful to land halibut in a port within an area closed to halibut fishing.

(9) Annual halibut limit is four.

(10) All other permanent rules remain in effect.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective May 24, 2018:

WAC 220-314-03000K Halibut—Seasons—Daily and possession limits. (18-96)

WSR 18-11-123 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 18-103—Filed May 22, 2018, 1:55 p.m., effective May 22, 2018, 1:55 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amends commercial razor clam rules.

Citation of Rules Affected by this Order: Repealing WAC 220-340-12000A and 220-340-12000B; amending WAC 220-340-120.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Based on historical catches and on-site inspection, there are adequate numbers of clams to support an extension for commercial razor clams. Rough weather during the first month of the fishery resulted in lost digging opportunity. Biotxin levels currently fall below the

regulatory threshold. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 2.

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

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

Date Adopted: May 22, 2018.

Ron Warren
for Joe Stohr
Director

NEW SECTION

WAC 220-340-12000B Commercial razor clams. Notwithstanding the provisions of WAC 220-340-120, effective immediately through 11:59 p.m. July 18, 2018, a person may dig for and possess razor clams for commercial purposes only in those waters and detached beaches of Razor Clam Area 2 lying south of the Willapa Bay Ship Channel, west of Ellen Sands, and north of the tip of Leadbetter Point, defined by a line of boundary markers consisting of four fluorescent orange posts with the eastern-most post located at N 46°39.655; W 124°03.340, and the western-most post located at N 46°39.425; W 124°03.954.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-340-12000A Commercial razor clams. (18-48)

The following section of the Washington Administrative Code is repealed effective July 19, 2018:

WAC 220-340-12000B Commercial razor clams.

WSR 18-11-125

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 18-104—Filed May 22, 2018, 4:33 p.m., effective June 2, 2018]

Effective Date of Rule: June 2, 2018.

Purpose: Amend recreational fishing rules for the Green (Duwamish) River.

Citation of Rules Affected by this Order: Amending WAC 220-312-040.

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

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is needed because low numbers of hatchery summer steelhead are expected to return to the Green River in 2018. This rule will protect returning adult hatchery summer steelhead and increase the likelihood of achieving broodstock collection goals this summer. There is insufficient time to adopt permanent rules.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 22, 2018.

Ron Warren
for Joe Stohr
Director

NEW SECTION

WAC 220-312-04000L Freshwater exceptions to statewide rules—Puget Sound. Notwithstanding the provisions of WAC 220-312-040, effective June 2, 2018 until further notice:

Green (Duwamish) River (King County): from an east-west line extending through the southernmost tip of Harbor Island to the water pipeline walk bridge (1/2 mile downstream of Tacoma Headworks Dam); it is unlawful to retain steelhead.

WSR 18-11-127

EMERGENCY RULES

DEPARTMENT OF TRANSPORTATION

(Public Transportation Division)

[Filed May 23, 2018, 8:08 a.m., effective July 4, 2018]

Effective Date of Rule: July 4, 2018.

Purpose: To update chapter 468-550 WAC, Safety oversight of rail fixed guideway system rules, to meet the new federal requirements identified in 49 U.S.C. § 5329 Public Transportation Safety Program and further identified in 49 C.F.R. Part 674 State Safety Oversight.

Citation of Rules Affected by this Order: New WAC 468-550-015, 468-550-061, 468-550-062, 468-550-063, 468-550-100 and 468-550-110; and amending WAC 468-550-010, 468-550-020, 468-550-030, 468-550-040, 468-550-050, 468-550-060, 468-550-070, 468-550-080, and 468-550-090.

Statutory Authority for Adoption: RCW 81.104.115 Rail fixed guideway public transportation system.

Other Authority: 49 U.S.C. § 5329 Public Transportation Safety Program and further identified in 49 C.F.R. Part 674 State Safety Oversight.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest; and that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: To update chapter 468-550 WAC to meet the new requirements set by the Federal Transit Administration (FTA) under 49 U.S.C § 5329 Public Transportation Safety Program, and further identified in 49 C.F.R. Part 674 State Safety Oversight. This will increase the Washington state department of transportation (WSDOT) state safety oversight program's safety enforcement authority for rail fixed guideway public transportation in the state of Washington. Furthermore, this rule making is required for the WSDOT state safety oversight program to become certified by FTA, as required under C.F.R. 49 Part 674. The failure to do so will result in the forfeiture of all funds given by FTA for public transportation in the state of Washington.

This emergency rule making increases WSDOT's flexibility to respond to potential light rail events while the rule-making process is conducted. In addition, several current light rail projects are in various states of development. The new rule will provide clear oversight authority from design through operation. This allows the state safety oversight program to identify hazards in the design stage, which could otherwise be costly to avert during operation.

This emergency rule is updated to be the same as the rule that is intended to be adopted after the June 11, 2018, hearing. WSDOT is actively undertaking the appropriate procedures to adopt this rule as a permanent rule, with a CR-102 being filed on April 20, 2018, and a public hearing being scheduled for June 11, 2018.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 23, 2018.

Kara Larsen, Director
Risk Management and
Legal Services Division

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

WAC 468-550-010 Purpose. This chapter is adopted to comply with 49 C.F.R. Part ~~((659))~~ 674 and RCW 81.104.-115, which requires the state of Washington to oversee the ~~((system))~~ agency safety program ~~((and the security and emergency preparedness plans))~~ of rail fixed guideway ~~((systems (RFGS) not regulated by the Federal Railroad Administration))~~ public transportation systems (RFGPTS) as defined in 49 C.F.R. Part 674.7. These rules prescribe the ~~((system))~~ safety ~~((and security))~~ criteria to be met by ~~((RFGS))~~ RFGPTS and are intended to improve the safety ~~((and security of RFGS))~~ of RFGPTS in Washington state. 49 C.F.R. Part 674.11c and Part 674.13a require the establishment of a state safety oversight agency (SSOA) in accordance with the requirements of 49 U.S.C. 5329c and 5329e(3)c. The Washington state department of transportation was designated in 1997 by Governor Gary Locke as the SSOA for the state of Washington. WSDOT's designation and authority as the SSOA is codified in RCW 81.104.115 and more recently in chapter 33, Laws of 2016 (Senate Bill 6358).

NEW SECTION

WAC 468-550-015 Effective date. These rules are necessary to comply with C.F.R. Part 674 and take effect upon filing with the code reviser for emergency rule making per the requirements outlined in RCW 34.05.350.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

WAC 468-550-020 Applicability. These rules are applicable to all Washington state entities, public or private, which own, operate, or maintain ~~((RFGS that are not regulated by the Federal Railroad Administration))~~ RFGPTS as defined in 49 C.F.R. Part 674.7.

These rules apply to all owners of rail fixed guideway public transportation systems, as defined by ~~((RCW 81.104-015))~~ 49 C.F.R. Part 674, which are required by RCW 81.112.180, 35.21.228, 35A.21.300, 36.01.210, 36.57.120, 36.57A.170, ((or 81.112.180)) 81.104.015 to comply with the requirements of the Washington state department of transportation for the development and implementation of ~~((a system))~~ an agency safety program plan ~~((and a security and emergency preparedness plan)).~~

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

WAC 468-550-030 Definitions. For the purposes of this chapter, the following definitions of terms shall apply unless the context clearly indicates otherwise:

(1) ~~Accident((reportable))~~ means ~~((any))~~ an event ((involving the operation of a RFGS along a revenue line segment, if as a result:

~~(a) An individual dies; or~~

~~(b) An individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or~~

~~(c) A collision, derailment, or fire causes property damage in excess of \$25,000.~~

~~(2) APTA Guidelines means the American Public Transit Association's "Manual for the Development of Rail Transit System Safety Program Plans."~~

~~(3) Chief executive officer means, but is not limited to, the mayor, county executive, or chair of the municipality, or corporate president of the public or private entity that owns, operates, or maintains a RFGS.~~

~~(4) Contractor means an entity that performs tasks required by this chapter on behalf of the department or a RFGS.~~

~~(5)) that involves any of the following: A report of a serious injury to a person; a collision involving a rail transit vehicle; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.~~

(2) Accountable executive means a single, identifiable person who has ultimate responsibility for carrying out the safety management system of a public transportation agency; responsibility for carrying out the agency's transit asset management plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's public transportation agency safety plan in accordance with 49 U.S.C. 5329(d) and the agency's transit asset management plan in accordance with 49 U.S.C. 5326.

(3) Agency means any entity that provides rail fixed guideway public transportation services.

(4) Agency safety plan is a document developed and implemented for each rail fixed guideway system, which describes its safety policies, objectives, responsibilities, and procedures. The requirements for this plan are established by the Federal Transit Administration in C.F.R. 49 Part 674 and further by the Washington state rail safety oversight program standard.

(5) APTA guidelines means the American Public Transit Association's Manual for the Development of Rail Transit System Safety Program Plans.

(6) Collision means a vehicle/vessel accident in which there is an impact of a transit vehicle/vessel with:

- Another transit vehicle;
- A nontransit vehicle;
- A fixed object;
- A person(s) (suicide/attempted suicide included);
- An animal;
- A rail vehicle;
- A vessel;
- A dock.

(7) Contractor means an entity that performs tasks required by this chapter on behalf of the department or a RFGPTS.

(8) Department means the Washington state department of transportation, which has been designated as the state safety oversight agency.

~~((6) Directional route mile means the mileage in each direction over which public transportation vehicles travel while in revenue service. Directional route miles are a measure of the route path over a facility or roadway and not the service carried on the facility. Directional route miles are computed with regard to direction of service, but without regard to the number of traffic lanes or rail tracks existing in the right of way. Directional route miles do not include staging or storage areas at the beginning or end of a route.~~

~~(7)) (9) Emergency means a situation which is life-threatening to passengers, employees, or others or which causes damage to any rail fixed guideway vehicle or facility or results in a significant ((theft)) loss of services which severely affects the ability of the system to fulfill its mission.~~

~~((8)) (10) Evacuation (reportable) is a condition that occurs when persons depart from transit vehicles or facilities for life safety reasons, including self-evacuations for life safety reasons. Evacuations to a location that may put passengers or patrons in imminent danger (such as controlled rail right of way) must also be reported.~~

(11) Fatality means a death or suicide confirmed within thirty days of a reportable event. Excludes deaths in or on transit property that are a result of illness or other natural causes.

(12) FTA means the Federal Transit Administration, or its successors, an agency within the U.S. Department of Transportation.

~~((9)) (13) Hazardous condition means a set of circumstances that if not identified and corrected has or will result in personal injury or property damage. It includes unacceptable hazardous conditions.~~

~~((10)) (14) Incident means an event that involves any of the following: A personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a rail transit agency.~~

(15) Incident reporting thresholds are criteria established by Federal Transit Administration in C.F.R. 49 Part ((659)) 674 and further by the Washington state rail safety oversight program standard for determining which accidents/incidents require investigation.

~~((11)) (16) Investigation means a procedure that the department or a ((RFGS)) RFGPTS utilizes to determine the cause of a reportable accident, hazardous condition, or security breach.~~

~~((12)) (17) Major system enhancement means any modification to an existing RFGPTS that will significantly impact the operations and maintenance of the system, including opening new stations, system wide modification or replacement of equipment, expanded operations and maintenance facilities, or significant increases to system capacity.~~

(18) Medical attention means emergency care at a state-licensed general hospital, critical access hospital, or health clinic, or by a religious practitioner.

~~((13))~~ Plan means the system safety program plan and the security and emergency preparedness plan of rail fixed guideway systems not regulated by the Federal Railroad Administration adopted by the RFGS detailing its safety and security policies, objectives, responsibilities and procedures.

~~(14))~~ (19) Procedure means an established and documented method to perform a task.

~~((15))~~ (20) Rail fixed guideway public transportation system or ("RFGS") "RFGPTS" means ~~((a light, heavy, or rapid rail system, monorail, inclined plane, funicular, trolley, or other fixed rail guideway component of a high capacity transportation system that is not regulated by the Federal Railroad Administration or its successor. "RFGS" does not include elevators, moving sidewalks or stairs, and vehicles suspended from aerial cables, unless they are an integral component of a station served by a rail fixed guideway system))~~ any fixed guideway system that uses rail, is operated for public transportation, is within the jurisdiction of a state, and is not regulated by the Federal Railroad Administration, or its successor. Rail fixed guideway public transportation system (or "RFGPTS") also means any such projects in engineering or construction phases. Rail fixed guideway public transportation systems include, but are not limited to, rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.

~~((16))~~ (21) Rail transit agency (RTA) means any city, town, county, transportation authority, public transportation benefit area, regional transit authority, or other agency that owns a RFGPTS and bears ultimate accountability for it.

(22) Revenue line segment means that portion of a fixed guideway system upon, under, or through which a ~~((RFGS))~~ RFGPTS provides service available to the ~~((general))~~ public. It includes stations used by the system's passengers to enter or leave the ~~((RFGS's))~~ RFGPTS's conveyance.

~~((17))~~ Risk means the probability that a security breach will occur.

~~(18))~~ (23) Safety means freedom from danger.

~~((19))~~ Security and emergency preparedness plan or "SEPP" is a document developed and implemented for each rail fixed guideway system which describes its security policies, objectives, responsibilities, and procedures. This plan is a requirement of RCW 81.104.115 and meets the standards established by the Federal Transit Administration in C.F.R. 49 Part 659 and the Washington state rail safety oversight program.

(20) Seasonally means the provision of service available to the general public fewer than a total of one hundred eighty days within a twelve-month period. The provision of service any time on a calendar day is a day counted towards the threshold of one hundred eighty days.

~~(21))~~ (24) Security means freedom from intentional danger.

~~((22))~~ (25) Security breach means an unforeseen event or occurrence that endangers life or property and may result in the loss of services or system equipment.

~~((23))~~ Service available to the general public does not include operations for a specific private function when a RFGS accepts hire, such as group charters, weddings, or other private events that are not available to the general public on a walk-in basis.

(24) Standard means the system safety and security program standard which is the standard developed and adopted by the department which complies with the requirements of C.F.R. 49 Part 659.

(25) System means a composite of people, property, environment, and procedures which are integrated to perform a specific operational function in a specific environment.

(26) System safety program plan or "SSPP" is a document developed and implemented for each rail fixed guideway system which describes its safety policies, objectives, responsibilities, and procedures. The requirements for this plan are established by the Federal Transit Administration in C.F.R. 49 Part 659 and further by the Washington state rail safety oversight program standard.

(27) Triennial safety and security audit means a formal, comprehensive, on-site examination by the department of a RFGS's safety and security procedures to determine whether it complies with the RFGS's policies and procedures as outlined in the RFGS's plan.

(28) Washington state rail safety oversight program is the program administered by the Washington state department of transportation to ensure compliance by rail fixed guideway systems with the Washington state rail safety oversight program standard.

~~(29))~~ (26) System expansion means any modification to an existing RFGPTS that will increase the distance over which trains can travel in passenger service, including line extensions or new lines.

(27) Washington state rail safety oversight program is the program administered by the Washington state department of transportation to ensure compliance by rail fixed guideway public transportation systems with the Washington state rail safety oversight program standard.

(28) Washington state rail safety oversight program standard is a document developed and adopted by the Washington state department of transportation that describes the policies, objectives, responsibilities, and procedures used to provide safety and security oversight of rail fixed guideway systems. This document is a requirement established by the Federal Transit Administration in C.F.R. 49 Part ~~((659))~~ 674.

~~((30))~~ Unacceptable hazard is a real or potential condition that may endanger human life or property that after an assessment of its severity and probability cannot remain and must be mitigated.

~~(31))~~ (29) Unacceptable hazardous condition means a hazardous condition classified by the rail transit agency as being unacceptable based on a hazardous resolution matrix or other evaluation methodology approved by the department.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

WAC 468-550-040 Requirements for ~~((system safety program plan and security and emergency preparedness plans))~~ agency safety plans. ~~((1))~~ Each RFGS, except any that operate seasonally, shall prepare a system safety program plan and security and emergency preparedness plans. Such plans shall describe the RFGS's procedures for:

(a) Reporting and investigating reportable accidents and unacceptable hazardous conditions;

(b) Submitting corrective action plans and annual safety and security audit reports;

(c) Facilitating on-site safety and security reviews by the department; and

(d) Addressing passenger and employee security.

The plans and any revisions thereto shall, at a minimum, conform to the standard set forth in WAC 468-550-050, be approved by the RFGS's chief executive officer and submitted for departmental review, or within three months prior to beginning operations or instituting revisions to the plans. The RFGS shall not transmit the security portions of its security and emergency preparedness plan to the department. The RFGS shall notify the department of the location and availability of the security portions of its plan.

(2) Each RFGS shall implement and comply with the provisions of its plans and any revisions thereto. Further, should the RFGS change ownership or operating or maintenance providers, the RFGS shall require its successors, assigns, and contractors to continue to comply with the RFGS's established plans and shall notify the department of any change of ownership or operating or maintenance providers within thirty days of the effective date of transfer or contract.

(3) The security section of the security and emergency preparedness plan is exempt from public disclosure under chapter 42.56 RCW. Each RFGS may develop procedures to implement this subsection. Completed reports of reportable accidents and unacceptable hazardous conditions, corrective action plans, annual safety and security audit reports, published reviews of the department, published RFGS internal safety and security audits, and notifications of reportable accidents and unacceptable hazardous conditions are not subject to this exemption.

(4) Each RFGS that operates seasonally shall submit a system description and organization structure to the department within ninety days of commencing operations. Each RFGS shall update this submittal within thirty days after any changes to the system description or organizational structure occur.

(a) The system description shall identify the revenue line segments, revenue equipment, and all locations for embarking or debarking passengers.

(b) The organizational structure shall identify the decision-making structure for the RFGS, including any firm or organization contracted to undertake its seasonal operations.

(c) This submittal shall include safety contact information for the RFGS and any firm or organization contracted to undertake its seasonal operations. (1) Rail transit agencies must establish an agency safety plan that complies with the requirements set forth in the Washington state rail safety oversight program standard, which conforms to current federal regulations for agency safety plans. These requirements include the establishment of an agency safety policy, a safety and risk management program, a safety assurance program, and a safety promotion program.

(2) Agency safety plans must establish the agency procedures for the review and revision of the plan. The filing, submittal, review, and approval of agency safety plans must comply with the standard set forth in WAC 468-550-050.

(3) As described in WAC 468-550-060, agency safety plans are subject to reviews and audits from the Washington state rail safety oversight program and the Federal Transit Administration.

(4) Rail transit agencies must conduct internal audits of agency safety plans per the requirements of WAC 468-550-060.

(5) Agency safety plans must establish procedures for the notification, investigation, and reporting of accidents, incidents, and hazards in conformance with the requirements of WAC 468-550-070.

(6) Agency safety plan policy statements must be approved and signed by the agency's accountable executive. The policy statement must assign responsibility for carrying out the plan to the designated agency accountable executive.

(7) Each RFGPTS shall implement and comply with the provisions of its plans and any revisions thereto. Further, should the RFGPTS experience a change in ownership or a change in operating or maintenance providers, the RFGPTS shall require continued compliance with the RFGPTS's established plans and shall notify the department of any change of ownership or operating or maintenance providers within thirty days of the effective date of transfer or contract.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

WAC 468-550-050 ((Department)) Procedures for ((reviewing, approving)) the submittal, review, approval, and filing ((rail fixed guideway system safety program plan and security and emergency preparedness plans and inspections)) of agency safety plans. ((1)(a) The department shall review each RFGS system safety program plans, and all subsequent revisions, for compliance with these rules and the standard, using the system safety checklist which includes:

- Policy statement and authority for the plan
- Description of purpose for the plan
- Clearly stated goals for plan
- Identifiable and attainable objectives
- System description and organizational structure
- The plan control and update procedures
- Hazard identification and resolution process
- Accidents, hazardous conditions and reporting and investigation procedures
- Internal safety audit process
- Facilities inspections (includes system equipment and rolling stock)
- Maintenance audits and inspections (all systems and facilities)
- Rules and procedures review
- Training and certification reviews and audits
- Emergency response planning, coordination and training
- System modification review and concurrence process

- Safety data acquisition and analysis
- Interdepartmental and interagency coordination
- Configuration management
- Employee safety program
- Hazardous materials program
- Drug abuse and alcohol misuse programs
- Contractor safety coordination
- Procurement

~~(b) The department shall provide written concurrence with the RFGS's system safety program plan or provide written comments to the RFGS specifying required changes. The RFGS shall revise its plan to incorporate the department's review comments, if any, within sixty days after receipt thereof, and resubmit its revised plan for review. After resolving issues arising in the review process, the department shall notify the RFGS of its concurrence with the plans. The plans and the department's concurrence shall be maintained by the department in a permanent file.~~

~~(2)(a) The department shall review RFGS's security and emergency preparedness plan, and all subsequent revisions, for compliance with these rules and the standard, using the WSDOT security and emergency preparedness checklist which includes:~~

- Policy statement for the plan
- Purpose for the plan
- Clearly stated goals and identifiable and attainable objectives
- Scope of plan and system security program
- Security and law enforcement functions that manage and support plan
- Management authority which oversees the operation and management of the agency
- Interface of the plan with local, state and federal authorities
- Security acronyms and definitions
- Background and history of agency's rail transit services
- Organization charts and lines of authority
- Description of passenger and ridership characteristics
- Description of operations and services including operating environment
- Description of how the plan integrates with other plans including the SSPP
- Current security conditions
- Capabilities and practices
- Identification of person(s) responsible for establishing SEPP policy and developing and approving plan
- Identification of person(s) responsible for the management of the SEPP program

- Listings of the SEPP related responsibilities of individuals working within the security function
- Description of equipment used to support implementation of the plan
- Description of training, exercises, and procedures in place to ensure employee proficiency and readiness
- Description of activities to identify threats and vulnerabilities and to assess their likely impacts
- Response strategies for prioritizing vulnerabilities
- Identification and schedule of tasks to be performed for implementing the plan
- Description of methods for evaluating the effectiveness of the plan
- Process for reviewing and revising the plan and for implementing any revisions

~~(b) The department shall provide written concurrence with the RFGS's security and emergency preparedness plan or provide written comments to the RFGS specifying required changes. The RFGS shall revise its plan to incorporate the department's review comments, if any, within sixty days after receipt thereof, and resubmit its revised plan for review. After resolving issues arising in the review process, the department shall notify the RFGS of its concurrence with the plan. The plan and the department's concurrence shall be maintained by the department in a permanent file.)~~ (1) Agency safety plans must be submitted within three months prior to operations of a new RFGPTS, a system expansion, or a major system enhancement to an existing RFGPTS.

(2) Full compliance and approval of agency safety plans must be obtained in writing from WSDOT prior to commencing RFGPTS operations. The department and the RTA must accelerate review and revision timelines as necessary to ensure agency safety plan approval prior to the RFGPTS start of service date.

(3) The department must review and evaluate plans according to criteria set forth in the Washington state rail safety oversight program standard.

(4) Each calendar year, as part of its annual safety program report submittal, the transit agency must provide the department with documentation of its annual review of the agency's safety plan.

(5) The department shall provide written approval of the RFGPTS's agency safety plan or provide written comments to the RFGPTS specifying required changes. The RFGPTS shall revise its plan to incorporate the department's review comments, if any, within sixty days after receipt thereof, and resubmit its revised plan for review. After resolving issues arising in the review process, the department shall notify the RFGPTS of its concurrence with the plans. The plans and the department's concurrence shall be maintained by the department in a permanent file.

(6) The RFGPTS shall not transmit any security sensitive portions of its plans, as defined by 49 C.F.R. Part 1520. The RFGPTS shall notify the department of the location and availability of any security sensitive information.

(7) Each RFGPTS may develop procedures to implement this subsection. The Washington state rail safety oversight program standard may require these procedures to be included, summarized, or cited in the agency safety plan.

(8) Failure to comply with the requirements established in WAC 468-550-040, 468-550-050, 468-550-060, 468-550-070, and the Washington state rail safety oversight program standard may result in financial or other penalties. Financial or other penalties will be determined in accordance with WAC 468-550-080.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

WAC 468-550-060 Annual ~~(and triennial)~~ internal safety ~~(and security)~~ audits and reports. (1)~~((a) Each RFGS))~~ Each RFGPTS shall perform scheduled internal safety ~~(and security)~~ audits to evaluate compliance with the Washington state rail safety oversight program standard, to identify hazardous and risk conditions, and ~~((measure the effectiveness of its plans. The RFGS))~~ to verify that it is fully implementing its safety program as described in its plans and procedures. The RFGPTS shall include its internal safety ~~((and security))~~ audit schedule for the ~~((next year with))~~ following year in the annual report as required ~~((in))~~ by WAC 468-550-070(5). These audits shall ~~((include, but are not limited to:~~

(i) Observing work practices and employee performance during system operations;

(ii) Sampling and inspecting selected system components to verify proper maintenance; and

(iii) Reviewing RFGS records for all phases of system operations, maintenance, and security.) determine the level at which the agency has implemented the agency safety plan. Audits may include, but are not limited to, the observation of employees performing system operations and maintenance activities, employee rules compliance checks, the sampling and inspection of selected system components, interviews, and records reviews.

(2) The ~~((RFGS))~~ RFGPTS shall select a qualified person(s) or contractor to perform its internal audits and shall notify the department not later than ten days prior to performing the internal audits. The notification shall include date(s) of audit, what is to be audited, and the qualifications of those selected to perform the audit, such qualifications are subject to departmental concurrence and should describe what relevant experience and/or training qualifies the auditor(s) to conduct these audits. The department may assess the effectiveness of each ~~((RFGS))~~ RFGPTS audit program; however, any departmental review or concurrence shall not substitute for the ~~((RFGS's))~~ RFGPTS's own safety ~~((and security))~~ inspection audit programs, nor relieve the ~~((RFGS))~~ RFGPTS from its ~~((sole liability))~~ responsibility for the safety ~~((and security))~~ of its system.

~~((b) Each RFGS, as a basis for its audit process, shall prepare, maintain, and make available for departmental review records that document the results of all tests, inspections, and audits conducted by the RFGS or its contractor in compliance with the plans. These records shall include, but are not limited to:~~

- (i) Start up test records;
- (ii) Drug and alcohol test records;
- (iii) Training and certification records;
- (iv) Operation performance evaluation records;
- (v) Facility inspections;
- (vi) Maintenance audits and inspections (all systems and facilities);
- (vii) Rules and procedures review;
- (viii) Emergency response planning, coordination, and training;
- (ix) System modification review and approval process;
- (x) Safety and security data acquisition and analysis;
- (xi) Interdepartmental and interagency coordination;
- (xii) Employee safety and security program;
- (xiii) Hazardous materials program;
- (xiv) Contractor safety coordination; and
- (xv) Procurement records.

These records shall be maintained by the RFGS for a minimum of three years.

(2)) (3) Where the agency is not fully implementing its agency safety plan, or is not implementing its safety program in accordance with the agency safety plan, the agency must clearly identify deficiencies in its audit report, per the requirements of Washington state rail safety oversight program standard.

(4) Each RFGPTS shall prepare, maintain, and make available for departmental review, records that document the results of all tests, inspections, and audits conducted by the RFGPTS or its contractor in compliance with the plans. These records shall be maintained by the RFGPTS for a minimum of three years. Failure to provide the department with audit reports and associated records and documentation may result in financial or other penalties as described in WAC 468-550-080.

(5) Internal safety ~~((and security))~~ audits shall be documented in an annual report that includes the dates the audits were conducted, the scope of the audit activity, the audit findings and recommendations, the status of any corrective actions taken as a result of the audit activity and the results of the plan. This annual report for the internal safety ~~((and security))~~ audits performed during the preceding year shall be included with the annual safety report ~~((required))~~ specified in WAC ~~((468-550-070(5)))~~ 468-550-100.

~~((3)) (6) The department ~~((shall audit each RFGS plan at least once every three years. The RFGS shall be given written notification at least thirty days in advance of the department's audit. The notification shall include a proposed schedule, planned scope, and list of activities to be reviewed for the audit. Each audit shall be preceded by an on-site, preaudit conference attended by the department's audit team, the RFGS's owner, and the RFGS staff in charge of the activities subject to audit. Each audit shall be conducted in accordance with an audit checklist. Checklists shall not restrict the department from performing additional investigations as it deems appropriate. The department shall use as a basis for its checklist the RFGS's plan and records which shall include, but are not limited to:~~~~

(a) The RFGS operating rule book, bulletins, and procedures;

~~(b) The RFGS maintenance manuals and procedures for vehicles, track and signals;~~

~~(c) The RFGS procedures for identifying, documenting, evaluating, and correcting hazards;~~

~~(d) The RFGS system design criteria and project engineering procedures for system modifications;~~

~~(e) The RFGS annual internal audit reports for the previous three years;~~

~~(f) The RFGS corrective action plans for reportable accidents and unacceptable hazardous conditions reported to the department during the previous three years;~~

~~(g) APTA audit reports;~~

~~(h) National Transportation Safety Board accident investigation reports, and any other agency peer review reports, if any, prepared during the previous three years and previously prepared department audit reports.~~

~~(4) Upon the department's completion of the triennial on-site audit, the audit team leader shall prepare a draft final audit report and submit it to the RFGS. The RFGS shall respond, in writing to the recommendations made in the draft final audit report, with a plan and schedule of corrective actions within thirty days of receipt thereof. An on-site, post audit conference shall be held following each departmental audit to review the results of the audit. Audit results that identify a deficiency that is not corrected before the post audit conference is held shall be documented in the final audit report. The final audit report shall contain the department audit team's findings and recommendations and the RFGS plan and schedule for corrective action. The final audit report shall also include the department audit team's evaluation of the effectiveness of the RFGS plan and a determination of whether the plan should be updated.~~

~~(5) The department shall summarize oversight activities for all RFGS performed during the preceding twelve months in a publicly available annual report and submit it to the FTA before March 15 of each year.~~

~~(6) Each RFGS that operates seasonally shall be exempt from the provisions of this section)) may conduct an independent investigation of the agency's audit program or of specific deficiencies and findings identified by the RFGPTS internal safety audits.~~

NEW SECTION

WAC 468-550-061 Triennial safety program audits conducted by the department. (1) The department shall audit each RFGPTS's compliance with the agency safety plan at least once every three years in accordance with the requirements of the Washington state rail safety oversight program standard. The RFGPTS shall be given written notification of the audit scope and schedule at least thirty days in advance of the department's audit. Each audit shall be conducted in accordance with an audit checklist. Documentation which may be requested by the department as part of the audit includes, but is not limited to:

(a) The RFGPTS operating rule book, bulletins, and procedures;

(b) Operations and maintenance logs and records;

(c) The RFGPTS maintenance manuals and procedures for vehicles, facilities, track and signals;

(d) The RFGPTS procedures for identifying, documenting, evaluating, and correcting hazards;

(e) The RFGPTS system design criteria and project engineering procedures for system modifications;

(f) The RFGPTS annual internal audit reports for the previous three years;

(g) The RFGPTS corrective action plans for reportable accidents and unacceptable hazardous conditions reported to the department during the previous three years;

(h) APTA audit reports;

(i) National Transportation Safety Board accident investigation reports, Federal Transit Agency investigation or audit reports, or peer review reports, if any, prepared during the previous three years.

(2) Upon the department's completion of the on-site portion of the triennial safety program audit, the audit team leader shall issue a final audit report following the process established in the Washington state rail safety oversight program standard. The final audit report shall contain the department audit team's findings and recommendations. The final audit report shall also include the department audit team's evaluation of the RFGPTS agency safety plan's compliance with the Washington state rail safety oversight program standard and a determination of whether it should be updated. The RFGPTS must address all findings and recommendations identified in the final report by following the requirements set forth in the Washington state rail safety oversight program standard.

NEW SECTION

WAC 468-550-062 Additional external audits conducted on RFGPTS safety programs and plans. (1) The RFGPTS must notify the department of the schedule and scope for all external audits and investigations which will include the review of the agency safety plan, safety programs, safety critical functions, safety certification, transit asset management plan or drug and alcohol program. These include, but are not limited to, audits and investigations to be conducted by the Federal Transit Administration, USDOT, DHS, NTSB, or OSHA. The RFGPTS must notify the department of the schedule and scope at least one week prior to the start of audit activities.

(2) The Federal Transit Administration conducts an audit of WSDOT's state safety oversight program once every three years. The RFGPTS will participate in these audits and provide relevant safety program documentation and records if requested by the Federal Transportation Administration or the department.

NEW SECTION

WAC 468-550-063 Audits conducted of department's state safety oversight program. The RFGPTS will provide documentation if requested by auditors or by department personnel in support of external state or federal audits of the department's state safety oversight program. These include, but are not limited to, triennial reviews conducted by the FTA Transit Safety Oversight office of the department's SSO program compliance.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

WAC 468-550-070 Notifying of, investigating, and reporting accidents and unacceptable hazardous conditions. (1) Each ((RFGS)) RFGPTS shall notify the department ((by telephone, electronic mail or facsimile)) per the requirements set forth in the Washington state rail safety oversight program standard within two hours of the occurrence of any reportable accident((, or within twenty-four hours of the identification or discovery of any unacceptable hazardous condition. The department shall notify each RFGS of the person to notify and the telephone, electronic mail and facsimile numbers for notification. The notification shall include all of the following details:

- (a) Name and title of the person making the notification;
- (b) Time and date the notification is transmitted;
- (c) Synopsis of what happened, such as, but not limited to: Collision with another RFGS revenue vehicle, derailment, collision with a motor vehicle, collision with a pedestrian, collision with a bicyclist, fire, bomb threat, or hostage-taking;
- (d) Specific location of the accident or unacceptable hazardous condition;
- (e) Time of the accident or discovery of the unacceptable hazardous condition;
- (f) Identification of RFGS vehicle(s) and/or facility involved;
- (g) Initial number of fatalities and/or individuals who suffered bodily injury and immediately received medical attention away from the scene of the accident; and
- (h) Description of and preliminary value of property damage.

(2) The department has authority to perform separate, independent investigations of reportable accidents or unacceptable hazardous conditions at its own discretion.

(3) Each RFGS shall investigate all reportable accidents and unacceptable hazardous conditions. The RFGS may use its own staff or a contractor to conduct its investigation and shall designate a staff person to be responsible for submitting written investigation reports and findings to the department, on a department form, within forty five calendar days after the reportable accident or unacceptable hazardous condition was discovered. This report shall identify the causal factors contributing to the occurrence and contain a corrective action plan with an implementation schedule to prevent a recurrence of the accident, or to mitigate the unacceptable hazardous condition.

(4) The department shall review the RFGS investigation report, corrective action plan, and accompanying implementation schedule to ensure that it meets the goal of preventing and mitigating a recurrence of the reportable accident or unacceptable hazardous condition. In the event that the department does not concur with the findings of the RFGS investigation, the department shall confer with the RFGS of its preliminary review findings. The RFGS may amend its report to the department in writing, within ten calendar days after conferring with the department. If, after conferring with the RFGS, the department does not concur with the findings of the RFGS, the department shall notify the RFGS in writing of its review findings. The RFGS shall submit its response to the department's findings within forty five calendar days of

receipt thereof. Should the department and the RFGS disagree, the department will notify the FTA.

(5) Each RFGS shall submit an annual summary report to the department covering all reportable activities. The RFGS shall ensure delivery of the annual report to the department no later than February 1 after the year being reported).

(2) Each RFGPTS shall notify the Federal Transit Administration (FTA) of reportable hazards, incidents, and accidents per the requirements of 49 C.F.R. 674.33.

(3) Each RFGPTS shall notify the department per the requirements set forth in the Washington state rail safety oversight program standard within two hours of the discovery of any unacceptable hazardous condition.

(4) Each RFGPTS shall notify the department of all other reportable hazards or incidents within the reporting timelines set forth in the Washington state rail safety oversight program standard.

(5) Each RFGPTS shall investigate all reportable accidents and unacceptable hazardous conditions. The RFGPTS may use its own staff or a contractor to conduct its investigation and shall designate a staff person to be responsible for submitting written investigation reports and findings to the department, on a department form, within forty-five calendar days after the reportable accident or unacceptable hazardous condition was discovered. This report shall identify the causal factors contributing to the occurrence and contain a corrective action plan with an implementation schedule to prevent a recurrence of the accident, or to mitigate the unacceptable hazardous condition.

(a) In the event that the RFGPTS does not have all of the data and analysis necessary to complete a final report, the RFGPTS must submit a draft within forty-five days that documents progress to date.

(b) Under no circumstance may the final report be submitted more than four months from the date of the incident.

(c) The department shall review the RFGPTS final investigation report, corrective action plan, and accompanying implementation schedule to ensure that it meets the goal of preventing and mitigating a recurrence of the reportable accident or unacceptable hazardous condition.

(d) In the event that the department does not concur with the findings of the RFGPTS investigation, the corrective action plan, or the implementation schedule, the department shall take the following actions:

(i) Within forty-five calendar days of receipt of the investigation report, confer with the RFGPTS about its preliminary review findings and explain what needs to be changed;

(ii) If the RFGPTS agrees with the department's recommendations, then the RFGPTS shall amend its report to the department in writing within ten calendar days. This then follows the normal WSDOT approval process;

(iii) If the RFGPTS does not agree with the department's recommendations, then it must submit its concerns and issues in writing within ten days to the department. The department shall submit the plan to the FTA transit safety oversight office for their review. The FTA shall make the final determination.

(6) The department has authority to perform separate, independent investigations of reportable accidents or unacceptable hazardous conditions at its own discretion.

(a) WSDOT at its discretion may choose to conduct an independent investigation of any accident meeting the thresholds specified in WSDOT SSO program standard utilizing its own personnel or an authorized contractor.

(b) WSDOT may initiate its own investigation at any time prior to adopting the RTA's accident investigation report. WSDOT will inform the RTA of its intention to conduct an independent investigation in advance of beginning investigation activities on RTA facilities and infrastructure or involving interviews with RTA personnel. WSDOT will advise the RTA of the personnel who will be conducting the independent investigation, and provide a preliminary schedule of the investigation process prior to the start of investigation activities.

(c) All WSDOT authorized accident investigation personnel, including consultants hired for the purpose of conducting an accident investigation, are granted authority under the state safety oversight program to do all things reasonable and necessary to conduct their investigation including, but not limited to, entering RTA facilities, accident scenes, and other relevant locations; examining the property, vehicles, and records of the RTA; interviewing RTA personnel; and evaluating records, materials, data, analysis, and other information which is pertinent to the investigation. It is expected that the RTA will provide the WSDOT investigation team the resources and information necessary to conduct the investigation in an effective and efficient fashion.

(7) All reportable accidents and hazards must be included in an annual safety program summary report to the department per WAC 468-550-100.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

WAC 468-550-080 Notifying of and applying financial penalties. ~~((1) The due dates for documentation required herein are specified in (a) through (e) of this subsection. The department shall provide a RFGS a written notification of the required due date no later than one month before the applicable due date.~~

~~(a) System safety program plan and security and emergency preparedness plan within three months prior to beginning operations;~~

~~(b) Internal safety and security audit schedule for the next year by February 1;~~

~~(c) Annual report for the internal safety and security audits performed during the preceding year by February 1;~~

~~(d) Annual summary report to the department covering all reportable occurrences by February 1;~~

~~(e) Written investigation reports and findings within forty five calendar days after a reportable accident occurred, or unacceptable hazardous condition was discovered.~~

~~(2) If any RFGS notified by the department fails to deliver the required documentation by the due date specified in subsection (1) of this section, the department shall schedule a meeting with the director responsible for the RFGS's operations and maintenance to discuss the RFGS's progress~~

~~in completing the documentation and the potential consequences of further delay. In scheduling this meeting, the department shall notify the RFGS's chief executive officer of the purpose of the meeting and its time and location. The department shall attempt to schedule the meeting within one week of the specified due date.~~

~~(a) The department may cancel this meeting if the department receives the required documentation prior to the scheduled meeting.~~

~~(b) The department may defer scheduling the meeting in the event of a catastrophic event affecting the RFGS and its ability to conduct routine business.~~

~~(c) The department shall document the results of the meeting in writing to the director responsible for the RFGS's operations and maintenance and the RFGS's chief executive officer within one week of the meeting.~~

~~(d) Should the department determine that there is no reasonable cause for any further delay by the RFGS for submission of its required documentation, the department shall notify the RFGS's chief executive officer of the applicable financial penalty, as defined in subsection (5) of this section.~~

~~(e) If the department receives no further communication from the RFGS within ten calendar days of the notification made in accord with (d) of this subsection, the department shall proceed to notify FTA of the RFGS's failure to supply the required documentation and to apply the appropriate financial penalty in accord with subsection (5) of this section.~~

~~(3) If any RFGS delivers incomplete documentation by the required due date, the department shall notify the RFGS of any deficiency within one week. The RFGS shall supplement its required documentation within one week after receiving the department's notification. If the RFGS fails to supplement its documentation adequately, the department shall proceed to schedule a meeting and follow the procedures in subsection (2) of this section.~~

~~(4) If any RFGS fails to implement a corrective action plan, according to the implementation schedule developed pursuant to WAC 468-550-070(4), to prevent a recurrence of an accident or to mitigate an unacceptable hazardous condition, the department shall schedule a meeting with the director responsible for the RFGS's operations and maintenance to discuss the RFGS's progress in completing the corrective action plan and the potential consequences of further delay.~~

~~(a) The department may cancel this meeting if the department receives the required documentation prior to the scheduled meeting.~~

~~(b) The department may defer scheduling the meeting in the event of a catastrophic event affecting the RFGS and its ability to conduct routine business.~~

~~(c) The department shall document the results of the meeting in writing to the director responsible for the RFGS's operations and maintenance within one week of the meeting.~~

~~(d) Should the department determine that there is no reasonable cause for a RFGS's failure to implement the corrective action plan, the department shall notify the RFGS's chief executive officer that the department intends to notify FTA of the RFGS's noncompliance.~~

~~(e) If the department receives no further communication from the RFGS within ten calendar days of the notification made in accord with (d) of this subsection, the department~~

shall notify FTA of the RFGS's failure to implement a corrective action plan action:

(f) This subsection shall apply also to a corrective action plan upon which the department and the RFGS disagree. In this situation, the department shall use the corrective action plan and implementation schedule proposed by the RFGS.

(5) Any RFGS that fails to comply with the timelines as set forth in this chapter shall be assessed the financial penalties following:

(a) One thousand five hundred dollars for each calendar month two months prior to beginning operations, for failure to deliver to the department an acceptable system safety and security program plan;

(b) Five hundred dollars for each calendar month, beginning with February, for failure to deliver to the department an acceptable:

(i) Internal safety and security audit schedule for the next year;

(ii) Annual report for the internal safety and security audits performed during the preceding year; or

(iii) Annual summary report to the department covering all reportable occurrences; and

(c) One thousand dollars applied each thirty-day period, beginning the 90th day after a reportable accident occurred, or after an unacceptable hazardous condition was discovered for failure to deliver to the department an acceptable investigation report, corrective action plan, and accompanying implementation schedule.

(6) If FTA notifies the department that it will impose a financial penalty on the state of Washington as a consequence of a RFGS's failure to take appropriate action in a safety or security situation, the department shall:

(a) Notify that RFGS's chief executive officer that the department will impose all FTA financial penalties to that RFGS if the RFGS fails to take adequate action to bring itself into compliance to FTA's satisfaction. Said notice shall include a copy of FTA's written communication and an estimate of FTA's financial penalty.

(b) Recommend steps to the RFGS' chief executive officer that the RFGS should take to bring it into compliance with FTA requirements.

(7) Any RFGS notified by the department of its failure to take appropriate action in a safety or security situation shall take immediate and adequate action to bring itself into compliance to FTA's satisfaction and provide adequate documentation to the department of its corrective measures. The department shall provide that documentation to FTA.

(8) If any RFGS notified by the department of its failure to take appropriate action in a safety or security situation also fails to respond to the department and FTA imposes a financial penalty on the state of Washington as a consequence, the department shall apply the full amount of the financial penalty on the RFGS.

(9) In applying any financial penalty, the department shall take the following steps:

(a) Invoice the RFGS for the amount of financial penalty; the invoice shall identify:

(i) The documentation not received by the specified due date;

(ii) The number of calendar months or, for failure to deliver to the department an acceptable investigation report, corrective action plan, and accompanying implementation schedule, thirty-day periods past the specified due date;

(iii) The applicable financial penalty rate per calendar month or, for failure to deliver to the department an acceptable investigation report, corrective action plan, and accompanying implementation schedule, thirty-day periods; and

(iv) Where payment should be made.

(b) If a RFGS fails to remit the full amount of the imposed financial penalty within sixty days of when due, the department may seek judicial enforcement to recover full payment. Venue for any action hereunder shall be Thurston County.)

(1) If any RFGPTS fails to comply with any of the requirements or due dates specified in the Washington state rail safety oversight program standard, the department shall notify the RFGPTS in writing of such a violation. These violations will be designated by the department to be one or more findings of noncompliance.

(2) The RFGPTS will have fifteen calendar days to respond to this notification with:

(a) Documentation and records of corrective actions taken, for department review, that fully address the violations and findings of noncompliance; or

(b) Justification for its failure to comply or to provide the required records. The justification must include records of all supporting documentation, corrective actions taken, and all other mitigation plans proposed, planned or implemented with intent to address the violation.

(3) Within thirty days of receipt of the RFGPTS response, the department will review and issue one of the following determinations:

(a) Determination of compliance - Where the department determines that violations have been fully addressed and non-compliance findings can be closed.

(b) Determination of noncompliance with exception - Where the department determines that the RFGPTS has taken action to address violations and has a corrective action plan, acceptable in scope and schedule, in place to come into compliance.

(c) The department may establish a new deadline by which the corrective action plan addressing violations must be fully implemented. Failure by the RFGPTS to meet this new deadline may result in the issuance of a determination of noncompliance.

(d) Determination of noncompliance - Where the department determines that violations have not been adequately addressed by the RFGPTS and there is an absence of acceptable corrective actions taken and/or of acceptable scope and schedule of corrective actions to be taken.

(4) Where, the department issues a determination of non-compliance, the department may issue a second and final notification in writing that states a new deadline by which a financial penalty will be imposed if noncompliance findings cannot be addressed. The amount of the financial penalty will be stated in the written notification. If more than one finding of noncompliance exists, more than one financial penalty may be imposed. Financial penalties will be as follows:

(a) The department may issue a financial penalty of ten thousand dollars for each determination of noncompliance.

(b) Thirty days following the issuance of a financial penalty, the department will determine if the status of the violation remains in noncompliance status. This determination will be based on a review of all additional submittals and actions taken by the RFGPTS. If the status has not been changed to determination of compliance or determination of noncompliance with exception, the department may impose an additional financial penalty of ten thousand dollars per finding of noncompliance.

(c) Following each subsequent thirty-day period, the department will review all additional submittals and actions and impose an additional financial penalty of ten thousand dollars until the determination is reduced to either a finding of noncompliance with exception or a finding of compliance.

(d) If a RFGPTS fails to remit the full amount of the imposed financial penalty within sixty days of when due, the department may seek judicial enforcement to recover full payment. Venue for any action hereunder shall be Thurston County.

(5) Additionally, following any issuance by the department of a determination of noncompliance or of inadequate progress in addressing it, the department may require a meeting with the director responsible for the RFGPTS's operations and maintenance, or with the agency's chief executive, to discuss the RFGPTS's progress in completing the documentation and the potential consequences of delay.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

WAC 468-550-090 ((Reimbursement for costs associated with the management of the rail safety oversight program.)) Suspension of service, modification of service, or the removal of equipment due to failure to mitigate to hazardous conditions. ~~((1) Owners of rail fixed guideway systems shall reimburse WSDOT for costs incurred for its management of the Washington state rail safety oversight program. These reimbursable costs can be grouped as follows:~~

~~(a) Costs for conducting triennial safety and security audits.~~

~~(b) Costs for WSDOT staff and/or consultants to conduct investigations of incidents or unacceptable hazards, as necessary.~~

~~(c) Labor, administrative, and travel costs incurred by WSDOT for its administration of the Washington state rail safety oversight program. These include but are not limited to:~~

~~(i) Staff hours dedicated to the oversight of system safety program plan and security and emergency preparedness plan development and implementation.~~

~~(ii) Office support and supplies necessary to carry out this oversight.~~

~~(iii) Travel and labor costs associated with WSDOT's administration of the program including for the attendance at federal and state safety, security, and emergency preparedness conferences, workshops, meetings, and trainings which enhance WSDOT oversight of system safety program plan and security and emergency preparedness plan development and implementation.~~

~~(2) Triennial safety and security audits. Within ninety days after receipt of an invoice, each RFGS shall reimburse the reasonable expenses of the department in carrying out its responsibilities pursuant to WAC 468-550-060. The department shall notify the RFGS of the estimated expenses at least six months in advance of when the department audits the system.~~

~~(3) Investigations of incidents or unacceptable hazards. WSDOT at its discretion may choose to conduct an independent investigation of unacceptable hazards or incidents given that they meet the incident reporting thresholds established in the Washington state safety program standard. Costs associated with these investigations are to be reimbursed in full by the owners of the rail fixed guideway systems being investigated. This includes the cost of hiring consultants to conduct investigations, if determined necessary by WSDOT.~~

~~(4) Administrative costs. All other reimbursable costs of the Washington state rail safety oversight program are allocated to each rail fixed guideway system owner based on a formula. This formula allocates the total of all reimbursable costs for the management of the program to each rail fixed guideway system. The owners of the rail fixed guideway systems are responsible for the reimbursement of costs allocated to each rail fixed guideway system for which they own. The allocation of such reimbursable costs is determined as follows:~~

~~(a) Fifty percent of all reimbursable costs, except those for investigations of unacceptable hazards or incidents, are allocated in equal share among rail fixed guideway systems. This allocation of reimbursable costs is equal among rail fixed guideway systems, regardless of the number of passengers they carry or the length of their system. The amount of all such reimbursable costs is arrived at by dividing all such reimbursable costs by the number of RFGS, and then multiplying that result by fifty percent or (reimbursable costs/number of RFGS) x fifty percent.~~

~~(b) Fifty percent of all reimbursable costs, excluding those for investigations of unacceptable hazards or incidents, are allocated based on route mileage that is funded, obligated, and/or operational. These reimbursable costs are allocated to rail fixed guideway systems based on their share of the total directional route miles falling under the oversight of the Washington state rail safety oversight program. The owners of the rail fixed guideway systems are responsible for the reimbursement costs allocated to each rail fixed guideway system for which they own. The amount of all such reimbursable costs is arrived at by dividing the RFGS's route miles by total route miles, and then multiplying that result by the product of reimbursable costs multiplied by fifty percent or (RFGS route miles/total route miles) x (reimbursable costs x fifty percent).~~

~~(c) The total allocation of reimbursable costs to owners of rail fixed guideway systems is the total of the fifty percent of costs allocated based on an equal share allocation, and the fifty percent allocated based on directional route miles.~~

~~(d) WSDOT will provide monthly invoices to owners of rail fixed guideway systems for the reimbursement of costs described above.)) When a known unacceptable hazardous condition is not mitigated to an acceptable level by RFGPTS owners or operators, the department may require the suspen-~~

sion or modification of service or the suspended use or removal of equipment. The department may impose sanctions per WAC 468-550-080 upon owners or operators of RFGPTS for failure to meet deadlines of submissions of required reports and audits.

NEW SECTION

WAC 468-550-100 Safety program annual report. (1)

Per the requirements of the Washington state rail safety oversight program standard, the RFGPTS will prepare and submit to the department a safety program annual report which summarizes the agency's safety program activities during the most recent calendar year, including a summary of accidents, incidents, hazards, and internal safety program audits.

(2) The annual safety program annual report must be submitted to the department on or before February 15th of each year.

NEW SECTION

WAC 468-550-110 Special provisions for rail fixed guideway public transportation systems crossing state lines and operating in both Washington and a bordering state. (1)

When a RFGPTS crosses state lines and is operating in Washington and a bordering state, the department will comply with the requirements set forth in 49 C.F.R. Part 674.15 for the designation of an oversight agency for a multistate system. The department will coordinate with the neighboring state SSOA and either ensure that both Washington's SSOA and the bordering state's SSOA are implementing uniform safety standards and requirements upon the RFGPTS (674.15a) or that a single SSOA is designated as the SSOA (674.15b).

(2) Where a bordering state agency is serving as the single entity SSOA, the bordering state's program standard and other safety standards and procedures will be used for oversight of the RFGPTS, unless otherwise stated through agreement or law. The Washington state rail safety oversight program standard will continue to apply to all other RFGPTS within Washington not subject to the special provisions of this section.

(3) An agreement will be established with the bordering state to set coordination of oversight duties and reporting for the RFGPTS subject to the program standard of a bordering state. The agreement must address the allocation of costs between the two states.

WSR 18-11-130
EMERGENCY RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed May 23, 2018, 8:34 a.m., effective May 23, 2018, 8:34 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to revise the office of superintendent of public instruction's learning assistance program (LAP) carryover and recovery calculation to allow districts to carryover one hundred percent of unspent

LAP high poverty funds from the 2017-18 school year to the 2018-19 school year only.

Citation of Rules Affected by this Order: Amending WAC 392-122-900.

Statutory Authority for Adoption: RCW 28A.150.290, 28A.710.220.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule revision is necessary to ensure that funding for students in need of additional support as appropriated by the legislature can be utilized as the legislature intended.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: May 22, 2018.

Chris P. S. Reykdal
State Superintendent
of Public Instruction

AMENDATORY SECTION (Amending WSR 15-18-078, filed 8/28/15, effective 9/28/15)

WAC 392-122-900 General provision—Indirect cost limitations, carryover limitations and recoveries. Categorical apportionment moneys shall be expended for allowable categorical program costs. Indirect cost charges to categorical programs are limited as provided in this section. Categorical moneys may be carried over from one school district or charter school fiscal year to another only as provided in this section.

(1) The superintendent of public instruction shall recover categorical program allocations made pursuant to this chapter if not expended by the school district or charter school during the school year for allowable program costs.

(2) For the 2000-01 school year and thereafter, "allowable program costs" means direct program expenditures plus allowable indirect program charges.

(a) Direct program expenditures are expenditures directly traceable to the program for the school year reported consistent with the *Accounting Manual for Public School Districts in the State of Washington* and instructions provided by the superintendent of public instruction including the

Administrative Budgeting, and Financial Reporting Handbook.

(b) For the purposes of this section, special education program expenditures shall be reduced (abated) by revenues to account 7121 special education revenues from other districts or charter schools.

(c) For special education, highly capable, and transitional bilingual, allowable indirect program charges equal direct program expenditures times the percentage calculated from the school district's or charter school's annual financial statements (Report F-196) for two school years prior as follows:

(i) Divide direct expenditures for program 97 (~~districtwide~~) district-wide support by;

(ii) Total general fund direct expenditures for all programs minus direct expenditures for program 97 (~~districtwide~~) district-wide support; and

(iii) Round to three decimal places.

(d) For the learning assistance program, allowable indirect program charges equal the direct program expenditures times the federal restricted indirect rate calculated by the superintendent of public instruction.

(e) For the institutional education program, allowable indirect program charges equal the state institutional education program allocation times the percentage allocated for indirect costs pursuant to the biennial operating appropriations act and the state funding formula.

(3) Commencing with the 1994-95 school year allocation, a school district or charter school may carry over from one school district fiscal year to the next up to ten percent of the state learning assistance program allocation. For the 2017-18 school year only, a school district or charter school may carry over all unspent learning assistance program high poverty allocations to the 2018-19 school year. Carryover moneys shall be expended solely for allowable learning assistance program costs.

(4) Commencing with the 1997-98 school year allocation, a district or charter school may carry over from one school fiscal year to the next up to ten percent of state special education program allocation. Carryover moneys shall be expended solely for allowable state special education program costs.

(5) Commencing with the 1998-99 school year allocation, a school district may carry over from one school district fiscal year to the next up to ten percent of the state institutional education program allocation. Carryover moneys shall be expended solely for allowable state institutional education program costs.

(6) The amount recovered pursuant to this section for special education, highly capable, bilingual, and learning assistance programs shall be determined as follows:

(a) Sum the state allocation for the categorical program for the school year and any carryover from the prior school year if applicable;

(b) Determine the district's or charter school's allowable program costs for the school year pursuant to this section;

(c) If the result of (a) of this subsection exceeds the result of (b) of this subsection, the difference less any allowable carryover shall be recovered.

(7) For the 2017-18 school year only, learning assistance program high poverty allocations are not subject to the recovery provisions outlined in WAC 392-122-900 (6)(a) through (c).

(8) The amount recovered pursuant to this section for the institutional education program shall be determined as follows:

(a) Sum the state allocation for the institutional education program for the school year excluding any amount provided for indirect costs, and any carryover from the prior school year if applicable;

(b) Determine the school district's direct expenditures for the institutional education program as reported on Report F-196 or such other document filed pursuant to instructions provided by the superintendent of public instruction;

(c) If the amount of (a) of this subsection exceeds the amount of (b) of this subsection, the difference less any allowable carryover shall be recovered.

~~((8))~~ (9) This section applies to categorical program allocations to school districts, educational service districts and, in the case of institutional education programs, entities contracting to provide an institutional education program funded under this chapter.