

WSR 18-11-001
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed May 2, 2018, 12:33 p.m., effective June 2, 2018]

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

Purpose: The department is amending WAC 388-97-1000 to extend the timeline for a nursing home to transmit required resident assessment instrument information for its residents from ten to fourteen days, in order to match federal regulations.

Citation of Rules Affected by this Order: Amending WAC 388-97-1000.

Statutory Authority for Adoption: Chapter 74.42 RCW.

Other Authority: 42 C.F.R. 483.20.

Adopted under notice filed as WSR 18-03-147 on January 22, 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: May 1, 2018.

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 13-04-093, filed 2/6/13, effective 3/9/13)

WAC 388-97-1000 Resident assessment. (1) The nursing home must:

(a) Provide resident care based on a systematic, comprehensive, interdisciplinary assessment, and care planning process in which the resident participates, to the fullest extent possible;

(b) Conduct initially and periodically a comprehensive, accurate, standardized, reproducible assessment of each resident's functional capacity;

(c) At the time each resident is admitted:

(i) Have physician's orders for the resident's immediate care; and

(ii) Ensure that the resident's immediate care needs are identified in an admission assessment.

(d) Ensure that the comprehensive assessment of a resident's needs describes the resident's capability to perform daily life functions and significant impairments in functional capacity.

(2) The comprehensive assessment must include at least the following information:

(a) Identification and demographic information;

(b) Customary routine;

(c) Cognitive patterns;

(d) Communication;

(e) Vision;

(f) Mood and behavior patterns;

(g) Psychosocial well-being;

(h) Physical functioning and structural problems;

(i) Continence;

(j) Disease diagnosis and health conditions;

(k) Dental and nutritional status;

(l) Skin conditions;

(m) Activity pursuit;

(n) Medications;

(o) Special treatments and procedures;

(p) Discharge potential;

(q) Documentation of summary information regarding the assessment performed; and

(r) Documentation of participation in assessment.

(3) The nursing home must conduct comprehensive assessments:

(a) No later than fourteen days after the date of admission;

(b) Promptly after a significant change in the resident's physical or mental condition; and

(c) In no case less often than once every twelve months.

(4) The nursing home must ensure that:

(a) Each resident is assessed no less than once every three months, and as appropriate, the resident's assessment is revised to assure the continued accuracy of the assessment; and

(b) The results of the assessment are used to develop, review and revise the resident's comprehensive plan of care under WAC 388-97-1020.

(5) The skilled nursing facility and nursing facility must:

(a) For the required assessment, complete the state approved resident assessment instrument (RAI) for each resident in accordance with federal requirements;

(b) Maintain electronic or paper copies of completed resident assessments in the resident's active medical record for fifteen months; this information must be maintained in a centralized location and be easily and readily accessible;

(c) Place the hard copies of the signature pages in the clinical record of each resident if a facility maintains their RAI data electronically and does not use electronic signatures;

(d) Assess each resident not less than every three months, using the state approved assessment instrument; and

(e) Transmit all state and federally required RAI information for each resident to the department:

(i) In a manner approved by the department;

(ii) Within ~~((ten))~~ fourteen days of completion of any RAI assessment required under this subsection; and

(iii) Within ~~((ten))~~ fourteen days of discharging or admitting a resident for a tracking record.

WSR 18-11-002
PERMANENT RULES
LIQUOR AND CANNABIS
BOARD

[Filed May 2, 2018, 1:51 p.m., effective June 2, 2018]

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

Purpose: Rules are needed to clarify the requirements for self-dispensing wine machines and self-service beer taps.

Citation of Rules Affected by this Order: New WAC 314-12-085.

Statutory Authority for Adoption: RCW 66.08.030.

Adopted under notice filed as WSR 18-06-108 on March 7, 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 1, Amended 0, Repealed 0.

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

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

Date Adopted: May 2, 2018.

Jane Rushford
Chair

NEW SECTION

WAC 314-12-085 Self-dispensing wine machines and self-service beer taps. (1) The requirements for an on-premises liquor licensee to use self-dispensing wine machines are as follows:

(a) The liquor licensee must maintain adequate staff to monitor for potential over service/consumption;

(b) Employees responsible for operating the self-dispensing machines must hold a class 12 or class 13 alcohol server permit;

(c) An employee must first check the customer's ID and check for signs of intoxication; and

(d) A service card to self-dispense must be purchased from an employee. The card may allow no more than a total of ten ounces dispensed in up to five ounce servings. No more than two cards may be purchased by any one customer at any time.

(2) The requirements for an on-premises liquor licensee to use self-service beer taps are as follows:

(a) The liquor licensee must maintain adequate staff to monitor for potential over service/consumption;

(b) Employees responsible for operating the self-service beer taps must hold a class 12 or class 13 alcohol server permit;

(c) An employee must first check the customer's ID and check for signs of intoxication prior to activating the system;

(d) The system must be programmed to automatically deactivate after the beer has been dispensed;

(e) The amount of beer purchased by any one customer at one time is twenty-four ounces dispensed in up to twelve ounce servings;

(f) Employees must have the ability to deactivate the system remotely, which allows the employee to control the amount of beer dispensed at all times.

WSR 18-11-005
PERMANENT RULES
LIQUOR AND CANNABIS
BOARD

[Filed May 2, 2018, 1:54 p.m., effective January 1, 2019]

Effective Date of Rule: January 1, 2019.

Purpose: This rule making makes adjustments to packaging and labeling requirements for marijuana and marijuana products. The Washington state liquor and cannabis board convened a work group of industry members, the department of health, and the Washington Poison Center over much of 2017 to gather information and receive feedback on packaging and labeling rules requirements. These rule changes are a product of what was learned from this work group and other states that regulate marijuana, as well as through other information gathering and consumer surveys. Updates and clarifications were needed for the rules involved, and adjustments to requirements were needed due to concerns raised by the industry and stakeholders, and to continue to develop the regulatory landscape in this emerging industry. Most of the changes in this rule making were made to streamline labeling requirements and to reduce pressure on the "real estate" on labels to ensure information is readable and effective for consumers and the public. Removal of the requirement to list the retailer business/trade name and UBI number is included because of the passage of HB 2474 during the 2018 legislative session. Accompanying materials are proposed to be virtually eliminated except for pesticides information and clarification is included that they may be provided in paper form or an electronic format via url or QR code. Adjustments to packaging requirements were made to provide flexibility for certain edible products packaging, and to further prevention of the promotion of overconsumption. An enhanced definition providing additional clarity for what is considered "especially appealing to children" is included and a new definition for the term "cartoon" is included. A delayed effective date is included to ensure licensees have adequate time to cycle through existing inventory and make changes to adapt to new packaging and labeling requirements.

Citation of Rules Affected by this Order: Amending WAC 314-55-105 and 314-55-106.

Statutory Authority for Adoption: RCW 69.50.342 and 69.50.345 and 2018 c 43 s 1 (HB 2474).

Adopted under notice filed as WSR 18-04-113 on February 7, 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 2, 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 2, 2018.

Jane Rushford
Chair

AMENDATORY SECTION (Amending WSR 16-11-110, filed 5/18/16, effective 6/18/16)

WAC 314-55-105 Packaging and labeling requirements. (1) ~~((All usable marijuana and marijuana-infused products must be stored behind a counter or other barrier to ensure a customer does not have direct access to the product.~~

~~(2))~~ **Packaging requirements.**

(a) General packaging requirements applying to all marijuana products. Any container or packaging containing usable marijuana, marijuana concentrates, or marijuana-infused products must protect the product from contamination and must not impart any toxic or deleterious substance to the usable marijuana, marijuana concentrates, or marijuana-infused product.

~~((3) Upon the request of a retail customer, a retailer must disclose the name of the certified third party testing lab and results of the required quality assurance test for any usable marijuana, marijuana concentrate, or marijuana-infused product the customer is considering purchasing.~~

~~(4) Usable marijuana, marijuana concentrates, and marijuana-infused products must not be labeled as organic unless permitted by the United States Department of Agriculture in accordance with the Organic Foods Production Act.~~

~~(5) The certified third party testing lab and required results of the quality assurance test must be included with each lot and disclosed to the customer buying the lot.~~

~~(6) A marijuana producer must make quality assurance test results available to any processor purchasing product. A marijuana producer must label each lot of marijuana with the following information:~~

~~(a) Lot number;~~

~~(b) UBI number of the producer; and~~

~~(c) Weight of the product.~~

~~(7) Marijuana-infused products and marijuana concentrates meant to be eaten, swallowed, or inhaled, must be packaged in))~~ **(b) Additional product-specific packaging requirements.** The following product-specific packaging requirements apply to each of the following product types in

addition to the packaging requirements provided in (a) of this subsection:

(i) Marijuana-infused products general requirements.

(A) All marijuana-infused products for oral ingestion must be packaged pursuant to the following requirements:

(I) Child resistant packaging in accordance with Title 16 C.F.R. 1700 of the Poison Prevention Packaging Act, or ((use standards specified in this subsection. Marijuana-infused product in solid or liquid form may be packaged in))

(II) Plastic four mil or greater in thickness and be heat sealed with no easy-open tab, dimple, corner, or flap as to make it difficult for a child to open and as a tamperproof measure, except as provided in (b)(i)(A)(III) and (B) of this subsection.

(III) Marijuana-infused products for oral ingestion in liquid form where a single serving is contained with the package may ((also)) be sealed using a metal crown cork style bottle cap. Marijuana-infused products for oral ingestion in liquid form that include more than one serving must be packaged with a resealable closure or cap.

(B) Marijuana-infused solid edible products.

(I) If there is more than one serving of marijuana-infused solid edible products in the package, each serving must be packaged individually in ((childproof)) child resistant packaging (((see WAC 314-55-105(7)))) as provided in (b)(i) of this subsection and placed in the outer package except as provided below.

(II) Products such as capsules, lozenges, and similar products approved by the WSLCB on a case-by-case basis may be packaged loosely within a resealing outer package that is child resistant in accordance with Title 16 C.F.R. 1700 of the Poison Prevention Packaging Act.

(C) Marijuana-infused liquid edible products. ((If there is)) Packages containing more than one serving ((in the package,)) of marijuana-infused liquid edible product must:

(I) Have a resealing cap or closure; and

(II) Include a measuring device ((must be included in)) such as a measuring cap or dropper with the package ((with)) containing the marijuana-infused liquid edible product. Hash marks on the bottle or package do not qualify as a measuring device. ((A measuring cap or dropper must be included in the package with the marijuana-infused liquid edible product.

~~(8)~~

~~(9) A producer or processor may not treat or otherwise adulterate usable marijuana with any organic or nonorganic chemical or other compound whatsoever to alter the color, appearance, weight, or smell of the usable marijuana.~~

~~(10))~~ **(ii) Marijuana concentrates.** Marijuana concentrates must be packaged:

(A) In child resistant packaging in accordance with Title 16 C.F.R. 1700 of the Poison Prevention Packaging Act; or

(B) Plastic four mil or greater in thickness, heat sealed with no easy-open tab, dimple, corner, or flap as to make it difficult for a child to open and as a tamperproof measure.

(2) Labeling requirements.

(a) Marijuana and marijuana product labels generally. The following label requirements apply to all marijuana products:

(i) Usable marijuana, marijuana concentrates, and marijuana-infused products must not be labeled as organic unless permitted by the United States Department of Agriculture in accordance with the Organic Foods Production Act.

(ii) Labels must comply with the version of NIST Handbook 130, Uniform Packaging and Labeling Regulation adopted in chapter 16-662 WAC.

~~((11) All marijuana and marijuana products when sold at retail must include accompanying material that is attached to the package or is given separately to the consumer containing the following warnings:~~

~~(a) "Warning: This product has intoxicating effects and may be habit forming. Smoking is hazardous to your health";~~

~~(b) "There may be health risks associated with consumption of this product";~~

~~(c) "Should not be used by women that are pregnant or breast feeding";~~

~~(d) "For use only by adults twenty-one and older. Keep out of reach of children";~~

~~(e) "Marijuana can impair concentration, coordination, and judgment. Do not operate a vehicle or machinery under the influence of this drug";~~

~~(f) Statement that discloses all pesticides applied to the marijuana plants and growing medium during production and processing.~~

(12)) (iii) All information, warning statements, and language required in this section must not be covered or obscured in any way.

(iv) Labels affixed to the container or package containing marijuana or marijuana products sold at retail must include:

~~((a)) (A) The business or trade name and the ((sixteen)) nine digit Washington state unified business identifier (UBI) number of the licensee that produced((;)) and processed ((and sold)) the marijuana or marijuana products((. The marijuana retail licensee trade name and Washington state unified business identifier number may be in the form of a sticker placed on the label));~~

~~((b) Sixteen digit inventory ID number assigned)) (B) The unique identifier number generated by the WSLCB's traceability system. This must be the same number that appears on the transport manifest;~~

~~((e)) (C) If more than one serving is in a package, the label must prominently display the number of servings in the package and the amount of product per serving;~~

~~(D) Net weight in ounces and grams or volume as ((appropriate);~~

~~(d) Statement that discloses all pesticides applied to the marijuana plants and growing medium during production of the base marijuana used to create the extract added to infused products; and~~

~~(e) If solvents were used, statement that discloses the type of extraction method, including any solvents, gases, or other chemicals or compounds used to produce or that are added to the extract.~~

~~(f) Warnings that state: "This product has intoxicating effects and may be habit forming";~~

~~(g) Statement that "This product may be unlawful outside of Washington state";~~

~~(h) The WSLCB may create a logo that must be placed on all usable marijuana and marijuana-infused products.~~

~~(13) In addition to requirements in subsection (10) of this section, labels affixed to the container or package containing usable marijuana, or packaged marijuana mix sold at retail must include:~~

~~(a) Concentration of THC ((;)) applicable;~~

~~(E) THC concentration (delta-9 tetrahydrocannabinol) listed as total THC and activated THC-A((;)) and CBD ((;)) concentration (cannabidiol) listed as total CBD and activated CBD-A((;));~~

~~(v) Labels of usable marijuana and marijuana products sold at retail in the state of Washington must not contain any statement, depiction, or illustration that:~~

~~(A) Is false or misleading;~~

~~(B) Promotes over consumption;~~

~~(C) Represents the use of marijuana has curative or therapeutic effects;~~

~~(D) Depicts a child or other person under legal age consuming marijuana, or includes:~~

~~(I) Objects such as toys, characters suggesting the presence of a child, or any other depiction or illustration designed in any manner to be especially appealing to children or other persons under twenty-one years of age; or~~

~~(II) Is designed in any manner that is especially appealing to children or other persons under twenty-one years of age.~~

~~(b) ((Date of harvest.~~

~~(14)) Standard warnings required on all labels. The following warning statements must be included on labels of all marijuana and marijuana products. The warning statements required below must be of a size to be legible and readily visible to a consumer inspecting a package and must not be covered or obscured in any way.~~

~~(i) "Warning - May be habit forming";~~

~~(ii) "Unlawful outside Washington State";~~

~~(iii) "It is illegal to operate a motor vehicle while under the influence of marijuana"; and~~

~~(iv) The marijuana universal symbol as provided in WAC 314-55-106.~~

~~(c) Additional product-specific labeling requirements. In addition to the labeling requirements in subsection ((10)) (3)(a) and (b) of this section, ((labels affixed to the container or package containing marijuana-infused products meant to be eaten or swallowed sold at retail must include:~~

~~(a) Date manufactured;~~

~~(b) Best by date;~~

~~(e)) the following product-specific labeling requirements apply to each of the following product types and must be present on labels when offered for sale at retail:~~

~~(i) Usable marijuana, including marijuana mix. The statement "Smoking is hazardous to your health."~~

~~(ii) Marijuana concentrates, marijuana infused extract for inhalation, and infused marijuana mix.~~

~~(A) If solvents were used to create the concentrate or extract, a statement that discloses the type of extraction method, including any solvents or gases used to create the concentrate or extract; and~~

~~(B) Any other chemicals or compounds used to produce or were added to the concentrate or extract.~~

(iii) **Marijuana-infused products** (except for marijuana-infused products for topical application as provided in (c)(iv) of this subsection).

(A) Serving size and the number of servings contained within the unit;

~~((d)) Total milligrams of active THC, or Delta 9 and total milligrams of active CBD;~~

~~(e)) (B) A list of all ingredients in descending order of predominance by weight or volume as applicable and a list of major food allergens as defined in the Food Allergen Labeling and Consumer Protection Act of 2004;~~

~~((f)) "Caution: When eaten or swallowed, the)~~ (C) If solvents were used, a statement that discloses the type of extraction method, including any solvents, gases, or other chemicals or compounds used to produce or that are added to the extract; and

(D) The following sentence: "CAUTION: Intoxicating effects ((of this drug)) may be delayed by ((two or more)) 2+ hours."

~~((15) In addition to requirements in subsection (10) of this section, labels affixed to the container or package containing marijuana-infused extract for inhalation, or infused marijuana mix sold at retail must include:~~

~~(a) Date manufactured;~~

~~(b) Best by date;~~

~~(c) Concentration of THC (total Delta 9 and Delta 9 THC-A) and CBD (total CBD and activated CBD-A).~~

~~(16) In addition to requirements in subsection (10) of this section, labels affixed to the container or package containing marijuana topicals sold at retail must include:~~

~~(a) Date manufactured;~~

~~(b) Best by date;~~

~~(c) Total milligrams of active tetrahydrocannabinol (THC), or Delta 9 and total milligrams of active CBD.~~

~~(17)) (iv) **Marijuana-infused products for topical application.**~~

(A) The statement "DO NOT EAT" in bold, capital letters; and

(B) A list of all ingredients in descending order of predominance by weight or volume as applicable.

(d) **Permitted optional information that may be included on labels.**

(i) Harvest date, "best by" date, and manufactured dates are optional information that may be placed on labels.

(ii) Other cannabinoids and terpenes not required to be placed on the label by this section may be included on the label if:

~~((a)) (A) The producer or processor has test results from a certified third-party lab to support the claim; and~~

~~((b)) (B) The lab results are made available to the consumer upon request.~~

(3) **Accompanying materials.** The following accompanying materials must be provided with a marijuana product or made available to the consumer purchasing marijuana products at retail. A producer or processor may provide this information through an internet link, web address, or QR code on the product label so long as the information particular to that product as required below is maintained and accessible to a consumer for as long as the product is available for sale at retail.

A statement that discloses all pesticides applied to the marijuana plants and growing medium during production of the usable marijuana or the base marijuana used to create the concentrate or the extract added to infused products.

(4) **Upon request materials.** Upon the request of a retail customer, a retailer must disclose the name of the certified lab that conducted and the results of the required quality assurance tests for any marijuana or marijuana product the customer is purchasing or considering purchasing.

(5) For the purposes of this section, the following definitions apply:

(a) "Cartoon" means any drawing or other depiction of an object, person, animal, creature, or any similar caricature that satisfies any of the following criteria:

(i) The use of comically exaggerated features;

(ii) The attribution of human characteristics to animals, plants or other objects, or the similar use of anthropomorphic technique; or

(iii) The attribution of unnatural or extra-human abilities, such as imperviousness to pain or injury, X-ray vision, tunneling at very high speeds, or transformation.

(b) "Especially appealing to children" means a product, label, or advertisement that includes, but is not limited to, the following:

(i) The use of cartoons;

(ii) Bubble-type or other cartoon-like or action font;

(iii) The use of bright colors similar to those used on commercially available products intended for or that target youth or children;

(iv) A design, brand, or name that resembles a noncannabis consumer product of the type that is typically marketed to minors;

(v) Symbols or celebrities that are commonly used to market products to minors;

(vi) Images of minors; or

(vii) Similarities to products or words that refer to products that are commonly associated with minors or marketed to minors.

AMENDATORY SECTION (Amending WSR 16-23-089, filed 11/16/16, effective 2/14/17)

WAC 314-55-106 Marijuana warning symbol requirement. The following requirements are in addition to the packaging and labeling requirements provided in WAC 314-55-105.

(1) Marijuana-infused products ((~~meant to be eaten or swallowed~~)) for oral ingestion sold at retail must be labeled on the principal display panel or front of the product package with the "not for kids" warning symbol ("~~warning symbol~~") created and made available in digital form to licensees without cost by the Washington poison center (WPC). The warning symbol may be found on the WPC's web site.

(a) The warning symbol must be of a size so as to be legible, readily visible by the consumer, and effective to alert consumers and children that the product is not for kids, but must not be smaller than three-quarters of an inch in height by one-half of an inch in width; and

(b) The warning symbol must not be altered or cropped in any way other than to adjust the sizing for placement on the

principal display panel or front of the product package, except that a licensee must use a black border around the edges of the white background of the warning symbol image when the label or packaging is also white to ensure visibility of the warning symbol.

~~((2))~~ (c) Licensees may download the digital warning symbol from the WPC and print stickers, or purchase and use a sticker made available by the WPC, in lieu of incorporating the warning symbol on ~~((its))~~ the label or packaging as required under subsection (1) of this section. If a licensee elects to use a warning symbol sticker, the sticker:

~~((a))~~ (i) Must meet all requirements of ~~((subsection 4))~~ (a) and (b) of this ~~((section))~~ subsection; and

~~((b))~~ (ii) Must not cover or obscure in any way labeling or information required on marijuana products by WAC 314-55-105.

(2) All marijuana products sold at retail must be labeled on the principal display panel or front of the product package with the marijuana universal symbol ("universal symbol") created and made available in digital form to licensees without cost by the WSLCB. The digital file for the universal symbol is available on the WSLCB's web site.

(a) The universal symbol must be of a size so as to be legible, readily visible by the consumer, and effective to alert consumers that the product is or contains marijuana, but must not be smaller than three-quarters of an inch in height by three-quarters of an inch in width;

(b) The universal symbol must not be altered or cropped in any way other than to adjust the sizing for placement on the principal display panel or front of the product package; and

(c) Licensees may download the digital universal symbol from the WSLCB's web site and print stickers in lieu of incorporating the universal symbol on the label or packaging as required under (a) and (b) of this subsection. If a licensee elects to use a universal symbol sticker, the sticker:

(i) Must meet all requirements of this section; and

(ii) Must not cover or obscure in any way labeling or information required on marijuana products by WAC 314-55-105.

(3) For the purposes of this section, "principal display panel" means the portion(s) of the surface of the immediate container, or of any outer container or wrapping, which bear(s) the labeling designed to be most prominently displayed, shown, presented, or examined under conditions of retail sale. "Immediate container" means the external container holding the marijuana product.

WSR 18-11-011
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed May 3, 2018, 9:06 a.m., effective August 1, 2018]

Effective Date of Rule: August 1, 2018.

Purpose: The purpose of this permanent rule is to establish a definition of absence in public schools that is in line with the federal definition and to create consistency across

Washington schools regarding when a student is absent and which absences should be excused.

Citation of Rules Affected by this Order: New chapter 392-401 WAC; and repealing WAC 392-400-325.

Statutory Authority for Adoption: RCW 28A.300.046.

Adopted under notice filed as WSR 18-06-104 on March 7, 2018.

Changes Other than Editing from Proposed to Adopted Version:

- WAC 392-401-012 was deleted.
- WAC 392-401-015(2) was revised to state:

"A student is not absent if:

(1) If they have been suspended, expelled, or emergency expelled pursuant to chapter 392-400 WAC; and

(2) Are receiving educational services as required by RCW 28A.600.015 and chapter 392-400 WAC; and

(3) The student is enrolled in qualifying "course of study" activities as defined in WAC 392-121-107."

- WAC 392-401-015(4) was revised to state: "A school or district shall not convert or combine tardies into absences that contribute to a truancy petition."
- WAC 392-401-015(5) was deleted.
- WAC 392-401-020(1) was deleted.
- WAC 392-401-020(10) was edited to align with the changes in WAC 392-401-015(2). It was revised to state: "Absences due to suspensions, expulsions, or emergency expulsions imposed pursuant to chapter 392-400 WAC if the student is not receiving educational services and is not enrolled in qualifying "course of study" activities as defined in WAC 392-121-107."

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

Number of Sections Adopted at 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 0, Amended 0, Repealed 0.

Date Adopted: May 3, 2018.

Chris P. S. Reykdal
State Superintendent
of Public Instruction

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 392-400-325 Statewide definition of excused and unexcused daily absences.

Chapter 392-401 WAC**STATEWIDE DEFINITION OF ABSENCE, EXCUSED AND UNEXCUSED**NEW SECTION

WAC 392-401-005 Purpose. The purpose of this chapter is to provide a definition of absence to districts that supports accurate and consistent attendance data collection across the state. This effort will support the state and districts to address the challenge of chronic absenteeism, in an effort to improve learning outcomes and success in school for all students and to support the whole child.

NEW SECTION

WAC 392-401-010 Authority. The authority for this chapter is RCW 28A.300.046, which requires the superintendent of public instruction to adopt rules establishing a standard definition of student absence from school.

NEW SECTION**WAC 392-401-015 Definition of absent or absence.**

- (1) A student is absent when they are:
- (a) Not physically present on school grounds; and
 - (b) Not participating in the following activities at an approved location:
 - (i) Instruction;
 - (ii) Any instruction-related activity; or
 - (iii) Any other district or school approved activity that is regulated by an instructional/academic accountability system, such as participation in district-sponsored sports.
- (2) Students shall not be absent if:
- (a) They have been suspended, expelled, or emergency expelled pursuant to chapter 392-400 WAC;
 - (b) Are receiving educational services as required by RCW 28A.600.015 and chapter 392-400 WAC; and
 - (c) The student is enrolled in qualifying "course of study" activities as defined in WAC 392-121-107.
- (3) A full day absence is when a student is absent for fifty percent or more of their scheduled day.
- (4) A school or district shall not convert or combine tardies into absences that contribute to a truancy petition.

NEW SECTION

WAC 392-401-020 Excused absences. Absences due to the following reasons must be excused:

- (1) Illness, health condition or medical appointment (including, but not limited to, medical, counseling, dental, optometry, pregnancy, and in-patient or out-patient treatment for chemical dependency or mental health) for the student or person for whom the student is legally responsible;
- (2) Family emergency including, but not limited to, a death or illness in the family;
- (3) Religious or cultural purpose including observance of a religious or cultural holiday or participation in religious or cultural instruction;

- (4) Court, judicial proceeding, court-ordered activity, or jury service;
 - (5) Post-secondary, technical school or apprenticeship program visitation, or scholarship interview;
 - (6) State-recognized search and rescue activities consistent with RCW 28A.225.055;
 - (7) Absence directly related to the student's homeless or foster care/dependency status;
 - (8) Absences related to deployment activities of a parent or legal guardian who is an active duty member consistent with RCW 28A.705.010;
 - (9) Absences due to suspensions, expulsions or emergency expulsions imposed pursuant to chapter 392-400 WAC if the student is not receiving educational services and is not enrolled in qualifying "course of study" activities as defined in WAC 392-121-107;
 - (10) Absences due to student safety concerns, including absences related to threats, assaults, or bullying;
 - (11) Absences due to a student's migrant status; and
 - (12) An approved activity that is consistent with district policy and is mutually agreed upon by the principal or designee and a parent, guardian, or emancipated youth.
- A school principal or designee has the authority to determine if an absence meets the above criteria for an excused absence. Districts may define additional categories or criteria for excused absences.

NEW SECTION

WAC 392-401-030 Unexcused absences. Any absence from school is unexcused unless it meets one of the criteria provided in WAC 392-401-020.

**WSR 18-11-022
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 18-91—Filed May 4, 2018, 3:34 p.m., effective June 4, 2018]

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

Purpose: The purpose of the proposal was to address long-standing confusion in the commercial fishing industry and in law enforcement concerning the regulation that allows deck hands to take home a small part of their catch for personal consumption during an open commercial fishery. Last year, the department was approached by representatives of the commercial salmon troller industry asking the department for more clarification regarding the amounts of commercial catch that can be utilized for personal use under the "take home" category. Furthermore, the department needed to more effectively enforce this regulation and provide the commercial fishing industry a clear rule and not be subject to a violation.

Based on outreach and discussion with representatives in the commercial fishing industry and the public, the department amended the rule only to clarify the amount of catch that can be taken home for personal consumption. The adopted rule does not increase the overall allowance of catch per vessel during an open commercial fishery, but simply

clarifies the amount of catch that a deck hand can take home per trip and that it must have been harvested and accounted for consistent with all the applicable commercial fishery regulations.

Citation of Rules Affected by this Order: Amending WAC 220-354-030.

Statutory Authority for Adoption: RCW 77.04.090 and 77.04.130.

Adopted under notice filed as WSR 18-01-095 on December 18, 2017.

Changes Other than Editing from Proposed to Adopted Version: There were several nonsubstantive changes made to WAC 220-344-030 between the proposed rule and the final rule adopted by the commission. They include the following:

- Changing the word "retain" to "possess" at the beginning of subsection (1)(a);
- Adding the words "designated on the commercial fishing license" at the end of subsection (1)(a)(i); and
- Adding the words "buyer or limited fish seller," correcting reference "RCW 77.65.280" to "RCW 77.65.340," adding reference to RCW "77.15.510" and adding the word "buyers" in subsection (1)(c).

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 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: March 18, 2018.

Brad Smith, Chair
Fish and Wildlife Commission

AMENDATORY SECTION (Amending WSR 17-22-100, filed 10/30/17, effective 1/1/18)

WAC 220-354-030 Sale and purchase of commercial caught salmon. (1) It is unlawful for any person licensed to take salmon for commercial purposes as required under chapter 77.65 RCW to:

(a) ~~((Retain)) Possess~~ for personal use more than ~~((the equivalent of one daily sport bag limit for the area being fished. All salmon taken under commercial license must be recorded on state of Washington fish receiving tickets. The daily limit and possession limit described in this subsection also apply to crew members of the licensed fishing vessel))~~ three salmon per landing and delivery, regardless of species, provided that:

(i) The commercial season is open for the species taken; and

(ii) The fish retained are lawful to possess when taken by the gear type for which the person is licensed to fish; and

(iii) The daily limit and possession limit described in this subsection also apply to crew members of the fishing vessel designated on the commercial fishing license.

(b) Fail to report and document all salmon taken during a commercial fishery on state of Washington fish receiving tickets, including fish retained for personal use.

~~((b))~~ (c) Sell any salmon ((he takes)) taken under such license to anyone other than a wholesale fish buyer located within or outside the state of Washington: ((Provided, That a person who is himself a wholesale fish buyer may sell his catch to individuals or corporations other than wholesale fish buyer)) Except that a person who is a wholesale fish buyer or limited fish seller under the provisions of RCW 77.65.340 or 77.15.510 may sell his catch to individuals or corporations other than licensed wholesale fish buyers.

~~((c))~~ (d) Sell, barter or attempt to sell or barter salmon eggs that have been removed from the body cavity of salmon unless all carcasses from which eggs have been removed are sold to the same buyer except this subsection does not apply to troll caught salmon or the eggs from such salmon.

~~((d))~~ (e) Discard salmon that may be lawfully retained except fishers may discard salmon that are unmarketable due to pinniped predation.

(2) It is unlawful for a wholesale fish buyer to purchase or attempt to purchase salmon eggs without also purchasing all male and female salmon taken by the fisher, including the salmon carcasses from which the eggs were removed.

(3) Violation of subsection (1)(a) of this section is punishable under RCW 77.15.550 Violation of commercial fishing area or time—Penalty.

(4) Violation of subsection (1)(b) of this section is punishable under RCW 77.15.280 Reporting of fish or wildlife harvest—Rules violation—Penalty.

(5) Violation of subsection (1)(c) of this section is punishable under RCW 77.15.620 Engaging in fish dealing activity—Unlicensed—Penalty.

(6) Violation of subsections (1)(d) and (2) of this section are punishable under RCW 77.15.260 Unlawful trafficking in fish, shellfish, or wildlife—Penalty.

(7) Violation of subsection (1)(e) of this section is punishable under RCW 77.15.170 Waste of fish and wildlife—Penalty.

WSR 18-11-047

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed May 9, 2018, 1:48 p.m., effective July 1, 2018]

Effective Date of Rule: July 1, 2018.

Purpose: The department is amending WAC 388-14A-5007 If the paying parent has more than one case, can DCS apply support money to only one specific case?

The amendment deals with distribution of support payments when a noncustodial parent (NCP) has more than one

child support case, to allow the division of child support (DCS) to apply a payment in the manner specified by an Indian tribe, when the tribe sends money to DCS representing a tribal benefit received by an NCP who is a member of that tribe. DCS is adopting the amendment at the request of several tribes who wish to have payments applied in a manner consistent with tribal law or custom, or an order from the tribal court.

Citation of Rules Affected by this Order: Amending WAC 388-14A-5007.

Statutory Authority for Adoption: RCW 26.23.035, 74.08.090.

Adopted under notice filed as WSR 18-08-050 on March 29, 2018.

Changes Other than Editing from Proposed to Adopted Version: We have corrected a typo in the rule text, which when proposed had subsections (a), (b), (c), and (c). The fourth subsection has been "renumbered" as subsection (d).

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 1, Repealed 0.

Date Adopted: May 9, 2018.

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 11-12-006, filed 5/19/11, effective 6/19/11)

WAC 388-14A-5007 If the paying parent has more than one case, can DCS apply support money to only one specific case? (1) The division of child support (DCS) applies amounts to a support debt owed for one family or household and distributes the amounts accordingly, rather than make a proportionate distribution between support debts owed to different families, when:

(a) Proportionate distribution is administratively inefficient; or

(b) The collection resulted from the sale or disposition of a specific piece of property against which a court awarded the custodial parent (CP) a judgment lien for child support; ~~((or))~~

(c) The collection is the result of a contempt order which provides that DCS must distribute the amounts to a particular case; or

(d) An Indian tribe has designated that funds withheld from a tribal benefit should not be applied to all of the cases of a particular noncustodial parent (NCP), but rather should

be distributed based on a tribal court order, tribal law, or tribal custom.

(2) If the collection is the result of an automated enforcement of interstate (AEI) transaction under RCW 74.20A.188, DCS applies the payment as provided in WAC 388-14A-5006, even if the requesting state wants the payment applied to a specific case.

WSR 18-11-052

PERMANENT RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 18-92—Filed May 10, 2018, 10:52 a.m., effective June 10, 2018]

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

Purpose: The purpose of this proposal is to establish a voluntary program for expanding the use of electronic fish receiving tickets within the state.

Citation of Rules Affected by this Order: New WAC 220-352-035, 220-352-290, 220-352-300, 220-352-305, 220-352-310, 220-352-315, 220-352-320, 220-352-325, 220-352-330, 220-352-335, 220-352-340, 220-352-345 and 220-352-350; repealing WAC 220-352-030, 220-352-050, 220-352-110, 220-352-120, 220-352-180 and 220-352-190; and amending WAC 220-352-010, 220-352-020, 220-352-040, 220-352-060, 220-352-130, 220-352-140, 220-352-150, 220-352-160, 220-352-230, 220-352-250, 220-354-090, 220-354-250, and 220-354-290.

Statutory Authority for Adoption: RCW 77.04.090 and 77.04.130.

Adopted under notice filed as WSR 18-06-088 on March 6, 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 13, Amended 13, Repealed 6.

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

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

Date Adopted: May 8, 2018.

Joe Stohr
Director

Permanent

AMENDATORY SECTION (Amending WSR 17-22-100, filed 10/30/17, effective 1/1/18)

WAC 220-352-010 Fish receiving ticket definitions.

The following definitions apply to this chapter:

(1) "Department" means the Washington Department of Fish and Wildlife, Fish Program - Commercial Harvest Data Team, 600 Capitol Way North, Olympia, Washington 98501-1091.

~~(2) ("Delivery" means arrival at a place or port and includes arrivals from offshore waters to waters within the state, arrivals ashore from state or offshore waters, and arrivals within the state from interstate or foreign commerce.~~

~~(3) "Electronic fish receiving ticket" means the groundfish catch reporting system described in 50 C.F.R., Part 660 that is used to submit harvest and fishing information to the department and the National Marine Fisheries Service.~~

~~(4)) "Fish" means food fish classified under WAC ((220-12-010 and)) 220-300-370, game fish classified under WAC 220-300-380, and any other fish species subject to catch or harvest reporting requirements under state or federal law.~~

~~((5)) (3) "Fish broker" means a person who facilitates the sale or purchase of raw or frozen fish or shellfish on a fee or commission basis, without assuming title to the fish or shellfish and is required to have a fish dealer license.~~

~~((a)) A broker is not required to have a fish dealer license if the fish or shellfish only transit the state of Washington, and no storage, handling, processing, or repackaging occurs within the state.~~

~~((b) A broker who takes physical possession of fish or shellfish is an original receiver and must complete a fish receiving ticket. A broker acting strictly as an intermediary is not required to complete a fish receiving ticket for fish or shellfish that are delivered to an original receiver in the state of Washington.~~

~~(c) A broker must complete a fish receiving ticket for brokering an interstate or foreign sale from a Washington commercial fisherman when:~~

~~(i) The fisherman is not a holder of a limited fish seller endorsement; or~~

~~(ii) The sale involves fish or shellfish that have entered the state from another state, territory, or country, and the fish or shellfish are placed into interstate or foreign commerce without first having been delivered to an original receiver in the state of Washington.~~

~~(6)) (4) "Fish buyer," "buyer," or "wholesale fish buyer" means a person who:~~

~~(a) Takes first possession or ownership of fish or shellfish directly from a commercial fisher that is landed into the state of Washington; or~~

~~(b) Takes first possession or ownership of raw or frozen fish or shellfish in the state of Washington from interstate or foreign commerce; or~~

~~(c) Engages in the wholesale buying or selling of fish or shellfish harvested by fishers exercising treaty rights; or~~

~~(d) Acts as an agent for a wholesale fish buyer, to include purchasing or receiving fish or shellfish on a contractual basis.~~

~~((7)) (5) "Fish receiving ticket" ((means a document produced by the department for commercial catch accounting~~

~~purposes and includes electronic fish tickets, nontreaty fish receiving tickets, such as Puget Sound salmon, troll, marine, utility, and shellfish receiving tickets; treaty Indian fish receiving tickets; and treaty Indian shellfish receiving tickets)) is an official department document, available in paper or electronic form, for recording the delivery of commercial fish and shellfish and related transactions identified in WAC 220-352-020.~~

~~((8)) (6) "Fisher" means a person engaged in commercial fishing activities.~~

~~((9)) (7) "Fresh" or "raw" means unprocessed and unfrozen, regardless of whether the fish or shellfish are in the round, cleaned, or packaged for retail sale.~~

~~((10)) (8) "Frozen" means completely frozen throughout. Flash frozen and surface glaze frozen fish and shellfish are unfrozen fish and shellfish.~~

~~(9) "Groundfish" refers to the flatfish, rockfish, and roundfish species managed under the Pacific Fishery Management Council's Pacific Coast Groundfish Fishery Management Plan and equivalent management plans in British Columbia and Alaska. The term is largely synonymous with the definition of "bottomfish" at WAC 220-300-040 but identifies a more limited subset of species.~~

~~(10) For deliveries made from the groundfish fisheries operating under 50 C.F.R., Part 660, the terms "to land", "landing", and "landed" are equivalent to the term "to deliver" as defined under RCW 77.15.630 (4)(b).~~

~~(11) "Nontreaty" means all entities not qualified by definition as "treaty."~~

~~(12) Except as provided, "original receiver" or "receiver" means a person who holds a wholesale fish buyer endorsement or a limited fish seller endorsement. Except as provided, an original receiver means the first person in possession of fish or shellfish in the state of Washington who is acting in the capacity of a buyer:~~

~~(a) A fisher who is not the holder of a limited fish seller endorsement and who sells fish or shellfish to anyone other than a wholesale fish buyer, or a fisher who delivers fish or shellfish and places the fish or shellfish into interstate or foreign commerce, is the original receiver of the fish or shellfish;~~

~~(b) A cold storage facility that holds fish or shellfish for a fisher is not an original receiver, provided that the facility does not process, package, or otherwise handle the fish or shellfish;~~

~~(c) A person transporting fish or shellfish on behalf of a fisher, and who is in possession of an accurately completed commercial food fish and shellfish transportation ticket, is not an original receiver, provided that the fish or shellfish are transported only to a cold storage facility or to a wholesale fish buyer.~~

~~(13) "Processed" means preparing and preserving and requires a fish buyer's license. Preserving includes treating with heat, including smoking and kippering. Cooked crab is processed. Preserving also includes freezing fish and shellfish.~~

~~(14) "Shellfish" means shellfish classified under WAC ((220-12-020)) 220-320-010 and any other marine invertebrate species subject to catch or harvest reporting requirements under state or federal law.~~

(15) "Treaty" and "treaty Indian," for purposes of fish receiving tickets only, means persons who are members of federally recognized Indian tribes who harvest fish or shellfish in Washington pursuant to an Indian treaty, whether such harvest is on or off reservation.

(16) "Working day" means Monday through Friday, exclusive of a Washington state or federal holiday.

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-352-020 When state of Washington fish receiving tickets are required. (1) Wholesale fish buyers must complete a state of Washington fish receiving ticket((s are required)) for:

(a) ~~((Fresh))~~ All fish and shellfish delivered in the state of Washington((, including deliveries not purchased by a dealer, which shall be recorded as weigh-back or take-home fish or shellfish.

(b) ~~Fresh fish and shellfish previously delivered in another state, territory or country, and transported into the state of Washington to an original receiver.~~

(c) ~~Frozen fish or shellfish not previously delivered in another state, territory, or country, and transported into the state of Washington to an original receiver. Food fish and shellfish in this category are typically an at-sea processed product).~~ This includes fish or shellfish transported into Washington from another state, territory, or country as well as fish or shellfish landed or harvested in Washington and delivered into interstate or foreign commerce. Additionally, any other fish or shellfish landed by the fisher and not delivered to the buyer, such as weigh-back, zero-value product, or take-home, must also be recorded on a fish receiving ticket.

~~((d))~~ (b) Raw fish and shellfish that are transported into the state of Washington after being previously delivered in another state, territory, or country must be recorded using an import ticket.

(c) Purchase of fish or shellfish from a fisher who is also a dealer, if the fisher/dealer has not previously completed a fish receiving ticket((-

(e) Forage fish)) or has not provided a copy of the fish receiving ticket or ticket number as proof.

(2) State of Washington fish receiving tickets are required for retail sales offered under a limited fish seller endorsement (WAC 220-352-250).

(3) A fish broker must comply with subsection (1) of this section unless receiving raw or frozen fish or shellfish that:

(a) Never enter into the state;

(b) Are in transit through the state of Washington and no storage, handling, processing, or repackaging occurs within the state; or

(c) Have been previously documented on a state of Washington fish receiving ticket.

(4) If a fisher wishes to donate fish or shellfish to a non-profit or other organization but does not possess a valid wholesale fish buyer or a limited fish seller endorsement, they must deliver to an original receiver who must report the fish or shellfish on a fish receiving ticket.

(5) Fishers must ensure that a fish receiving ticket is completed for any forage fish that are:

(a) Transferred at sea to another vessel.

~~((f) Forage fish))~~ (b) Caught for use as bait by the catching vessel and not transferred to another vessel or an original receiver.

~~((2) It is unlawful to fail to complete a fish receiving ticket when one is required.~~

~~Violation of this section is punishable under RCW 77.15.630.)~~ (6) Fish receiving tickets are not required for the following transactions:

(a) Fish or shellfish purchased from holders of a wholesale fish buyer or limited fish seller endorsement provided that the receiver or buyer complies with the recordkeeping requirements under RCW 77.15.568 and retains this information with the fish or shellfish.

(b) Fish or shellfish purchased at retail.

(c) Fresh or frozen fish or shellfish that are in transit through the state of Washington, if no storage, handling, processing, or repackaging occurs within the state.

(d) Private sector cultured aquatic products.

(e) Processed fish or shellfish except frozen fish or shellfish not previously delivered in another state, territory or country.

(f) Any importation of fish that are not classified food fish under WAC 220-300-370 or importation of shellfish that are not classified shellfish under WAC 220-370-010.

NEW SECTION

WAC 220-352-035 Requirement to prepare fish receiving ticket forms completely and accurately—Determining the appropriate form. (1) Receivers must completely, accurately, and legibly prepare fish receiving tickets using a department-approved electronic or department-supplied paper form, as further specified in this section.

(2) Receivers must use an electronic fish receiving ticket form for the following:

(a) Deliveries from vessels fishing under the Pacific Fishery Management Council's Pacific Coast Groundfish Fishery Management Plan and related regulations under 50 C.F.R., Part 660. This requirement includes deliveries from research vessels but excludes deliveries of groundfish made under the trip limits for salmon troll and pink shrimp trawl vessels.

(b) Deliveries from directed commercial halibut vessels fishing under 50 C.F.R., Part 300 or vessels conducting research surveys for the International Pacific Halibut Commission if not previously delivered in another jurisdiction.

(c) Deliveries of groundfish harvested from the offshore waters off Alaska or British Columbia if not previously delivered in another jurisdiction.

(3) Receivers not required to report under subsection (2) of this section may report using electronic fish receiving ticket forms if they enter into an electronic fish receiving ticket reporting agreement with the department.

(a) The department reserves the discretion to limit the use of electronic fish receiving ticket reporting agreements based on species, gears, areas, times, or other factors.

(b) Electronic fish receiving ticket reporting agreements will identify how to access the appropriate electronic forms

and may include terms and conditions related to the timing and manner of completion and submittal.

(c) Receivers may not submit paper fish receiving tickets for deliveries covered by an electronic fish receiving ticket reporting agreement.

(d) The department or receiver may terminate an electronic fish receiving ticket reporting agreement with thirty days notice to the other party.

(e) A receiver who fails to comply with the terms of the electronic fish receiving ticket agreement commits a violation of this chapter.

(4) A receiver that is not required or authorized by agreement to use electronic fish receiving ticket forms must report using the appropriate paper form. There are separate forms for nontreaty troll fish, marine fish, shellfish, and Puget Sound salmon; and separate forms for treaty fish and treaty shellfish.

AMENDATORY SECTION (Amending WSR 17-22-100, filed 10/30/17, effective 1/1/18)

WAC 220-352-040 (~~Description of~~) Required information for Washington state nontreaty fish receiving tickets. (1) The ~~((department creates, prepares, prints, and distributes upon request the following nontreaty fish receiving ticket forms:~~

- ~~(a) Puget Sound salmon;~~
- ~~(b) Troll;~~
- ~~(c) Marine;~~
- ~~(d) Utility; and~~
- ~~(e) Shellfish.~~

(2) ~~Fish receiving ticket forms must contain space for~~ the)) following information is required to be reported on all nontreaty fish receiving ticket forms for all deliveries except imports (WAC 220-352-020 (1)(b)):

- (a) ~~((Fisherman's))~~ Fisher identification: The name and license number of the licensed deliverer.
- (b) Address: The address of the licensed deliverer.
- (c) Boat name: The name or Coast Guard number of the landing vessel, unless the fishery does not require a vessel.
- (d) WDFW boat registration: The Washington department of fish and wildlife boat registration number, unless the fishery does not require a vessel.
- (e) Gear: The code number or name of the specific type of gear used.
- (f) ~~((Fisherman's))~~ Fisher's signature: The signature of the licensed deliverer as required in WAC 220-352-140.
- (g) Date: Date of landing.
- (h) Original receiver: Name of original receiver and the department number assigned to original receiver.
- (i) Buyer identification: The name of buyer and the department number assigned to buyer.
- (j) Receiver's signature: The signature of the original receiver as required in WAC 220-352-140.
- (k) Number of days fished: Days spent catching fish.
- (l) Fish or shellfish caught inside or outside 3-mile limit: Check one box.
- (m) Catch area:
- (i) The salmon catch area code if salmon are caught.

(ii) The marine fish/shellfish catch area code if marine fish are caught or shellfish are caught or harvested.

~~(n) ((Fully space for wholesale fish buyer's use: Used at the wholesale fish buyer's discretion.))~~ Port: Port or landing location of delivery using the relevant location code in use by the department.

~~(o) Species ((code: The department assigned species code.~~

~~(p) Individual number of salmon and sturgeon.~~

~~(q) Individual numbers of other fish species if fish other than salmon or sturgeon are landed as part of an incidental catch allowance or catch ratio restriction.~~

~~(r) The number of ghost shrimp in dozens, the number of oysters in dozens or gallons, and the species description for all fish and shellfish.~~

~~(s))~~ description: Species must be reported using the relevant species or species category code in use by the department.

~~(p) Delivery amounts:~~

~~(i) Number of individuals caught: Deliveries of salmon and sturgeon and all species landed as part of an incidental catch allowance or catch ratio restriction that is expressed in numbers of fish must be reported as counts of individuals.~~

~~(ii) The number of ghost shrimp in dozens, the number of oysters in dozens or gallons.~~

~~(iii) The original total weight in round pounds of all shellfish or fish, except that pounds of legally dressed fish and shellfish may be recorded in original dressed weight so long as dressed fish and shellfish are designated as dressed on the fish receiving ticket.~~

~~((+))~~ (q) Value of fish and shellfish sold or purchased((= Summary information for species, or species groups landed:

~~(u) All species or categories of bottomfish having a vessel trip limit must be listed separately (see WAC 220-355-100).~~

~~(v) Work area for wholesale fish buyer's use: Used at wholesale fish buyer's discretion, except:~~

~~(i) Federal sablefish endorsed limited entry permit numbers for each delivery of sablefish landed under the authority of the permit must be recorded on the fish receiving ticket in the space reserved for wholesale fish buyer's use. Separate fish tickets are required for each permit number used.~~

~~(ii) At the time of landing of coastal bottomfish into a Washington port, the wholesale fish buyer receiving the fish must clearly record all legally defined trawl gear aboard the vessel at the time of delivery of the bottomfish on the fish receiving ticket in the space reserved for wholesale fish buyer's use. The 3 trawl gear types are: Midwater trawl, roller trawl, and small foot rope trawl (foot rope less than 8 inches in diameter). The gear type(s) aboard the vessel must be recorded on the fish receiving ticket before the vessel representative signs the fish receiving ticket.~~

~~(w) Total amount: Total value of landing.~~

~~(x))~~.

~~(i) Summary information for species or species groups landed: Price per pound or per unit and total value for the line.~~

~~(ii) Total amount: Total value of landing.~~

~~(r) Take-home fish: Species, number, and pounds of fish or shellfish retained for personal use.~~

~~((y))~~ (s) Crew: The name and signature of crew members who take home fish for personal use.

~~((3))~~ A Puget Sound salmon fish receiving ticket must be completely, accurately, and legibly prepared for:

~~(a) Deliveries of nontreaty salmon caught in inland waters; and~~

~~(b) Any imports of fresh salmon into the state of Washington;~~

~~(4) A troll fish receiving ticket must be completely, accurately, and legibly prepared for:~~

~~(a) Deliveries of nontreaty coastal salmon and incidental catch;~~

~~(b) Any imports of fresh salmon into the state of Washington; and~~

~~(c) Any bottomfish or halibut subject to a catch allowance or ratio restriction, when those species are taken incidental to salmon fishing.~~

~~(5) A marine fish receiving ticket must be completely, accurately, and legibly prepared for:~~

~~(a) Nontreaty deliveries of marine fish or bottomfish that do not include salmon; and~~

~~(b) Any imports of fresh marine fish or bottomfish.~~

~~(6) A marine or utility fish receiving ticket must be completely, accurately, and legibly prepared for:~~

~~(a) Any nontreaty deliveries that do not include salmon, where other fish receiving tickets are not appropriate; and~~

~~(b) Any imports of fresh fish or shellfish that do not include salmon.~~

~~(7) A shellfish receiving ticket must be completely, accurately, and legibly prepared for:~~

~~(a) Any nontreaty deliveries of shellfish;~~

~~(b) Any imports of fresh shellfish; and~~

~~(c) Any incidental catch of bottomfish made while fishing for shellfish. The species name, total pounds, and price per pounds must be entered for each species of bottomfish caught.)~~ (t) Fish ticket number: Alphanumeric or numeric code assigned to uniquely identify the fish ticket.

~~(u) Any other fishery specific requirements under this chapter.~~

~~(2) For deliveries reported using paper fish receiving ticket forms:~~

~~(a) A valid license card or duplicate license card issued by the department used with an approved mechanical imprinter satisfies the requirements in subsection (1)(a) through (e) of this section except as provided in WAC 220-352-150.~~

~~(b) A valid dealer or buyer card issued by the department used with an approved mechanical imprinter satisfies the requirements in subsection (1)(h) and (i) of this section.~~

~~(3) For import deliveries under WAC 220-352-020 (1)(b), the receiver must:~~

~~(a) Report the following information on the fish receiving ticket form:~~

~~(i) Place of origin: Area of harvest using the department provided area code.~~

~~(ii) Date of import: Date the fish or shellfish entered Washington state.~~

~~(iii) Buyer or broker name.~~

~~(iv) Fisher or harvester name.~~

~~(v) Deliverer name.~~

~~(vi) Delivery amount: Species description and weights.~~

~~(b) Attach any previously completed fish receiving ticket, or equivalent document, or the bill of lading to the receiver's retained copy of the paper or electronic fish receiving ticket form.~~

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-352-060 ((Distribution)) Completion, submission, distribution, and retention of copies of nontreaty fish receiving tickets. (1) Original receivers must complete state of Washington nontreaty fish receiving tickets by recording the delivery amount using the appropriate weight or quantity measure for all fish at the conclusion of the off-load and prior to the fish being processed or transported away from the delivery site.

(2) Fish receiving tickets paper forms must be made out in quadruplicate (four copies) at the time of delivery of fish ((or shellfish. It is unlawful for the)). Original receivers must use fish receiving tickets in numerical sequence, starting with the lowest numbered ticket issued. Original receivers ((who completes a fish receiving ticket to fail to distribute the copies as follows)) reporting using paper forms must:

(a) ((Except for original receivers who submit a fish receiving ticket in portable document format (PDF) to satisfy quick reporting requirements for salmon and sturgeon under WAC 220-352-180 (14)(e), the original receiver must)) Mail the state copy (green) of the fish receiving ticket to the department of fish and wildlife (department), except for original receivers who submit a fish receiving ticket in portable document format (PDF) to satisfy quick reporting requirements for salmon and sturgeon under WAC 220-352-315, 220-352-320, 220-352-325 and 220-352-330. The department must receive the state copy no later than the sixth working day after the day the original receiver completes the fish ticket.

(b) ((The original receiver must)) Retain the dealer copies (white and yellow) of the fish receiving ticket for his or her records.

(c) The deliverer must retain the fisher copy (gold) for his or her records.

((2) It is unlawful for an original receiver who submits an electronic fish receiving ticket to fail to retain a signed copy of the electronic fish receiving ticket for three years.

(3) A violation of this section is punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty.) (3) Original receivers who submit fish receiving tickets using an electronic form must:

(a) Submit the ticket within twenty-four hours of completion of the delivery if required by WAC 220-352-035(2).

(b) Submit the ticket in compliance with the timely reporting conditions set forth in an electronic fish receiving ticket reporting agreement under WAC 220-352-035(3).

(c) Print and retain a copy of the completed electronic fish receiving ticket for three years unless an alternative fish ticket retention requirement is specified in an electronic fish receiving ticket agreement.

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-352-130 Completion, submission, distribution, and retention of copies of shellfish receiving ticket. (1) State of Washington shellfish receiving tickets paper forms must be made out in quintuplicate (five copies) at the time of delivery of shellfish. ~~((It is unlawful for))~~ Original receivers must use fish receiving tickets in numerical sequence, starting with the lowest numbered ticket issued to the original receiver. The original receiver ~~((to fail to distribute the fish receiving ticket copies as follows))~~ must:

(a)(i) ~~((For shellfish other than geoduck clams from department of natural resources (DNR) geoduck tracts, the original receiver must))~~ Mail the state copies (green and pink) to the department of fish and wildlife (department) for any shellfish, other than geoduck clams from department of natural resources (DNR) geoduck tracts. The department must receive the state copies no later than the sixth working day after the day the original receiver completes the ticket.

(ii) ~~((For geoduck clams from DNR tracts, the original receiver must))~~ Mail one state copy (green) to the department for any geoduck clams from DNR tracts. The department must receive its copy no later than the sixth working day after the day the original receiver completes the ticket. The original receiver must give the other state copy (pink) to DNR at the time of weigh-out, unless otherwise directed by DNR.

(b) ~~((The original receiver must))~~ Retain the dealer copies (white and yellow) for his or her records for three years.

(c) ~~((The deliverer must retain the fisher's))~~ Provide the fisher his or her copy (gold) for his or her records.

(2) ~~((A violation of this section is punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty.))~~ Original receivers who submit fish receiving tickets using an electronic form must:

(a) Submit and retain the fish ticket in compliance with the terms and conditions set forth in the electronic fish receiving ticket reporting agreement under WAC 220-352-035(3).

(b) Print and retain a copy of the completed electronic fish receiving ticket for three years unless an alternative fish ticket retention requirement is specified in an electronic fish receiving ticket agreement.

AMENDATORY SECTION (Amending WSR 17-22-100, filed 10/30/17, effective 1/1/18)

WAC 220-352-140 Signatures—Fish receiving tickets. (1) ~~((It is unlawful for the deliverer or))~~ The fisher and original receiver of both treaty and nontreaty fish or shellfish ~~((to fail to))~~ must sign the ~~((complete nontreaty))~~ appropriate completed fish receiving ticket paper form to certify that all entries on the ticket are accurate and correct.

(2) ~~((It is unlawful for the deliverer of treaty fish or shellfish to fail to sign the tribal copy of the treaty Indian fish receiving ticket to certify that all entries on the ticket are accurate and correct. It is unlawful for the original receiver of treaty fish or shellfish to fail to sign the completed treaty Indian fish receiving ticket.~~

~~((3) It is unlawful for the deliverer or original receiver of fish from the directed commercial fisheries for Pacific Coast Groundfish authorized under 50 C.F.R., Part 660 to fail to~~

~~print and sign a copy of the completed electronic fish receiving ticket to certify that all entries on the ticket are accurate and correct.~~

~~(a) A fisher who fails to sign a fish receiving ticket is in violation of RCW 77.15.630.~~

~~(b) An original receiver who fails to sign a fish receiving ticket is in violation of RCW 77.15.630.~~

~~(4) Where the fisherman is unable to deliver the catch, an agent of the fisherman is authorized to sign the fish receiving ticket if the agent has first obtained an alternate operator's license for the fishing vessel operated by the fisherman.~~

~~(5)) If an agent of the fisher delivers fish or shellfish to the original receiver~~ ~~((receives the fish or shellfish by any method other than direct delivery)), the receiver~~ ~~((shall affix his or her signature to))~~ and the agent must complete and sign the fish receiving ticket ~~((, and the fish receiving ticket shall be completed and submitted without the deliverer's signature and))~~ together with the transportation ticket. The receiver and fisher shall assume complete responsibility for the correctness of all entries on the fish receiving ticket.

~~(3) Any employee of a licensed wholesale fish buyer who is authorized to receive or purchase fish or shellfish for that buyer on the premises of the primary business address or any of its plant locations as declared on the license application or agreement described under WAC 220-352-035(3), is authorized to initiate and sign fish receiving tickets on behalf of his or her employer. The business, firm, or licensed wholesale fish buyer that the receivers are operating under is responsible for the accuracy and legibility of all documents initiated in their name by any employee or agent.~~

~~(4) If an original receiver submits an electronic fish receiving ticket form, the fisher and original receiver must sign the printed completed fish receiving ticket form to certify that all entries on the ticket are accurate and correct, unless otherwise specified in an electronic fish receiving ticket reporting agreement (WAC 220-352-035(3)).~~

~~(5) If the receiver must complete an electronic fish receiving ticket form away from the place of delivery and it is impractical for the fisher to comply with subsection (4) of this section, the deliverer and receiver must sign the completed transportation ticket required by WAC 220-352-230 and attach it to the printed and signed copy of the completed electronic fish receiving ticket form, unless otherwise specified in an electronic fish receiving ticket reporting agreement (WAC 220-352-035(3)).~~

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-352-150 Imprinters—Fish receiving tickets. ~~((Use of a mechanical imprinter approved by the department, in conjunction with a license card or treaty Indian identification card to identify the deliverer, and a dealer plate or buyer plate to identify the receiver on all state of Washington fish receiving tickets is hereby made mandatory.~~

~~Provided, That))~~ (1) Fishers and original receivers must mechanically imprint the fish receiving ticket paper forms with their department issued license cards.

(2) License card information may be recorded manually on the ((state of Washington)) fish receiving tickets in the following exceptions:

((H)) (a) Oregon licensed fishers delivering fish caught in the Columbia River(

(2));

(b) Purchases made from out-of-state firms(

(3)); and

(c) Fishers selling on a delivery license who have not received a delivery license card from the department at the time of their first sale. All subsequent sales require use of a license card.

AMENDATORY SECTION (Amending WSR 17-22-100, filed 10/30/17, effective 1/1/18)

WAC 220-352-160 Fish receiving ticket accountability—Paper forms. (1) ((Only current state of Washington fish receiving tickets may be used.

(2) Official state of Washington fish receiving tickets may be ordered free of charge from the department.

(3) It is unlawful:

(a) To fail to use fish receiving ticket books and fish receiving tickets in numerical sequence, starting with the lowest numbered ticket issued to the original receiver;

(b) For a wholesale fish buyer)) When reporting using fish receiving ticket paper forms under WAC 220-352-035, receivers must:

(a) Use only current state of Washington fish receiving tickets;

(b) Get written permission from the department to transfer fish receiving tickets, except if the receiver is a wholesale fish buyer transferring to another licensed wholesale fish buyer or limited fish seller ((with written permission from the department));

(c) ((For any purchaser or receiver terminating business to fail to)) Notify the department in writing if terminating their business and to fail to return all unused fish receiving tickets and ticket books to the department within thirty days after termination of business;

(d) ((To fail to)) Return the state copy of all fish receiving tickets to the state. All fish receiving tickets that are incorrectly made out, voided, or otherwise unused, must be submitted to the department accompanying, and in sequence with, other fish receiving tickets; and

(e) ((To fail to)) Account for all lost, destroyed, or otherwise missing fish receiving tickets in writing to the department(;

(f) For any person who is not a licensed wholesale fish buyer, or holder of a limited fish seller endorsement to have fish receiving tickets in his or her possession; and

(g) For a wholesale fish buyer or holder of a limited fish seller endorsement to fail to maintain the buyer copy or copies of a completed fish receiving ticket at the buyer's or holder's regular place of business for three years after the date of use of the fish ticket.

(4) A violation of this section is punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty).

(2) Any person who is not a licensed wholesale fish buyer or holder of a limited fish seller endorsement shall not have blank fish receiving ticket paper forms in his or her possession.

AMENDATORY SECTION (Amending WSR 17-22-100, filed 10/30/17, effective 1/1/18)

WAC 220-352-230 Commercial ((food)) fish and shellfish transportation ticket. (1) ((Except as provided in subsection (6) of this section, it is unlawful for commercial fishers or their designees, who are neither wholesale fish buyers nor holders of a limited fish seller endorsement, to fail to)) If fish or shellfish are transported from a vessel or catch site (if the fishery does not require a vessel) prior to completing a fish receiving ticket, the fisher must complete a commercial ((food)) fish and shellfish transportation ticket as required by this section. ((These tickets must be completed prior to transporting fish or shellfish harvested for commercial purposes or in commercial quantities. For a fishery that does not require a vessel, a transportation ticket must be completed prior to leaving the catch site.)) The transportation ticket must accompany the fish or shellfish until the fish receiving ticket is completed. The purpose of this rule is to ensure catch accountability when fish or shellfish are transported by the ((fisherman)) fisher or his or her designee ((from the catching vessel to an original receiver)) before a fish receiving ticket is required to be completed. Fish receiving ticket requirements under this chapter are still in effect. ((A violation of this subsection or subsection (2) of this section is punishable as a gross misdemeanor under RCW 77.15.290.))

(2) ((A)) The fisher must complete the department provided transportation ticket ((must contain all of)) with the following information ((and space for that information):

(a) The name of the ((fisherman)) fisher who caught the fish(;

(b) The ((fisherman's)) fisher's vessel registration number(;

(c) The signature of the ((fisherman)) fisher or additional operator(;

(d) The name of the transporter(;

(e) ((The signature of the transporter;

(f)) The catch area where the ((food)) fish or shellfish were caught(;

(g));

(f) The species of ((food)) fish or shellfish being transported(; and

(h));

(g) The individual number or approximate pounds of ((food)) fish or shellfish being transported, as required under WAC 220-352-040.

(3) ((It is unlawful for an)) In cases where the fisher does not deliver the fish or shellfish to an original receiver within twenty-four hours after offloading, the fisher must send a copy of the completed transportation ticket to the department. The completed ticket must arrive within the sixth working day. Once the fisher delivers the fish or shellfish to the original receiver, a copy of the transportation ticket must be attached or the ticket number must be written on the fish receiving ticket.

~~(4) In cases where an agent of the fisher delivers fish or shellfish with a transportation ticket to the original receiver, the original receiver ((or someone acting in the capacity of an original receiver to fail to)) must mail the transportation ticket, together with the state copy of the fish receiving ticket as required in WAC 220-352-060, 220-352-090, and 220-352-130((, when the person delivering the fish or shellfish does not sign the fish receiving ticket as required in WAC 220-352-140)). If the commercial fisher delivers and signs the fish receiving ticket, only the fish receiving ticket must be mailed in, and the transportation ticket is not required to be submitted with it. ((Violation of this section is a gross misdemeanor, punishable under RCW 77.15.640.~~

~~(4) It is unlawful to fail to keep the transportation ticket with the fish or shellfish until a fish receiving ticket is completed. Violation of this subsection is a gross misdemeanor under RCW 77.15.290.~~

~~(5) It is unlawful for)) Transportation tickets completed for deliveries reported using electronic fish receiving ticket forms should be attached to the printed and signed copy of the form, as required by WAC 220-352-140(5).~~

~~(5) Any person transporting commercially taken fish or shellfish or commercial quantities of fish or shellfish ((to fail to)) must provide a transportation ticket for inspection upon demand by a fish and wildlife officer((-Violation of this subsection is a gross misdemeanor under RCW 77.15.290)).~~

(6) The provisions of this section do not apply to:

(a) ~~((Food))~~ Fish and shellfish purchased at retail, provided the purchaser has, in his or her possession, a sales receipt documenting the purchase;

(b) ~~((Food))~~ Fish or shellfish for which a fish receiving ticket has been completed and a copy of the fish receiving ticket is in the possession of the person transporting;

(c) ~~((Food))~~ Fish or shellfish being transported by the department;

(d) Hatchery carcass sales;

(e) Private sector cultured aquatic products in transport;

(f) ~~((Food))~~ Fish or shellfish being transported on a completed Oregon transportation ticket, provided that the fish were caught in the concurrent waters of the Columbia River and were landed on Washington's shore; and

(g) Fish or shellfish being transported in the catching vessel, provided that the vessel is not being transported or towed over land.

AMENDATORY SECTION (Amending WSR 17-22-100, filed 10/30/17, effective 1/1/18)

WAC 220-352-250 Sale under a limited fish seller endorsement. ~~((It is unlawful for any fisher selling salmon, sturgeon or Dungeness crab))~~ Any holder of a limited fish seller endorsement selling fish or shellfish taken by that fisher under ((a limited fish seller)) the endorsement, ((or for a wholesale fish buyer accepting salmon, sturgeon or crab from such a fisher, to fail to)) must comply with the requirements of this section.

~~(1) ((A limited fish seller endorsement will not be issued to a licensee who is other than a natural person. Applicants for the endorsement must present a letter from the county health department of the fisher's county of residence certifi-~~

~~ing that the methods used by the fisher for transport, storage and display of product meet the county and statewide standards for food service operations. If the fisher is landing product from a documented vessel, the letter may be from the county health department of the hailing port of the vessel. Additionally, applicants must present a valid food and beverage service worker's permit at the time of application, and pay the direct retail administrative cost of fifty dollars. The health department letter, permit, and administrative cost are required for each application or renewal for a limited fish seller endorsement.~~

~~(2) Any fisher who offers salmon, sturgeon or crab)) (a) Before offering any fish or shellfish for retail sale under a limited fish seller endorsement, the fisher must complete a fish receiving ticket for all ((salmon, sturgeon or crab)) fish or shellfish aboard the harvesting vessel ((before the product is offered for retail sale, except if the salmon, sturgeon or crab are being offered)) upon landing, unless meeting the exception under (b) of this subsection.~~

~~(b) If the fisher offers fish or shellfish for sale directly off the catcher vessel, the fisher may complete the ticket with an estimated number or weight. At the completion of the retail activity, the fisher ((who has completed a ticket with an estimated number or weight is required to)) must enter the actual number ((and)), weight, and sale price of ((salmon, sturgeon or crab)) the fish or shellfish that were sold at retail((-The price shown on the fish receiving ticket must be the actual sale price of the salmon, sturgeon or crab.~~

~~(3) Any fisher selling salmon, sturgeon or crab at retail if the product is taken from an area under the quick reporting requirements of WAC 220-352-180, is required to comply with the quick reporting requirement.~~

~~(4) Sturgeon and crab offered for retail sale must be landed in the round. Salmon may be cleaned or headed but not steaked or filleted prior to landing).~~

~~((5)) (2) In order to allow inspection and sampling, each fisher offering ((salmon, sturgeon or crab)) fish or shellfish for retail sale at any location other than the harvesting vessel or, if from the harvesting vessel, in an amount having a retail value greater than one hundred fifty dollars must notify the department eighteen hours prior to sale and identify the location of the fisher's vessel, temporary food service establishment or restaurant or other business which prepares and sells food at retail to which the fisher is selling the ((salmon, sturgeon or crab)) fish or shellfish. The only acceptable notification is by telephone to 360-902-2936, fax to ((902-2155)) 360-902-2155, or email to enforcement-web@dfw.wa.gov.~~

~~((6)) (3) Each fisher offering ((salmon, sturgeon or crab)) fish or shellfish for retail sale must maintain a sequentially numbered receipt book, which receipt book contains a receipt duplicate copy, and must give each purchaser of ((salmon, sturgeon or crab)) fish or shellfish a receipt showing the number, weight and ((value)) purchase price of ((salmon, sturgeon or crab)) the fish or shellfish sold to that purchaser. The seller must retain the duplicate receipts ~~((must be retained by the seller))~~ for one year.~~

~~((7) If salmon, sturgeon or crab)) (4) If fish or shellfish offered for retail sale and documented on a fish receiving ticket are subsequently sold to a licensed wholesale fish~~

buyer, the sale must be documented by a sale receipt, not a fish receiving ticket ~~(and it is the responsibility of the wholesale fish buyer to maintain the product separately, until the product is resold or processed.~~

~~(8) Violations of this section are punishable under RCW 77.15.640, Wholesale fish buying—Rules violations).~~

NEW SECTION

WAC 220-352-290 Unlawful acts. Violation of rules contained in this chapter are punishable as crimes under one or more statutes in chapter 77.15 RCW, including, but not limited to, RCW 77.15.280, 77.15.290, 77.15.620, and 77.15.630; and such rule violations may separately incur financial liability under RCW 77.65.330 and 77.15.565.

NEW SECTION

WAC 220-352-300 Coastal groundfish and halibut—Additional reporting requirements. For deliveries from groundfish fisheries (as defined in 50 C.F.R., Part 660 and WAC 220-355-070), the original receiver must record:

(1) The legal gear code used to harvest each species on the fish receiving ticket line level if multiple gears were used.

(2)(a) The federal limited entry permit authorizing participation in the limited entry portions of the groundfish fishery (50 C.F.R., Part 660) from which the delivery was made.

(b) For deliveries from the sablefish primary fishery (50 C.F.R., Part 660.231) involving cumulative limits from more than one permit, the pounds of sablefish must be enumerated by permit number using multiple lines on the fish receiving ticket form.

NEW SECTION

WAC 220-352-305 Coastal Dungeness crab—Additional reporting requirements. Original receivers of Dungeness crab from the Pacific Ocean, Coastal Washington, Grays Harbor, Willapa Harbor, and Columbia River waters must enter the crab vessel inspection certificate number on all shellfish receiving tickets during the period specified in emergency regulations. The crab inspection certificate number must be entered legibly in the space indicated for dealer's use or where specified by the terms of an electronic fish ticket reporting agreement (WAC 220-352-035(3)).

NEW SECTION

WAC 220-352-310 Forage fish and mackerel—Additional reporting requirements. (1) Fishers and receivers must ensure that forage fish harvests required to be reported as bait under WAC 220-352-020 (5)(b) are accurately reported on the same fish ticket as, and at the time of delivery of, the fish or shellfish harvested with the bait. For forage fish transferred from one vessel to another without monetary consideration, the harvest should be reported on the fish ticket of the fisher who received the bait.

(2) Operators of commercial fishing vessels distributing or transferring forage fish for monetary consideration from the nets or other holding devices under his or her control must either:

(a) Transfer the fish to a licensed wholesale fish buyer; or

(b) Possess a wholesale fish buyer endorsement and complete a fish receiving ticket to record the transaction.

(3) Receivers of forage fish or mackerel must initiate and complete fish receiving tickets on the day the forage fish or mackerel are delivered.

(a) Herring must also be reported on herring harvest logs.

(b) The harvested amount of forage fish or mackerel must be entered upon the fish ticket when the forage fish are off-loaded from the catcher vessel.

(c) Fishers and receivers must ensure that any catches of herring, candlefish, anchovy, sardine, or mackerel that are unmarketable due to mortality are recorded on a fish receiving ticket as a "loss estimate" by weight.

(4) In the coastal sardine fishery or coastal mackerel fishery, receivers may not purchase, per sardine or mackerel fishery vessel, more than fifteen percent cumulative weight of sardine or mackerel for the purposes of conversion into fish flour, fishmeal, fish scrap, fertilizer, fish oil, other fishery products, or by-products, for purposes other than human consumption or fishing bait during the sardine or mackerel fishery season. Sardine and mackerel purchased for these purposes must be included, by weight, on the fish ticket as "reduction."

(5) In any forage fish fishery or in the mackerel purse seine fishery, receivers must not purchase anchovy in excess of fifteen percent, by weight, of the total landing weight per vessel, for the purposes of conversion into fish flour, fishmeal, fish scrap, fertilizer, fish oil, or other fishery products. Anchovy purchased for these purposes must be included, by weight, on the fish ticket as "reduction."

(6) Electronic fish receiving ticket reporting agreements (WAC 220-352-035(3)) may specify alternative procedures for satisfying the catch report requirements under WAC 220-356-050 and 220-356-160.

NEW SECTION

WAC 220-352-315 Columbia River salmon, sturgeon, and smelt—Additional reporting requirements. During any Columbia River fishery opening that is designated by rule as "quick reporting required":

(1) An original receiver must report all purchases of salmon, sturgeon, or smelt made (wholesale buyer) or offered for retail sale (limited fish seller) on the previous calendar day.

(2) The report must include the following:

(a) The wholesale fish buyer or limited fish seller name and purchasing location;

(b) Date of purchase;

(c) Each fish receiving ticket number, including the first alphanumeric letter, used on the purchasing date; and

(d) The following catch data for each fish ticket used: The total number of days fished, gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale fish buyer) or sold (limited fish seller).

(3) When quick reporting is required, the original receiver must submit the report within 5, 8, 12, or 24 hours of

closure of the designated fishery unless otherwise specified in a voluntary electronic fish receiving ticket agreement (WAC 220-352-035(3)).

(a) The department establishes the time frame for submitting reports at the time of adoption of the quick reporting fishery. Adoption and communication of the quick reporting regulations for a given fishery occurs in conjunction with the adoption of the fishery through the Columbia River Compact.

(b) Submission of a report is not complete until the report arrives at the designated department location. Reports can be made via fax at 360-906-6776 or 360-906-6777; via email at crfishtickets@dfw.wa.gov; or via phone at 1-866-791-1281.

(4) Faxing or reporting electronically in portable document format (PDF) a copy of each fish receiving ticket used, within the previously indicated time frames specified per area, satisfies the quick reporting requirement.

NEW SECTION

WAC 220-352-320 Grays Harbor and Willapa Bay salmon and sturgeon—Additional reporting requirements. During any Grays Harbor or Willapa Bay fishery opening that is designated by rule as "quick reporting required":

(1) An original receiver must report all purchases of salmon and sturgeon made (wholesale buyer) or offered for retail sale (limited fish seller) on the previous calendar day.

(2) The report must include the following:

(a) The wholesale fish buyer or limited fish seller name and purchasing location;

(b) The date of purchase;

(c) Each fish receiving ticket number, including the first alphanumeric letter, used on the purchasing date; and

(d) The following catch data for each fish ticket used: The total number of days fished, gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale fish buyer) or sold (limited fish seller).

(3) When quick reporting is required, the original receiver must submit the report by 10:00 a.m. on the day after the purchase date unless otherwise specified in a voluntary electronic fish receiving ticket agreement (WAC 220-352-035(3)). Submission of a report is not complete until the report arrives at the designated department location. Reports can be made via fax at 360-249-1229; via email at harborfishtickets@dfw.wa.gov; or via phone at 1-866-791-1280.

NEW SECTION

WAC 220-352-325 Puget Sound salmon and sturgeon—Additional reporting requirements. During any Puget Sound fishery opening that is designated as "quick reporting required," per WAC 220-354-090:

(1) An original receiver must report all purchases of salmon and sturgeon made (wholesale buyer) or offered for retail sale (limited fish seller) on the previous calendar day.

(2) The report must include:

(a) The wholesale fish buyer or limited fish seller name and purchasing location;

(b) The date of purchase;

(c) Each fish receiving ticket number, including the first alphanumeric letter, used on the purchasing date; and

(d) The following catch data for each fish ticket used: The total number of days fished, gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale fish buyer) or sold (limited fish seller).

(3) When quick reporting is required, the original receiver must submit the report by 10:00 a.m. on the day after the purchase date unless otherwise specified in a voluntary electronic fish receiving ticket agreement (WAC 220-352-035(3)). Submission of a report is not complete until the report arrives at the designated department location. Reports can be submitted via fax at 360-902-2949; via email at psfishtickets@dfw.wa.gov; or via phone at 1-866-791-1279. In fisheries under Fraser Panel Control within Fraser Panel Area Waters (area defined under Art. XV, Annex II, Pacific Salmon Treaty 1985), other reporting requirements not listed in this subsection may be necessary under Subpart F of the International Fisheries Regulations, 50 C.F.R. Chapter III Sec. 300.93.

NEW SECTION

WAC 220-352-330 Coastal salmon troll—Additional reporting requirements. During any coastal troll fishery opening that is designated by rule as "quick reporting required":

(1) An original receiver must report all purchases of salmon made (wholesale buyer) or offered for retail sale (limited fish seller) on the previous calendar day.

(2) The report must include:

(a) The wholesale fish buyer or limited fish seller name and purchasing location;

(b) The date of purchase;

(c) Each fish receiving ticket number, including the first alphanumeric letter, used on the purchasing date; and

(d) The following catch data for each fish ticket used: The total number of days fished, gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale fish buyer) or sold (limited fish seller).

(3) When quick reporting is required, the original receiver must submit the report by 10:00 a.m. on the day after the purchase date unless otherwise specified in a voluntary electronic fish receiving ticket agreement (WAC 220-352-035(3)). Submission of a report is not complete until the report arrives at the designated department location. Reports can be made via fax at 360-902-2949; via email at trollfishtickets@dfw.wa.gov; or via phone at 1-866-791-1279.

NEW SECTION

WAC 220-352-335 Puget Sound shrimp—Additional reporting requirements. (1) Any person originally receiving or purchasing shrimp, other than ghost shrimp, harvested with pot or trawl gear must record on the shellfish receiving ticket the appropriate catch area based on the location of harvest and the boundary definitions specified in WAC 220-340-520.

(2) Any person originally receiving or purchasing shrimp, other than ghost shrimp, taken from Puget Sound by trawl gear must report to the department the previous day's purchases by 10:00 a.m. the following morning.

(a) Reports must be sent by fax to 360-302-3031 or by text message or email to shrimpreport@dfw.wa.gov.

(b) Reports must include, for each fish receiving ticket prepared:

(i) The wholesale fish buyer name, fisher name, and date of sale;

(ii) The fish receiving ticket number, including the first alphanumeric letter; and

(iii) The total number of pounds delivered per shrimp species.

(3) Alternative reporting requirements may be specified in an electronic fish receiving ticket agreement (WAC 220-352-035(3)).

NEW SECTION

WAC 220-352-340 Puget Sound crab—Additional reporting requirements. (1) Any person originally receiving or purchasing Dungeness crab taken from Puget Sound by nontreaty fishers must report to the department the previous day's purchases by 10:00 a.m. the following day.

(a) Reports must be sent to the Mill Creek Regional Office by fax to 425-338-1066, or by email to crabreport@dfw.wa.gov.

(b) Reports must include, for each fish receiving ticket submitted:

(i) The name of the wholesale fish buyer or limited fish seller;

(ii) The phone number of the wholesale fish buyer or limited fish seller;

(iii) The date of delivery of crab to the original receiver; and

(iv) The total number of pounds of crab delivered, by Crab Management Region or by Marine Fish-Shellfish Management and Catch Reporting Area.

(2) Alternative reporting requirements may be specified in an electronic fish receiving ticket agreement (WAC 220-352-035(3)).

NEW SECTION

WAC 220-352-345 Sea urchin and sea cucumber—Additional reporting requirements. (1) Any wholesale dealer acting in the capacity of an original receiver and receiving sea urchins or sea cucumbers from nontreaty fishers must report to the department each day's purchases by 10:00 a.m. the following day.

(a) Reports must be made by phone to 866-207-8223 or by text message or email to seaurchinreport@dfw.wa.gov for sea urchins or seacucumberreport@dfw.wa.gov for sea cucumbers.

(b) Reports must include, for each fish receiving ticket prepared:

(i) The wholesale fish buyer name, fisher name, date of sale, and the name of the port of landings; and

(ii) The fish receiving ticket number, including the first alphanumeric letter.

(c) For red sea urchins and green sea urchins, the report must specify the number of pounds received from each sea urchin district.

(d) For red sea urchins, green sea urchins, and sea cucumbers, the report must specify the number of pounds received from each Marine Fish-Shellfish Management and Catch Reporting Area.

(e) For sea cucumbers, the report must specify whether the landings were delivered "whole-live" or "split-drained."

(2) Alternate reporting requirements may be specified in an electronic fish receiving ticket agreement (WAC 220-352-035(3)).

NEW SECTION

WAC 220-352-350 Geoduck—Additional reporting requirements. (1) A commercial geoduck license holder operating under a valid department of natural resources harvest agreement must be present at all times on each vessel commercially harvesting geoducks or if the vessel has harvested geoducks aboard.

(2) For each day's harvest of geoducks from each tract, the commercial geoduck license holder must completely, legibly and accurately enter the following information on a fish receiving ticket before leaving the department of natural resources geoduck harvest tract. This fish receiving ticket must accompany the harvested geoduck from the department of natural resources harvest tract to the point of delivery.

(a) In the "dealer's use" column, enter the number of cages of geoducks harvested.

(b) Enter the harvest vessel name, its Washington department of fish and wildlife identification number, and the date across the top of the fish receiving ticket directly below the tear strip.

(c) Enter the number of days fished, the appropriate option in the distance from shore column, and the Marine Fish-Shellfish Catch and Management Reporting Area and tract number.

(d) Species code, species description, and physical gear actually used.

(e) Sign the fish receiving ticket as the fisher.

(3) Any person receiving or purchasing geoduck must accurately and legibly complete the fish receiving ticket initiated on the harvest tract immediately upon the actual delivery of geoduck from the harvesting vessel onto the shore. The original receiver must:

(a) Enter the total quantity of geoduck in pounds received from the fisher, the price per pound paid to the fisher, and the total amount paid to the fisher.

(b) Enter the dealer or buyer name and its Washington department of fish and wildlife identification number below the tear strip.

(c) Sign the fish receiving ticket as the dealer.

(4) Licensed fishers whom are also the licensed dealer for a fish receiving ticket transaction must complete the fisher portion of the fish receiving ticket as required in subsection (2) of this section and the dealer portion of the fish receiving ticket as required in subsection (3) of this section.

(5) Alternate reporting requirements may be specified in a voluntary electronic fish receiving ticket agreement (WAC 220-352-035(3)).

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 220-352-030 State of Washington fish receiving tickets—When not required—Unlawful acts.
- WAC 220-352-050 Required information on nontreaty fish receiving tickets.
- WAC 220-352-110 Description of Washington state electronic fish receiving ticket.
- WAC 220-352-120 Required information on electronic fish receiving tickets.
- WAC 220-352-180 Duties of commercial purchasers and receivers.
- WAC 220-352-190 Duties of commercial fishers.

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-354-090 Puget Sound salmon—Quick reporting. All Puget Sound salmon fisheries are designated as "quick reporting required" fisheries, and commercial purchasers and receivers must comply with the provisions of WAC ((~~220-352-180(14))~~) 220-352-325.

AMENDATORY SECTION (Amending WSR 17-17-012, filed 8/4/17, effective 9/4/17)

WAC 220-354-250 Willapa Bay salmon fall fishery. From August 16 through December 31 of each year, it is unlawful to fish for salmon in Willapa Bay for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

Fishing periods:

(1) Gillnet gear may be used to fish for coho salmon, chum salmon, and Chinook salmon:

Area	Time	Date(s)	Maximum Mesh Size
2M, 2R	7:00 a.m. through 7:00 p.m.	9/5	4.25"
2M, 2N, 2R	7:00 a.m. through 7:00 p.m.	9/11, 9/12	4.25"
2T	6:00 a.m. through 6:00 p.m.	9/18	4.25"
2N	6:00 a.m. through 6:00 p.m.	9/18, 9/19, 9/20, 9/21, 9/22	4.25"
2M	6:00 a.m. through 6:00 p.m.	9/18, 9/19, 9/20	4.25"
2R	6:00 a.m. through 6:00 p.m.	9/18, 9/19, 9/20, 9/21	4.25"
2U	6:00 a.m. through 6:00 p.m.	9/18, 9/19, 9/20, 9/21	4.25"
2N, 2R	7:00 a.m. through 7:00 p.m.	9/25, 9/26, 9/27, 9/28, 9/29	6.5"
2M	7:00 a.m. through 7:00 p.m.	9/25, 9/26, 9/27, 9/28	6.5"
2T	7:00 a.m. through 7:00 p.m.	9/25, 9/26	4.25"
2U	7:00 a.m. through 7:00 p.m.	9/25, 9/26, 9/27, 9/28, 9/29	4.25"
2R	6:00 a.m. through 6:00 p.m.	10/2, 10/3, 10/4, 10/5, 10/6	6.5"
2M, 2N	6:00 a.m. through 6:00 p.m.	10/3, 10/4, 10/5, 10/6	6.5"
2T	6:00 a.m. through 6:00 p.m.	10/2, 10/3, 10/4, 10/5, 10/6	6.5"
2U	6:00 a.m. through 6:00 p.m.	10/2, 10/3, 10/4, 10/5, 10/6	4.25"
2N, 2R	7:00 a.m. through 7:00 p.m.	10/9, 10/10, 10/11, 10/12, 10/13	6.5"
2M	7:00 a.m. through 7:00 p.m.	10/9, 10/10, 10/11, 10/12	6.5"
2T	7:00 a.m. through 7:00 p.m.	10/9, 10/10	6.5"
2U	7:00 a.m. through 7:00 p.m.	10/9, 10/10, 10/11, 10/12, 10/13	4.25"
2M, 2N, 2R, 2T, 2U	12:01 a.m. through 11:59 p.m.	10/31 through 11/2	6.5"
2M, 2N, 2R, 2T, 2U	12:01 a.m. through 11:59 p.m.	11/6 through 11/10	6.5"
2M, 2N, 2R, 2T, 2U	12:01 a.m. through 11:59 p.m.	11/13 through 11/17	6.5"
2M, 2N, 2R, 2T, 2U	12:01 a.m. through 11:59 p.m.	11/20 through 11/24	6.5"
2M, 2N, 2R, 2T, 2U	12:01 a.m. through 11:59 p.m.	11/27 through 12/1	6.5"

Gear:

(2) Gillnet gear restrictions - All areas:

(a) Drift gillnet gear only. It is unlawful to use set net gear.

(b) It is permissible to have on board a commercial vessel more than one net, provided the nets are of a mesh size that is legal for the fishery, and the length of any one net does not exceed one thousand five hundred feet in length.

(c) It is unlawful to use a gillnet to fish for salmon if the lead line weighs more than two pounds per fathom of net as measured on the cork line.

(d) It is permissible to have a gillnet with a lead line weighing more than two pounds per fathom aboard a vessel when the vessel is fishing in or transiting through Willapa Bay, provided the net is properly stored. A properly stored net is defined as a net on a drum that is fully covered by a tarp (canvas or plastic) and bound with a minimum of ten revolutions of rope that is 3/8 (0.375) inches or greater.

(e) From 12:01 a.m. September 5 through 11:59 p.m. December 1: Mesh size must not exceed six and one-half inches stretched, except mesh size must not exceed four and one-quarter inches stretched in Areas 2M and 2R on September 5, in Areas 2M on September 11, 12, 18, 19, and 20, 2N on September 11, 12, 18, 19, 20, 21, and 22, and 2R on September 11, 12, 18, 19, 20, and 21, in Area 2T on September 18, 25, and 26, and in Area 2U on September 18, 19, 20, 21, 25, 26, 27, 28, 29, October 2, 3, 4, 5, 6, 9, 10, 11, 12, and 13.

Other:

(3) Recovery boxes and soak time limits described in this section are required from 12:01 a.m. September 5 through 11:59 p.m. October 13:

(a) Each boat must have two operable recovery boxes or one box with two chambers on board when fishing in Willapa Bay Areas 2M, 2N, 2R, 2T, and 2U.

(i) Each box and chamber must be operating during any time the net is being retrieved or picked. The flow in the recovery box must be a minimum of 16 gallons per minute in each chamber of the box, not to exceed 20 gallons per minute.

(ii) Each chamber of the recovery box must meet the following dimensions as measured from within the box:

(A) The inside length measurement must be at or within 39-1/2 inches to 48 inches;

(B) The inside width measurements must be at or within 8 to 10 inches; and

(C) The inside height measurement must be at or within 14 to 16 inches.

(iii) Each chamber of the recovery box must include a water inlet hole between 3/4 inch and 1 inch in diameter, centered horizontally across the door or wall of the chamber and 1-3/4 inches from the floor of the chamber. Each chamber of the recovery box must include a water outlet hole opposite the inflow that is at least 1-1/2 inches in diameter. The center of the outlet hole must be located a minimum of 12 inches above the floor of the box or chamber. The fisher must demonstrate to department employees, fish and wildlife enforcement officers, or other peace officers, upon request, that the pumping system is delivering the proper volume of fresh river/bay water into each chamber.

(b) All steelhead and wild (unmarked) Chinook must be placed in an operating recovery box, which meets the requirements in (a) of this subsection prior to being released to the river/bay as set forth in (c) of this subsection. From September 5 through December 1, 2017, all chum must be placed in an operating recovery box which meets the requirements in (a) of this subsection prior to being released to the river/bay as set forth in (c) of this subsection.

(c) All fish placed in recovery boxes must remain until they are not lethargic and not bleeding and must be released to the river/bay prior to landing or docking.

(d) Soak time must not exceed 45 minutes. Soak time is defined as the time elapsed from when the first of the gillnet web is deployed into the water until the gillnet web is fully retrieved from the water.

(4) Quick reporting is required for wholesale dealers and fishers retailing their catch under a "~~direct retail endorsement~~ limited fish seller endorsement." According to WAC (~~220-352-180(14)~~) 220-352-320, reports must be made by 10:00 a.m. the day following landing, unless otherwise specified in an electronic fish receiving ticket reporting agreement (see WAC 220-352-035(3)).

(5) Retention prohibitions:

(a) All green and white sturgeon and all steelhead, except as provided in subsection (3) of this section, must be handled with care to minimize injury to the fish and must be released immediately to the river/bay.

(b) Retention of any species other than coho salmon or Chinook is prohibited.

(c) From 12:01 a.m. September 5 through 11:59 p.m. October 13, retention of any species other than coho salmon or hatchery Chinook marked by a healed scar at the site of the adipose fin is prohibited.

(d) From 12:01 a.m. October 31 through 11:59 p.m. December 1, retention of any species other than coho salmon, hatchery Chinook marked by a healed scar at the site of the adipose fin, or wild (unmarked) Chinook is prohibited.

(6) Report ALL encounters of green sturgeon, steelhead, and wild (unmarked) Chinook (your name, date of encounter, and number of species encountered) to the quick reporting office via phone at 866-791-1280, fax at 360-249-1229, or email at harborfishtickets@dfw.wa.gov. Fishers may have wholesale dealers use the "buyer only" portion of the fish ticket and have encounters included with each day's quick reporting.

(7) Do NOT remove tags from white sturgeon. Please obtain available information from tags without removing tags. Submit tag information to the Washington Department of Fish and Wildlife, 48 Devonshire Rd., Montesano, WA 98563.

(8) Those waters of Area 2T north of a line from Toke Point channel marker 3 easterly through Willapa Harbor channel marker 13 (green), then northeasterly to the power transmission pole located at 46°43.1907'N, 123°50.83134'W are CLOSED from 6:00 a.m. September 18, 2017 through 11:59 p.m., September 30, 2017.

(9) It is unlawful to fish with gillnet gear in Areas 2M, 2N, 2R, 2T, and 2U unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and has in their possession a department-issued certification card.

(10) Fishers must take department observers if requested by department staff when participating in these openings. Fishers also must provide notice of intent to participate by contacting quick reporting by phone, fax or email. Notice of intent must be given prior to 5:00 p.m. on August 28, 2017.

AMENDATORY SECTION (Amending WSR 17-22-100, filed 10/30/17, effective 1/1/18)

WAC 220-354-290 Grays Harbor salmon fall fishery.

From August 16 through December 31 of each year, it is unlawful to fish for salmon in Grays Harbor for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

Fishing periods:

(1) Gillnet gear may be used to fish for Chinook, coho, and chum salmon, and shad as provided in this section and in the times and area identified in the chart below.

Time:	Areas:
12:01 p.m. through 7:00 p.m. October 24;	Area 2A and Area 2D
7:00 a.m. through 7:00 p.m. October 25;	
6:00 a.m. through 6:00 p.m. October 30;	
6:00 a.m. through 6:00 p.m. October 31;	
7:00 a.m. through 7:00 p.m. November 6;	
7:00 a.m. through 7:00 p.m. November 7;	
7:00 a.m. through 7:00 p.m. November 8;	
AND	
7:00 a.m. through 7:00 p.m. November 9;	
6:00 a.m. through 6:00 p.m. October 23;	Area 2C
6:00 a.m. through 6:00 p.m. November 2;	
7:00 a.m. through 7:00 p.m. November 6;	
AND	
7:00 a.m. through 7:00 p.m. November 7.	

Gear:

(2) Gear restrictions:

(a) It is permissible to have on board a commercial vessel more than one net, provided that the length of any one net does not exceed one thousand five hundred feet in length. Nets not specifically authorized for use in this fishery may be

aboard the vessel if properly stored. A properly stored net is defined as a net on a drum that is fully covered by a tarp (canvas or plastic) and bound with a minimum of ten revolutions of rope that is 3/8 (0.375) inches in diameter or greater.

(b) Areas 2A and 2D from October 1 through November 30: Gillnet gear only.

(i) It is unlawful to use set net gear.

(ii) It is unlawful to utilize any object, except the vessel deploying the gear, to impede a gillnet or its attached line or float from drifting.

(iii) Mesh size must not exceed six and one-half inch maximum. Nets may be no more than fifty-five meshes deep.

(iv) It is unlawful to use a gillnet to fish for salmon if the lead line weighs more than two pounds per fathom of net as measured on the cork line. The lead line must not rest on the bottom in such a manner as to prevent the net from drifting. It is permissible to have a gillnet with a lead line weighing more than two pounds per fathom aboard a vessel when the vessel is fishing in or transiting through Grays Harbor.

(c) Area 2C from October 1 through November 30: Gillnet gear only.

(i) It is unlawful to use set net gear.

(ii) It is unlawful to utilize any object, except the vessel deploying the gear, to impede a gillnet or its attached line or float from drifting.

(iii) Mesh size must not exceed nine inches.

(iv) It is unlawful to use a gillnet to fish for salmon if the lead line weighs more than two pounds per fathom of net as measured on the cork line. The lead line must not rest on the bottom in such a manner as to prevent the net from drifting. It is permissible to have a gillnet with a lead line weighing more than two pounds per fathom aboard a vessel when the vessel is fishing in or transiting through Grays Harbor.

Other:

(3) Recovery boxes and soak times:

(a) Each boat must have two operable recovery boxes or one box with two chambers on board when fishing Areas 2A, 2C, and 2D.

(i) Each box and chamber must be operating during any time the net is being retrieved or picked and any time a fish is being held in accordance with (b) and (c) of this subsection. The flow in the recovery box must be a minimum of 16 gallons per minute in each chamber of the box, not to exceed 20 gallons per minute.

(ii) Each chamber of the recovery box must meet the following dimensions as measured from within the box:

(A) The inside length measurement must be at or within 39-1/2 inches to 48 inches;

(B) The inside width measurements must be at or within 8 to 10 inches; and

(C) The inside height measurement must be at or within 14 to 16 inches.

(iii) Each chamber of the recovery box must include a water inlet hole between 3/4 inch and 1 inch in diameter, centered horizontally across the door or wall of the chamber and 1-3/4 inches from the floor of the chamber. Each chamber of the recovery box must include a water outlet hole opposite the inflow that is at least 1-1/2 inches in diameter. The center of the outlet hole must be located a minimum of 12 inches

above the floor of the box or chamber. The fisher must demonstrate to department employees, fish and wildlife enforcement officers, or other peace officers, upon request, that the pumping system is delivering the proper volume of fresh river or fresh bay water into each chamber.

(b) When fishing in Grays Harbor Areas 2A and 2D, all steelhead and wild (unmarked) Chinook must be placed in an operating recovery box which meets the requirements in (a) of this subsection prior to being released to the river/bay as set forth in (d) of this subsection.

(c) When fishing in Grays Harbor Area 2C, all steelhead must be placed in an operating recovery box which meets the requirements in (a) of this subsection prior to being released to the river/bay as set forth in (d) of this subsection.

(d) All fish placed in recovery boxes must remain until they are not lethargic and not bleeding and must be released to the river or bay prior to landing or docking.

(e) For Areas 2A and 2D, soak time must not exceed 45 minutes. Soak time is defined as the time elapsed from when the first of the gillnet web is deployed into the water until the gillnet web is fully retrieved from the water.

(4) Retention of any species other than coho, chum, hatchery Chinook marked by a healed scar at the site of the adipose fin, or shad is prohibited in Areas 2A and 2D from October 1 through November 30.

(5) Retention of any species other than Chinook, chum, coho or shad, is prohibited in Area 2C from October 1 through November 30.

(6) Quick reporting is required for original receivers. According to WAC (~~(220-352-180)~~) 220-352-320, reports must be made by 10:00 a.m. the day following landing, unless otherwise specified in an electronic fish receiving ticket reporting agreement (see WAC 220-352-035(3)).

(7) Report all encounters of green sturgeon to the quick reporting office via phone at 866-791-1280, fax at 360-249-1229, or email at harborfishtickets@dfw.wa.gov. Fishers may have wholesale fish buyers use the "buyer only" portion of the fish ticket and include encounters with each day's quick reporting.

(8) Do NOT remove tags from white or green sturgeon. Please obtain available information from tags without removing tags. Submit tag information to:

Washington Department of Fish and Wildlife
48 Devonshire Rd.
Montesano, WA 98563.

(9)(a) Fishers must take department observers, if requested, by department staff when participating in these openings.

(b) Fishers also must provide notice of intent to participate by contacting Quick Reporting by phone, fax or email. Notice of intent must be given prior to 12:00 p.m. on October 1, for openings in Areas 2A, 2C, or 2D.

(10) It is unlawful to fish for salmon with tangle net or gillnet gear in Areas 2A and 2D unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and has in his or her possession a department-issued certification card.

WSR 18-11-054
PERMANENT RULES
DEPARTMENT OF REVENUE

[Filed May 10, 2018, 12:14 p.m., effective June 10, 2018]

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

Purpose: The department is amending WAC 458-19-050 and adding new WAC 458-19-05001, to explain SHB 1337, chapter 135, Laws of 2015, on the industrial development district (IDD) levies under RCW 53.36.100 and 53.36.160.

Citation of Rules Affected by this Order: New WAC 458-19-05001 Port district levies for industrial development district purposes; and amending WAC 458-19-050 Port district levies.

Statutory Authority for Adoption: RCW 84.08.010, 84.08.070, 84.48.080, 84.55.060, 84.52.0502, chapters 84.52 and 84.55 RCW, and RCW 34.05.230.

Adopted under notice filed as WSR 18-05-072 on February 16, 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 1, 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 10, 2018.

Erin T. Lopez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 02-24-015, filed 11/25/02, effective 12/26/02)

WAC 458-19-050 Port district levies. (1) **Introduction.** This rule describes ~~((the various))~~ certain port district levies and ~~((the))~~ their respective limitations ~~((to which they are subject. Port district levies are not limited by the constitutional one percent limit nor by the statutory aggregate dollar rate limit)).~~ Discussions on port district levies authorized under RCW 53.36.100 and 53.36.160 for industrial development district purposes are in WAC 458-19-05001.

Other rules that may apply. Readers may also want to refer to the following rules for additional information:

(a) WAC 458-19-005 Definitions.

(b) WAC 458-19-010 Levy limit and levy rate calculations.

(c) WAC 458-19-020 Levy limit—Method of calculation.

(d) WAC 458-19-05001 Port district levies for industrial development district purposes.

(2) Definitions. For purposes of this rule, the definitions in WAC 458-19-005 apply.

(3) Limitations upon regular property tax levies; exceptions.

(a) As set forth in RCW 84.04.140, all port district levies discussed in this rule are regular property tax levies regardless of whether they are ~~((voted))~~ voter-approved levies. As such, they are generally subject to the levy limit as described in subsection (7) of this rule, unless otherwise specified.

(b) Port district levies are not subject to either the statutory aggregate dollar rate limit set forth in RCW 84.52.043 or the constitutional one percent limit set forth in RCW 84.52.-050.

~~((2))~~ (4) Levy for general port purposes. Port districts may annually levy taxes for general port purposes, including the establishment of a capital improvement fund for future capital improvements. This levy cannot exceed the levy rate of forty-five cents per thousand dollars of assessed value of the port district. RCW 53.36.020 authorizes this levy ~~((may be made without an authorizing vote of the voters of the district))~~ without voter approval.

~~((3))~~ (5) Levy for bond repayment. Port districts may levy taxes for the purpose of paying the principal and interest on any general bonded indebtedness of the port district. RCW 53.36.020 authorizes this levy, in excess of any port levy that is subject to the forty-five cent levy rate limitation in subsection (4) of this rule. Even though ~~((this))~~ the levy for bond repayment is not subject to any statutory aggregate dollar rate ~~((limitation))~~ limit, the limitations in RCW 53.36.030 on the amount of indebtedness that a port district may incur by contract or borrowing ~~((and the levy limit))~~ do apply.

~~((4))~~ (6) Levy for dredging, canal construction, or land leveling or filling purposes. Port districts may annually levy taxes for dredging, canal construction, or land leveling or filling purposes, and the proceeds of any such levy must be used exclusively for these purposes. This levy cannot exceed the levy rate of forty-five cents per thousand dollars of assessed value of the port district. RCW 53.36.070 requires that this levy must ~~((first))~~ be authorized each year by a majority of the voters of the district voting on whether to make such a levy, submitted at an election held under RCW ~~((29.13.020))~~ 29A.04.330.

~~((5))~~ Levy for industrial development district purposes. ~~Port districts that have adopted a comprehensive scheme of harbor improvements and industrial development may annually levy taxes to be used exclusively for purposes of industrial development districts as described in chapter 53.25 RCW. Any excess revenue collected but not required to complete projects under chapter 53.25 RCW must be used solely to retire the general obligation bonded indebtedness of the district. This levy cannot exceed forty five cents per thousand dollars of assessed value of the port district. This levy need not be authorized by a vote of the people of the district, except as provided in (b) of this subsection.~~

(a) Levy for limited time period. This levy is limited to a period of six years, and a second six years if the procedures in (b) of this subsection are followed. A third six year period is authorized for a port district located in a county bordering the Pacific Ocean that has adopted a comprehensive scheme of harbor improvements and industrial developments when

approved by a simple majority of the voters in the port district.

~~(b) Notice to be given if levy to last more than six years.~~ If this levy is intended to extend beyond the first six years these levies were imposed, the port commission must publish notice of this intention, in one or more newspapers of general circulation in the district, after January 1 and not later than June 1 of the year in which the seventh annual levy is to be made. If, within ninety days of the date of publication of this notice, a petition by the required number of registered voters in the port district in accordance with RCW 53.36.100 is filed with the county auditor and certified in the manner prescribed in RCW 29.79.200, the proposition to make these levies in the seventh through twelfth year period must be submitted to the voters of the port district at a special election called for this purpose no later than the date on which a primary election would be held under RCW 29.13.070. Levies may be made during the seventh through twelfth years only if approved by a majority of the voters of the port district voting on the proposition.

~~(6))~~ (7) Calculation of the levy limit for port districts. ~~((a))~~ The levies described in subsections ~~((2), (3), and (4), (5), and (6))~~ of this rule are subject to the levy limit. For purposes of calculating the levy limit, the dollar amount of those levies are combined and the levy limit is calculated as provided in WAC 458-19-020.

~~((b))~~ The levy for industrial development district purposes described in subsection (5) will be treated as though it were a separate regular property tax levy made by or for a separate taxing district. The first such levy by a port district is not subject to the levy limit.

NEW SECTION

WAC 458-19-05001 Port district levies for industrial development district purposes. (1) **Introduction.** Port districts may annually levy for industrial development district (IDD) purposes when they have adopted a comprehensive scheme of harbor improvements and industrial development. Levies for IDD purposes are treated as though they are separate regular property tax levies made by or for a separate taxing district. This rule describes these port district levies for IDD purposes, authorized in RCW 53.36.100 and 53.36.160.

(a) **Other rules that may apply.** Readers may also want to refer to the following rules for additional information:

- (i) WAC 458-19-005 Definitions.
- (ii) WAC 458-19-010 Levy limit and levy rate calculations.
- (iii) WAC 458-19-020 Levy limit—Method of calculation.

(iv) WAC 458-19-050 Port district levies.

(b) **Examples.** This rule contains examples; each example identifies a number of assumed facts and then states a conclusion. The examples should only be used as a general guide. The results of other situations must be determined after a review of all the facts and circumstances.

(2) **Organization of rule.** This rule has two parts:

- (a) Part I - IDD levy under RCW 53.36.100.
- (b) Part II - Multiyear IDD levies under RCW 53.36.160.

(3) **Definitions.** For purposes of this rule, the definitions in WAC 458-19-005 apply. In addition, "base year" means the year prior to the first collection year in a first or second multiyear IDD levy period.

(4) **Limitations upon regular property tax levies; exception.**

(a) As set forth in RCW 84.04.140, all port district levies discussed in this rule are regular property tax levies regardless of whether they are voter-approved levies. As such, they are generally subject to the levy limit, unless otherwise specified.

(b) Port district levies are not subject to either the statutory aggregate dollar rate limit set forth in RCW 84.52.043 or the constitutional one percent limit set forth in RCW 84.52.-050.

Part I - IDD levies under RCW 53.36.100

(101) **Levy periods.** A port district having adopted a comprehensive scheme of harbor improvements and industrial developments may impose up to three periods of six IDD levies. The levy periods do not have to be continuous, but they may not overlap. The six IDD levies in a levy period do not have to be continuous, but may not overlap.

(a) **First IDD levy period.** The first IDD levy period does not require voter approval.

(b) **Second IDD levy period.** The port commission must publish their intention to make an additional period of six IDD levies in a newspaper by June 1st of the year in which the first levy of this period will be made. Voter approval to make this levy is only required if a petition with eight percent of the voters' signatures of the district is submitted to the county auditor within ninety days of the date of notice in the newspaper. If voter approval is required, a majority of the voters must approve this levy.

(c) **Third IDD levy period.** Port districts in a county bordering the Pacific Ocean may request voter approval to make a third period of six IDD levies. This levy period requires a simple majority voter approval.

(102) **Forty-five cent levy rate limitation.** This levy cannot exceed the levy rate of forty-five cents per thousand dollars of assessed value of the port district specified in RCW 53.36.100(1).

(103) **Levy limit calculation.** Except for the first levy in each period, the IDD levies are subject to the levy limit in chapter 84.55 RCW. Refer to WAC 458-19-020 for more information about the levy limit calculation. County assessors must calculate the levy limit every calendar year until there has been six levies in each period. County assessors must use the levy rate from the last year in which there is an IDD levy when calculating increases to the authorized levy amount due to new construction, wind turbine/solar/biomass/geothermal facility construction, improvements to property, and any increase in the value of state-assessed property (collectively "new construction increases").

(104) **Effective period.**

(a) RCW 53.36.100 applies to a port district that has initiated one or more IDD levy periods before tax year 2016.

(b) RCW 53.36.100 is repealed effective January 1, 2026, and port districts are prohibited from levying taxes under this repealed provision for collection in 2026 and after.

(c) A port district authorized under RCW 53.36.100 may continue to levy under this provision, so long as no collection occurs in 2026 and after.

Part II - Multiyear IDD levies under RCW 53.36.160

(201) **Multiyear levy periods.** A port district having adopted a comprehensive scheme of harbor improvements and industrial developments may impose up to three periods of multiyear IDD levies. The multiyear levy periods do not have to be continuous, but they may not overlap. Except as otherwise provided, a multiyear levy period may not exceed twenty years from the date the first levy is made in the period.

(a) **First multiyear IDD levy period.** A port district must adopt a resolution during the base year approving the use of the first multiyear IDD levy period.

(b) **Second multiyear IDD levy period.**

(i) A port district must adopt a resolution during the base year approving the use of the second multiyear IDD levy period.

(ii) A port district must publish notice of the intention to impose a second multiyear IDD levy period. The port commission must publish their intention to make this levy in one or more newspapers of general circulation within the district, by April 1st of the base year of this second multiyear levy period.

(iii) A petition containing the signatures of eight percent of the number of voters registered and voting in the port district for the office of the governor at the last preceding gubernatorial election, may be filed with the county auditor within ninety days of the date of the port commission's publication. The county auditor then has two weeks to certify to the port commission the sufficiency of the signatures in accordance with RCW 29A.72.230. Once certified, the proposition to impose the levies in this second multiyear levy period is subject to voter's approval in a special election, no later than the date on which a primary election would be held under RCW 29A.04.311. The levies may proceed only if a majority of voters of the port district voting on this proposition approves it.

(c) **Third multiyear IDD levy period.** A county bordering on the Pacific Ocean having adopted a comprehensive scheme of harbor improvements and industrial developments may seek a simple majority voter approval to impose up to six levies in a six-year period for the third multiyear levy period.

(202) **Forty-five cent levy rate limitation.** RCW 53.36.160 (1) and (3) provide that no levy in any period may exceed forty-five cents per thousand dollars of assessed value of the port district.

(203) **Levy limit calculation.**

(a) RCW 84.55.130 provides that the levy limit under RCW 84.55.010 does not apply to a district's first or second multiyear levy period. The levy limit under RCW 84.55.010 only applies to the third multiyear levy period's years two through six.

(b) Instead, the first and second multiyear levy periods have a limit on the aggregate revenue amount that the period may collect. The aggregate revenue amount for each multiyear levy period may not exceed the maximum allowable amount that could have been collected under RCW 84.55.010

for the first six collection years of the period. This means that:

(i) County assessors must calculate the levy limit for each of the first six calendar years of the period as if the port district were levying;

(ii) County assessors must use the levy rate from the last year in which there is an IDD levy when calculating increases to the authorized levy amount due to new construction increases; there would be no new construction increases in the first year. See subsection (203)(d) of this rule below for examples of aggregate revenue limit calculations.

(c) For purposes of this section (203), the levy limit in RCW 84.55.010 is calculated in accordance with RCW

84.55.092, and any other applicable provisions in chapter 84.55 RCW, and subject to the forty-five cent levy rate limitation. See WAC 458-19-020.

(d) **Examples.** Some numbers in the examples are rounded for ease of illustration.

(i) Example 1. Assume a qualifying port district has a base year of \$1,000,000,000 assessed value, with approximately four percent increase annually. There are new construction increases in years four and five. The maximum allowable amount that could have been levied under RCW 84.55.010 for the first six collection years of the levy period is computed as follows:

		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
(A)	Assessed value (AV)	\$1,040,000,000	\$1,082,000,000	\$1,125,000,000	\$1,170,000,000	\$1,217,000,000	\$1,266,000,000
(B)	Highest prior lawful levy	n/a	\$468,000	\$472,680	\$477,407	\$486,381	\$494,245
(C)	(B) + 1% growth	n/a	\$472,680	\$477,407	\$482,181	\$491,245	\$499,187
(D)	Statutory max, @ 45¢/ \$1,000 AV	\$468,000	\$486,900	\$506,250	\$526,500	\$547,650	\$569,700
(E)	New construction increases	n/a	\$0	\$0	\$10,000,000	\$7,500,000	\$0
(F)	Multiply (E) by prior year levy rate	n/a*	\$0	\$0	\$4,200	\$3,000	\$0
(G)	Levy limit: Lesser of (C) and (D), plus (F); and not exceeding (D)	\$468,000	\$472,680	\$477,407	\$486,381	\$494,245	\$499,187
(H)	Regular property tax levy rate: (G) divided by (A)	44¢	44¢	42¢	42¢	41¢	39¢

* There has been no IDD levy yet, so there would not be any new construction increases for the first IDD levy year.

The aggregate revenue amount for the period is the sum of the levy limits (row G), which is \$2,897,900. A port district may collect this aggregate revenue amount for the levy period in at most twenty levies within twenty years from, and including, the first year.

(ii) Example 2. Assume a qualifying port district has a base year of \$2,200,000,000 assessed value, with fluctuating increases/decreases over the course of the six years. There are new construction increases in years three and six. The maximum allowable amount that could have been levied under RCW 84.55.010 for the first six collection years of the levy period is computed as follows:

		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
(A)	Assessed value (AV)	\$2,500,000,000	\$2,000,000,000	\$1,400,000,000	\$1,800,000,000	\$2,300,000,000	\$2,800,000,000
(B)	Highest prior lawful levy	n/a	\$1,125,000	\$1,125,000	\$1,125,000	\$1,125,000	\$1,125,000
(C)	(B) + 1% growth	n/a	\$1,136,250	\$1,136,250	\$1,136,250	\$1,136,250	\$1,136,250
(D)	Statutory max, @ 45¢/ \$1,000 AV	\$1,125,000	\$900,000	\$630,000	\$810,000	\$1,035,000	\$1,260,000
(E)	New construction increases	n/a*	\$0	\$100,000,000	\$0	\$0	\$800,000,000
(F)	Multiply (E) by prior year levy rate	n/a	\$0	\$45,000	\$0	\$0	\$360,000
(G)	Levy limit: Lesser of (C) and (D), plus (F); and not exceeding (D)	\$1,125,000	\$900,000	\$630,000	\$810,000	\$1,035,000	\$1,260,000
(H)	Regular property tax levy rate: (G) divided by (A)	45¢	45¢	45¢	45¢	45¢	45¢

* There has been no IDD levy yet, so there would not be any new construction increases for the first IDD levy year.

The aggregate revenue amount for the period is the sum of the levy limits (row G), which is \$5,760,000. A port district may collect this aggregate revenue amount in up to twenty levies for the period.

(204) Effective period.

(a) RCW 53.36.160, authorizing multiyear IDD levies, is effective for IDD levy period that begins in 2016 and after.

(b) A port district that has levied the tax authorized under RCW 53.36.100 (see Part I of this rule) may not levy a tax authorized under RCW 53.36.160 (see Part II of this rule) except as follows:

If a Port District Levied Under RCW 53.36.100:	Then the Port District May Levy Under RCW 53.36.160:
IDD Levy Period	IDD Levy Period
At least one levy in the first period is collected in 2015 or prior	Second and third levy periods
At least one levy in the second period is collected in 2015 or prior	Third levy period

**WSR 18-11-055
PERMANENT RULES
GAMBLING COMMISSION**

[Filed May 10, 2018, 2:18 p.m., effective June 10, 2018]

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

Purpose: The purpose of the rule changes in this fifth package are as follows:

- WAC 230-05-125 sets the requirement that all licensees must submit a report of gross gambling receipts quarterly for each quarter they hold a license even if they paid their annual maximum license fee.
- WAC 230-05-170 is new and adds a fee for linked bingo prize providers. This corrects a technical oversight as these providers were inadvertently excluded from the fee schedule changes made in package #1 filed on February 9, 2018, in WSR 18-05-026.

Citation of Rules Affected by this Order: New WAC 230-05-125 Report gross gambling receipts on the quarterly license report and 230-05-170 Fees for other businesses.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 18-07-108 on March 21, 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.

NEW SECTION

WAC 230-05-170 Fees for other businesses. All other business organizations must pay the following fees:

(1) Annual licenses or permits:

License Type	Base License Fee	Gross Gambling Receipts Rate	Maximum Annual License Fee
Agricultural fair bingo (annual permit)	\$200	-	-
Call centers for enhanced raffles	\$4,800	-	-
Commercial amusement games	\$500 plus \$65 per approved location	1.130%	\$11,000

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, 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.

Brian J. Considine
Legal and Legislative Manager

NEW SECTION

WAC 230-05-125 Report gross gambling receipts on the quarterly license report. (1) You must report your gross gambling receipts for each of your licensed gambling activities during the previous quarter on your quarterly license report.

(2) You must submit a quarterly license report even if you:

- (a) Have paid the maximum annual license fee for your license year;
- (b) You do not owe a quarterly license fee for the quarter;
- (c) Have no gross gambling receipts to report;
- (d) Close your business;
- (e) Surrender your license;
- (f) Do not renew your license; or
- (g) Your license is revoked or suspended.

License Type	Base License Fee	Gross Gambling Receipts Rate	Maximum Annual License Fee
Distributor	\$700	1.430%	\$7,000
Fund-raising event distributor	\$280	1.430%	\$1,000
Linked bingo prize providers	\$1,500	.046%	\$20,000
Manufacturer	\$1,500	1.430%	\$25,000
Manufacturer's special sales permit	\$250	-	-
Punch board/pull-tab service business permit	\$250	-	-
Gambling service supplier	\$300	1.430%	\$7,000

(2) Events or permits:

License or Permit Type	Base License Fee	Gross Gambling Receipts Rate	Maximum Annual License Fee
Recreational gaming activity	\$65	-	-
Special property bingo	\$30	-	-

(3) Change fees:

Change of:	Fee
Name	\$100
Location	\$100
Business classification (same owners)	\$100
Corporate stock/limited liability company shares/units	\$100
License transfers	\$100

(4) Other fees:

Transaction	Fee
Add a new amusement game location	\$65
Defective punch board/pull-tab cost recovery fees	Up to \$100
Duplicate license	\$50
Pre- and post-licensing investigations	Cost reimbursement
Review, inspection, and/or evaluation of gambling equipment, supplies, services, games, schemes, or group 12 amusement games	Deposit and cost reimbursement

Purpose: The rule changes were requested by a licensee through a rule petition. The following negotiated changes are made: (1) Approval of preshuffled cards to be used only in mini-baccarat; (2) new approval process for preshuffled card manufacturers only; and (3) new process for the manufacturing of preshuffled cards, including approval of shuffling device used to preshuffle cards, inspection and verification methods, and quality control standards.

Citation of Rules Affected by this Order: New WAC 230-06-053 Approval to provide preshuffled cards and 230-16-158 Preshuffled cards; and amending WAC 230-15-115 Standards for cards.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 18-08-085 on April 4, 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 1, Amended 2, 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 1, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 10, 2018.

WSR 18-11-058
PERMANENT RULES
GAMBLING COMMISSION

[Filed May 10, 2018, 4:11 p.m., effective July 1, 2018]

Effective Date of Rule: July 1, 2018.

Brian J. Considine
 Legal and Legislative Manager

NEW SECTION

WAC 230-06-053 Approval to provide preshuffled cards. (1) Licensed manufacturers must obtain approval by the director or director's designee prior to selling preshuffled cards in Washington.

(2) Manufacturers must ensure quality control of the preshuffled cards to protect players or licensees. To obtain approval, manufacturers must submit in writing to us the following for our review:

- (a) An overview of the product;
- (b) Site security provided at the facility;
- (c) Procedures utilized to ensure the preshuffled process;
- (d) Procedures utilized to ensure randomness;
- (e) Procedures to detect irregularities;
- (f) A deposit to cover the cost of our review, which may include an on-site review to verify the above; and
- (g) Identify the automated shuffling device used to preshuffle cards.

(3) Manufacturers must comply with all rules regarding preshuffled cards.

(4) If you do not agree with the director or director's designee's decision, you may file a petition for declaratory order with the commission according to RCW 34.05.240 and chapter 230-17 WAC.

AMENDATORY SECTION (Amending WSR 18-05-029, filed 2/9/18, effective 7/1/18)

WAC 230-15-115 Standards for cards. (1) Card game licensees must:

- (a) Supply cards of conventional size and design to maximize the integrity of the card games; and
- (b) Safeguard all cards; and
- (c) Not allow cards that have been modified or marked in any manner.

(2) For Class F, house-banked, and nonhouse-banked card game licensees that play poker or other games approved by the director or the director's designee and collect a fee to play, the cards must:

- (a) Be made by a licensed manufacturer; and
- (b) Be purchased from a licensed manufacturer or distributor.

(3) Cards with the house name or logo must be used for house-banked card games.

(4) Preshuffled cards, as approved by the director or the director's designee, can be used for mini-baccarat and approved proprietary variations of mini-baccarat in accordance with approved internal controls.

NEW SECTION

WAC 230-16-158 Preshuffled cards. Manufacturers of preshuffled cards must:

(1) Obtain approval from the director or director's designee for the automated shuffling device used to preshuffle cards; and

(2) Implement a process for producing, shuffling, and packaging preshuffled cards which will, at a minimum, include:

(a) Visual inspection of the back of each card to assure that it is not flawed, scratched or marked in any way that might compromise the integrity or fairness of the game;

(b) Verification that each package of cards contains the correct number of suits and is constituted in accordance with the specific rules of the game the cards are intended for use;

(c) Inserting the cards in a package with a tamper-proof package seal(s) that bears the conspicuous indication if the package has been opened. The exterior of the package will indicate:

(i) The total number of decks contained within the package; and

(ii) The game(s) the cards are intended for use; and

(iii) The color of the preshuffled cards.

(d) Generation of a receipt to be inserted in the sealed package or a label on the sealed package, which shall include the following information:

(i) The total number of cards and decks contained within the package. If using an exterior label, this information will suffice for (c)(i) of this subsection;

(ii) The date and time the preshuffled cards were shuffled, packaged, and verified;

(iii) Identification of the manufacturer's employee who shuffled, packaged, and verified the cards; and

(iv) The manufacturer, model and serial number of the production line or device used to shuffle the cards.

WSR 18-11-061**PERMANENT RULES****DEPARTMENT OF****FISH AND WILDLIFE**

[Order 18-76—Filed May 11, 2018, 10:02 a.m., effective June 11, 2018]

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

Purpose: WAC 220-400-050 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat, the purpose of the proposal is to simplify the sealing requirements for bobcat and cougar pelts by aligning the date for sealing bobcat with the last date of trapper reporting and by requiring cougar pelt sealing to occur within seventy-two hours of harvest. The proposed changes align the dates for pelt sealing each species, regardless of method or reporting of harvest.

WAC 220-410-050 Game management units (GMUs) boundary descriptions—Region five, the purpose of the proposal is to clarify boundary language as it pertains to GMUs 522 Loo Wit and 560 Lewis River. The proposed changes clarify directional movements on established roads that make up the boundaries.

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits, this proposal replaces GMU 172 with GMU 169 for the Rocky Mountain bighorn sheep raffle permit holder.

WAC 220-412-080 Special hunting season permits, this proposal revises wording in the "once in a lifetime" part of special hunting permits for moose, to reflect the proposed change in hunt categories from "any moose" to "antlered bull moose." Any "point" accumulated under the "any moose"

category will be transferred to the "antlered bull moose" category. Additionally, applicants for special hunting season permits will be required to either complete hunter education prior to submitting a permit application, or be exempt from the hunter education requirement.

WAC 220-412-100 Landowner hunting permits, this proposal modifies hunt dates on properties enrolled in the Washington department of fish and wildlife's (WDFW) landowner hunting permit program for the 2018 hunting seasons. These sites offer special hunting opportunities to the public through permits issued by WDFW, raffles, or selection by the landowner.

WAC 220-413-030 Importation and retention of dead nonresident wildlife, the proposal will ban the importation and retention of specific parts of dead nonresident wildlife that could contain chronic wasting disease (CWD) from Montana. Specific circumstances are fully set forth in WAC 220-413-030 to include the state of Montana.

WAC 220-413-070 Hunting with aid of aircraft, boats or other vehicles, the purpose of this proposal is to add unmanned aircraft to the rule that restricts the use of aircraft, boats, or other types of vehicles to hunt, spot, or harass wildlife.

WAC 220-413-100 Mandatory report of hunting activity, the proposal will change the reporting deadline for brant, sea duck, and snow goose to March 20 following the season for which the harvest card was issued, and adds a harvest report card requirement for the SW Canada Goose special species authorization.

WAC 220-413-180 Special closures and firearm restriction areas, the purpose of the proposal is to modify restrictions in the special closures and firearm restriction rule by:

Adding mountain goat as an exception to the hunting restriction in GMU 522.

Clarifying and adding exceptions to the firearm restriction that exists in a portion of GMU 652.

Removing a firearm restriction area in Kitsap County that is no longer needed.

WAC 220-414-060 Muzzleloading firearms, the purpose of the proposal is to eliminate the restriction that disallows the use of primers, designed for modern cartridges in the firearms ignition system, during muzzleloader hunting seasons. Such a rule change will allow more technologically advanced muzzleloaders to be used during muzzleloader seasons.

WAC 220-414-080 Hunting—Hunter orange clothing requirements, this proposal adds turkey to the hunter orange rule and requires turkey hunters that are hunting during a modern deer or elk firearm season to wear fluorescent orange.

WAC 220-415-010 Deer area descriptions, the purpose of the proposal is to eliminate the three deer areas surrounding Spokane and the Colfax Deer Area that are either ineffective or no longer needed and add the North Issaquah Deer Area in King and Snohomish counties to help mitigate deer conflict issues. Deer areas allow the department to focus deer hunting pressure on a smaller scale than the GMU. Deer areas help expand hunting opportunity that would normally not be available. Deer areas also help accommodate wildlife conflict mitigation using hunting as a tool.

WAC 220-415-020 2015-2017 Deer general seasons and definitions, the purpose of this proposal is to retain general season deer hunting opportunity for 2018-2020. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when deer populations allow, and reduces the opportunity when declining deer numbers warrant a change.

WAC 220-415-030 2017 Deer special permits, the purpose of this proposal is to retain special permit deer hunting opportunity for 2018. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when deer populations allow, and reduces the opportunity when declining deer numbers warrant a change.

WAC 220-415-040 Elk area descriptions, the purpose of the proposal is to add new elk areas or adjust the boundaries of existing elk areas. Elk areas allow the department to focus elk hunting pressure on a smaller scale than the GMU. Elk areas help expand hunting opportunity that would normally not be available. Elk areas also help accommodate wildlife conflict mitigation using hunting as a tool.

WAC 220-415-050 2015-2017 Elk general seasons and definitions, the purpose of this proposal is to retain general season elk hunting opportunity for 2018-2020. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when elk populations allow, and reduces the opportunity when declining elk numbers warrant a change.

WAC 220-415-060 2017 Elk special permits, the purpose of this proposal is to retain elk special permit hunting opportunity for 2018. The purpose is also to balance the elk hunting opportunity between user groups. The proposal also increases elk hunting opportunity when elk populations allow, and reduces elk hunting opportunity when declining elk numbers warrant a change.

WAC 220-415-070 2017 Moose seasons, permit quotas, and areas, the purpose of this proposal is to remove hunt category "any moose," replacing it with "any antlered bull moose;" require successful moose hunters to submit an incisor tooth by mail to WDFW for ageing; add "or archery" to the list of permitted weaponry for moose hunting in the Parker Lake special hunt area; and changes in permit levels.

WAC 220-415-080 2018 Spring black bear seasons and regulations, the purpose of the proposed amendments is to align the rules with the appropriate season dates; require a bear identification test for hunters that will hunt within grizzly bear recovery areas as identified by the department; expand the biological samples that may be collected by the department; and include results for failure to report or comply with the conditions of the rule.

WAC 220-415-090 2015-2017 Fall black bear hunting seasons and regulations, the purpose of the proposed amendments is to align the rules with the appropriate season dates; remove GMUs that do not have resident bear populations; require a bear identification test for hunters that will hunt within grizzly bear recovery areas as identified by the department; expand the biological samples that may be collected by the department; and include results for failure to report or comply with the conditions of the rule.

WAC 220-415-100 2016-2017 and 2017-2018 Cougar hunting seasons and regulations, the purpose of the proposed amendments is to align the rules with the appropriate season dates; align the cougar season with the license year and thereby minimize potential confusion by hunters; and align the late cougar season start date with the closing date of the general deer and elk seasons for modern firearm and muzzle-loader with the exception of a few Master Hunter antlerless elk seasons that continue into January.

WAC 220-415-120 2017 Bighorn sheep seasons and permit quotas, the purpose of the proposal is to initiate modest ewe (bighorn sheep female) harvests in two separate areas of the Lincoln Cliffs bighorn sheep populations. Additionally, increase harvest of both rams and ewes in the Chelan Butte population.

WAC 220-415-130 2015-2017 Mountain goat seasons and permit quotas, the purpose of the proposal is to require holders of mountain goat hunting permits to pass an online test of their ability to distinguish mountain goats by gender (i.e., billy vs. nanny) before they would be allowed to purchase their mountain goat hunting license; establish new mountain goat hunting seasons in Mt. Margaret Backcountry, and Mt. St. Helens South (one permit in each area); and split the existing Goat Rocks mountain goat hunt area into two contiguous areas.

WAC 220-416-010 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations, the purpose of the proposal is to make date adjustments related to calendar changes; extend the fall turkey season in GMUs 101-154 and 162-186; remove the draw permits from Klickitat County and open GMUs within that county to general season hunting; and prohibit night hunting in GMUs that fall within the lynx management zones as identified by the department.

WAC 220-416-060 2017-2018 Migratory waterfowl seasons and regulations, the purpose of the proposal is to specify legal season dates and bag limits for the 2018-2019 season.

Citation of Rules Affected by this Order: Amending WAC 220-400-050, 220-410-050, 220-412-070, 220-412-080, 220-412-100, 220-413-030, 220-413-070, 220-413-100, 220-413-180, 220-414-060, 220-414-080, 220-415-010, 220-415-020, 220-415-030, 220-415-040, 220-415-050, 220-415-060, 220-415-070, 220-415-080, 220-415-090, 220-415-100, 220-415-120, 220-415-130, 220-416-010, and 220-416-060.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.020, 77.12.040, 77.12.047, 77.12.150, 77.12.210, 77.12.240, 77.12.320, 77.12.570, 77.12.800, 77.15.245, 77.32.007, 77.32.050, 77.32.070, 77.32.090, 77.32.370, and 77.32.530.

Adopted under notice filed as WSR 18-03-177 on January 24, 2018.

Changes Other than Editing from Proposed to Adopted Version:

WAC 220-400-050

- Change: Subsection (3) strike the proposed language "and have the raw pelt sealed."
- Change: Subsection (3) strike the proposed language "the following information must be provided:" and replace with original language "and provide."
- Change: Subsection (3) lowercase "the" now that it doesn't start a new sentence.

Rationale: Opportunistic backcountry hunters may have trouble meeting the 72-hour deadline for pelt sealing; therefore, propose to return to original language.

- Change: Subsection (3) strike proposed language "taken with the use of dogs, under an authorized permit per WAC 220-440-030,"

Change: Subsection (3) strike proposed language "72 hours" and reinstate original language "five days."

Rationale: By striking the proposed 72-hour requirement for pelt sealing and reinstating the original "five days" there is no need to differentiate those cougars taken by the use of dogs or those taken without the use of dogs.

WAC 220-413-030

- Change: In subsection (1)(c), add Mississippi to the list of states. The fish and wildlife commission requires hunters to invoke additional processing of carcasses before deer, elk, or moose harvested in the listed states and provinces can be brought home to Washington state. Rationale: The state of Mississippi has confirmed their first positive case of CWD in wild, free-ranging deer.

WAC 220-413-070

- Change: In subsection (3), add to the last sentence "except as authorized by the department to aid in addressing wildlife conflict."

Rationale: This exception allows the department to designate individuals that might use unmanned aircraft as a tool to address wildlife conflict issues.

WAC 220-415-030

- Change: Under the Quality category, Modern Firearm, change the permit numbers for the following hunts:
 - Chiwawa, change the number of permits from 19 to 20;
 - Slide Ridge, change the number of permits from 7 to 8;
 - Desert, Oct. 20-28, change the number of permits from 14 to 18;
 - Quilomene, change the number of permits from 13 to 17;
 - Teanaway, change the number of permits from 21 to 24;
 - Alkali, change the number of permits from 4 to 8.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula.

- Change: Under the Quality category, Archery, change the permit numbers for the following hunts:
 - Chiwawa, change the number of permits from 7 to 8;
 - Desert, Sept. 1-Oct. 5, change the number of permits from 12 to 10;

- Desert, Nov. 24-Dec. 9, change the number of permits from 12 to 10;
- Naneum, change the number of permits from 8 to 7;
- Quilomene, change the number of permits from 6 to 9.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula.

- Change: Under the Quality category, Muzzleloader, change the permit numbers for the following hunts:
 - Teanaway, change the number of permits from 3 to 5;
 - Quilomene, change the number of permits from 1 to 2.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula.

- Change: Under the Bucks category, Modern Firearm and Archery, change the permit numbers for the following hunts:
 - Ritzville, Modern, change the number of permits from 9 to 7;
 - Ritzville, Archery, change the number of permits from 21 to 22;
 - Alkali, Archery, change the number of permits from 2 to 3.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula.

- Change: Under the Youth category, Modern Firearm:
 - For the Simcoe hunt, change the Special Restriction from Antlerless to Any Deer.

Rationale: This change was an adjustment agreed upon with the stakeholders involved with this wildlife area. The change provides more opportunity for youth hunters drawing this permit.

WAC 220-415-040

- Change: Add new Elk Area No. 1082 George Creek.
Rationale: This elk area will help direct hunters to an area that is on a smaller scale than the GMU. This will help facilitate using hunting as a tool to help mitigate damage.
- Change: Remove the proposed new Elk Area No. 4542 South Issaquah.
Rationale: Further discussions with the Muckleshoot Indian Tribe are warranted before developing the final boundary language on this proposed Elk Area. If all parties' needs can be met, a new proposal will be brought before the fish and wildlife commission at a later date.
- Change: In the Elk Area 6612 Forks description, exclude Bogachiel State Park, and add further language that distinguishes that the upstream direction after the confluence of the Calawah and Bogachiel rivers is on the Bogachiel River.
Rationale: These changes will make the Elk Area boundary more discernable and will not include the state park where hunting is not allowed.

WAC 220-415-050

- Change: Under the Modern Firearm category, Eastern Washington, Master Hunters Only: 371, Elk Areas 3911 and 3912, category - change the year on the January dates to 2019, 2020, and 2021 respectively.
Rationale: This change corrects a typographical error.
- Change: Under the Modern Firearm category, Western Washington, first line in the table starting with GMU 460, replace GMU 666 with GMU 667.
Rationale: This change corrects a typographical error.
- Change: Under the Early Archery category, Eastern Washington, EA, after the second line of the table starting with 162, and ending with Spike bull, add a new line that reads as the bold language listed below:

Hunt Area	Elk Tag Area	Game Management Unit	2018 Dates	2019 Dates	2020 Dates	Legal Elk
Early Archery General Elk Seasons						
Eastern Washington	EA	328, 329, 336, 340, 352, 356, 364	Sept. 15-20			Antlerless

Rationale: This change is in response to comments received from archery hunters expressing concerns about the balance between conservation of the elk resource and the loss of opportunity. Additional analysis was conducted by staff to reach this proposed compromise. The dates for 2019 and 2020 are intentionally left blank. Checks of harvest and survey data will be done each year before a recommendation will be formulated for the subsequent year.

- Change: Under the Late Archery category, Eastern Washington, Elk Area 1010 and GMU 163, category - change the year on the January dates to 2019, 2020, and 2021 respectively.
Rationale: This change corrects a typographical error.
- Change: Under the Late Archery category, Eastern Washington, Master Hunters Only: 371, Elk Areas 3911

- and 3912, category - change the year on the January dates to 2019, 2020, and 2021 respectively.
Rationale: This change corrects a typographical error.
- Change: Under the Late Archery category, Western Washington, after the fourth line, remove the hunt dates and restriction for GMUs 506, 520, and 530.
Rationale: Because the three GMUs have been moved or deleted from this line in the table, the dates and the legal elk are no longer necessary. These changes correct a mistake in the recommendation. The recommendation should have deleted the entire line in the table.
- Change: Under the Late Muzzleloader category, Eastern Washington, Master Hunters Only: 371, Elk Areas 3911 and 3912, category - change the year on the January dates to 2019, 2020, and 2021 respectively.
Rationale: This change corrects a typographical error.

WAC 220-415-060

- Change: Under the Quality category, Modern Firearm (EF and WF), change the permit numbers for the following hunts:

- Blue Creek, Oct. 22-Nov. 4, change the number of permits from 10 to 11;
- Dayton, change the number of permits from 10 to 9;
- Ten Ten, Oct. 22-Nov. 4, change the number of permits from 4 to 3;
- Wenaha East, change the number of permits from 12 to 9;
- Mountain View, change the number of permits from 19 to 16;
- Couse, change the number of permits from 2 to 3;
- Colockum, Oct. 22-Nov. 4, change the number of permits from 22 to 19;
- Little Naches, change the number of permits from 10 to 5;
- Goose Prairie, change the number of permits from 5 to 3;
- Nooksack, change the permits from TBD to 12;
- Toutle, Sept. 24-28 and Nov. 3-14, change the number of permits from 3 to 2;
- Toutle, Nov. 3-14, change the number of permits from 46 to 45.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under the Quality category, Green River, add WA and WM to the Weapon/Tag column.

Rationale: This change represents the results of negotiations between the department, the watershed managers, and the Muckleshoot tribe that took place after the notebook material deadline.

- Change: Under the Quality category, Archery (EA and WA) and Muzzleloader (EM), change the permit numbers for the following hunts:

- Dayton, change the number of permits from 6 to 4;
- Ten Ten, change the number of permits from 8 to 5;
- Tucannon, change the number of permits from 12 to 6;
- Wenaha East, change the number of permits from 5 to 4;
- Mountain View, change the number of permits from 12 to 15;
- Lick Creek, change the number of permits from 4 to 7;
- Peola, change the number of permits from 1 to 2;
- Colockum, change the number of permits from 13 to 12;
- Teanaway, change the number of permits from 4 to 3;
- Peaches Ridge, change the number of permits from 104 to 58;

- Observatory, change the number of permits from 104 to 57;
- Goose Prairie, change the number of permits from 109 to 53;
- Bethel, change the number of permits from 66 to 32;
- Rimrock, change the number of permits from 85 to 63;
- Nooksack, change the permits from TBD to 7;
- Toutle, change the number of permits from 34 to 33;
- Dayton, EM, change the number of permits from 2 to 3.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under the Quality category, Muzzleloader (EM and WM), change the permit numbers for the following hunts:

- Wenaha East, change the number of permits from 2 to 3;
- Mountain View, change the number of permits from 9 to 5;
- Colockum, change the number of permits from 7 to 5;
- Peaches Ridge, change the number of permits from 33 to 17;
- Observatory, change the number of permits from 27 to 13;
- Goose Prairie, change the number of permits from 24 to 13;
- Bethel, change the number of permits from 20 to 9;
- Rimrock, change the number of permits from 10 to 9;
- Cowiche, change the number of permits from 5 to 6;
- Nooksack, change the permits from TBD to 7;
- Toutle, change the number of permits from 13 to 18.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under the Bulls category, Modern Firearm (EF), change the permit numbers for the following hunts:

- Peaches Ridge, change the number of permits from 110 to 61;
- Observatory, change the number of permits from 71 to 35;
- Goose Prairie, change the number of permits from 106 to 54;
- Bethel, change the number of permits from 76 to 38.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under the Bulls category, Modern Firearm (EF, WF), Archery (WA), and Muzzleloader (WM); change the permit numbers for the following hunts:

- Rimrock, EF, change the number of permits from 77 to 65;
- Skagit River, WF, change the permits from TBD to 4;
- Skokomish, WF, change the number of permits from 3 to 2;
- White River, WF, change the number of permits from 35 to 37;
- Skagit River, WA, change the permits from TBD to 8;
- Olympic, WA, change the number of permits from 5 to 4;
- Skokomish, WA, change the number of permits from 5 to 2;

- Skagit River, WM, change the permits from TBD to 4.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under Bulls, Upper Smith Creek, WA, Elk Area 5064, change the "Hunters" column from WA to Any.
Rationale: This change corrects a typographical error.
- Change: Under Antlerless, EF, change the Stevens hunt to a Douglas hunt and change the permits from 10 to 5, and add a Huckleberry hunt with 10 permits good for the October general season and the last half of December as indicated below.

((Stevens)) <u>Douglas</u>	EF	Any	Oct. ((28 - Nov. 5)) <u>27 - Nov. 4</u>	Antlerless	GMU((s)) <u>108((,-121))</u>	((+0)) <u>5</u>
<u>Huckleberry</u>	<u>EF</u>	<u>Any</u>	<u>Oct. 27 - Nov. 4 and Dec. 16-31</u>	<u>Antlerless</u>	<u>GMU 121</u>	<u>10</u>

Rationale: This change is in response to local landowners indicating elk numbers have increased in the last couple of years and are starting to be problematic.

- Change: Under Antlerless, Mayview-Peola, Oct. 27-Nov. 4, change the number of permits from 35 to 20.
Rationale: This change is in response to local landowners indicating elk numbers have been down in this area the last couple of years.
- Change: Under the Antlerless category, Modern Firearm (EF), change the permit numbers for the following hunts:
 - Colockum, EF, change the number of permits from 250 to 100;
 - Teanaway, EF, change the number of permits from 40 to 30.

Rationale: These permit changes restore the modern firearm antlerless permits to the previous year's level for these GMUs. This change better maintains consistency with other antlerless opportunities being proposed for this elk population.

- Change: Under the Antlerless category, remove the South Issaquah hunt.

Rationale: The newly proposed Elk Area 4542 is not moving forward in 2018 so this associated hunt is being pulled back.

- Change: Under the Antlerless category, Green River, add WA and WM to the Weapon/Tag column and change the number of permits from 4 to 8.
Rationale: This change represents the results of negotiations between the department, the watershed managers, and the Muckleshoot tribe that took place after the notebook material deadline.
- Change: Under the Antlerless category, remove the Colockum hunt.
Rationale: This change is in response to a change being made in the General Season WAC for early, archery season that will allow 6 days of antlerless hunting opportunity in place of these special permits.
- Change: Under Antlerless, EM, change the Stevens hunt to a Douglas hunt and change the permits from 10 to 5, and add a Huckleberry hunt with 10 permits good for the October general season.

((Stevens)) <u>Douglas</u>	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU((s)) <u>108((,-121))</u>	((+0)) <u>5</u>
<u>Huckleberry</u>	<u>EM</u>	<u>Any</u>	<u>Oct. 6-12</u>	<u>Antlerless</u>	<u>GMU 121</u>	<u>10</u>

Rationale: This change is in response to local landowners indicating elk numbers have increased in the last couple of years and are starting to be problematic.

- Change: Under the Antlerless category, Colockum, EM, change the number of permits from 100 back to 50.
Rationale: This change restores the permit level to status quo, which after further analysis by staff, was deemed adequate.
- Change: Under the Youth category, Skagit River, change the permits from TBD to 4.
Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under the Youth category, Region 6, Modern Firearm (WF), change the boundary to read "Designated Areas in Region 6."
Rationale: This boundary change corrects a typographical error.
- Change: Under the 65+ Senior category, remove the South Issaquah hunt.
Rationale: The newly proposed Elk Area 4542 is not moving forward in 2018 so this associated hunt is being pulled back.
- Change: Under the 65+ Senior category, Skagit River, change the permits from TBD to 4.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under the 65+ Senior category, change the first Centralia Mine hunt from Jan. 6-7, 2019, to Jan. 5-6, 2019.

Rationale: This change corrects a typographical error.

- Change: Under the 65+ Senior category, change the second Centralia Mine hunt from Jan. 13-14, 2019, to Jan. 12-13, 2019.

Rationale: This change corrects a typographical error.

- Change: Under the Hunters with Disabilities category, remove the South Issaquah hunt.

Rationale: The newly proposed Elk Area 4542 is not moving forward in 2018 so this associated hunt is being pulled back.

- Change: Under the Hunters with Disabilities category, Skagit River, change the permits from TBD to 4.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under the Master Hunter category, Region 4 North, change the permits from TBD^{HC} to 18^{HC}.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes, or are design[ed] to help mitigate agricultural damage.

- Change: Under the Master Hunter category, remove the Pumice Plains Sept. 24-30 hunt.

Rationale: This change represents a revised agreement between the department and the forest service. The agreement provides for additional hunts that have been added in both early and late time periods for 2018, as well as providing for an expanded total area that can be hunted, both of which will increase the hunter satisfaction.

- Change: Under the Master Hunter category, Region 5, change the permits from 30^{HC} to 20^{HC}.

Rationale: Staff recommend retaining the status quo number of permits until further discussion with Master Hunter partners.

- Change: Under the Master Hunter category, Region 6, WF, WA, WM/2nd elk tag; change the July date to 2018 and change the March date to 2019.

Rationale: This change corrects a typographical error.

WAC 220-415-070

- Change: For antlerless only permits in Mt. Spokane South B (Moose Area 1 within GMU 124), change "74" to "4."

Rationale: The intent had been to delete "7" and replace it with "4." Due to human error, the 4 was added but the "7" was not crossed out.

WAC 220-415-080

- Change: Update the title of the WAC to read, "2019-2020 Spring black bear special permits."

Rationale: The proposed title change clearly identifies the spring opportunity as a special permit hunt. This change makes this rule consistent with rules identifying

other special permits (e.g., deer special permits and elk special permits) and minimizes potential confusion.

- Change: Under "Licensed Required" update the first sentence to read as follows:
 - A valid big game hunting license, which includes black bear as a species option, is required to apply for a spring black bear special permit.

Rationale: This change makes it clear that the opportunity is a special permit opportunity, which hunters must submit an application to be considered.

- Change: Under "Other Requirements," add the word "annual" to clarify that the test must be taken each year.
 - Hunters that are selected to hunt in GMUs located in grizzly bear recovery areas, as identified by the department, must successfully complete the annual WDFW online bear identification test with a passing score (eighty percent or higher) or carry proof that they have passed an equivalent test from another state.

Rationale: This change makes it clear that bear identification test is an annual requirement.

- Change: Under "Submitting Biological Samples and Bear Teeth":
 - Strike "notification" and insert "harvest reporting."
 - Strike "conditions of this chapter" and insert "submission of biological samples."
 - Strike "an infraction" and insert "a misdemeanor."
 - Strike "RCW 77.15.160" and insert "RCW 77.15.280."

Rationale: The new language aligns the appropriate penalty to the failure to submit reports and/or biological samples per RCW.

- Change: Under Submitting Biological Samples and Bear Teeth: Strike, "provide reports or," so the sentence reads as follows, "Failure to comply with the submission of biological samples is a misdemeanor pursuant to RCW 77.15.280."

Rationale: RCW 77.15.280 only applies to the submission of biological samples. RCW 77.32.070 gives the department the authority to require a hunter report and is listed in the statutory authority.

WAC 220-415-090

- Change: Strike subsection (1)(c) as referenced in WAC 220-415-090.

Rationale: RCW 77.15.280 (1)(c) no longer exists.

- Change: Add the word "annual" to clarify that the test must be taken each year.
 - Hunters that are selected to hunt in GMUs located in grizzly bear recovery areas, as identified by the department, must successfully complete the annual WDFW online bear identification test with a passing score (eighty percent or higher) or carry proof that they have passed an equivalent test from another state.

Rationale: This change makes it clear that bear identification test is an annual requirement.

- Change: Under Submitting Biological Samples and Bear Teeth:
 - Strike "notification" and insert "harvest reporting."
 - Strike "Failure to abide by the conditions of permits is a misdemeanor pursuant to RCW 77.15.750."
 - Strike "conditions of this chapter" and insert "submission of biological samples."
 - Strike "an infraction" and insert "a misdemeanor."
 - Strike "RCW 77.15.160" and insert "RCW 77.15.280."

Rationale: The new language aligns the appropriate penalty to the failure to submit reports and/or biological samples per RCW.

- Change: Under Submitting Biological Samples and Bear Teeth: Strike, "provide reports or," so the sentence reads as follows, "Failure to comply with the submission of biological samples is a misdemeanor pursuant to RCW 77.15.280."

Rationale: RCW 77.15.280 only applies to the submission of biological samples. RCW 77.32.070 gives the department the authority to require a hunter report and is listed in the statutory authority.

WAC 220-415-100

- Change: Subsections (2)(a) and (b) strike the proposed season date changes and revert to original language in rule.

Rationale: The department has decided to allow cougar seasons to remain as they are currently. The department will consider additional scoping and review of cougar management strategies as well as including additional outreach regarding the current program.

WAC 220-415-120

- Change: Under Ram (male) bighorn sheep, Lincoln Cliffs A, change the number of permits from 1 to 2.

Rationale: December 2017 survey supports this increase in hunter opportunity per the Game Management Plan.

- Change: Add the following permits under Ewe (female) bighorn sheep hunts:
 - Cleman Mountain C, Nov. 1-18, Sheep Unit 7, Adult ewe only Any Legal Weapon, 8 (permits).
 - Cleman Mountain D (youth hunter), Nov. 1-18, Sheep Unit 7, Adult ewe only Any Legal Weapon, 2 (permits).

Rationale: A mid-winter survey indicated that the herd continues to grow, and remains larger than biologists view as prudent from a long-term perspective. A population that is larger than our objective increases the risk that bighorns will wander into areas where they may come into contact with domestic sheep, and possibly become infected with bacteria associated with fatal pneumonia. Adding additional ewe permits will dampen this undesired population growth. Because there is some demand for "youth only" permits, two of these ten will be reserved for youth hunters.

- Change: Add legal descriptions of the hunt boundaries of the two new subunits of the Lincoln Cliffs bighorn sheep herd.

- Page 12, under Ewe (female) bighorn sheep, "Lincoln Cliffs" hunts (2):

- Under the hunt name strike "B West" and insert "Whitestone Unit," and insert "d" under the boundary description.

- Under the hunt name strike "B East" and insert "Lincoln Unit," and insert "d" under the boundary description.

- Page 13, insert the following language:

- ^d See (3) Bighorn Sheep Units (below) for detailed legal descriptions of these hunt are [area] boundaries.

- Page 17, insert detailed legal descriptions for (m) Whitestone Unit, and (n) Lincoln Unit.

Rationale: Because female bighorn sheep (ewe) groups are documented as having nonoverlapping subherd home ranges and rarely interact demographically, the department desires to manage them separately for purposes of this ewe hunt. New legal descriptions are required to formalize the new subunits.

WAC 220-415-130

- Change: Under Mountain Goat Permit Hunts, subsection [(2)](d), change the language to read as follows, "Applicants drawn for a permit may only purchase their license after successfully completing the WDFW mountain goat gender identification training (online or at a participating WDFW office)."

Rationale: We clarified that the intent is educational rather than restrictive.

- Change: Under Mountain Goat Permit Hunts, change the dates for the East Olympic Mountains A hunt from Aug. 28-Sept. 6 and Sept. 25-Oct. 5 to Sept. 15-25.

- Change: Reinstate mountain goat hunt East Olympic Mountains B, Sept. 26-Oct. 6, Any Legal Weapon, (3).

Rationale: If approved by federal agencies (as expected), live translocation of mountain goats in this area could occur during the September 9-22 period. Much or all of the area would be closed to public access for safety reasons. Moving the hunt to this earlier period avoids the conflict, but having a late hunt as well affords hunters the option to hunt later if they desire (acknowledging that some goats may have been nonlethally removed by that time).

- Change: Under subsection (3) reverse the order of the boundary descriptions so that they appear in order of the region in which they are located.

Rationale: Ease of reading.

- Change: Begin the 2018 season in Naches Pass on October 10, not September 15.

Rationale: Fire in 2017 precluded hunter access during the entire season for 3 permit holders in Naches Pass.

WAC 220-416-010

- Change: Eastern Washington seasons, ring-necked pheasant, youth, change the season dates for the following subsections:

- Subsection (ii) change the season dates from Sept. 28-29, 2019, to Sept. 21-22, 2019.
- Subsection (iii) change the season dates from Sept. 26-27, 2020, to Sept. 19-20, 2020.

Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

- Change: Eastern Washington seasons, ring-necked pheasant, hunters 65+ and hunters with disabilities, change the season dates for the following subsections:
 - Subsection (ii) change the season dates from Sept. 30 - Oct. 4, 2019, to Sept. 23-27, 2019.
 - Subsection (iii) change the season dates from Sept. 28 - Oct. 2, 2020, to Sept. 21-25, 2020.

Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

- Change: Western Washington seasons, ring-necked pheasant, youth, change the season dates for the following subsections:
 - Subsection (ii) change the season dates from Sept. 28-29, 2019, to Sept. 21-22, 2019.
 - Subsection (iii) change the season dates from Sept. 26-27, 2020, to Sept. 19-20, 2020.

Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

- Change: Western Washington seasons, ring-necked pheasant, hunters 65+ and hunters with disabilities, change the season dates for the following subsections:
 - Subsection (ii) change the season dates from Sept. 30 - Oct. 4, 2019, to Sept. 23-27, 2019.
 - Subsection (iii) change the season dates from Sept. 28 - Oct. 2, 2020, to Sept. 21-25, 2020.

Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

- Change: Extended season dates, subsection (iii), replace the word "will" with "may."
Rationale: This will give the department the option to release pheasants if they are available. This also allows the department to release pheasants at hunting clinics that could be held in those areas during that time.

WAC 220-416-060

- Change: Under Ducks, special youth waterfowl hunting weekend, change the dates from Sept. 15-16, 2018, to September 22-23, 2018, in Western Washington (West Zone) and September 29-30, 2018, in Eastern Washington (East Zone).

Rationale: Mid-September precedes the first flights of migrant waterfowl into Washington state. This date change also provides more time between September's Canada goose season dates and youth weekend (for example, Goose Management Area 1 ends Sept. 13, 2018) as well as aligning the migration period of Greater White-fronted Geese (now to be included as legal species during the Youth Waterfowl Hunt Weekend). Additionally, habitat managers have a hard time meeting a mid-September flood-up date to provide opportunities on public lands (federal and state). Therefore, in an effort

to provide a better first opportunity to youth waterfowl hunters and to provide the opportunity for experiences on both the west and east side of the state in a given year, this change is expected to yield a better first experience opportunity to a new generation of waterfowl hunters.

- Change: Under Geese, special Youth Waterfowl Hunting Weekend, change the dates from Sept. 15-16, 2018, to September 22-23, 2018, in Western Washington (West Zone) and September 29-30, 2018, in Eastern Washington (East Zone).

Rationale: Mid-September precedes the first flights of migrant waterfowl into Washington state. This date change also provides more time between September's Canada goose season dates and youth weekend (for example, Goose Management Area 1 ends Sept. 13, 2018) as well as aligning the migration period of greater white-fronted geese (now to be included as legal species during the Youth Waterfowl Hunt Weekend). Additionally, habitat managers have a hard time meeting a mid-September flood-up date to provide opportunities on public lands (federal and state). Therefore, in an effort to provide a better first opportunity to youth waterfowl hunters and to provide the opportunity for experiences on both the west and east side of the state in a given year, this change is expected to yield a better first experience opportunity to a new generation of waterfowl hunters.

- Change: Under Regular Season, rearrange the language to bring the last sentence of the paragraph to the beginning of the paragraph.

Rationale: The change distinguishes the difference between Canada goose and white-fronted goose season dates from white goose season considerations.

- Change: Under Regular Season, change the white goose season dates from February 16-27, 2019, to February 9-20, 2019.

Rationale: The winter index for snow geese in the Skagit-Fraser Delta has exceeded the seventy thousand goose threshold required to extend hunting past January. A change in proposed February dates is to minimize conflict with the "Port Susan Snow Goose & Birding Festival" that has traditionally occurred on the final weekend of February. This action is to provide relief to agricultural depredation concerns in this region.

- Change: Under Regular Season, change the white goose season dates from February 16-27, 2019, to February 9-20, 2019, and to call out Skagit and Snohomish counties for public land closures.

Rationale: The winter index for snow geese in the Skagit-Fraser Delta has exceeded the seventy thousand goose threshold required to extend hunting past January. A change in proposed February dates is to minimize conflict with the "Port Susan Snow Goose & Birding Festival" that has traditionally occurred on the final weekend of February. This action is to provide relief to agricultural depredation concerns in this region. Public lands will be closed during the Feb. 9-20, 2019, period to allow geese to utilize these habitats.

- Change: Under Regular Season, insert "During Feb. 9-20, 2019, in Snohomish County, that portion east of

Interstate 5 is closed to goose hunting in Goose Management Area 1."

Rationale: This action is to provide relief to agricultural depredation concerns in this region. The region of agricultural extent beyond Skagit County is the mouth of the Stillaguamish River west of Interstate 5. There is valid concern that the portion of Snohomish County east of Interstate 5 does not meet the intended zone of influence and may cause conflict with misidentification with swans that are more prevalent than snow geese in this particular zone.

- Change: Under Goose Management Area 4, insert "Additionally, to accommodate opportunity during recognized holiday periods, the 2018-2019 season will include:"

Rationale: The public expressed some confusion over the current language as it related to recognized holidays.

- Change: Under Falconry Seasons, add heading and description as follows:

DUCKS, COOTS, CANADA GEESE, AND WHITE-FRONTED GEESE (EXCEPT BRANT AND WHITE GEESE) (Extended Falconry)

Sept. 22-23, 2018, in Western Washington (West Zone).
Sept. 29-30, 2018, in Eastern Washington (East Zone).

Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, Canada geese, and white-fronted geese following special youth weekend allowable species.

Possession Limit: 2 times the daily bag limit.

Rationale: Two extra days are available for early falconry opportunity in each zone, if it overlaps with the special youth waterfowl hunting dates. This provides this hunting user group an additional opportunity towards early-season harvest that has not been made available to them in the past.

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 25, Repealed 0.

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

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

Date Adopted: April 13, 2018.

Brad Smith, Chair
Fish and Wildlife Commission

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-400-050 Requirements for sealing of pelts and collection of biological information for river otter,

cougar, lynx, and bobcat. (1) It is unlawful to possess river otter, cougar, lynx, or bobcat taken in Washington without a department identification seal which has been attached to the raw pelt, on or off the carcass, prior to the pelt sealing deadline.

(2) The raw pelt of a bobcat or river otter must be presented to an authorized department employee, or authorized individual under permit with the department, for sealing (~~within 20 days~~) and the associated harvest report must be submitted to the department by April 20th after the close of the appropriate hunting or trapping season in which it was killed.

(3) Any person who takes a cougar without the use of dogs must notify the department within 72 hours of kill (excluding legal state holidays) and provide the hunter's name, date and location of kill, and sex of animal. Any person who takes a cougar with the use of dogs must notify the department within 24 hours of kill (excluding legal state holidays) and provide the hunter's name, date and location of kill, and sex of animal. The raw pelt of a cougar must be presented to an authorized department employee for sealing within five days of the notification of kill.

Any person who takes a cougar must present the cougar skull, in such a manner that teeth and biological samples can be extracted, to an authorized department employee at the time of sealing.

(4) It is unlawful to transport or cause the transport out of Washington a raw pelt of river otter, cougar, lynx, or bobcat taken in Washington without a department seal attached to the pelt.

(5) The raw pelt of a river otter, cougar, lynx, or bobcat taken outside Washington and imported into the state must be identified by a tag, seal or permit consistent with federal, state or country of origin laws and be accompanied by an invoice, declaration or permit specifying the number of pelts in the shipment.

(6) It is unlawful to possess an unlocked, broken, or otherwise open department seal for river otter, cougar, lynx, or bobcat unless the seal wire or band has been cut through and removed from a pelt that has been received and invoiced by a licensed taxidermist or fur dealer for processing or removed from a pelt that has been processed, except that individuals authorized by the department to seal pelts may possess open, unbroken seals.

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-410-050 Game management units (GMUs) boundary descriptions—Region five.

GMU 501-LINCOLN (Lewis, Thurston, Pacific, and Grays Harbor counties):

Beginning at the intersection of Interstate Hwy (I)-5 and State Route (SR) 6; W on SR 6 to Stevens Rd; NW on Stevens Rd to Elk Creek Rd at the town of Doty; W on Elk Creek Rd to Weyerhaeuser (Weyco) 7000 line; W and N on Weyco 7000 line to Weyco 7400 line; N on Weyco 7400 line to Weyco 7050 line; NE on Weyco 7050 line to Weyco 7000 line; NW and N on Weyco 7000 line to the Weyco 7800 line; N on Weyco 7800 line to Weyco 7800 F line; NE on Weyco

7800 F line to Weyco 720 line; E on Weyco 720 line to Weyco 723 line; NW on Weyco 723 line to the Weyco C line; NE on Weyco C line to Garrard Creek Rd; NE on Garrard Creek Rd to South Bank Rd; E on South Bank Rd to North State St; N on North State St to US Hwy (US) 12 at the town of Oakville; E on US 12 to I-5; S on I-5 to SR 6 and point of beginning.

GMU 503-RANDLE (Lewis County):

Beginning at the intersection of US Hwy (US) 12 and the Rayonier 100 Mainline (Kosmos Rd, Old Champion Haul Rd); E on US 12 to State Route (SR) 131; S on SR 131 to US Forest Service (USFS) Rd 25; S on the USFS Rd 25 to the Cispus River; W on the Cispus River to Rayonier 271 line; S on the Rayonier 271 line to the Rayonier 300 line; W on the Rayonier 300 line to the Rayonier 100 line (Kosmos Haul Rd); N on the Rayonier 100 line to US 12 and the point of beginning.

GMU 504-STELLA (Cowlitz County):

Beginning at the mouth of the Cowlitz River on the Columbia River; W down the Columbia River to the mouth of Germany Creek (including all islands in the Columbia River which are both north of the Washington-Oregon state line and between the Cowlitz River and Germany Creek); N up Germany Creek to State Route (SR) 4; E on SR 4 to Germany Creek Rd; N on Germany Creek Rd to International Paper (IP) 1000 line; N on IP 1000 line to IP 1050 line; E on IP 1050 line to IP 2200 line; E and S on IP 2200 to Woodside Dr; NE on Woodside Dr to Delameter Rd; E on Delameter Rd to the three power lines; N along the three power lines to Weyerhaeuser (Weyco) 9312 line; E on Weyco 9312 line to Growlers Gulch Rd; E on Growlers Gulch Rd to Public Hwy (PH) 10 Rd; E along the Public Hwy (PH) 10 Rd to the A Street bridge over the Cowlitz River at the town of Castle Rock; S down the Cowlitz River to the Columbia River and point of beginning.

GMU 505-MOSSYROCK (Lewis County):

Beginning on Interstate Hwy (I)-5 and the Cowlitz River; NE up the Cowlitz River to the Mayfield Dam; NE along the south shore of Mayfield Lake to the US Hwy (US) 12 bridge; NE on US 12 to Winston Creek Rd; SE on Winston Creek Rd to Longbell Rd; E on Longbell Rd to Perkins Rd; NE on Perkins Rd to Green Mountain Rd; E on Green Mountain Rd to the outlet of Swofford Pond; E along the Swofford Pond outlet to Riffe Lake; E along the south shore of Riffe Lake to the Cowlitz River; up the Cowlitz River to the Rayonier 100 Mainline (Kosmos Haul Rd); N on the Rayonier 100 Mainline to US 12; W on US 12 to Davis Lake Rd; N and W on Davis Lake Rd to Main St at town of Morton; W on Main St to SR 508; W on SR 508 to Centralia-Alpha Rd; W and N on Centralia-Alpha Rd to Salzer Valley Rd; W on Salzer Valley Rd to Summa St at the town of Centralia; W on Summa St to Kresky Rd; N on Kresky Rd to Tower St; N on Tower St to SR 507; W on SR 507 (Cherry St, Alder St, and Mellen St) to I-5; S on I-5 to the Cowlitz River and point of beginning.

GMU 506-WILLAPA HILLS (Wahkiakum, Pacific and Lewis counties):

Beginning at State Route (SR) 6 and 3rd St S at the town of Pe Ell; S on 3rd St S to Muller Rd; S on Muller Rd to Weyer-

haeuser (Weyco) 1000 line; S on Weyco 1000 line to Weyco 1800 line; S on Weyco 1800 line to Weyco 500 line; SE on Weyco 500 line to SR 407 (Elochoman Valley Rd) at Camp 2; S on SR 407 to the Elochoman River; down the Elochoman River to Foster Rd; N on Foster Rd to Risk Rd; W and N along Risk Rd to SR 4; W on SR 4 to Skamokawa Creek; SW down Skamokawa Creek to the Columbia River; W along Columbia River to the mouth of the Deep River (including all islands in the Columbia River which are both north of the Washington state line and between Skamokawa Creek and Deep River); N along the Deep River to SR 4; NW on SR 4 to the Salmon Creek Rd; NE on Salmon Creek Rd to Weyco 5000 line; N on Weyco 5000 line to Weyco 5800 line; NE on Weyco 5800 line to power transmission line (Section 21, T11N, R8W); E, NE, then N on the power transmission line to the Trap Creek A Line; E and N on the Trap Creek A Line to SR 6; E on SR 6 to the town of Pe Ell and the point of beginning.

GMU 510-STORMKING (Lewis County):

Beginning on US Hwy (US) 12 at the Silver Creek bridge; N up Silver Creek to Silverbrook Rd; E on Silverbrook Rd to US Forest Service (USFS) Rd 47; N on USFS Rd 47 to USFS Rd 85; W and N on USFS Rd 85 to USFS Rd 52; N on USFS Rd 52 to the Nisqually River; W down the Nisqually River to State Route (SR) 7; S on SR 7 to Main St at town of Morton; E on Main St to Davis Lake Rd; E on Davis Lake Rd to US 12; E on US 12 to the Silver Creek bridge and point of beginning.

GMU 513-SOUTH RAINIER (Lewis County):

Beginning on US Hwy (US) 12 at the Silver Creek bridge; N up Silver Creek to Silverbrook Rd; E on Silverdale Rd to US Forest Service (USFS) Rd 47; N on USFS Rd 47 to USFS Rd 85; W and N on USFS Rd 85 to USFS Rd 52; W and N on USFS Rd 52 to the Nisqually River; E up the Nisqually River to the southern boundary of Mount Rainier National Park; E along the south park boundary to the USFS Trail 2000 (Pacific Crest National Scenic Trail); S along the USFS Trail 2000 to US 12; W on US 12 to the Silver Creek bridge and point of beginning.

GMU 516-PACKWOOD (Lewis and Skamania counties):

Beginning at US Hwy (US) 12 and US Forest Service (USFS) Trail 2000 (Pacific Crest National Scenic Trail) at White Pass; S on USFS Trail 2000 to the Yakama Indian Reservation border; S on the Yakama Indian Reservation border to USFS Trail 2000; S on USFS Trail 2000 to USFS Trail 98 at Sheep Lake; W on USFS Trail 98 to USFS Rd 2160 at Walupt Lake; W on USFS Rd 2160 to USFS Rd 21; S and W on USFS Rd 21 to USFS Rd 23; S on USFS Rd 23 to USFS Trail 263; S and W on USFS 263 to USFS Trail 261; S on USFS Trail 261 to USFS Trail 1; W on USFS Trail 1 to USFS Rd 99; W on USFS Rd 99 to USFS Rd 26; N on USFS Rd 26 to USFS Rd 2612; W on USFS Rd 2612 to USFS Trail 217; N and W on USFS Trail 217 to Weyerhaeuser (Weyco) 2600 line; W on Weyco 2600 line to Weyco 2658 line; N on Weyco 2658 line to Rayonier (Campbell Group) 430 line; N on Rayonier 430 line to the Rayonier Mainline 400 line; N and E on Rayonier Mainline 400 line to Rayonier 300 line; E on Rayonier 300 line to Rayonier 271 line; N on Rayonier 271 line to the Cispus River; E on the Cispus River to USFS

Rd 25; N on USFS Rd 25 to State Route (SR) 131; N on SR 131 to US 12; E on US 12 to the USFS Trail 2000 at White Pass and beginning.

GMU 520-WINSTON (Cowlitz, Lewis and Skamania counties):

Beginning at the bridge at intersection of Interstate Hwy (I)-5 and the Cowlitz River; S down the Cowlitz River to the Toutle River; E up the Toutle River to the South Fork Toutle River; SE up South Fork Toutle River to Johnson Creek; NE up Johnson Creek to Weyerhaeuser (Weyco) 4400 line; N along Weyco 4400 line to Weyco 2421 line; N along Weyco 2421 line to Weyco 2400 line; NW along Weyco 2400 line to Alder Creek; NW down Alder Creek to North Fork Toutle River; W down the North Fork Toutle River to the Green River; E up the Green River to US Forest Service (USFS) Rd 2612; E on USFS Rd 2612 to USFS Trail 217; N and W on USFS Trail 217 to Weyco 2600 line; W on Weyco 2600 line to Weyco 2658 line; N on Weyco 2658 line to Rayonier 430 line; N on Rayonier 430 line to Rayonier 400 Mainline; N and E on Rayonier 400 Mainline to Rayonier 100 Mainline; N on Rayonier 100 Mainline to Cowlitz River; W down the Cowlitz River to Riffe Lake; W along the south shore to the Swofford Pond outlet; W along the Swofford Pond outlet to Green Mountain Rd; W on Green Mountain Rd to Perkins Rd; SW on Perkins Rd to Longbell Rd; W on Longbell Rd to Winston Creek Rd; NW on Winston Creek Rd to US Hwy (US) 12; SW on US 12 to the Mayfield Lake bridge at Mayfield Lake; SW down the south shore of Mayfield Lake to the Cowlitz River at Mayfield Dam; SW down the Cowlitz River to I-5 bridge crossing the Cowlitz River and point of beginning.

GMU 522-LOO-WIT (Cowlitz and Skamania counties):

Beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek; SE up the North Fork Toutle River to Deer Creek; SE up Deer Creek to Weyerhaeuser (Weyco) 3020 line; NW along Weyco 3020 line to Weyco 3000 line; E along Weyco 3000 line to US Forest Service (USFS) Trail 216G; SE along USFS Trail 216G to USFS Trail 216; S on USFS Trail 216 to South Fork of the Toutle River; E along South Fork Toutle River to its headwaters and Mount St. Helens crater's southern edge; E along the Mt. St. Helens crater's southern edge to the headwaters of Ape Canyon Creek; ((NE)) SE down Ape Canyon Creek to USFS Trail 225 (Smith Creek Trail); N and NW on USFS Trail 225 to USFS Rd 99; NE along USFS Rd 99 to USFS Rd 26; N on USFS Rd 26 to USFS Trail 1 (Boundary Trail); W on USFS Trail 1 to USFS Trail 214 (Whittier Trail); N on USFS Trail 214 to USFS Trail 211 (Lakes Trail); W on USFS Trail 211 to USFS Trail 211, USFS Trail 230 (Coldwater Trail) junction; NE to Minnie Peak; W to the USFS property boundary in the SE 1/4 of Section 20, T10N, R5E; W and S on USFS property boundary to State Route 504 near the center of Section 35, T10N, R4E; W on SR 504 to Hoffstadt Creek Bridge on Hoffstadt Creek; S and W down Hoffstadt Creek to the North Fork Toutle River and point of beginning.

GMU 524-MARGARET (Cowlitz, Skamania and Lewis counties):

Beginning on the North Fork Toutle River at the mouth of the Green River; SE up the North Fork Toutle River to the mouth

of Hoffstadt Creek; N and E up Hoffstadt Creek to the State Route (SR) 504 bridge over Hoffstadt Creek; E on SR 504 to US Forest Service (USFS) property boundary near the center of Section 35, T10N, R4E; E and N on USFS property boundary to the USFS property boundary in the SE 1/4 of Section 20, T10N, R5E; E to Minnie Peak; SW to USFS Trail 211 (Lakes Trail) and USFS Trail 230 (Coldwater Trail) junction; E on USFS Trail 211 (Lakes Trail) to USFS Trail 214 (Whittier Trail); S on USFS Trail 214 to USFS Trail 1 (Boundary Trail); E on USFS Trail 1 to USFS Rd 26; N on USFS Rd 26 to USFS Rd 2612; W on USFS Rd 2612 to the Green River; W down the Green River to its mouth on the North Fork of the Toutle River and point of beginning.

GMU 530-RYDERWOOD (Cowlitz, Lewis and Wahkiakum counties):

Beginning at Stevens Rd and State Route (SR) 6, south of the town of Doty; E on SR 6 to Interstate Hwy (I)-5 at the town of Chehalis; S on I-5 to the Cowlitz River; S along the Cowlitz River to Public Hwy 10 on the A Street bridge at the town of Castle Rock; W on the Public Hwy 10 to Growler's Gulch Rd; W on Growler's Gulch Rd to Weyerhaeuser (Weyco) 9312 line; W on Weyco 9312 line to three power lines; S on the three power lines to Delameter Rd; SW on Delameter Rd to Woodside Dr; SW on Woodside Dr to International Paper (IP) 2200 line; N and W on IP 2200 line to IP 1050 line; W on IP 1050 line to IP 1000 line; S on IP 1000 line to the Germany Creek Rd; S on the Germany Creek Rd to SR 4; W on SR 4 to Germany Creek; S along Germany Creek to its mouth at the Columbia River; W along the Columbia River to Skamokawa Creek (including all islands in the Columbia River which are both north of the Washington state line and between Skamokawa Creek and Germany Creek); NE up Skamokawa Creek to SR 4; E on SR 4 to Risk Rd; SE on Risk Rd to Foster Rd; S on Foster Rd to the Elochoman River; SE up the Elochoman River to SR 407 (Elochoman Valley Rd); NE on SR 407 to Weyco 500 line at Camp 2; NW on Weyco 500 line to Weyco 1800 line; N on Weyco 1800 line to Weyco 1000 line; N on Weyco 1000 line to Muller Rd; N on Muller Rd to 3rd St South in the town of Pe Ell; N on 3rd St South to SR 6 at the town of Pe Ell; N on SR 6 to Stevens Rd, south of the town of Doty, and the point of beginning.

GMU 550-COWEEMAN (Cowlitz County):

Beginning at the mouth of the Toutle River on the Cowlitz River; E along the Toutle River to the South Fork Toutle River; up the South Fork Toutle River to Weyerhaeuser (Weyco) 4100 line; E on Weyco 4100 line to Weyco 4950 line; S and E on Weyco 4950 line to Weyco 235 line; SE on Weyco 235 line to Weyco 200 line; W on Weyco 200 line to Weyco 240 line; SE on Weyco 240 line to Weyco 243 line; E on Weyco 243 line to Weyco 135A line; S on Weyco 135A line to Weyco 135 line; E on Weyco 135 line to Weyco 134 line; SW on Weyco 134 line to Weyco 133 line; SW on Weyco 133 line to Weyco 130 line; SW on Weyco 130 line to Weyco 1680 line; W on Weyco 1680 line to Weyco 1600 line; SE on Weyco 1600 line to Weyco 1400 line; W on Weyco 1400 line to Weyco 1420 line which is the Kalama/Coweeman Summit; SE on Weyco 1420 line to Weyco 1426 line; W on Weyco 1426 line to Weyco 1428

line; SW on Weyco 1428 line to Weyco 1429 line which turns into Weyco 6400 line; SW down Weyco 6400 line to Weyco 6000 line; E on Weyco 6000 line to Weyco 6450 line; SE for approximately one mile on Weyco 6450 line (crossing the Kalama River) to Weyco 6452 line; SE on Weyco 6452 line to Dubois Rd; SE on Dubois Rd to State Route (SR) 503; W on SR 503 to Cape Horn Creek; SE down Cape Horn Creek to Merwin Reservoir; SW along the north shore of Merwin Reservoir to the Lewis River; SW down the Lewis River to the power transmission lines in Section 4, T5N, R2E; NW along the power transmission lines to Northwest Natural Gas Pipeline located east of the town of Kalama, approximately 1/2 mile east of China Gardens Rd; N up the Natural Gas Pipeline right of way to Ostrander Creek; W down Ostrander Creek to the Cowlitz River; N on the Cowlitz River to the Toutle River and point of beginning.

GMU 554-YALE (Cowlitz and Clark counties):

Beginning on State Route (SR) 503 at its crossing of Cape Horn Creek; E on SR 503 to Weyerhaeuser (Weyco) 6600 line (Rock Creek Rd); NE on Weyco 6600 line to Weyco 6690 Rd; N and E on Weyco 6690 line to West Fork Speelyai Creek; SE down West Fork Speelyai Creek to the main stem of the Speelyai Creek; SW and SE down Speelyai Creek to SR 503; NE on SR 503 to Dog Creek; S down Dog Creek to Yale Reservoir; S and W along western shore of Reservoir to Yale Dam and the North Fork Lewis River; W along the northern shore of the North Fork Lewis River to SR 503 bridge crossing; S and W along SR 503 to NE 221st Ave; N about 1/4 mile on NE 221st Ave to NE Cedar Creek Rd; W along NE Cedar Creek Rd to NE Pup Creek Rd; N on NE Pup Creek Rd to NE Buncombe Hollow Rd; N about 1/4 mile on NE Buncombe Hollow Rd to power transmission line; S and W on the power transmission line to the north shore of the North Fork Lewis River; NE along the north shore of the North Fork Lewis River to Merwin Reservoir at the Merwin Dam; NE along the north shore of Merwin Reservoir to Cape Horn Creek; NW up Cape Horn Creek to SR 503 and the point of beginning.

GMU 556-TOUTLE (Cowlitz County):

Beginning on the intersection of State Route (SR) 503 (Lewis River Rd) and US Forest Service (USFS) Rd 81 (Merrill Lake Rd); N on USFS Rd 81 to Weyerhaeuser (Weyco) 7200 line; NW on Weyco 7200 line to Weyco 7400 line; N on Weyco 7400 line to Weyco 5500 line; E and N on Weyco 5500 line to Weyco 5670 line; N and E on Weyco 5670 line to Weyco 5660 line; N on Weyco 5660 line about a 1/4 mile to the South Fork Toutle River; E on the South Fork Toutle River to USFS Trail 216; N on USFS Trail 216 to USFS Trail 216G; NW on USFS Trail 216G to Weyco 3000 line; W on Weyco 3000 line to Weyco 3020 line; SE on Weyco 3020 line to Deer Creek; NW down Deer Creek to the North Fork Toutle River; down the North Fork Toutle River to Alder Creek; up Alder Creek to Weyco 2400 line; S on Weyco 2400 line to Weyco 2421 line; S on Weyco 2421 line to Weyco 4400 line; S and W along Weyco 4400 line to Johnson Creek; S along Johnson Creek to the South Fork Toutle River; SE up the South Fork Toutle River to Weyco 4100 line; E on Weyco 4100 line to the Weyco 4950 line; S and E on Weyco 4950 line to Weyco 235 line; SE on Weyco 235 line to Weyco 200

line; W on Weyco 200 line to Weyco 240 line; SE on Weyco 240 line to Weyco 243 line; E on Weyco 243 line to Weyco 135A line; S on Weyco 135A line to Weyco 135 line; E on Weyco 135 line to Weyco 134 line; SW on Weyco 134 line to Weyco 133 line; SW on Weyco 133 line to Weyco 130 line; SW on Weyco 130 line to Weyco 1680 line; W on Weyco 1680 line to Weyco 1600 line; SE on Weyco 1600 line to Weyco 1400 line; W on Weyco 1400 line to Weyco 1420 line which is the Kalama/Coweeman Summit; SE on Weyco 1420 line to Weyco 1426 line; W on Weyco 1426 line to Weyco 1428 line; SW on Weyco 1428 line to Weyco 1429 line; SW on Weyco 1429 line to Weyco 6400 line; SW on Weyco 6400 line to Weyco 6000 line; E on Weyco 6000 line to Weyco 6450 line; SE for approximately one mile on Weyco 6450 line (crossing the Kalama River) to Weyco 6452 line; SE on Weyco 6452 line to Dubois Rd; SE on Dubois Rd to SR 503; E on SR 503 to Weyco 6600 line (Rock Creek Rd); NE on Weyco 6600 line to Weyco 6690 line; N and E on Weyco 6690 line to West Fork Speelyai Creek; SE down West Fork Speelyai Creek to the main stem of Speelyai Creek; SW and SE down Speelyai Creek to SR 503; NE on SR 503 to USFS Rd 81 and point of beginning.

GMU 560-LEWIS RIVER (Cowlitz, Skamania, Klickitat, Yakima, and Lewis counties):

Beginning on State Route (SR) 141 and Mount Adams Recreational Area Rd at the town of Trout Lake; N on the Mount Adams Recreational Area Rd to US Forest Service (USFS) Rd 82 (Mount Adams Recreational Area Rd); N on USFS Road 82 to Yakama Indian Reservation boundary (Section 16, T7N, R11E); N along the Yakama Indian reservation boundary (Cascade Mountain Range Crest) to USFS Trail 2000 (Pacific Crest National Scenic Trail) in Section 3, T11N, R11E; S on USFS Trail 2000 to USFS Trail 98 at Sheep Lake; W on USFS Trail 98 to USFS Rd 2160 at Walupt Lake; W on USFS Rd 2160 to USFS Rd 21; S and W on USFS Rd 21 to USFS Rd 23; S on USFS Rd 23 to USFS Trail 263; S and W on USFS Trail 263 to USFS Trail 261; S on USFS Trail 261 to USFS Trail 1; W on USFS Trail 1 to USFS Rd 99; S and W on USFS Rd 99 to USFS Trail 225 (Smith Creek Trail); S on USFS Trail 225 to Ape Canyon Creek; ((S)) N and W up Ape Canyon Creek to Mt. St. Helens crater's eastern edge; W along Mt. St. Helens crater's southern edge to headwaters of S Fork Toutle River; W along S Fork Toutle River to Weyerhaeuser (Weyco) 5660 line; S along Weyco 5660 line to Weyco 5670 line; S and W on Weyco 5670 line to Weyco 5500 line; S and W on Weyco 5500 line to Weyco 7400 line; S and E on Weyco 7400 line to Weyco 7200 line; S and E on Weyco 7200 line to USFS Rd 81; S on USFS Rd 81 to SR 503; N and E on SR 503 to Dog Creek; S down Dog Creek to the N shore of Yale Reservoir; E along N shore of Yale Reservoir to N Fork Lewis River; E up the Lewis River to Swift Dam and Swift Reservoir; E along the N shore of Swift Reservoir to N Fork Lewis River; E up N Fork Lewis River to USFS Rd 90 Bridge (Eagle Cliff); E on USFS Rd 90 to USFS Rd 51 (Curly Creek Rd); SE on USFS Rd 51 to USFS Rd 30; NE on USFS Rd 30 to USFS Rd 24; SE on USFS Rd 24 to SR 141; NE on SR 141 to Mount Adams Recreational Area Rd, at the town of Trout Lake and point of beginning.

GMU 564-BATTLE GROUND (Clark, Skamania, and Cowlitz counties):

Beginning at the mouth of Ostrander Creek on the Cowlitz River; E up Ostrander Creek approximately 1 1/2 miles to the second Northwest Natural Gas Pipeline right of way crossing Ostrander Creek, east of the railroad crossing; S along the Northwest Natural Gas Pipeline right of way to the power transmission lines right of way located east of the town of Kalama, approximately 1/2 mile east of China Garden Rd; SE along the power transmission lines right of way across the north fork of the Lewis River in the northeast corner of Section 4, T5N, R2E to NE Buncombe Hollow Rd; S on NE Buncombe Hollow Rd to NE Pup Creek Rd; S on NE Pup Creek Rd to NE Cedar Creek Rd; E on NE Cedar Creek Rd to NE 221st Ave; S along NE 221st Ave to SR 503, to NE Amboy Rd; S on NE Amboy Rd to W Yacolt Rd; E on W Yacolt Rd to N Railroad Ave; SE on N Railroad Ave, which becomes S Railroad Ave; SE on S Railroad Ave which becomes NE Railroad Ave; SE on NE Railroad Ave to Lucia Falls Rd; W on Lucia Falls Rd to Hantwick Rd; SE on Hantwick Rd to Basket Flats Rd; W on Basket Flats Rd to NE 197th Ave; S on NE 197th Ave to NE 279th St; W on NE 279th St to NE 182nd Ave; S on NE 182nd Ave to NE 259th St; E on NE 259th St to NE 220th Ave; S on NE 220th Ave which turns into NE Cresap Rd; SE on NE Cresap Rd which turns into NE 222nd Ave; S on NE 222nd Ave to NE Allworth Rd; E on NE Allworth Rd to NE 232nd Ave; S on NE 232nd Ave to NE 237th St; E on NE 237th St which turns into NE 240th Ave; S on NE 240th Ave to NE Berry Rd; NE on NE Berry Rd to the DNR L-1410 Rd; SE on DNR L-1410 Rd to the DNR L-1400 Rd; W on DNR L-1400 Rd which turns into NE Rawson Rd; W on NE Rawson Rd to NE Powell Rd; SW on NE Powell Rd to NE 212th Ave; S on NE 212th Ave to NE 109th St; E on NE 109th St to NE 222nd Ave; S on NE 222nd Ave to NE 83rd St; W on NE 83rd St to NE 217th Ave; S on NE 217th Ave to NE 68th St; E on NE 68th St to NE 232nd Ave; S on NE 232nd Ave to NE 54th St; E on NE 54th St to NE 237th Ave; S on NE 237th Ave to NE 53rd St; E on NE 53rd St which turns into NE Bradford Rd then back into NE 53rd St to NE 292nd Ave; S on NE 292nd Ave to NE Ireland Rd; E on NE Ireland Rd to NE Stauffer Rd; E then SW on NE Stauffer Rd to NE 292nd Ave; S on NE 292nd Ave which turns into NE Reilly Rd; SW on NE Reilly Rd to NE Blair Rd; SE on NE Blair Rd to NE Zeek Rd; E on NE Zeek Rd which turns into NE 10th St; E on NE 10th St which turns into NE 312th Ave; S on NE 312th Ave to NE 9th St; E on NE 9th St to NE 322nd Ave; N on NE 322nd Ave which turns into NE Ammeter Rd; NE on NE Ammeter Rd approximately 1/8 mile to the power transmission lines; E along the northern margin of the power transmission lines to NE Hughes Rd; N on NE Hughes Rd which turns into NE 392nd Ave; N on NE 392nd Ave to NE 28th St; E on NE 28th St to NE Miller Rd; NE on NE Miller Rd which turns into NE 39th St; E on NE 39th St to Skye Rd; SE on Skye Rd to Washougal River Rd; S on Washougal River Rd to Canyon Creek Rd; SE on Canyon Creek Rd to Salmon Falls Rd; S on Salmon Falls Rd to State Route (SR) 14; E on SR 14 to Cape Horn Rd; S on Cape Horn Rd to Columbia River; W down the Columbia River to the Cowlitz River (including all islands in the Columbia River which are both on the Washington side of the state line

and between Cape Horn Rd and the Cowlitz River); N along Cowlitz River to Ostrander Creek and point of beginning.

GMU 568-WASHOUGAL (Clark and Skamania counties):

Beginning on the Lewis River at State Route (SR) 503; E on Lewis River (Cowlitz-Clark County line) to Canyon Creek; SE up Canyon Creek to NE Healy Rd; E on NE Healy Rd to US Forest Service (USFS) Rd 54; E on USFS Rd 54 to USFS Rd 53; S on USFS Rd 53 to USFS Rd 4205 (Gumboot Rd); S on USFS Rd 4205 to USFS Rd 42 (Green Fork Rd); SW on USFS Rd 42 to USFS Rd 41 at Sunset Falls; E on USFS Rd 41 to Hemlock Rd; E on Hemlock Rd to the Hemlock Rd bridge over the Wind River; SE down the Wind River to the Columbia River; W down the Columbia River to the Cape Horn Rd (including all islands in the Columbia River which are both on the Washington side of the state line and between Cape Horn Rd and the Wind River); N on Cape Horn Rd to SR 14; W on SR 14 to Salmon Falls Rd; N on Salmon Falls Rd to Canyon Creek Rd; NW on Canyon Creek Rd to Washougal River Rd; E on Washougal River Rd to Skye Rd; NW on Skye Rd to NE 39th St; W on NE 39th St which turns into NE Miller Rd; SW on NE Miller Rd to NE 28th St; W on NE 28th St to NE 392nd Ave; S on NE 392nd Ave which turns into NE Hughes Rd; S on NE Hughes Rd approximately 1/8 mile to the power transmission lines; W along the northern margin of the power transmission lines to NE Ammeter Rd; SW on NE Ammeter Rd which turns into NE 322nd Ave; S on NE 322nd Ave to NE 9th St; W on NE 9th St to NE 312th Ave; N on NE 312th Ave which turns into NE 10th St; W on NE 10th St which turns into NE Zeek Rd; W on NE Zeek Rd to NE Blair Rd; NW on NE Blair Rd to NE Reilly Rd; NE on NE Reilly Rd which turns into NE 292nd Ave; E on NE 292nd Ave to NE Stauffer Rd; NE then NW on NE Stauffer Rd to NE Ireland Rd; W on NE Ireland Rd to NE 292nd Ave; N on NE 292nd Ave to NE 53rd St; W on NE 53rd St which turns into NE Bradford Rd then turns into NE 53rd St again to NE 237th Ave; N on 237th Ave to NE 232nd Ave; N on NE 232nd Ave to NE 68th St; W on NE 68th St to NE 217th Ave; N on NE 217th Ave to NE 83rd St; E on NE 83rd St to NE 222nd Ave; N on NE 222nd Ave to NE 109th St; W on NE 109th St to NE 212th Ave; N on NE 212th Ave to NE Powell Rd; NE on NE Powell Rd to NE Rawson Rd; E on Rawson Rd to DNR L-1400 Rd; E on DNR L-1400 Rd to DNR L-1410 Rd; NW on DNR L-1410 Rd to NE Berry Rd; W then SW on NE Berry Rd to NE 240th Ave; N on NE 240th Ave which turns into NE 237th St; W on NE 237th St to NE 232nd Ave; N on NE 232nd Ave to NE Allworth Rd; W on NE Allworth Rd to NE 222nd Ave; N on NE 222nd Ave which turns into NE Cresap Rd which turns into NE 220th Ave to NE 259th St; W on NE 259th St to NE 182nd Ave; N on NE 182nd Ave to NE 279th St; E on NE 279th St to NE 197th Ave; N on NE 197th Ave to NE Basket Flats Rd; E on NE Basket Flats Rd to NE Hantwick Rd; N then NW on NE Hantwick Rd to Lucia Falls Rd; E on Lucia Falls Rd to NE Railroad Ave; NW on NE Railroad Ave, which turns into S Railroad Ave then N Railroad Ave in the town of Yacolt, to W Yacolt Rd; W on W Yacolt Rd to NE Amboy Rd; N on NE Amboy Rd to NE 221st Ave; N on 221st Ave to SR 503; NE along SR 503 to the Lewis River and point of beginning.

GMU 572-SIOUXON (Skamania and Clark counties):

Beginning at the Yale Dam at Yale Lake; N then E along the shore of Yale Lake to the Lewis River; NE along the Lewis River to Swift Reservoir; E along the north shore Swift Reservoir to US Forest Service (USFS) Rd 90 at the Eagle Cliff bridge; E on USFS Rd 90 to USFS Rd 51 (Curly Creek Rd); SE on USFS Rd 51 to USFS Rd 30 (Wind River Rd); N on USFS Rd 30 to USFS Rd 24 (Twin Butte Rd); S on USFS Rd 24 to USFS Rd 60 (Carson Guler Rd); SW on USFS Rd 60 to USFS Rd 65; SW on USFS Rd 65 to USFS Rd 6517 (Warren Gap Rd); W on USFS Rd 6517 to the Wind River Rd; S on the Wind River Rd to Hemlock Rd at the town of Stabler; W on Hemlock Rd to USFS Rd 41 (Sunset-Hemlock Rd); W on the USFS Rd 41 to USFS Road 42 (Green Fork Rd) at Sunset Falls; NE on USFS Rd 42 to USFS Rd 4205 (Gumboot Rd); N on USFS Rd 4205 to USFS Rd 53; NW on USFS Rd 53 to USFS Rd 54 (NE Healy Rd); W on USFS Rd 54 to Canyon Creek; N down Canyon Creek to the Lewis River; NE up the Lewis River to the Yale Dam and the point of beginning.

GMU 574-WIND RIVER (Skamania and Klickitat counties):

Beginning at the town of Trout Lake; S on State Route (SR) 141 to the SR 141 bridge over the White Salmon River Bridge at Husum; S on the White Salmon River to the Columbia River; W down the Columbia River to the mouth of Wind River (including all islands in the Columbia River that are both north of the Washington state line and between the White Salmon River and Wind River); NW up the Wind River to the Hemlock Rd bridge; E on Hemlock Rd to Wind River Rd; N on Wind River Rd to US Forest Service (USFS) Rd 6517 (Warren Gap Rd); E on USFS Rd 6517 to USFS Rd 65 (Panther Creek Rd); N on USFS Rd 65 to USFS Rd 60; NE on USFS Rd 60 to USFS Rd 24 (also called Carson-Gular Rd); E on USFS Rd 24 to SR 141; NE on SR 141 to the town of Trout Lake and the point of beginning.

GMU 578-WEST KLICKITAT (Klickitat and Yakima counties):

Beginning at the mouth of the White Salmon River on the Columbia River; N up the White Salmon River to the State Route (SR) 141 bridge over the White Salmon River at Husum; N on SR 141 to Mount Adams Recreation Area Road, at the town of Trout Lake; N on the Mount Adams Recreational Area Rd to US Forest Service (USFS) Rd 82 (Mount Adams Recreational Area Rd); N on USFS Rd 82 to Yakama Indian Reservation boundary (Section 16, T7N, R11E); S along the Yakama Indian Reservation boundary to the Reservation's SW corner at King Mountain (Section 27, T7N, R11E); E along the Yakama Indian Reservation boundary to the end of King Mountain Rd, about 1 mile; N along the Yakama Indian Reservation boundary to its corner in Section 2, T7N, R11E; E along the Yakama Indian Reservation boundary to the NE corner of Section 4, T7N, R12E; SE along the Yakama Indian Reservation boundary to the Klickitat River; S and SW down the Klickitat River to the Columbia River; W down the Columbia River to the mouth of the White Salmon River and the point of beginning (including all islands in the Columbia River which are both north of the Washington state line and between the Klickitat River and the White Salmon River).

AMENDATORY SECTION (Amending WSR 17-17-088, filed 8/17/17, effective 9/17/17)

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.**AUCTION PERMITS**

- (1) BLACK-TAILED DEER AUCTION PERMIT
 - (a) Season dates: September 1 - December 31
 - (b) Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to black-tailed deer hunting by the fish and wildlife commission.
 - (c) Weapon type: Any legal weapon.
 - (d) Bag limit: One additional any buck black-tailed deer.
 - (e) Number of permit hunters selected: 1
- (2) MULE DEER AUCTION PERMIT
 - (a) Season dates: September 1 - December 31
 - (b) Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.
 - (c) Weapon type: Any legal weapon.
 - (d) Bag limit: One additional any buck mule deer.
 - (e) Number of permit hunters selected: 1
- (3) WHITE-TAILED DEER AUCTION PERMIT
 - (a) Season dates: September 1 - December 31
 - (b) Hunt Area: Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.
 - (c) Weapon type: Any legal weapon.
 - (d) Bag limit: One additional any buck white-tailed deer.
 - (e) Number of permit hunters selected: 1
- (4) THREE-DEER AUCTION PERMIT
 - (a) Bag limit: One additional any buck black-tailed deer, one additional any buck mule deer, and one additional any buck white-tailed deer; total harvest not to exceed three animals.
 - (b) Hunt Area: For black-tailed deer, those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission. For mule deer, those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission. For white-tailed deer, those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.
 - (c) Season dates: September 1 - December 31
 - (d) Weapon: Any legal weapon.
 - (e) Number of permit hunters selected: 1
- (5) WESTSIDE ELK AUCTION PERMIT
 - (a) Season dates: September 1 - December 31
 - (b) Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not opened to bull elk hunting by the fish and wildlife commission.
 - (c) Weapon type: Any legal weapon.
 - (d) Bag limit: One additional any bull elk.
 - (e) Number of permit hunters selected: 1
- (6) EASTSIDE ELK AUCTION PERMIT
 - (a) Season dates: September 1 - December 31
 - (b) Hunt Area: Eastern Washington EXCEPT GMUs 157, 334, and those GMUs closed to elk hunting, and those GMUs

not opened to bull elk hunting by the fish and wildlife commission.

(c) Weapon type: Any legal weapon.

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

(e) Number of permit hunters selected: 1

(7) CALIFORNIA BIGHORN SHEEP AUCTION PERMIT

(a) Season dates: September 1 - December 31

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

(c) Weapon: Any legal weapon.

(d) Bag limit: One California bighorn ram.

(e) Number of permit hunters selected: 1

(8) MOOSE AUCTION PERMIT

(a) Season dates: September 1 - December 31

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

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 1

(9) MOUNTAIN GOAT AUCTION PERMIT

(a) Season dates: September 1 - December 31

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

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 1

RAFFLE PERMITS

(10) BLACK-TAILED DEER RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission.

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 1

(11) MULE DEER RAFFLE PERMIT

(a) Season dates: September 1 - December 31

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

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 1

(12) WHITE-TAILED DEER RAFFLE PERMIT

(a) Season dates: September 1 - December 31

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

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 1

(13) WESTSIDE ELK RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not open to bull elk hunting by the fish and wildlife commission.

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 1

(14) EASTSIDE ELK RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Eastern Washington EXCEPT GMUs 157, 334, and those GMUs closed to elk hunting, and those GMUs not opened to bull elk hunting by the fish and wildlife commission.

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 1

(15) CALIFORNIA BIGHORN SHEEP RAFFLE PERMIT

(a) Season dates: September 1 - December 31

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

(c) Weapon: Any legal weapon.

(d) Bag limit: One California bighorn ram.

(e) Number of permit hunters selected: 1

(16) MOOSE RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: (~~Any open moose unit~~) GMUs 101 through 121, 204.

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 2

(17) MOUNTAIN GOAT RAFFLE PERMIT

(a) Season dates: September 1 - December 31

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

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 1

(18) TURKEY RAFFLE PERMIT

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

(b) Hunt Area: Statewide.

(c) Weapon: Archery or shotgun only.

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

(e) Number of permit hunters selected: 1

(19) ROCKY MOUNTAIN BIGHORN SHEEP RAFFLE PERMIT

(a) Bag limit: One Rocky Mountain bighorn ram.

(b) Hunt Area: GMUs 113, ~~((172))~~ 169.

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(20) THREE-DEER RAFFLE PERMIT

(a) Bag limit: One additional any buck black-tailed deer, one additional any buck mule deer, and one additional any buck white-tailed deer; total harvest not to exceed three animals.

(b) Hunt Area: For black-tailed deer, those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission. For mule deer, those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission. For white-tailed deer, those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(21) NORTHEAST WASHINGTON BIG GAME RAFFLE PERMIT

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

(b) Hunt Area: GMUs 101-124.

(c) Season dates:

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

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

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

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

(e) Number of permit hunters selected: 1

(22) SOUTH-CENTRAL WASHINGTON BIG GAME RAFFLE PERMIT

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

(b) Hunt Area: For elk, any 300 or 500 series GMU EXCEPT GMU 334 and those GMUs closed to elk hunting and those GMUs not open to bull elk hunting by the fish and wildlife commission. For deer, any 300 or 500 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For California bighorn sheep, the director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1. ~~((For bighorn sheep, any bighorn herd located south of U.S. Highway 2 in Chelan County and~~~~west of the Columbia River in Kittitas and Yakima counties.))~~

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(23) SOUTHEAST WASHINGTON BIG GAME RAFFLE PERMIT

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

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

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

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(24) NORTH-CENTRAL WASHINGTON BIG GAME RAFFLE PERMIT

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

(b) Hunt Area: For white-tailed deer, mule deer, cougar, and black bear, any 200 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For California bighorn sheep, the director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1 ~~((in Okanogan or Chelan counties north of US Highway 2)).~~

(c) Season dates:

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

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

(iii) September 1 - March 31 for cougar.

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

SPECIAL INCENTIVE PERMITS

(25) WESTERN WASHINGTON ELK INCENTIVE PERMITS

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

(b) Season dates: September 1 - December 31

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

(d) Bag limit: One additional elk.

(e) Number of permit hunters selected: 2

(26) EASTERN WASHINGTON ELK INCENTIVE PERMITS

(a) Hunt Area: Eastern Washington EXCEPT GMUs 157, 334, and those GMUs closed to elk hunting or closed to bull elk hunting by the fish and wildlife commission.

(b) Season dates: September 1 - December 31

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

(d) Bag limit: One additional elk.

(e) Number of permit hunters selected: 2

(27) DEER INCENTIVE PERMITS

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

(b) Season dates: September 1 - December 31

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

(d) Bag limit: One additional any deer.

(e) Number of permit hunters selected: 5

PERMIT ISSUANCE PROCEDURE

(28) Auction permits: The director will select a conservation organization(s) to conduct annual auction(s). Selection of the conservation organizations will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey auctions shall be conducted consistent with WAC 220-412-060.

(29) Raffle permits: Raffle permits will be issued to individuals selected through a Washington department of fish and wildlife drawing or the director may select a conservation organization(s) to conduct annual raffles. Selection of a conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey raffles shall be conducted consistent with WAC 220-412-040.

(30) Special incentive permits: Hunters will be entered into a drawing for special deer and elk incentive permits for prompt reporting of hunting activity in compliance with WAC 220-413-100.

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

QUALIFICATIONS FOR PARTICIPATION AND REQUIREMENTS:

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

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

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

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

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

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

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

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

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-412-080 Special hunting season permits.

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

~~((1-))~~ (1) Deer, elk, cougar, or black bear special hunting season permit applications:

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

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

~~((2-))~~ (2) Mountain goat, moose, and bighorn sheep special hunting season permit applications:

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

~~((B-))~~ (b) Applicants for all mountain goat, moose, and/or bighorn sheep special hunting season permits must have either successfully completed hunter education prior to submitting an application, or have a birth date prior to January 1, 1972.

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

~~((3-))~~ (3) Wild turkey special hunting season permit applications:

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

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

~~((4-))~~ (4) Special hunting season permit applications:

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

~~((i-))~~ (i) Maximum group size for deer categories is 8.

~~((ii-))~~ (ii) Maximum group size for elk categories is 8.

~~((iii-))~~ (iii) Maximum group size for bear categories is 2.

~~((iv-))~~ (iv) Maximum group size for cougar categories is

2.

~~((v-))~~ (v) Maximum group size for mountain goat categories is 2.

~~((vi-))~~ (vi) Maximum group size for bighorn sheep categories is 2.

~~((vii-))~~ (vii) Maximum group size for fall turkey categories is 4.

~~((viii-))~~ (viii) Maximum group size for moose categories is 2.

~~((ix-))~~ (ix) Maximum group size for multiple season deer is 2.

~~((x-))~~ (x) Maximum group size for multiple season elk is 2.

~~((B-))~~ (b) An applicant may purchase only one application for a special hunting season permit for each category.

~~((C-))~~ (c) Permit applications will allow four choices for all categories except the quality category for deer and elk will allow two choices.

~~((D-))~~ (d) Permits will be drawn by computer selection using a weighted point selection system.

~~((i-))~~ (i) Applicants will receive one point for each application category purchased.

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

~~((iii-))~~ (iii) An applicant's accumulated point totals, immediately prior to sales of the 2010 permit applications, will be replicated across all categories for that species. The point replication will only occur in 2010, during the transition from single species categories to multiple categories of the same species. Applicants for any new category added in the future will begin with the point awarded at the time of the initial application purchase.

~~((E-))~~ (iv) Applicants for the "any antlered bull moose" category (established in 2018) will be credited with any points previously accumulated under the "any moose" category.

(e) Incomplete, ineligible, or inaccurate applications will not be accepted or entered into the drawing.

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

~~((G-))~~ (g) The purchase of an application will result in one accrued point for the category purchased.

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

~~((I-))~~ (i) Anyone may apply for a special hunting season permit for deer, elk, bear, cougar, and wild turkey.

~~((S-))~~ (5) In addition to requirements for special hunting season permit applications, following are application requirements for:

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

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

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

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

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

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

~~((B-))~~ (b) Selection of bonus points is in lieu of application for a cash award.

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-412-100 Landowner hunting permits. (1)

A landowner may enter into a contract with the department and establish boundaries and other requirements for hunter access consistent with commission policy.

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

(3)(a) Buckrun

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

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

(ii) Deer Seasons:

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

(c) Buckrun special hunting permits

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

(ii) Deer Seasons:

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

(4)(a) Silver Dollar Association

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

(b) Silver Dollar Association landowner hunting permits

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

(ii) Elk Seasons:

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

(c) Silver Dollar Association special hunting permits

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

(ii) Elk Seasons:

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

(5)(a) Blackrock Ranches

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

(b) Blackrock Ranches landowner hunting permits

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

(ii) **Elk Seasons:**

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

(c) **Blackrock Ranches special hunting permits**

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

(ii) **Elk Seasons:**

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

(6)(a) **Pine Mountain Ranch**

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

(b) **Pine Mountain Ranch landowner hunting permits**

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

(ii) **Deer Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	3	Nov. 5 - Dec. 31	Any Buck	Pine Mountain Ranch

(iii) **Elk Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Aug. 1 - Dec. 31	Any Bull	Pine Mountain Ranch
Pine Mountain Ranch	2	Aug. 1 - ((Nov. 5)) <u>Dec. 1</u>	Antlerless	Pine Mountain Ranch

(c) **Pine Mountain Ranch special hunting permits**

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

(ii) **Deer Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	3	Nov. ((6)) <u>5</u> - Dec. 31	Youth Only, Any Buck	Pine Mountain Ranch

(iii) **Elk Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Aug. 1 - Dec. 31	Youth Only, Any Bull	Pine Mountain Ranch
Pine Mountain Ranch	2	Aug. 1 - (Nov. 5) <u>Dec. 1</u>	Antlerless	Pine Mountain Ranch

(7)(a) (~~Bennett Lumber LHP~~)

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

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

~~(b) Bennett Lumber landowner hunting permits~~

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

~~(ii) Deer Seasons:~~

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

~~(iii) Elk Seasons:~~

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

(8)(a) **ZMI Ranch**

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

~~(b) ZMI Ranch landowner hunting permits~~

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

~~(ii) Deer Seasons:~~

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
ZMI A	3	Oct. 25-29	3 pt. min	ZMI
ZMI B	3	Nov. 14-30	3 pt. min	ZMI

~~(c) ZMI Ranch special hunting permits~~

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

~~(ii) Deer Seasons:~~

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
ZMI C	2	Nov. 1-5	3 pt. min	ZMI
ZMI D	6	Dec. 2-10	Antlerless	ZMI

~~(9)(a))~~ **Columbia Plateau Wildlife Management Association**

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

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

(b) Columbia Plateau Wildlife Management Association landowner hunting permits

(i) CPWMA's manager will distribute the association's landowner hunting permits. CPWMA will not charge an access fee for raffle permit winners. Only hunters possessing an elk tag are eligible for permits on CPWMA's properties. All successfully drawn permit applicants must have written authorization from CPWMA's manager and must check in and out with CPWMA's designee at the beginning and ending of the scheduled hunting dates. Successful applicants will receive a packet of information with forms to complete and a map showing the hunt area. These applicants must complete the forms and return them before September 30. Applicants should see CPWMA's web site at www.cpwma.org or contact the hunt manager at 509-263-4616. Holders of landowner permits selected through raffle, including ~~((43))~~ 2 antlerless elk and 2 any elk permits, are eligible to purchase second elk tags that may only be used on lands included in the CPWMA LHP.

(ii) Elk Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA	((2)) 1	Jan. 1 - Mar. 31	Antlerless	CPWMA
<u>CPWMA</u>	<u>1</u>	<u>Jan. 1 - Mar. 31</u>	<u>Any Bull</u>	<u>CPWMA</u>
CPWMA Raffle 1	((4)) 3	Jan. 1-31	Antlerless	CPWMA
CPWMA Raffle 2	((4)) 3	Feb. 1-28	Antlerless	CPWMA
CPWMA Raffle 3	((5)) 3	Mar. 1-31	Antlerless	CPWMA
CPWMA Raffle 4	2	((Jan. 1-31)) <u>Jan. 1 - Mar. 31</u>	Any ((elk)) <u>Bull</u>	CPWMA

(c) Columbia Plateau Wildlife Management Association special hunting permits

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

(ii) Elk Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
((CPWMA 1	5	Jan. 1-31	Antlerless	CPWMA
CPWMA 2	5	Feb. 1-28	Antlerless	CPWMA
CPWMA 3	5	Mar. 1-31	Antlerless	CPWMA))
CPWMA ((4)) 1	1	((Jan. 1-31)) <u>Jan. 1 - Mar. 31</u>	Any ((elk)) <u>Bull</u>	CPWMA

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-413-030 Importation and retention of dead nonresident wildlife. (1) It is unlawful:

(a) To import or possess dead wildlife, taken in another state or country, into Washington unless such wildlife was acquired lawfully. Proof of legal acquisition must be retained during the period of retention of the carcass or edible parts.

(b) For a person who imports a dead bighorn sheep, mountain goat, cougar or bear to fail to report such importation to the department in writing within ten days of the importation. The report must contain the name and address of the importer, the location where the dead wildlife is being stored,

and general information describing where and how the wildlife was obtained.

(c) To import or possess deer, elk, or moose, or parts thereof, harvested in Pennsylvania, Texas, Missouri, Colorado, Wyoming, Utah, New Mexico, Wisconsin, Illinois, South Dakota, Nebraska, Kansas, New York, West Virginia, Virginia, North Dakota, Alberta, Maryland, Minnesota, Montana, Mississippi, Iowa, Arkansas, Michigan, and Saskatchewan, with the following exceptions:

(i) Meat that has been deboned in the state or province where it was harvested and is imported as boned-out meat;

(ii) Skulls and antlers, antlers attached to the skull plate, or upper canine teeth (buglers, whistlers, ivories) from which all soft tissue has been removed;

(iii) Hides or capes without heads attached;

(iv) Tissue imported for use by a diagnostic or research laboratory; and

(v) Finished taxidermy mounts.

(2) Violation of subsection (1) of this section is punishable under RCW 77.15.290 Unlawful transportation of fish or wildlife—Penalty.

(3) It is unlawful for an importer or receiver of deer or elk to fail to notify the department within twenty-four hours if a state or province alerts the importer or receiver that a harvested animal has tested positive for chronic wasting disease. Violation of this subsection is an infraction punishable under RCW 77.15.160 Infractions.

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-413-070 Hunting with aid of aircraft, boats or other vehicles. (1) It is unlawful to use aircraft, including unmanned aircraft, to spot, locate or report the location of wildlife for the purpose of hunting; except as authorized by a permit issued by the director.

(2) It is unlawful to hunt wildlife from a vehicle, aircraft, including unmanned aircraft, except as authorized by a permit issued by the director, or from a boat propelled by motor unless the motor of such boat has been completely shut off and its progress has ceased.

(3) It is unlawful to use a vehicle, aircraft, unmanned aircraft, or motor-propelled boat for the purpose of pursuing, concentrating, or harassing any wild animal or wild bird, except as authorized by the department to aid in addressing wildlife conflict.

(4) It is unlawful to hunt big game on the day one was airborne in an aircraft, except on a regularly scheduled commercial airline flight.

(5) It is unlawful to hunt game animals, game birds, or migratory birds on the day one has operated an unmanned aircraft.

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-413-100 Mandatory report of hunting activity. (1) All hunters purchasing a hunting license must report their hunting activity for deer, elk, bear, or turkey.

(a) Hunters must report hunting activity, for each tag and permit acquired, by January 31 or within 10 days after the close of an eligible hunt, whichever date is later.

(b) Reports must be made using the department's designated automated telephone hunter reporting system (toll free) or internet hunter reporting system.

(c) A hunter who fails to report hunting activity, for each tag and permit acquired, by the reporting deadline is in violation of reporting requirements.

(d) Compliance will be credited for each transport tag and permit acquired.

(2) As an incentive for prompt reporting, all hunters who report by midnight January 10 or within 10 days after the last day of their permit hunt will be entered into a drawing for special deer and elk incentive permits. To be eligible for the drawing, hunters must report their hunting activity for each transport tag and permit acquired.

(3) A hunter who fails to report hunting activity by the reporting deadline for deer, elk, bear, or turkey tags and permits acquired the previous year will be required to pay a \$10 administrative fee at the time a new license that includes deer, elk, bear, or turkey tags is issued.

(4) All hunters who purchase a migratory bird authorization must report their hunting activity for each harvest record card issued.

(a) Hunters must report harvest information from band-tailed pigeon harvest record cards by September 30 following the season for which the harvest card was issued. Hunters must report harvest information from brant, sea duck, ~~((and))~~ snow goose, and SW Canada goose (Goose Management Area 2 Coast and Inland) harvest record cards by ~~((February 15))~~ March 20 following the season for which the harvest card was issued.

(b) Hunters must report migratory bird hunting activity ~~((by mailing all harvest record cards to the department at: 600 Capitol Way N, Olympia, WA 98501, or by reporting harvest information))~~ at the department's designated internet site listed on the harvest record card, or by mailing all harvest record cards to the department at: P.O. Box 43141, Olympia, WA 98504.

(c) Any hunter who fails to report, for each harvest record card acquired, by the reporting deadlines is in violation of reporting requirements.

(d) Compliance will be credited for each harvest record card acquired.

(5) A hunter who fails to report hunting activity by the reporting deadlines for band-tailed pigeon, brant, sea duck, ~~((or))~~ snow goose, or SW Canada goose harvest record card acquired in the previous hunting season must pay a ten-dollar administrative fee at the time a new migratory bird authorization and harvest record card is issued.

(6) A hunter may only be required to pay a maximum of one ten-dollar administrative fee for all game species reporting violations during a license year.

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-413-180 Special closures and firearm restriction areas. (1) **RESTRICTED HUNTING AREAS.**

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

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

(b) Columbia River: The Columbia River, all islands except privately owned, in the river, the Benton County shoreline below the high water mark, Central Hanford Department of Energy property, and any peninsula originating on the Benton County shoreline, between Vernita Bridge on Highway 24 downstream to the Richland city limits are

designated as a "CLOSED AREA" to hunting wild animals and wild birds except waterfowl hunting is open below the high water mark between the old Hanford townsite power line crossing (wooden towers) in Section 24, T 13 N, R 27 E, and the Richland city limits.

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

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

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

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

(3) CLOSED BIG GAME HUNTING AREAS.

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

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

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

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

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

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

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

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

(5) FIREARM RESTRICTION AREAS.

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

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

COUNTY	AREA	COUNTY	AREA
	That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to State Street in Oakville; south on State Street to its merge with Oakville Road; west on Oakville Road to its merge with South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to the Chehalis River; west along the Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 to the point of beginning.	Pacific	GMU 684 (Long Beach) the following Long Beach Peninsula restriction applies only during modern firearm deer and elk seasons: Beginning at the end of Outer Harbor Way in the City of Ilwaco to U.S. Highway 101, west and north on Highway 101 to Sandridge Road; north on Sandridge Road to 95th Street; west on 95th Street to Tarlatt Slough; out Tarlatt Slough to Willapa Bay, north along the shoreline of Willapa Bay, then west to the Pacific Ocean. South along the west coast of the peninsula to Cape Disappointment State Park; east along state park boundary to Baker Bay; east along Baker Bay to the point of beginning.
Island	GMUs 421 (Camano) and 420 (Whidbey).		
Jefferson	Indian and Marrowstone islands.		The portion of GMU 658 (North River) south and west of State Highway 105 and Airport Road between Raymond and North River Bridge.
King	The area west of Highway 203 (Monroe-Fall City, then Fall City-Preston Road) to Interstate 90 (I-90), I-90 to Highway 18, Highway 18 to Interstate 5 (I-5), I-5 to the Pierce-King County line; and GMU 422 (Vashon-Maury).		GMU 681 (Chinook Valley) beginning at confluence of Wallacut River, east along the Columbia River to the Astoria-Megler bridge; west along U.S. Highway 101 to Houtchen Road, north on Houtchen Road to the Chinook River; west on the Chinook River to the Chinook Valley Road; west on the Chinook Valley Road to Highway 101 and Wallacut River bridge; southwest on Wallacut River to point of beginning.
<u>King</u>	This area is restricted to archery only <u>during general season hunts (agency directed damage permit hunts exempt)</u> : The following portion of GMU 652 (Puyallup): Beginning at the intersection of State Highway 410 and the southeast Mud Mountain Dam Road near the King/Pierce County line north of Buckley; then east along the southeast Mud Mountain Road to 284th Avenue Southeast; then north along 284th Avenue Southeast to State Highway 410; then west along Highway 410 to the point of the beginning.	Pierce	((GMU 652-)) <u>Ketron Island((?)) in GMU 652 limited to archery, shotgun, and muzzleloader.</u> GMU 655 (Anderson) limited to archery, shotgun, and muzzleloader. McNeil Island closed to hunting. See GMU 652 restriction area outlined for King County. GMU 627 (Kitsap) south of Highway 302 on the Longbranch Peninsula is a firearm restriction area.
Kitsap	East of State Highway 16 originating at the Tacoma Narrows Bridge to Gorst, and east of Highway 3 to Newbury Hill Road, north of Newbury Hill Road and the Bremerton-Seabeck Highway to Big Beef Creek Bridge; all of Bainbridge Island, and Bangor Military Reservation.	San Juan	All San Juan County, including GMUs 411 (Orcas), 412 (Shaw), 413 (San Juan), 414 (Lopez), 415 (Blakely), 416 (Decatur), and those portions of GMU 410 (Islands) that occur in San Juan County.
Kittitas	GMU 334 (Ellensburg) Closed to centerfire rifles during deer and elk seasons except for those areas designated in writing by WDFW wildlife conflict staff.	Snohomish	All areas west of Highway 9, until the intersection of Highway 9 and Highway 2, then east along Highway 2 to Highway 203, then all areas west of Highway 203 to the Snohomish/King County line.
Klickitat	Elk Area 5062 (Trout Lake) closed to centerfire rifles, handguns, and muzzleloaders October 1 to January 30.		
Mason	GMU 633 (Mason Lake) south of Hammersley Inlet; and all of Harstine Island.		

COUNTY	AREA
Skagit	All mainland areas and islands, including GMU 419 (Guemes), in Skagit County west of I-5 and north of the Skagit/Snohomish County line, except Cypress Island. This restriction applies to big game hunting only.
Skamania	That portion of GMU 564 (Battle Ground) in Skamania County.
Thurston	GMU 666 (Deschutes) north of U.S. Highway 101 and Interstate 5 between Oyster Bay and the mouth of the Nisqually River.
Whatcom	All mainland areas and islands of Whatcom County that are west of I-5. This restriction applies to big game hunting only.

(b) Archery tag holders may only hunt during established archery seasons with archery equipment as defined under WAC 220-414-070.

(c) Muzzleloader tag holders may only hunt during established muzzleloader seasons with muzzleloader equipment or archery equipment as defined by department rule.

(d) Modern firearm tag holders may hunt during established modern firearm seasons with bows and arrows; crossbows; muzzleloaders; revolver-type handguns; semiautomatic handguns of .40 (10 mm) caliber or larger; or shotguns, so long as the equipment and ammunition complies with department rules.

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

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-414-060 Muzzleloading firearms. (1) Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-414-080 Hunting—Hunter orange clothing requirements. (1) Except as authorized in subsection (6) of this section, it is unlawful to hunt upland birds or rabbits during any upland game bird season unless the hunter is wearing fluorescent hunter orange clothing.

(2) It is unlawful to hunt deer or elk during all modern firearm general seasons in any manner unless the hunter is wearing fluorescent hunter orange clothing.

(3) All modern firearm permit holders must wear fluorescent hunter orange clothing.

(4) All master hunters must wear fluorescent hunter orange clothing during all deer and elk hunting seasons that allow the use of modern firearms, except as authorized by department permit.

(5) It is unlawful to hunt bear, cougar, bobcat, raccoon, fox, coyote, rabbit, forest grouse, turkey or hare during those times and in those places open to the taking of deer or elk during a modern firearm season, unless the hunter is wearing fluorescent hunter orange clothing.

(6) Persons who are hunting upland game birds during an upland game bird season with a muzzleloading firearm, bow and arrow or falconry are not required to wear fluorescent hunter orange clothing.

(7) Wearing fluorescent hunter orange clothing means: A minimum of 400 square inches of fluorescent hunter orange exterior clothing, worn above the waist and visible from all sides.

(8) A violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-415-010 Deer area descriptions. The following areas are defined as deer areas:

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

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

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

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

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

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

Deer Area No. 1035 Highway 395 Corridor (Stevens County): That portion of GMU 121 beginning at the intersection of US Highway (Hwy) 395 (State Route 20) and State Route (SR) 25: S on SR 25 to Old Kettle Rd; E on Old Kettle Rd to Mingo Mountain Rd; S on Mingo Mountain Rd to Greenwood Loop Rd; E on Greenwood Loop Rd to the bridge over the Colville River; S on the Colville River to the bridge over Gold Creek Loop/Valley Westside Rd; W and S on Valley Westside Rd to the Orin-Rice Rd; E on Orin-Rice Rd to Haller Creek Rd; S on Haller Creek Rd to Skidmore Rd; E

and S on Skidmore Rd to Arden Hill Rd; E on Arden Hill Rd to Townsend-Sackman Rd; S on Townsend-Sackman Rd to Twelve Mile Rd; S on Twelve Mile Rd to Marble Valley Basin Rd; S on Marble Valley Basin Rd to Zimmer Rd; S on Zimmer Rd to Blue Creek West Rd; E on Blue Creek West Rd to Dry Creek Rd; S on Dry Creek Rd to Duncan Rd; E on Duncan Rd to Tetro Rd; S on Tetro Rd to Heine Rd; E and S on Heine Rd to Farm-to-Market Rd; S on Farm-to-Market Rd to Newton Rd (also known as Rickers Lane); E on Newton Rd to US Hwy 395; N on US Hwy 395 to McLean Rd and Twelve Mile Rd (also known as Old Arden Hwy); N on McLean Rd and Twelve Mile Rd to US Hwy 395; N on US Hwy 395 to Old Arden Hwy (again); N on Old Arden Hwy to US Hwy 395; N on US Hwy 395, through the town of Colville, then W on US Hwy 395 (SR 20) to SR 25 and the point of beginning.

Deer Area No. 1040 (Asotin County): That area within GMU 172 designated as the WDFW owned lands managed as the 4-O Ranch Wildlife Area.

~~((Deer Area No. 1050 Spokane North (Spokane County): From the intersection of the Spokane River and the Idaho-Washington state line, N to Hauser Lake Rd, W to Starr Rd, S to Newman Lake Dr, W and N to Foothills Rd, W to Forker Rd, N and W to Hwy 206 (Mt Spokane Park Rd), N to Feehan Rd, N to Randall Rd, W to Day Mt Spokane Rd, N to Big Meadows Rd, W to Madison Rd, N to Tallman Rd, W to Elk-Chattaroy Rd, N to Laurel Rd, E to Conklin Rd, N to Nelson Rd, E to Jackson Rd, N to Oregon Rd, E to Jefferson Rd, N to Frideger Rd, W to Elk-Camden Rd, S to Boundary Rd, N and W to Dunn Rd, S to Oregon Rd, W to Hwy 2, S on US Hwy 2 to the Deer Park Milan Rd, W on the Deer Park Milan Rd to US Hwy 395 at the town of Deer Park, NW on US Hwy 395 and W onto Williams Valley Rd, W and S to Hattery Rd (Owens Rd), S and E to Swenson Rd, S to Hwy 291, west to Stone Lodge Rd, west to the Spokane River, E on the Spokane River to the Idaho state border and the point of beginning.))~~

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

~~**Deer Area No. 1070 Spokane West (Spokane County):** That part of GMU 130 beginning at the intersection of I-90 and Latah Creek at I-90 Latah Creek Bridge, NE to Hwy 195 S on Hwy 195 S to Paradise Rd, Paradise Rd W to Smythe Road, Smythe Road NW to Anderson Rd, Anderson Rd W to Cheney Spokane Rd, Cheney Spokane Rd SW to Hwy 904/1st St in the town of Cheney, 1st SW to Salmave Rd/Hwy 902, Salmave Rd NW to Malloy Prairie Rd, Malloy Prairie Rd W to Medical Lake Tyler Rd, Medical Lake Tyler Rd N to Gray~~

Rd, Gray Rd W then N to Faneher Rd, Faneher Rd NW to Ladd Rd, Ladd Rd N to Chase Rd, Chase Rd E to Espanola Rd, Espanola Rd N turns into Wood Rd, Wood Rd N to Coulee Hite Rd, Coulee Hite Rd E to Seven Mile Rd, Seven Mile Rd E to Spokane River, Spokane River S to Latah Creek, Latah Creek S to I-90 at the Latah Creek Bridge and the point of beginning.

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

Deer Area No. 2010 Benge (Adams and Whitman counties): That part of GMU 284 beginning at the town of Wash-tucna; north on SR 261 to Weber Road; east on Weber Road to Benzel Road; north on Benzel Road to Wellsandt Road; east on Wellsandt Road to Hills Road; south on Hills Road to Urquhart Road; east on Urquhart Road to Harder Road, East on Harder Road to McCall Road; east on McCall Road to Gering Road; east on Gering Road to Lakin Road; east on Lakin Road to Revere Road; south on Revere Road to George Knott Road; south on George Knott Road to Rock Creek; south along Rock Creek to the Palouse River; south and west along the Palouse River to SR 26; west on SR 26 to Wash-tucna and the point of beginning.

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

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

1552); northeast on the Vintin Road to the Okanogan National Forest boundary.

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

Deer Area No. 2014 Central Okanogan (Okanogan County): Restricted to private land only located within the following boundary: Beginning in Tonasket on the Okanogan River at the Fourth Street Bridge; S along Hwy 7 to Pine Creek Rd; W along Pine Creek Rd to Horse Spring Coulee Rd; W and N on Horse Spring Coulee Rd to Beeman Rd; W on Beeman Rd to North Lemansky Rd; S along North Lemansky Rd to Pine Creek Rd; S on Pine Creek Rd to Hagood Cut-off Rd; S on Hagood Cut-off Rd to South Pine Creek Rd; E on South Pine Creek Rd to Hwy 97; S on Hwy 97 to Town of Riverside North Main Street junction; SE on North Main Street to Tunk Valley Rd and the Okanogan River Bridge; E on Tunk Creek Rd to Chewiliken Valley Rd; NE along Chewiliken Valley Rd to Talkire Lake Rd; N on Talkire Lake Rd to Hwy 20; W on Hwy 20 to the junction of Hwy 20 and Hwy 97; N on Hwy 97 to Fourth Street; W on Fourth Street to point of beginning.

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

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

Deer Area No. 2017 Lake Chelan North (Chelan County): Restricted to private land only located within the following boundary: Beginning at the confluence of Purtteman Creek (Purtteman Gulch) and Lake Chelan; NE along Purtteman Creek to Boyd Road; E on Boyd Road to Purtteman Creek Road; N on Purtteman Creek Road to the USFS boundary; W along the USFS boundary to Canyon Ranch Road (Joe Creek); SE on Canyon Ranch Road to Grade Creek Road; SE on Grade Creek Road to Lower Joe Creek Road; SE on Lower Joe Creek Road to Emerson Acres Road; west on Emerson Acres Road to Lake Chelan; S along the north shore of Lake Chelan to the point of beginning.

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

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

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

Deer Area No. 3334 Ellensburg (Kittitas County): Beginning at the confluence of the Yakima River and Wilson Creek, north up Wilson Creek to the John Wayne Pioneer Trail, west and north on the John Wayne Pioneer Trail to State Hwy 10, north and west on State Hwy 10 to the Thorp Highway, south and east on the Thorp Highway to the Yakima River (Thorp Highway Bridge), south and upstream on the Yakima River to the confluence of Taneum Creek and the Yakima River, south and west up Taneum Creek to the South Branch Canal, south and east on the South Branch Canal and South Branch Extension Canal to Umtanum Road, north on Umtanum Road to Lower Riverbottom Road, east and south on Lower Riverbottom Road to the Fogarty Ditch, south and east on the Fogarty Ditch to the Yakima River, south and east along the Yakima River to Wilson Creek and the point of beginning.

Deer Area No. 3372 Sunnyside (Yakima County): Beginning in Union Gap where I-82 crosses the Yakima River, follow I-82 east to the Yakima River Bridge in Prosser. Upstream on the Yakima River to the point of beginning. The islands in the Yakima River are on the Yakama Indian Reservation and are not part of the deer area.

Deer Area No. 3682 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road

1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Hwy 12. Northeast on Hwy 12 to the Naches River. Southeast down the Naches River to Cowiche Creek. West up Cowiche Creek and the South Fork Cowiche Creek to Summitview Ave. Northwest on Summitview Ave to Cowiche Mill Road. West on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13. Southeast along the power line to Ahtanum Creek and the point of beginning.

~~((Deer Area No. 3372 Sunnyside (Yakima County): Beginning in Union Gap where I-82 crosses the Yakima River, follow I-82 east to the Yakima River Bridge in Prosser. Upstream on the Yakima River to the point of beginning. The islands in the Yakima River are on the Yakama Indian Reservation and are not part of the deer area.))~~

Deer Area No. 4541 North Issaquah (King and Snohomish counties): That portion of GMU 454 beginning at the mouth of the Snohomish River at the city of Everett; SE up the Snohomish River to the Snoqualmie River; SE up the Snoqualmie River to NE Woodinville-Duvall Rd; E on NE Woodinville-Duvall Rd State Route (SR) 203 at the town of Duvall; S on SR 203 to SR 202 (Fall City-Snoqualmie Rd) at the town of Fall City; S on SR 202 (Fall City-Snoqualmie Rd), across the Snoqualmie River, to Preston-Fall City Rd; SW on Preston-Fall City Rd to SE 82nd St at the town of Preston; E on SE 82nd St to Interstate Hwy (I)-90; E on I-90 to SR 18; S and W on SR 18 to SR 99; N on SR 99 to SR 509; W on SR 509 to Redondo Way South; NW on Redondo Way South to the town of Redondo on Puget Sound; SW across East Passage to the Pierce-King county line at the point where the county line turns southeast, northwest of Dash Point; W and N along the King County line excluding Vashon-Maury Island; to the King, Snohomish, and Kitsap counties line junction in the Puget Sound West of Point Wells; N on the Snohomish County line through Possession Sound to a point on the Snohomish County line due West of the northern tip of Gedney Island (Hat Island); E to the northern tip of Gedney Island; E from the northern tip of Gedney Island to the mouth of the Snohomish River and the point of beginning.

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

Deer Area No. 5382 Simcoe (Klickitat County): That area within GMU 382 designated as WDFW owned lands managed as the Simcoe Mountains Unit of the Klickitat Wildlife Area.

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

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-415-020 ((2015-2017)) 2018-2020 Deer general seasons and definitions. It is unlawful to fail to comply with the bag, possession, and season limits described

below. Violations of this section are punishable under RCW 77.15.410 Unlawful hunting of big game—Penalty.

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

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

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

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

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

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

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

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

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

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

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

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

MODERN FIREARM DEER SEASONS

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

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

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

Hunt Season	(2015) 2018 Dates	(2016) 2019 Dates	(2017) 2020 Dates	Game Management Units (GMUs)	Legal Deer
HIGH BUCK HUNTS					
	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Mount Baker, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness Areas and Lake Chelan Recreation Area	3 pt. min.
GENERAL SEASON					
Western Washington Black-tailed Deer	Oct. 17-31	Oct. 15-31	Oct. 14-31	407, 418, 426, 437, 448, 450, 454, 460, 466, 501 through 520, 524 through 556, 560, 568, 572, 574, 601 through 621, 624 (except Deer Area 6020), 627 through 654, 658 through 699	Any buck
				410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 564, 655, Deer Area 6020	Any deer
				578	3 pt. min.))
Eastern Washington White-tailed Deer	Oct. ((17-30)) 13-26	Oct. ((15-28)) 12-25	Oct. ((14-27)) 17-30	101, 105, 108, 111, 113, 117, 121, 124	Any white-tailed buck
	Oct. ((17-27)) 13-23	Oct. ((15-25)) 12-22	Oct. ((14-24)) 17-27	203 through 284	Any white-tailed buck
	Oct. ((17-27)) 13-23	Oct. ((15-25)) 12-22	Oct. ((14-24)) 17-27	127 through 154, 162 through 186 (except Deer Area 1040)	White-tailed, 3 pt. min.
	Oct. ((17-27)) 13-23	Oct. ((15-25)) 12-22	Oct. ((14-24)) 17-27	373, 379, 381	Any white-tailed deer

Hunt Season	((2015)) 2018 Dates	((2016)) 2019 Dates	((2017)) 2020 Dates	Game Management Units (GMUs)	Legal Deer
((Eastern Washington White-tailed Deer in GMUs 117 and 121	Oct. 17-30	Oct. 15-28	Oct. 14-27	117, 121	Any white-tailed-buck))
Eastern Washington Mule Deer	Oct. ((17-27)) 13-23	Oct. ((15-25)) 12-22	Oct. ((14-24)) 17-27	101 through 154, 162 through 169, 172 (except Deer Area 1040), 175 through 186, 203 through 284, 328, 330 through 368, 372, 373, 379, 381, 382 (except closed in Deer Area 5382), 388	Mule deer, 3 pt. min.
Western Washington Black-tailed Deer	Oct. 13-31	Oct. 12-31	Oct. 17 - Nov. 1	407, 418, 426, 437, 448, 450, 454, 460, 466, 501 through 520, 524 through 556, 560, 568, 572, 574, 601 through 621, 624 (except Deer Area 6020), 627 through 654, 658 through 699	Any buck
				410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 564, 655, Deer Area 6020	Any deer
	Oct. 13-31	Oct. 12-31	Oct. 17 - Nov. 1	578	3 pt. min
LATE GENERAL SEASON					
Western Washington Black-tailed Deer	Nov. ((19-22)) 15-18	Nov. ((17-20)) 14-17	Nov. ((16-19)) 19-22	407, 454, 466, 501 through 520, 524 through 560, 568, 572, 601 through 621, 624 (except Deer Area 6020), 627 through 654, 658 through 699	Any buck
	Nov. ((19-22)) 15-18	Nov. ((17-20)) 14-17	Nov. ((16-19)) 19-22	410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 564, 655, Deer Area 6020	Any deer
Eastern Washington White-tailed Deer	Nov. ((7-19)) 10-19	Nov. ((5-19)) 9-19	Nov. ((4-19)) 7-19	105, 108, 111, 113, 117, 121, 124	Any white-tailed buck
((Eastern Washington White-tailed Deer in GMUs 117 and 121	Nov. 7-19	Nov. 5-19	Nov. 11-19	117, 121	Any white-tailed-buck))
HUNTERS 65 AND OVER, DISABLED, AND YOUTH GENERAL SEASONS					
Eastern Washington White-tailed Deer	Oct. ((17-30)) 13-26 and Nov. 10-19	Oct. ((15-28)) 12-25 and Nov. 9-19	Oct. ((14-27)) 17-30 and Nov. 7-19	124	Any white-tailed deer
	((Nov. 7-19	Nov. 5-19	Nov. 11-19	Deer-Area 1050	Any white-tailed deer
	Nov. 7-19	Nov. 5-19	Nov. 11-19	Deer-Areas 1060, 1070, 1080	White-tailed, antlerless only))
	Oct. ((17-27)) 13-23	Oct. ((15-25)) 12-22	Oct. ((14-24)) 17-27	127 through 142, 145, 149, 154, Deer Area 1010, and 178	White-tailed, 3 pt. min. or antlerless
DISABLED AND YOUTH GENERAL SEASONS					
Eastern Washington White-tailed Deer	Oct. 13-14 and Oct. 20-21	Oct. 12-13 and Oct. 19-20	Oct. ((14-15)) 17-18 and Oct. ((21-22)) 24-25	101, 105, 108, 111, 113, 117, 121	Any white-tailed deer

ARCHERY DEER SEASONS

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

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

Special Notes: Archery tag holders can only hunt during archery seasons with archery equipment (WAC 220-414-070).

Hunt Area	((2015)) 2018 Dates	((2016)) 2019 Dates	((2017)) 2020 Dates	Game Management Units (GMUs)	Legal Deer
EARLY ARCHERY GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Sept. ((1-30)) 1-28	Sept. ((1-30)) 1-27	Sept. ((1-29)) 1-25	407 through 426, 437, 448, 450, 454, 466, 501, 504, 505, ((524,)) 554, 564, 568, 621 through 636, 648 through 652, 654 through 673, 684	Any deer
				460, 503, 574, 601 through 618, 638, 642, 653, 681 and 699	Any buck
				578	3 pt. min.
	Sept. ((1-27)) 1-23	Sept. ((1-25)) 1-22	Sept. ((1-24)) 1-20	510, 513, 516, 520, <u>524, 530, 556</u> 506, ((530,)) 550, 560, 572	Any deer Any buck
Eastern Washington Mule Deer	Sept. ((1-30)) 1-28	Sept. ((1-30)) 1-27	Sept. ((1-29)) 1-25	((405)) 101 through 121, 166, 169, 172 (except Deer Area 1040), 175, 181, 243, 334	3 pt. min.
				124 through 142, 145, 149, 186, 244 through 247, 249, 250, 260, 372, <u>284, 373, 379, 381, 382</u> (except <u>closed in</u> Deer Area 5382), 388, Deer Area 3334	3 pt. min. or antlerless
	Sept. ((1-27)) 1-23	Sept. ((1-25)) 1-22	Sept. ((1-24)) 1-20	154, 162, 163, 178	3 pt. min. or antlerless
	Sept. ((1-27)) 1-23	Sept. ((1-25)) 1-22	Sept. ((1-24)) 1-20	251, 328, 335, 336, 340, 346, 352, 356, 360, 364, 368	3 pt. min.
	Sept. 1-15	Sept. 1-15	Sept. 1-15	((401,)) 204 through 242, 248, 254, 262, 266, 269, 272, 278 ((,-284))	3 pt. min.
Sept. ((16-30)) 16-28	Sept. ((16-30)) 16-27	Sept. ((16-29)) 16-25	((401,)) 204 through 242, 248, 254, 262, 266, 269, 272, 278 ((,-284))	3 pt. min. or antlerless	
Eastern Washington White-tailed Deer	((Sept. 1-30))	Sept. 1-30	Sept. 1-29	101, 105, 108, 111, 113, 117, 121	White-tailed, any-buck))
	Sept. ((1-30)) 1-28	Sept. ((1-30)) 1-27	Sept. ((1-29)) 1-25	101 through 124, 204 through 250, 254 through 284, 373, 379, 381	Any white-tailed deer
	Sept. ((1-30)) 1-28	Sept. ((1-30)) 1-27	Sept. ((1-29)) 1-25	127 through 149, 166, 172 (except Deer Area 1040), 181, 186	White-tailed, 3 pt. min. or antlerless
	Sept. ((1-27)) 1-23	Sept. ((1-25)) 1-22	Sept. ((1-24)) 1-20	154, 162, 163, 178	White-tailed, 3 pt. min. or antlerless
	Sept. ((1-27)) 1-23	Sept. ((1-25)) 1-22	Sept. ((1-24)) 1-20	169, 175	White-tailed, 3 pt. min.
LATE ARCHERY GENERAL DEER SEASONS					
Western Washington Black-tailed Deer	Nov. ((25)) 21 - Dec. 15	Nov. ((23)) 27 - Dec. 15	Nov. ((22)) 25 - Dec. 15	437, 466, 510 through 520, 524	Any deer
	Nov. ((25)) 21 - Dec. 15	Nov. ((23)) 27 - Dec. 15	Nov. ((22)) 25 - Dec. 15	448, 460, 506, 530, 560, 572, 601, 603 through 618, 638, 642, 681, and 699	Any buck
	Nov. ((25)) 21 - Dec. 31	Nov. ((23)) 27 - Dec. 31	Nov. ((22)) 25 - Dec. 31	407, 410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 505, 564, 624, 627, 636, 648, 652, 654, 655, 660 through 672	Any deer
Eastern Washington Mule Deer	Nov. 21-30	Nov. 21-30	Nov. 21-30	209, 215, 233, 243, 250	3 pt. min.
	Nov. ((25)) 21 - Dec. 8	Nov. ((23)) 27 - Dec. 8	Nov. ((22)) 25 - Dec. 8	336, 342, 346, 352, 364, 388, Deer Area 3682	3 pt. min.
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178, 272, 278, 373, Deer Area 3372	3 pt. min. or antlerless
	Dec. 9-31	Dec. 9-31	Dec. 9-31	Deer Area 1021	Antlerless only
Eastern Washington White-tailed Deer	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	101	((White-tailed, any-buck)) Any white-tailed deer
	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	105, 108, 117, 121, 124	Any white-tailed deer

Hunt Area	((2015)) 2018 Dates	((2016)) 2019 Dates	((2017)) 2020 Dates	Game Management Units (GMUs)	Legal Deer
	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	127	White-tailed, 3 pt. min. or antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178, 272, 278	White-tailed, 3 pt. min. or antlerless
	Nov. ((25)) 21 - Dec. 15	Nov. ((23)) 27 - Dec. 15	Nov. ((22)) 25 - Dec. 15	204, 209, 215, 233, 243, 373((, 204, 209)))	Any white-tailed deer
		((Nov. 23 - Dec. 9))	Nov. 22 - Dec. 15	405, 108, 117, 121	White-tailed, any-buck))

MUZZLELOADER DEER SEASONS

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

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

Hunting Method: Muzzleloader only.

Special Notes: Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment (WAC 220-414-060) or archery equipment (WAC 220-414-070).

Hunt Area	((2015)) 2018 Dates	((2016)) 2019 Dates	((2017)) 2020 Dates	Game Management Units (GMUs)	Legal Deer
High Buck Hunts	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Mount Baker, Olympic Peninsula, and Henry Jackson Wilderness areas, and Lake Chelan Recreation Area	3 pt. min.

EARLY MUZZLELOADER GENERAL DEER SEASONS

Western Washington Black-tailed Deer	((Oct. 3-11)) Sept. 29 - Oct. 7	((Oct. 1-9)) Sept. 28 - Oct. 6	((Sept. 30 - Oct. 8)) Sept. 26 - Oct. 4	407, 418, 426, 437, 448, 450, 501, 503, 504, 505, 506, 510, 513, 516, 520, 530, 550, 554, 560, 568, 572, 574, 603, 607, 612, 615, 624 (except Deer Area 6020), ((636, 638, 642, 648)) 633 through 651, 660, 663, 672, 673	Any buck
				410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 564, 627, 652, 655, 666, 684, and Deer Area 6020	Any deer
				578	3 pt. min.
Eastern Washington White-tailed Deer	((Oct. 3-11)) Sept. 29 - Oct. 7	((Oct. 1-9)) Sept. 28 - Oct. 6	((Sept. 30 - Oct. 8)) Sept. 26 - Oct. 4	((101, 105, 108, 111, 113, 117, 121,)) 203, 204, 209, 215, 231, 233, 239, 242, 243, 244, 245, 246, 248, 250, 251, 254, 260, 272, 278, 284	White-tailed, any buck
				101 through 124	Any white-tailed deer
				127, 142, 145, 149	White-tailed, 3 pt. min. or antlerless
				130, 133, 136, 139, 175, 181, 186	White-tailed, 3 pt. min.
				373, 379	Any white-tailed deer
Eastern Washington Mule Deer	((Oct. 3-11)) Sept. 29 - Oct. 7	((Oct. 1-9)) Sept. 28 - Oct. 6	((Sept. 30 - Oct. 8)) Sept. 26 - Oct. 4	101 through 149, 175, 181, 186, 203, 204, 209, 215, 231, 233, 239, 242, 243, 244, 245, 246, 248, 250, 251, 254, 260, 262, 266, 269, 272, 278, 284, 328, 330 through 342, 352 through 368, 373, 379	Mule deer, 3 pt. min.
Eastern Washington Mule Deer	((Oct. 3-11)) Sept. 29 - Oct. 7	((Oct. 1-9)) Sept. 28 - Oct. 6	((Sept. 30 - Oct. 8)) Sept. 26 - Oct. 4	Deer Areas 3334 and 3372	3 pt. min. or antlerless

LATE MUZZLELOADER GENERAL DEER SEASONS

Western Washington Black-tailed Deer	Nov. ((25)) 21 - Dec. 15	Nov. ((23)) 27 - Dec. 15	Nov. ((22)) 25 - Dec. 15	407, 410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 504, 564, 633, 666, 684, and Deer Area 6020	Any deer
				448, 460, 501, 602, 621, 651, 654, 658, 667, and 673	Any buck

Hunt Area	((2015)) 2018 Dates	((2016)) 2019 Dates	((2017)) 2020 Dates	Game Management Units (GMUs)	Legal Deer
Eastern Washington White-tailed Deer	Nov. ((25)) 21 - Dec. 8	Nov. ((23)) 27 - Dec. 8	Nov. ((22)) 25 - Dec. 8	113	Any white-tailed buck
	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	130, 133, 136, 139, 142	White-tailed, 3 pt. min. or antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	172 (except Deer Area 1040), 181	White-tailed, 3 pt. min. or antlerless
	Nov. ((20-30)) 25 - Dec. 8	Nov. ((20-30)) 25 - Dec. 8	Nov. ((20-30)) 25 - Dec. 8	379, 381	Any white-tailed deer
Eastern Washington Mule Deer	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	130	Antlerless
	((Nov. 20-30))	Nov. 20-30	Nov. 20-30	381, Deer Area 3372	3 pt. min. or antlerless))
	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	379, 381	3 pt. min.
	Nov. 20-30	Nov. 20-30	Nov. 20-30	((379,)) 382 (except closed in Deer Area 5382)	3 pt. min.

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-415-030 ~~((2017))~~ 2018 Deer special permits. It is unlawful to fail to comply with the bag, possession, and season limits described below. A violation of this section is punishable under RCW 77.15.410 Unlawful hunting of big game—Penalty.

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

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

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Kelly Hill White-tailed Buck	Modern	Any	((Oct. 21 - Nov. 22)) Oct. 20 - Nov. 21	White-tailed, Any buck	GMU 105	5
Kelly Hill Mule Deer Buck	Modern	Any	Nov. ((4-22)) 3-21	Mule deer, 3 pt. min.	GMU 105	1
Douglas White-tailed Buck	Modern	Any	((Oct. 21 - Nov. 22)) Oct. 20 - Nov. 21	White-tailed, Any buck	GMU 108	5
Douglas Mule Deer Buck	Modern	Any	Nov. ((4-22)) 3-21	Mule deer, 3 pt. min.	GMU 108	1
Aladdin White-tailed Buck	Modern	Any	((Oct. 21 - Nov. 22)) Oct. 20 - Nov. 21	White-tailed, Any buck	GMU 111	5
Aladdin Mule Deer Buck	Modern	Any	Nov. ((4-22)) 3-21	Mule deer, 3 pt. min.	GMU 111	1
Selkirk Mule Deer Buck	Modern	Any	Nov. ((4-22)) 3-21	Mule deer, 3 pt. min.	GMU 113	1
49 Degrees North White-tailed Buck	Modern	Any	((Oct. 21 - Nov. 22)) Oct. 20 - Nov. 21	White-tailed, Any buck	GMU 117	5
49 Degrees North Mule Deer Buck	Modern	Any	Nov. ((4-22)) 3-21	Mule deer, 3 pt. min.	GMU 117	1
Huckleberry White-tailed Buck	Modern	Any	((Oct. 21 - Nov. 22)) Oct. 20 - Nov. 21	White-tailed, Any buck	GMU 121	5
Huckleberry Mule Deer Buck	Modern	Any	Nov. ((4-22)) 3-21	Mule deer, 3 pt. min.	GMU 121	1
Mt. Spokane	Modern	Any	Nov. 20-24	Any buck	GMU 124	5
Mica Peak	Modern	Any	Nov. 20-24	3 pt. min.	GMU 127	5
Cheney	Modern	Any	Nov. 20-24	3 pt. min.	GMU 130	5
Roosevelt	Modern	Any	Nov. 20-24	3 pt. min.	GMU 133	5

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Steptoe	Modern	Any	Nov. 20-24	3 pt. min.	GMU 139	5
Almota	Modern	Any	Nov. 20-24	3 pt. min.	GMU 142	5
Dayton	Modern	Any	Nov. 20-24	3 pt. min.	GMU 162	5
Tucannon	Modern	Any	Nov. 20-24	3 pt. min.	GMU 166	2
Wenaha West	Modern	Any	Nov. 7-14	Mule deer, 3 pt. min.	((Deer)) Deer Area 1008	2
Wenaha East	Modern	Any	Nov. 7-14	Mule deer, 3 pt. min.	Deer Area 1009	5
((Liek-Creek	Modern	Any	Nov. 20-24	3 pt. min.	GMU 175	4))
Ten-Forty	Modern	Any	Nov. ((7-14)) 5-11	White-tailed deer, 3 pt. min.	Deer Area 1040	2
Grande Ronde	Modern	Any	Nov. 20-24	3 pt. min.	GMU 186	1
East Okanogan	Modern	Any	Nov. 1-20	Any buck	GMU 204	10
Sinlahekin	Modern	Any	Nov. 1-20	Any buck	GMU 215	10
Chewuch	Modern	Any	Nov. 1-20	Any buck	GMU 218	20
Pearrygin	Modern	Any	Nov. 1-20	Any buck	GMU 224	15
Gardner	Modern	Any	Nov. 1-20	Any buck	GMU 231	15
Pogue	Modern	Any	Nov. 1-20	Any buck	GMU 233	15
Alta	Modern	Any	Nov. 1-20	Any buck	GMU 242	((10)) 15
Manson	Modern	Any	Nov. 1-20	Any buck	GMU 243	7
Chiwawa	Modern	Any	Nov. 1-20	Any buck	GMU 245	((19)) 20
Slide Ridge	Modern	Any	Nov. 1-20	Any buck	GMU 246	((7)) 8
Entiat	Modern	Any	Nov. 1-20	Any buck	GMU 247	18
Swakane	Modern	Any	Nov. 1-20	Any buck	GMU 250	11
Mission	Modern	Any	Nov. 1-20	Any buck	GMU 251	7
Desert	Modern	Any	Oct. ((21-29)) 20-28	Any buck	GMU 290	((14)) 18
Desert	Modern	Any	Nov. ((11-19)) 10-18	Any buck	GMU 290	5
Naneum	Modern	Any	Nov. ((13-19)) 12-18	Any buck	GMU 328	14
Quilomene	Modern	Any	Nov. ((6-19)) 5-18	Any buck	GMU 329	((13)) 17
Teanaway	Modern	Any	Nov. ((13-19)) 12-18	Any buck	GMU 335	((21)) 24
L.T. Murray	Modern	Any	Nov. ((13-19)) 12-18	Any buck	GMUs 336, 340	5
Bethel	Modern	Any	Nov. ((6-19)) 5-18	Any buck	GMU 360	5
Cowiche	Modern	Any	Nov. ((6-19)) 5-18	Any buck	GMU 368	10
Alkali	Modern	Any	Nov. ((4-19)) 3-18	Any buck	GMU 371	((4)) 8
((Kahlotus	Modern	Any	Nov. 8-17	Any buck	GMU 381	10
Simeoe	Modern	Any	Oct. 14-24	3 pt. min.	Deer Area 5382	3))
Grayback	Modern	Any	Nov. ((6-21)) 5-20	3 pt. min.	GMU 388	40
Nooksack	Modern	Any	Nov. ((11-16)) 1-14	Any buck	GMU 418	25
Skagit	Modern	Any	Nov. ((11-16)) 1-14	Any buck	GMU 426	10
Sauk	Modern	Any	Nov. ((11-16)) 1-14	Any buck	GMU 437	25
Stillaguamish	Modern	Any	Nov. ((11-16)) 1-19	Any buck	GMU 448	((10)) 12
Snoqualmie	Modern	Any	Nov. ((11-16)) 1-19	Any buck	GMU 460	10
Green River	Any tag	Any	((Nov. 4-10)) Oct. 20-26	Any buck	GMU 485	5
Lincoln	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 501	4
Mossyrock	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 505	4
Willapa Hills	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 506	4
Stormking	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 510	1
South Rainier	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 513	1
Packwood	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 516	1

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Winston	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 520	4
Ryderwood	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 530	4
Coweeman	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 550	4
Toutle	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 556	1
Lewis River	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 560	1
Washougal	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 568	2
Siouxon	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 572	1
Wind River	Modern	Any	Nov. ((16-21)) 12-20	Any buck	GMU 574	40
West Klickitat	Modern	Any	Nov. ((16-22)) 12-20	3 pt. min.	GMU 578	25
Mason	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 633	10
Wynoochee	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 648	((10)) 8
Satsop	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 651	10
White River	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 653	10
Mashel	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 654	10
Minot Peak	Modern	Any	Nov. 1-14	Any buck	GMU 660	4
Capitol Peak	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 663	((10)) 7
Skookumchuck	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 667	10
Fall River	Modern	Any	Nov. 1-14	Any buck	GMU 672	4
Chiliwist	Archery	Any	Nov. 21-30	Any buck	GMU 239	((15)) 10
Chiwawa	Archery	Any	Dec. 1-8	Any buck	GMU 245	((7)) 8
Slide Ridge	Archery	Any	Dec. 1-8	Any buck	GMU 246	2
Entiat	Archery	Any	Nov. 21-30	Any buck	GMU 247	35
Desert	Archery	Any	Sept. 1 - Oct. ((7)) 5	Any buck	GMU 290	((12)) 10
Desert	Archery	Any	((Nov. 25 - Dec. 10)) Nov. 24 - Dec. 9	Any buck	GMU 290	((12)) 10
Nanecum	Archery	Any	Nov. ((20)) 21 - Dec. 8	Any buck	GMU 328	((8)) 7
Quilomene	Archery	Any	Nov. ((20)) 21 - Dec. 8	Any buck	GMU 329	((6)) 9
Teanaway	Archery	Any	Nov. ((20)) 21 - Dec. 8	Any buck	GMU 335	10
((Simeoe	Archery	Any	Sept. 1-29	3 pt. min.	Dear Area 5382	3
West Klickitat	Archery	Any	Nov. 23-29	3 pt. min.	GMU 578	40))
Kitsap	Archery	Any	Nov. ((1-15)) 1-14	Any buck	GMU 627	10
Skokomish	Archery	Any	Nov. ((1-15)) 1-14	Any buck	GMU 636	10
Blue Mtns. Foothills	Muzzleloader	Any	Nov. 20 - Dec. 8	White-tailed, 3 pt. min.	GMUs 149, 154, 162, 166	70
Alta	Muzzleloader	Any	Nov. 21-30	Any buck	GMU 242	15
Chiwawa	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 245	2
Slide Ridge	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 246	1
Mission	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 251	11
Desert	Muzzleloader	Any	Oct. ((7-15)) 6-14	Any buck	GMU 290	2
Teanaway	Muzzleloader	Any	Nov. ((6-12)) 5-11	Any buck	GMU 335	((3)) 5
L.T. Murray	Muzzleloader	Any	Nov. ((6-12)) 5-11	Any buck	GMUs 336, 340	1
Bald Mountain	Muzzleloader	Any	Nov. ((6-19)) 5-18	Any buck	GMUs 342, 346	2
Nanecum	Muzzleloader	Any	Nov. ((6-12)) 5-11	Any buck	GMU 328	1
Quilomene	Muzzleloader	Any	((Sept. 30 - Oct. 8)) Sept. 29 - Oct. 7	Any buck	GMU 329	((4)) 2
((Simeoe	Muzzleloader	Any	Nov. 20-30	3 pt. min.	Dear Area 5382	3
West Klickitat	Muzzleloader	Any	Nov. 30 - Dec. 6	3 pt. min.	GMU 578	40))
Olympic	Muzzleloader	Any	Nov. ((1-15)) 1-14	Any buck	GMU 621	10

Bucks						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Palouse	Modern	Any	Nov. 11-19	White-tailed, 3 pt. min.	GMUs 127-142	750
Blue Mtns. Foothills West	Modern	Any	Nov. 9-19	White-tailed, 3 pt. min.	GMUs 149, 154, 162((-), 163, 166	110
Blue Mtns. Foothills East	Modern	Any	Nov. 9-19	White-tailed, 3 pt. min.	GMUs 145, 172 (except Deer Area 1040)((-), 178, 181	50
Mayview	Any tag	Any	Nov. 16-19	3 pt. min.	GMU 145	25
Ten Forty	Modern	Any	Oct. ((14-22)) 13-21	3 pt. min.	Deer Area 1040	2
Lick Creek	Modern	Any	Nov. 20-24	3 pt. min.	GMU 175	1
East Okanogan	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 204	40
Sinlahekin	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 215	50
Chewuch	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 218	15
Pearygin	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 224	15
Gardner	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 231	15
Pogue	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 233	15
Chiliwist	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 239	15
Alta	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 242	15
Ritzville	Modern	Any	Nov. 1-20	Any buck	GMU 284	((9)) 2
Simcoe	Modern	Any	Oct. 13-23	3 pt. min.	Deer Area 5382	3
Hoko	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 601	5
Sol Duc	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 607	5
Goodman	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 612	5
Clearwater	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 615	5
Quinault Ridge	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 638	((5)) 2
North River	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 658	((40)) 5
Williams Creek	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMU 673	((40)) 7
Bear River-Long Beach	Modern	Any	Nov. ((1-15)) 1-14	Any buck	GMUs 681, 684	((5)) 2
Parker Lake	Archery	Any	Sept. 1-30 and Nov. ((20)) 19 - Dec. ((2)) 1	Any white-tailed deer	Deer Area 1031	5
Ten Forty	Archery	Any	Sept. 1-14	3 pt. min.	Deer Area 1040	2
Big Bend	Archery	Any	Dec. 1-8	Any buck	GMU 248	10
Ritzville	Archery	Any	Dec. 1-8	Any buck	GMU 284	((24)) 22
Alkali	Archery	Any	Sept. ((1-24)) 1-23	Any buck	GMU 371	((2)) 3
Whitcomb	Archery	Any	Oct. 1-10	Any buck	Deer Area 3071	10
Paterson	Archery	Any	Oct. 1-10	Any buck	Deer Area 3072	10
Simcoe	Archery	Any	Sept. 1-28	3 pt. min.	Deer Area 5382	3
West Klickitat	Archery	Any	Nov. 21-29	3 pt. min.	GMU 578	40
Whitcomb	Muzzleloader	Any	Nov. 19-27	Any buck	Deer Area 3071	5
Paterson	Muzzleloader	Any	Nov. 19-27	Any buck	Deer Area 3072	5
Parker Lake	Muzzleloader	Any	Oct. 1-31 and Dec. ((3-15)) 2-14	Any white-tailed deer	Deer Area 1031	5
((Roosevelt	Muzzleloader	Any	Sept. 30 - Oct. 13	ONLY 2 pt. x 2 pt. mule-deer bucks	GMU 133	25
Harrington	Muzzleloader	Any	Sept. 30 - Oct. 13	ONLY 2 pt. x 2 pt. mule-deer bucks	GMU 136	25
Steptoe	Muzzleloader	Any	Sept. 30 - Oct. 13	ONLY 2 pt. x 2 pt. mule-deer bucks	GMU 139	25
Almota	Muzzleloader	Any	Sept. 30 - Oct. 13	ONLY 2 pt. x 2 pt. mule-deer bucks	GMU 142	25))

Bucks						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Dayton	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	3 pt. min.	GMU 162	25
Tucannon	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	3 pt. min.	GMU 166	10
Wenaha	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	3 pt. min.	GMU 169	((15)) 20
Mountain View	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	3 pt. min.	GMU 172 (except Deer Area 1040)	15
Ten Forty	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	3 pt. min.	Deer Area 1040	2
Peola	<u>Muzzleloader</u>	<u>Any</u>	<u>Sept. 29 - Oct. 7</u>	<u>3 pt. min.</u>	<u>GMU 178</u>	<u>10</u>
Ritzville	Muzzleloader	Any	Nov. ((25-30)) <u>24-30</u>	Any buck	GMU 284	1
Alkali	Muzzleloader	Any	((Sept. 25 – Oct. 15)) <u>Sept. 24 - Oct. 14</u>	Any buck	GMU 371	1
Kahlotus	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Any buck	GMU 381	20
Simcoe	<u>Muzzleloader</u>	<u>Any</u>	<u>Nov. 20-30</u>	<u>3 pt. min.</u>	<u>Deer Area 5382</u>	<u>3</u>
West Klickitat	<u>Muzzleloader</u>	<u>Any</u>	<u>Nov. 30 - Dec. 8</u>	<u>3 pt. min.</u>	<u>GMU 578</u>	<u>40</u>
Dickey	Muzzleloader	Any	Nov. ((1-15)) <u>1-14</u>	Any buck	GMU 602	5
Copalis-Matheny	Muzzleloader	Any	Nov. ((1-15)) <u>1-14</u>	Any buck	GMUs 618, 642	5

Antlerless						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
<u>Sherman</u>	<u>Modern</u>	<u>Any</u>	<u>Oct. 13-26</u>	<u>White-tailed, antlerless</u>	<u>GMU 101</u>	<u>10</u>
<u>Kelly Hill</u>	<u>Modern</u>	<u>Any</u>	<u>Oct. 13-26</u>	<u>White-tailed, antlerless</u>	<u>GMU 105</u>	<u>30</u>
<u>Douglas</u>	<u>Modern</u>	<u>Any</u>	<u>Oct. 13-26</u>	<u>White-tailed, antlerless</u>	<u>GMU 108</u>	<u>40</u>
<u>Aladdin</u>	<u>Modern</u>	<u>Any</u>	<u>Oct. 13-26</u>	<u>White-tailed, antlerless</u>	<u>GMU 111</u>	<u>50</u>
<u>Selkirk</u>	<u>Modern</u>	<u>Any</u>	<u>Oct. 13-26</u>	<u>White-tailed, antlerless</u>	<u>GMU 113</u>	<u>50</u>
<u>49 Degrees North</u>	<u>Modern</u>	<u>Any</u>	<u>Oct. 13-26</u>	<u>White-tailed, antlerless</u>	<u>GMU 117</u>	<u>100</u>
<u>Huckleberry</u>	<u>Modern</u>	<u>Any</u>	<u>Oct. 13-26</u>	<u>White-tailed, antlerless</u>	<u>GMU 121</u>	<u>225</u>
Mayview	Modern	Any	Nov. 1-12	Antlerless	GMU 145	((50)) 40
Mayview	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 145	25
Prescott	Modern	Any	Nov. 1-12	Antlerless	GMU 149	((80)) 70
Prescott	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 149	20
Blue Creek	Modern	Any	Nov. 9-19	White-tailed, antlerless	GMU 154	50
Dayton	Modern	Any	Nov. 9-19	White-tailed, antlerless	GMU 162	100
Ten Ten	Modern	Any	Nov. 9-19	Antlerless	Deer Area 1010	30
Marengo	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 163	50
Marengo	Modern	Any	Nov. 1-12	Antlerless	GMU 163	((40)) 30
Peola	Modern	Any	Nov. 1-12	Antlerless	GMU 178	((75)) 50
Couse	Modern	Any	Nov. 1-12	Antlerless	GMU 181	25
East Klickitat	Modern	Any	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 382 (except ((Deer)) CLOSED in Deer Area 5382)	5
((Grayback	<u>Modern</u>	<u>Any</u>	<u>Oct. 14-24</u>	<u>Antlerless</u>	<u>GMU 388</u>	<u>5))</u>
Lincoln	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 501	15
Stella	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 504	15
Mossyrock	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 505	30
South Rainier	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 513	10

Antlerless						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Winston	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 520	20
Ryderwood	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 530	10
Lewis River	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 560	3
Siouxon	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 572	3
Wind River	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 574	3
West Klickitat	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 578	5
Olympic	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 621	((40)) <u>15</u>
Coyle	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 624	20
Kitsap	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 627	15
Mason	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 633	((35)) <u>15</u>
Skokomish	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 636	((20)) <u>5</u>
Wynoochee	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 648	20
Satsop	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 651	((20)) <u>15</u>
Mashel	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 654	30
North River	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 658	15
Minot Peak	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 660	((20)) <u>15</u>
Capitol Peak	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 663	((15)) <u>12</u>
Skookumchuck	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 667	30
Williams Creek	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 673	5
Whitcomb	Archery	Any	Oct. 20-30	Antlerless	Deer Area 3071	10
Paterson	Archery	Any	Oct. 20-30	Antlerless	Deer Area 3072	10
((Graybaek	Archery	Any	Nov. 22 – Dec. 8	Antlerless	GMU 388	75))
Whitcomb	Muzzleloader	Any	Nov. 29 - Dec. 5	Antlerless	Deer Area 3071	10
Paterson	Muzzleloader	Any	Nov. 29 - Dec. 5	Antlerless	Deer Area 3072	10
Selkirk	Muzzleloader	Any	Nov. 25 - Dec. 8	White-tailed, antlerless	GMU 113	15
Washtucna	Muzzleloader	Any	Nov. 25 - Dec. 8	Antlerless	GMUs 139, 142, 284, 381	200
Prescott	Muzzleloader	Any	((Sept. 30 – Oct. 8)) Sept. 29 - Oct. 7	Antlerless	GMU 149	((35)) <u>25</u>
Blue Creek	Muzzleloader	Any	((Sept. 30 – Oct. 8)) Sept. 29 - Oct. 7	Antlerless	GMU 154	20
Mossyrock	Muzzleloader	Any	((Sept. 30 – Oct. 8)) Sept. 29 - Oct. 7	Antlerless	GMU 505	10
Stormking	Muzzleloader	Any	((Sept. 30 – Oct. 8)) Sept. 29 - Oct. 7	Antlerless	GMU 510	5
South Rainier	Muzzleloader	Any	((Sept. 30 – Oct. 8)) Sept. 29 - Oct. 7	Antlerless	GMU 513	5
Packwood	Muzzleloader	Any	((Sept. 30 – Oct. 8)) Sept. 29 - Oct. 7	Antlerless	GMU 516	5
Winston	Muzzleloader	Any	((Sept. 30 – Oct. 8)) Sept. 29 - Oct. 7	Antlerless	GMU 520	5
Ryderwood	Muzzleloader	Any	((Sept. 30 – Oct. 8)) Sept. 29 - Oct. 7	Antlerless	GMU 530	10
Coweman	Muzzleloader	Any	((Sept. 30 – Oct. 8)) Sept. 29 - Oct. 7	Antlerless	GMU 550	10
Yale	Muzzleloader	Any	((Sept. 30 – Oct. 8)) Sept. 29 - Oct. 7	Antlerless	GMU 554	2

Antlerless						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
West Klickitat	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 578	5
Olympic	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 621	((40)) <u>20</u>
Coyle	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 624	((25)) <u>20</u>
Kitsap	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 627	((15)) <u>20</u>
Mason	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 633	((35)) <u>20</u>
Skokomish	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 636	((20)) <u>5</u>
Wynoochee	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 648	15
Satsop	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 651	((25)) <u>15</u>
Mashel	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 654	35
North River	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 658	15
Minot Peak	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 660	5
Capitol Peak	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 663	((20)) <u>18</u>
Williams Creek	Muzzleloader	Any	((Sept. 30 – Oct. 8)) <u>Sept. 29 - Oct. 7</u>	Antlerless	GMU 673	5

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Colville River	Any	Any	Sept. 1 - Dec. 31	White-tailed, antlerless	Deer Area 1035	25
Benge	Any	Any	Dec. 9-31	Antlerless	Deer Area 2010	30
Lakeview	Any	Any	Jan. 1-30, ((2018)) <u>2019</u>	Antlerless	Deer Area 2011	15
Methow	Any	Any	((Sept. 7 – Oct. 8)) <u>Sept. 4 - Oct. 7</u>	Antlerless	Deer Area 2012	((15)) <u>10</u>
North Okanogan	Any	Any	((Sept. 7 – Oct. 8)) <u>Sept. 4 - Oct. 7</u>	Antlerless	Deer Area 2013	((20)) <u>15</u>
Central Okanogan	Any	Any	((Sept. 7 – Oct. 8)) <u>Sept. 4 - Oct. 7</u>	Antlerless	Deer Area 2014	((20)) <u>15</u>
Omak	Any	Any	((Sept. 7 – Oct. 8)) <u>Sept. 4 - Oct. 7</u>	Antlerless	Deer Area 2015	15
Conconully	Any	Any	((Sept. 7 – Oct. 8)) <u>Sept. 4 - Oct. 7</u>	Antlerless	Deer Area 2016	15
Lake Chelan North	Any	Any	Aug. 1-31	Antlerless	Deer Area 2017	45
North Issaquah	Any	Any	Oct. 13-31 and Nov. 15- <u>18</u>	Antlerless	Deer Area 4541	10
Mt. Spokane	Modern	Any	Oct. ((14-27)) <u>13-26</u> and Nov. ((11-19)) <u>10- 19</u>	Antlerless	GMU 124	((50)) <u>350</u>
((Spokane North	Modern	Any	Oct. 14-27 and Nov. 11- 19	Antlerless	Deer Area 1050	350))
Mica Peak	Modern	Any	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 127	((25)) <u>100</u>
((Spokane South	Modern	Any	Oct. 14-24	Antlerless	Deer Area 1060	75))

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Cheney	Modern	Any	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 130	((100)) <u>150</u>
((Spokane West	Modern	Any	Oct. 14-24	Antlerless	Deer Area 1070	100))
Roosevelt	Modern	Any	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 133	150
Harrington	Modern	Any	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 136	150
((Steptoe	Modern	Any	Oct. 14-24	Antlerless	GMU 139	200
Cofax	Modern	Any	Oct. 14-24	Antlerless	Deer Area 1080	150
Almota	Modern	Any	Oct. 14-24	Antlerless	GMU 142	150))
Washtucna	Modern	Any	Oct. 13-23	Antlerless	GMUs 139, 142, 284, 381	350
Mayview	Modern	Any	Nov. 1-12	Antlerless	GMU 145	((35)) <u>15</u>
Blue Creek	Modern	Any	Nov. 9-19	White-tailed, antlerless	GMU 154	30
Ten Ten	Modern	Any	Nov. 9-19	<u>White-tailed, antlerless</u>	Deer Area 1010	30
East Okanogan	Modern	Any	Oct. ((14-24)) <u>13-23</u>	White-tailed, antlerless	GMU 204	((100)) <u>60</u>
Sinlahekin	Modern	Any	Oct. ((14-24)) <u>13-23</u>	White-tailed, antlerless	GMU 215	((60)) <u>40</u>
Chewuch	Modern	Any	Oct. ((14-24)) <u>13-23</u>	White-tailed, antlerless	GMU 218	((15)) <u>10</u>
Pearrygin	Modern	Any	Oct. ((14-24)) <u>13-23</u>	White-tailed, antlerless	GMU 224	((15)) <u>10</u>
Gardner	Modern	Any	Oct. ((14-24)) <u>13-23</u>	White-tailed, antlerless	GMU 231	((15)) <u>10</u>
Pogue	Modern	Any	Oct. ((14-24)) <u>13-23</u>	White-tailed, antlerless	GMU 233	((30)) <u>10</u>
Chiliwist	Modern	Any	Oct. ((14-24)) <u>13-23</u>	White-tailed, antlerless	GMU 239	((20)) <u>10</u>
Alta	Modern	Any	Oct. ((14-24)) <u>13-23</u>	White-tailed, antlerless	GMU 242	((15)) <u>10</u>
Big Bend	Modern	Any	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 248	((35)) <u>25</u>
St. Andrews	Modern	Any	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 254	((20)) <u>15</u>
Foster Creek	Modern	Any	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 260	((20)) <u>15</u>
Withrow	Modern	Any	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 262	((20)) <u>15</u>
Badger	Modern	Any	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 266	15
Desert	Modern	Any	Dec. ((11-25)) <u>10-25</u>	Antlerless	GMU 290	25
Kahlotus	Modern	Any	Dec. ((1-9)) <u>9-17</u>	Antlerless	GMU 381	((20)) <u>10</u>
Orcas	Modern	Any	Oct. ((14-31)) <u>13-31</u> and Nov. ((16-19)) <u>15-18</u>	Antlerless	GMU 411	((40)) <u>60</u>
Shaw	Modern	Any	Oct. ((14-31)) <u>13-31</u> and Nov. ((16-19)) <u>15-18</u>	Antlerless	GMU 412	((20)) <u>30</u>
San Juan	Modern	Any	Oct. ((14-31)) <u>13-31</u> and Nov. ((16-19)) <u>15-18</u>	Antlerless	GMU 413	((40)) <u>50</u>
Lopez	Modern	Any	Oct. ((14-31)) <u>13-31</u> and Nov. ((16-19)) <u>15-18</u>	Antlerless	GMU 414	((40)) <u>60</u>

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Blakely	Modern	Any	Oct. ((14-31)) <u>13-31</u> and Nov. ((16-19)) <u>15-18</u>	Antlerless	GMU 415	30
Decatur	Modern	Any	Oct. ((14-31)) <u>13-31</u> and Nov. ((16-19)) <u>15-18</u>	Antlerless	GMU 416	5
Cypress	Modern	Any	Oct. ((14-31)) <u>13-31</u> and Nov. ((16-19)) <u>15-18</u>	Antlerless	GMU 417	30
Guemes	Modern	Any	Oct. ((14-31)) <u>13-31</u> and Nov. ((16-19)) <u>15-18</u>	Antlerless	GMU 419	20
Whidbey	Modern	Any	Oct. ((14-31)) <u>13-31</u> and Nov. ((16-19)) <u>15-18</u>	Antlerless	GMU 420	((100)) <u>120</u>
Camano	Modern	Any	Oct. ((14-31)) <u>13-31</u> and Nov. ((16-19)) <u>15-18</u>	Antlerless	GMU 421	30
Vashon-Maury	(Modern) <u>Any</u>	Any	(Oct. 14-31 and Nov. 16-19)) <u>Aug. 1 - Dec. 31</u>	Antlerless	GMU 422	((100)) <u>200</u>
Anderson	Modern	Any	Oct. ((14-31)) <u>13-31</u> and Nov. ((16-19)) <u>15-18</u>	Antlerless	GMU 655	40
Deschutes	Modern	Any	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 666	40
Mt. Spokane	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. 25 - Dec. 15	Antlerless	GMU 124	((25)) <u>100</u>
((Spokane North	Archery	Any	Sept. 1-29 and Nov. 25- Dec. 15	Antlerless	Deer Area 1050	75))
Mica Peak	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. 25 - Dec. 15	Antlerless	GMU 127	((25)) <u>75</u>
((Spokane South	Archery	Any	Sept. 1-29 and Nov. 25- Dec. 15	Antlerless	Deer Area 1060	75))
Clarkston	Archery	Any	Nov. 20 - Dec. 31	Antlerless	Deer Area 1021	((30)) <u>20</u>
Orcas	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. ((22)) <u>21</u> - Dec. 31	Antlerless	GMU 411	((25)) <u>40</u>
Shaw	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. ((22)) <u>21</u> - Dec. 31	Antlerless	GMU 412	20
San Juan	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. ((22)) <u>21</u> - Dec. 31	Antlerless	GMU 413	((20)) <u>30</u>
Lopez	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. ((22)) <u>21</u> - Dec. 31	Antlerless	GMU 414	((20)) <u>30</u>
Blakely	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. ((22)) <u>21</u> - Dec. 31	Antlerless	GMU 415	((10)) <u>20</u>
Decatur	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. ((22)) <u>21</u> - Dec. 31	Antlerless	GMU 416	5
Cypress	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. ((22)) <u>21</u> - Dec. 31	Antlerless	GMU 417	20
Guemes	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. ((22)) <u>21</u> - Dec. 31	Antlerless	GMU 419	10
Whidbey	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. ((22)) <u>21</u> - Dec. 31	Antlerless	GMU 420	((30)) <u>50</u>
Camano	Archery	Any	Sept. ((1-29)) <u>1-28</u> and Nov. ((22)) <u>21</u> - Dec. 31	Antlerless	GMU 421	25

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
((Vashon-Maury	Archery	Any	Sept. 1-29 and Nov. 22- -Dec. 31	Antlerless	GMU 422	30))
Miller	Archery	Any	Dec. ((15-31)) 16-31	Antlerless	Deer Area 6020	40
Anderson	Archery	Any	Sept. ((1-29)) 1-28 and Dec. 19-31	Antlerless	GMU 655	10
Mt. Spokane	Muzzleloader	Any	Sept. ((30-Oct. 8)) 29 - Oct. 7	Antlerless	GMU 124	((25)) 125
((Spokane North	Muzzleloader	Any	Sept. 30 - Oct. 8 and Dec. 9-31	Antlerless-	Deer Area 1050	100))
Cheney	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. 25 - Dec. 8	Antlerless	GMU 130	25
Roosevelt	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. 25 - Dec. 8	Antlerless	GMU 133	25
Harrington	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. 25 - Dec. 8	Antlerless	GMU 136	25
((Colfax	Muzzleloader	Any	Sept. 30 - Oct. 8 and Nov. 25 - Dec. 8	Antlerless	Deer Area 1080	50))
Mayview	Muzzleloader	Any	Sept. ((30-Oct. 30)) 29 - Oct. 7	Antlerless	GMU 145	((30)) 10
Foster Creek	Muzzleloader	Any	Sept. ((30-Oct. 30)) 29 - Oct. 7	Antlerless	GMU 260	10
Moses Coulee	Muzzleloader	Any	Sept. ((30-Oct. 30)) 29 - Oct. 7	Antlerless	GMU 269	10
Lakeview	Muzzleloader	Any	Nov. 1-18	Antlerless	Deer Area 2011	5
Orcas	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. ((22)) 21 - Dec. 15	Antlerless	GMU 411	20
Shaw	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. ((22)) 21 - Dec. 15	Antlerless	GMU 412	20
San Juan	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. ((22)) 21 - Dec. 15	Antlerless	GMU 413	20
Lopez	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. ((22)) 21 - Dec. 15	Antlerless	GMU 414	20
Blakely	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. ((22)) 21 - Dec. 15	Antlerless	GMU 415	((5)) 10
Decatur	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. ((22)) 21 - Dec. 15	Antlerless	GMU 416	5
Cypress	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. ((22)) 21 - Dec. 15	Antlerless	GMU 417	20
Guemes	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. ((22)) 21 - Dec. 15	Antlerless	GMU 419	10
Whidbey	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. ((22)) 21 - Dec. 15	Antlerless	GMU 420	20
Camano	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. ((22)) 21 - Dec. 15	Antlerless	GMU 421	20

2nd Deer						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
((Vashon-Maury	Muzzleloader	Any	Sept. 30 – Oct. 8 and Nov. 22 – Dec. 15	Antlerless	GMU 422	20))
Anderson	Muzzleloader	Any	Sept. ((30)) 29 - Oct. ((8)) 7 and Nov. ((22)) 21 - Dec. 15	Antlerless	GMU 655	5

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Wash Tucna	Modern	Youth	Oct. 13-23	Any deer	GMUs 139, 142, 284, 381	100
Blue Mtns. Foothills West	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMUs 149, 154, 163, Deer Area 1010	60
Blue Mtns. Foothills East	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMUs 145, 172 (except Deer Area 1040) ((-)) , 178, 181	40
Mayview	Modern	Youth	Oct. ((14-24)) 13-23	Any deer	GMU 145	15
Prescott	Modern	Youth	Oct. ((14-24)) 13-23	Any deer	GMU 149	20
Peola	Modern	Youth	Oct. ((14-24)) 13-23	Any deer	GMU 178	20
Tucannon	Modern	Youth	Oct. ((14-24)) 13-23	White-tailed, antlerless	GMU 166	10
Ten Forty	Modern	Youth	Oct. ((14-22)) 13-21	Antlerless	Deer Area 1040	5
Couse	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 181	15
Couse	Modern	Youth	Oct. ((14-24)) 13-23	Any deer	GMU 181	5
East Okanogan	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 204	((60)) 20
Wannacut	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 209	10
Sinlahekin	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 215	((30)) 10
Chewuch	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 218	10
Pearygin	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 224	((20)) 10
Gardner	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 231	10
Pogue	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 233	((30)) 10
Chiliwist	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 239	((20)) 10
Alta	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 242	((20)) 10
Chiwawa	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 245	5
Entiat	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 247	5
Swakane	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 250	3
Mission	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 251	8
Bridgeport	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMUs 248, 260	20
Palisades	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMUs 266, 269	20
Beezley	Modern	Youth	Oct. ((14-24)) 13-23	((Antlerless)) Any deer	GMU 272	50
((Ritzville	Modern	Youth	Oct. 14-24	Antlerless	GMU 284	50))
Benge	Modern	Youth	Oct. ((30)) 27 - Nov. ((7)) 4	Antlerless	Deer Area 2010	30
Desert	Modern	Youth	Dec. ((9-24)) 9-23	Antlerless	GMU 290	5
Horse Heaven Hills	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 373	10
Ringold	Modern	Youth	Oct. ((14-24)) 13-23	Antlerless	GMU 379	10
((Kahlotus	Modern	Youth	Oct. 14-24	Antlerless	GMU 381	40))
Simcoe	Modern	Youth	Oct. ((14-24)) 13-23	((Antlerless)) Any deer	Deer Area 5382	2

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
East Klickitat	Modern	Youth	Oct. ((14-24)) <u>13-23</u>	Any buck	GMU 382 (except CLOSED in Deer Area 5382)	5
East Klickitat	Modern	Youth	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 382 (except CLOSED in Deer Area 5382)	10
((East Klickitat	Modern	Youth	Dec. 16 – Jan. 1, 2018	Antlerless	GMU 382 (except-Deer Area 5382)	40
East Klickitat	Modern	Youth	Jan. 13-28, 2018	Antlerless	GMU 382 (except-Deer Area 5382)	40))
Grayback	Modern	Youth	Oct. ((14-24)) <u>13-23</u>	Any buck	GMU 388	5
Grayback	Modern	Youth	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 388	10
((Green River	Modern	Youth	Nov. 4-10	Any Buck	GMU 485	5))
Lincoln	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 501	10
Randle	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 503	5
Stella	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 504	10
Mossyrock	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 505	10
Stormking	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 510	10
South Rainier	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 513	10
Packwood	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 516	10
Winston	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 520	10
Ryderwood	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 530	10
Coweeman	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 550	10
Yale	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 554	10
Toutle	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 556	10
Lewis River	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 560	5
Washougal	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 568	10
Siouxon	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 572	5
Wind River	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 574	10
West Klickitat	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Any buck	GMU 578	5
West Klickitat	Modern	Youth	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 578	10
Pysht	Modern	Youth	Nov. ((1-15)) <u>1-14</u>	Any buck	GMU 603	5
Olympic	Modern	Youth	Oct. ((7-31)) <u>6-31</u>	Any deer	GMU 621	((25)) <u>10</u>
Coyle	Modern	Youth	Oct. ((9-31)) <u>8-31</u>	((Antlerless)) Any deer	GMU 624	((15)) <u>10</u>
Kitsap	Modern	Youth	Oct. ((9-31)) <u>8-31</u>	Any deer	GMU 627	10
Mason	Modern	Youth	Nov. ((1-15)) <u>1-14</u>	Any deer	GMU 633	((20)) <u>10</u>
Skokomish	Modern	Youth	Oct. ((9-31)) <u>8-31</u>	((Antlerless)) Any deer	GMU 636	((40)) <u>5</u>
Wynoochee	Modern	Youth	Oct. ((9-31)) <u>8-31</u>	((Antlerless)) Any deer	GMU 648	((15)) <u>12</u>
Satsop	Modern	Youth	Oct. ((7-31)) <u>8-31</u>	((Antlerless)) Any deer	GMU 651	((15)) <u>10</u>
Mashel	Modern	Youth	Oct. ((7-31)) <u>6-31</u>	Antlerless	GMU 654	15
North River	Modern	Youth	Oct. ((7-31)) <u>6-31</u>	Antlerless	GMU 658	10
Minot Peak	Modern	Youth	Oct. ((9-31)) <u>8-31</u>	((Antlerless)) Any deer	GMU 660	((40)) <u>6</u>
Minot Peak	Modern	Youth	Nov. ((1-15)) <u>1-14</u>	Any buck	GMU 660	((40)) <u>4</u>
Capitol Peak	Modern	Youth	Oct. ((9-31)) <u>8-31</u>	((Antlerless)) Any deer	GMU 663	((40)) <u>8</u>

Youth						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Skookumchuck	Modern	Youth	Oct. ((7-31)) <u>6-31</u>	Antlerless	GMU 667	15
Skookumchuck	Modern	Youth	Oct. ((7-31)) <u>6-31</u>	Any buck	GMU 667	20
East Okanogan	Muzzleloader	Youth	Sept. ((30-Oct.8)) <u>29 - Oct. 7</u>	Antlerless	GMU 204	((40)) <u>5</u>
Wannacut	Muzzleloader	Youth	Sept. ((30-Oct.8)) <u>29 - Oct. 7</u>	Antlerless	GMU 209	5
Pogue	Muzzleloader	Youth	Sept. ((30-Oct.8)) <u>29 - Oct. 7</u>	Antlerless	GMU 233	((40)) <u>5</u>
Chiliwist	Muzzleloader	Youth	Sept. ((30-Oct.8)) <u>29 - Oct. 7</u>	Antlerless	GMU 239	((40)) <u>5</u>
Alta	Muzzleloader	Youth	Sept. ((30-Oct.8)) <u>29 - Oct. 7</u>	Antlerless	GMU 242	5
Mission	Muzzleloader	Youth	Sept. ((30-Oct.8)) <u>29 - Oct. 7</u>	Antlerless	GMU 251	3
Whitcomb	Muzzleloader	Youth	Nov. 1-13	Antlerless	Deer Area 3071	5
Paterson	Muzzleloader	Youth	Nov. 1-13	Antlerless	Deer Area 3072	5
Region 5	Modern	Youth with mentor	Aug. 1, ((2017)) <u>2018 - Mar. 31, ((2018)) <u>2019</u></u>	Antlerless	Designated Areas in Region 5	10 ^{HC}

Senior 65+						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Sherman	Modern	65+	Oct. 13-26	White-tailed, antlerless	GMU 101	<u>5</u>
Kelly Hill	Modern	65+	Oct. 13-26	White-tailed, antlerless	GMU 105	<u>10</u>
Douglas	Modern	65+	Oct. 13-26	White-tailed, antlerless	GMU 108	<u>10</u>
Aladdin	Modern	65+	Oct. 13-26	White-tailed, antlerless	GMU 111	<u>10</u>
Selkirk	Modern	65+	Oct. 13-26	White-tailed, antlerless	GMU 113	<u>15</u>
49 Degrees North	Modern	65+	Oct. 13-26	White-tailed, antlerless	GMU 117	<u>25</u>
Huckleberry	Modern	65+	Oct. 13-26	White-tailed, antlerless	GMU 121	<u>50</u>
Washtucna	Modern	65+	Oct. 13-23	Antlerless	GMUs 139, 142, 284, 381	<u>20</u>
Blue Mtns. Foothills	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMUs 145, 149, 154, 163, Deer Area 1010, 178	30
East Okanogan	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 204	((30)) <u>5</u>
Wannacut	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 209	5
Sinlahekin	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 215	((15)) <u>5</u>
Chewuch	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 218	5
Pearygin	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 224	((40)) <u>5</u>
Gardner	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 231	5
Pogue	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 233	((20)) <u>5</u>
Chiliwist	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 239	((15)) <u>5</u>
Alta	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 242	((15)) <u>5</u>
Chiwawa	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 245	5
Entiat	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 247	5
Swakane	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 250	5
Mission	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 251	5
Bridgeport	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMUs 248, 260	((40)) <u>5</u>

Senior 65+						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Palisades	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMUs 266, 269	((40)) <u>5</u>
Rattlesnake Hills	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 372	10
Horse Heaven Hills	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 373	10
((Kahlotus	Modern	65+	Oct. 14-24	Antlerless	GMU 381	40))
East Klickitat	Modern	65+	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 382 (except CLOSED in Deer Area 5382)	5
((Grayback	Modern	65+	Oct. 14-24	Antlerless	GMU 388	5))
North Issaquah	Any	65+	Oct. 13-31 and Nov. 15-18	Antlerless	Deer Area 4541	10
Lincoln	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 501	5
Stella	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 504	5
Mossyrock	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 505	15
Stormking	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 510	5
South Rainier	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 513	5
Packwood	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 516	5
Winston	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 520	5
Yale	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 554	5
Toutle	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 556	10
Lewis River	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 560	5
Washougal	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 568	5
Siouxon	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 572	5
Wind River	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 574	5
West Klickitat	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 578	5
Olympic	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 621	((25)) <u>10</u>
Coyle	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 624	((15)) <u>10</u>
Kitsap	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 627	10
Mason	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 633	((20)) <u>10</u>
((Skokomish	Modern	65+	Oct. 14-31	Antlerless	GMU 636	40))
Wynoochee	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 648	10
Satsop	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 651	((15)) <u>5</u>
Mashel	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 654	15
North River	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 658	10
Minot Peak	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 660	10
Capitol Peak	Modern	65+	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 663	((15)) <u>12</u>

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Washtucna	Modern	Hunter with Disability	Oct. 13-23	Antlerless	GMUs 139, 142, 284, 381	<u>20</u>
Blue Mtns. Foothills	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMUs 145, 149, 154, 163, Deer Area 1010, <u>178</u>	20
East Okanogan	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 204	((30)) <u>5</u>
Wannacut	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 209	5

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Sinlahekin	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 215	((15)) <u>5</u>
Chewuch	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 218	5
Pearrygin	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 224	((10)) <u>5</u>
Gardner	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 231	5
Pogue	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 233	((20)) <u>5</u>
Chiliwist	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 239	((15)) <u>5</u>
Alta	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 242	((15)) <u>5</u>
Chiwawa	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 245	3
Entiat	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 247	3
Mission	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 251	3
Saint Andrews	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 254	5
Bridgeport	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMUs 248, 260	5
Palisades	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMUs 266, 269	5
Beezley	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 272	10
Ritzville	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 284	10
Horse Heaven Hills	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 373	10
Kahlotus	Modern	Hunter with Disability	Oct. 28 - Nov. 5	Antlerless	GMU 381	10
East Klickitat	Modern	Hunter with Disability	Oct. ((14-24)) <u>13-23</u>	Antlerless	GMU 382 (except CLOSED in Deer Area 5382)	5
((Grayback	Modern	Hunter with Disability	Oct. 14-24	Antlerless	GMU 388	5))
North Issaquah	Any	Hunter with Disability	Oct. 13-31 and Nov. 15-18	Antlerless	Deer Area 4541	10
<u>Green River</u>	<u>Modern</u>	<u>Hunter with Disability</u>	<u>Oct. 20-26</u>	<u>Any buck</u>	<u>GMU 485</u>	<u>5</u>
Lincoln	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 501	2
Stella	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 504	2
Mossyrock	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 505	3
Stormking	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 510	2
South Rainier	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 513	2
Packwood	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 516	2

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Winston	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 520	2
Yale	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 554	2
Toutle	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 556	3
Lewis River	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 560	1
Washougal	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 568	5
Siouxon	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 572	2
Wind River	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 574	1
West Klickitat	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 578	2
Olympic	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 621	((45)) <u>5</u>
Kitsap	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 627	5
Mason	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 633	((40)) <u>5</u>
Skokomish	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 636	5
Satsop	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 651	5
Mashel	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 654	10
North River	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 658	5
Minot Peak	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 660	5
Capitol Peak	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 663	5
Skookumchuck	Modern	Hunter with Disability	Oct. ((14-31)) <u>13-31</u>	Antlerless	GMU 667	10
<u>Fall River</u>	<u>Modern</u>	<u>Hunter with Disability</u>	<u>Oct. 13-31</u>	<u>Antlerless</u>	<u>GMU 672</u>	<u>5</u>
Fall River	Modern	Hunter with Disability	Nov. ((1-15)) <u>1-14</u>	Any buck	GMU 672	((40)) <u>6</u>
Wind River	Archery	Hunter with Disability	Sept. ((1-29)) <u>1-28</u>	Antlerless	GMU 574	1
West Klickitat	Archery	Hunter with Disability	Sept. ((1-29)) <u>1-28</u>	Antlerless	GMU 578	1
East Okanogan	Muzzleloader	Hunter with Disability	Sept. ((30-Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 204	5
Sinlahekin	Muzzleloader	Hunter with Disability	Sept. ((30-Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 215	5
Gardner	Muzzleloader	Hunter with Disability	Sept. ((30-Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 231	5
Chiwawa	Muzzleloader	Hunter with Disability	Sept. ((30-Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 245	3
Entiat	Muzzleloader	Hunter with Disability	Sept. ((30-Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 247	3
Mission	Muzzleloader	Hunter with Disability	Sept. ((30-Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 251	3

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Saint Andrews	Muzzleloader	Hunter with Disability	Sept. ((30—Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 254	5
Bridgeport	Muzzleloader	Hunter with Disability	Sept. ((30—Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMUs 248, 260	5
Palisades	Muzzleloader	Hunter with Disability	Sept. ((30—Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMUs 266, 269	5
Olympic	Muzzleloader	Hunter with Disability	Sept. ((30—Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 621	5
Mason	Muzzleloader	Hunter with Disability	Sept. ((30—Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 633	5
Wynoochee	Muzzleloader	Hunter with Disability	Sept. ((30—Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 648	5
Mashel	Muzzleloader	Hunter with Disability	Sept. ((30—Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 654	10
North River	Muzzleloader	Hunter with Disability	Sept. ((30—Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 658	5
Capitol Peak	Muzzleloader	Hunter with Disability	Sept. ((30—Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 663	((40)) 8
Skookumchuck	Muzzleloader	Hunter with Disability	Sept. ((30—Oct. 8)) <u>29 - Oct. 7</u>	Antlerless	GMU 667	10

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

Hunt Name	Weapon/Tag	Requirements	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Region 1	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	Aug. 1, ((2017)) <u>2018</u> - March 31, ((2018)) <u>2019</u>	Antlerless	Designated Areas in Region 1	30 ^{HC}
Region 1	Archery/2nd deer tag	Master Hunter deer tag required	Master Hunter	Aug. 1, ((2017)) <u>2018</u> - March 31, ((2018)) <u>2019</u>	Antlerless	Designated Areas in Region 1	20 ^{HC}
Region 2	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	Aug. 1, ((2017)) <u>2018</u> - March 31, ((2018)) <u>2019</u>	Antlerless	Designated Areas in Region 2	10 ^{HC}
Region 3	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	Aug. 1, ((2017)) <u>2018</u> - March 31, ((2018)) <u>2019</u>	Antlerless	Designated Areas in Region 3	40 ^{HC}
Region 5	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	Aug. 1, ((2017)) <u>2018</u> - March 31, ((2018)) <u>2019</u>	Antlerless	Designated Areas in Region 5	10 ^{HC}
Region 6	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	July 1, ((2017)) <u>2018</u> - March 31, ((2018)) <u>2019</u>	Antlerless	Designated Areas in Region 6	((20)) <u>10</u> ^{HC}

Hunter Education Instructor Incentive Permits

- Special deer permits will be allocated through a random drawing to those hunter education instructors who qualify.
 - Permit hunters must use archery equipment during archery seasons, muzzleloader equipment or archery equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons. Hunter orange is required during modern firearm seasons.
 - Except for online class incentive permits and chief instructor incentive permits, qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing.
 - Permittees may purchase a second license for use with the permit hunt only.
- Qualified hunter education instructors may only receive one incentive permit each year.

Area	Dates	Restrictions	GMUs	Permits
Region 1	All general season and permit seasons established for GMUs included with the permit. Not eligible for seasons and permits for auc	Any white-tailed deer	Any 100 series GMU EXCEPT GMU 157	2

Hunter Education Instructor Incentive Permits				
Region 2	tion hunts; raffle hunts; and hunts for master hunters, youth hunters, hunters with disabilities, or hunters 65 years and older, unless the hunter education instructor legally qualifies for such hunts.	Any white-tailed deer	GMUs 204, 215, 233, 239	1
Region 2		Any white-tailed deer	GMUs 218, 224, 231, 242	1
Region 2		Any deer	GMUs 218, 231	1
Region 2		Any deer	GMUs 245, 247	1
Region 2		Any deer	GMU 290	1
Region 3		Any deer	GMUs 335-368	2
Region 4		Any deer	Any 400 series GMU EXCEPT GMUs 485 and 490	2
Region 5		Any deer	((382, 388,)) <u>All</u> 500 series GMUs EXCEPT GMU 522	4
Region 6	Any deer	((GMUs 654, 660, 672, 673, 681)) <u>Any 600 series GMU</u>	2	

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-415-040 Elk area descriptions.

The following areas are defined as elk areas:

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

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

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

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

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

Elk Area No. 1013 (Asotin County): GMU 172, excluding National Forest lands and the 4-O Ranch Wildlife Area.

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

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

Elk Area No. 1040 (Asotin County): That area within GMU 172 designated as the WDFW-owned lands managed as the 4-O Ranch Wildlife Area.

Elk Area No. 1075 (Asotin County): Private land (excluding WDFW lands) within GMU 175 within the following area: From the intersection of the South Fork Asotin Creek Rd and Campbell Grade Rd, continuing south until the South Fork Asotin Creek Rd crosses the South Fork of Asotin Creek. South along the South Fork of Asotin Creek until it intersects with the USFS property line, due south along the USFS boundary until it reaches the Cloverland Rd. NE along the Cloverland Rd to the intersection of the Back Rd, north along the Back Rd to Campbell Grade Rd, west on Campbell Grade Rd to the intersection with South Fork Asotin Creek Rd and the point of beginning.

Elk Area No. 1081 (Asotin County): All of GMU 181 Couse, including the portion of GMU 172 starting at the

intersection of Mill Road and Highway 129 in Anatone, south along Hwy 129 to Smyth Rd, west and then north on Smyth Rd to the intersection of E Mountain Rd, west along E Mountain Rd to the intersection of W Mountain Rd, north along W Mountain Rd to Mill Road, east on Mill Rd to the starting point.

Elk Area No. 1082 George Creek (Asotin County): That portion of GMU 181 owned by WDFW and designated as the George Creek Wildlife Unit of the Asotin Creek Wildlife Area.

Elk Area No. 2032 Malaga (Kittitas and Chelan counties): Beginning at the mouth of Davies Canyon on the Columbia River; west along Davies Canyon to the cliffs above (north of) the North Fork Tarpiscan Creek; west and north along the cliffs to the Bonneville Power Line; southwest along the power line to the North Fork Tarpiscan Road in Section 9, Township 20N, Range 21E; north and west along North Fork Tarpiscan Road to Colockum Pass Road (Section 9, Township 20N, Range 21E); south and west on Colockum Pass Road to section line between Sections 8 & 9; north along the section line between Sections 8 and 9 as well as Sections 4 & 5 (T20N, R21E) & Sections 32 & 33 (T21N, R21E) to Moses Carr Road; west and north on Moses Carr Road to Jump Off Road; south and west on Jump Off Road to Shaller Road; north and west on Shaller Road to Upper Basin Loop Road; north and west on Upper Basin Loop Road to Wheeler Ridge Road; north on Wheeler Ridge Road to the Basin Loop Road (pavement) in Section 10 (T21N, R20E); north on Basin Loop Road to Wenatchee Heights Road; west on Wenatchee Heights Road to Squilchuck Road; south on Squilchuck Road to Beehive Road (USFS Rd 9712); northwest on Beehive Road to USFS Rd 7100 near Beehive Reservoir; north and west on USFS Rd 7100 to Peavine Canyon Road (USFS Rd 7101); north and east on Peavine Canyon Road to Number Two Canyon Road; north on Number Two Canyon Road to Crawford Street in Wenatchee; east on Crawford Street to the Columbia River; south and east along the Columbia River to Davies Canyon and point of beginning. (Naneum Green Dot, Washington Gazetteer, Wenatchee National Forest)

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

Land firearm closure*) to US Hwy 97; N on US Hwy 97 to Mountain Home Rd (USFS 7300 Rd); N on Mountain Home Rd to the Wenatchee River in the town of Leavenworth; S on the Wenatchee River to the Division St bridge in Cashmere and the point of beginning.

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

Elk Area No. 3681 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Highway 12; northeast on Highway 12 to the Naches River; southeast down the Naches River to Cowiche Creek; west up Cowiche Creek and South Fork Cowiche Creek to Summitview Avenue; northwest on Summitview Avenue to Cowiche Mill Road; west on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13; southeast along the power line to Ahtanum Creek and the point of beginning.

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

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

Firing Center Road to main gate of Yakima Training Center; south and east along Yakima Training Center boundary to southern corner of Yakima Training Center boundary on Columbia River and point of beginning.

Elk Area No. 3911 Fairview (Kittitas County): Beginning at the intersection of the BPA Power Lines in T20N, R14E, Section 36 and Interstate 90; east along the power lines to Highway 903 (Salmon La Sac Road); northwest along Highway 903 to Pennsylvania Avenue; northeast along Pennsylvania Avenue to No. 6 Canyon Road; northeast along No. 6 Canyon Road to Cle Elum Ridge Road; north along Cle Elum Ridge Road to Carlson Canyon Road; northeast along Carlson Canyon Road to West Fork Teanaway River; east along West Fork Teanaway River to North Fork Teanaway River; north along North Fork Teanaway River to Teanaway Road; southeast on Teanaway Road to Ballard Hill Road; east on Ballard Hill Rd and Swauk Prairie Road to Hwy 970; northeast on Hwy 970 to Hwy 97; south on Hwy 97 to the power lines in T20N, R17E, Section 34; east on the power lines to Naneum Creek; south on Naneum Creek approximately 1/2 mile to power lines in T19N, R19E, Section 20; east along BPA power lines to Colockum Pass Road in T19N, R20E, Section 16; south on Colockum Pass Road to BPA power lines in T18N, R20E, Section 6; east and south along power lines to the Yakima Training Center boundary; south and west along the Yakima Training Center boundary to I-82; north on I-82 to Thrall Road; west on Thrall Road to Wilson Creek; south on Wilson Creek to Yakima River; north on Yakima River to gas pipeline crossing in T17N, R18E, Section 25; south and west on the gas pipeline to Umtanum Creek; west on Umtanum Creek to the Durr Road; north on the Durr Road to Umtanum Road; north on Umtanum Road to South Branch Canal; west on South Branch Canal to Bradshaw/Hanson Road; west on Bradshaw Road to the elk fence; north and west along the elk fence to power line crossing in T19N, R16E, Section 10; west along the power line (south branch) to Big Creek; north on Big Creek to Nelson Siding Road; west and north on Nelson Siding Road to I-90; east on I-90 to point of beginning.

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

Elk Area No. 4601 North Bend (King County): That portion of GMU 460 beginning at the interchange of State Route (SR) 18 and I-90; W on I-90 to SE 82nd St, Exit 22, at the town of Preston; N on SE 82nd Street to Preston Fall City Rd SE (Old SR 203); N on Preston Fall City Rd SE to SE Fall

City Snoqualmie Rd (SR 202) at the town of Fall City; E on SE Fall City Snoqualmie Rd to the crossing of Tokul Creek; N and E up Tokul Creek to its crossing with Tokul Rd SE; S on SE Tokul Rd to SE 53rd Way; E on SE 53rd Way where it turns into 396th Dr SE then S on 396th Dr SE to SE Reinig Rd; E on SE Reinig Rd to 428th Ave SE; N on 428th Ave SE to where it turns into North Fork Rd SE; N and E on North Fork Rd SE to Ernie's Grove Rd; E on Ernie's Grove Rd to SE 70th St; N on SE 70th St to its ends at Fantastic Falls on the North Fork Snoqualmie River; SW down the North Fork Snoqualmie River to Fantastic Falls and the Mt Si Natural Resource Conservation Area boundary then S and E along the southern boundary of the Mt Si NRCA to the "School Bus" turnaround at SE 114th St; S on 480th Ave SE to SE 130th St; S and E on SE 130th St to its end; SSE overland from the end of SE 130th St, over the Middle Fork Snoqualmie River, to the end of 486th Ave SE; S on 486th Ave SE to the intersection with SE Middle Fork Road; Due S, from said intersection, up Grouse Mountain toward its peak, to the logging road adjacent to Grouse Mountain Peak; S down the logging road to Grouse Ridge Access Rd; W on Grouse Ridge Access Road which becomes SE 146th St; W on SE 146th St to I-90 then east along I-90 to the W boundary of Olallie/Twin Falls State Park; then ((S)) along the westerly and northerly boundaries of Olallie/Twin Falls/Iron Horse state ((park western boundary to its most western boundary where it intersects with the boundary of the Iron Horse State Park; W along the boundary of Iron Horse State Park)) parks to the boundary of the Rattlesnake Lake Recreation Area; W along the boundary of the Rattlesnake Lake Recreation Area to Cedar Falls Rd SE; N along the Cedar Falls Rd to SE 174th Way; W on SE 174th Way to SE 174th St; W on SE 174th St to SE 173rd St; W on SE 173rd St to SE 170th Pl; W on SE 170th Pl to SE 169th St; W on SE 169th St to 424th Ave SE; N on 424th Ave SE to SE 168th St; W on SE 168th St to 422 Ave SE; N on 422 Ave SE to 426th Way SE; S on 426th Way SE to SE 164th St; E on SE 164th St to Uplands Way SE; W on Uplands Way SE to the crossing with the Power Transmission Lines; W along the Power Transmission Lines to the Winery Rd; NW on the Winery Rd to SE 99th Rd; W and N on SE 99th Rd to the I-90 interchange, at Exit 27; SW on I-90 to the interchange with SR 18 and the point of beginning.

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

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

Cowlitz River; North along the Cowlitz River to the junction of State Highway 505 and the point of beginning.

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

Elk Area No. 5050 Newaukum (Lewis County): That part of GMU 505 beginning at the intersection of Interstate 5 and Highway 12; east on Highway 12 to Larmon Road; east on Larmon Road to Leonard Road; north on Leonard Road through the town of Onalaska to Degler Road; north on Degler Road to Middle Fork Road; east on Middle Fork Road to Beck Road; north on Beck Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Logan Hill Road; south then west on Logan Hill Road to Jackson Highway; south on Jackson Highway to the Newaukum River; west along the Newaukum River to Interstate 5; south on Interstate 5 to Highway 12 and point of beginning.

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

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

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

Elk Area No. 5054 Boistfort (Lewis County): Beginning at the town of Vader; west along State Highway 506 to the Wildwood Road; north along the Wildwood Road to the Abernathy 500 line gate (Section 20, T11N, R3W, Willamette Meridian); northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; northwest along the 813, 812, 5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Section 15, T12N, R4W); west along the Pe Ell/McDonald Road to the Lost Valley Road; northeast along the Lost Valley Road to the Boistfort Road; north along the Boistfort Road to the King Road; east along the King Road to the town of Winlock and State Highway 603; south along Highway 505 to Interstate 5; south along Interstate 5 to State Hwy 506; west along State Hwy 506 to the town of Vader and the point of beginning.

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

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

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

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

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

Elk Area No. 5061 Wildwood (Lewis County): Beginning at the junction of the Pacific West Timber (PWT) 600 Road and the Wildwood Road (SE1/4 S29 T11N R3W); southwest on the 600 Road to the 800 Road (NW1/4 S36 T11N R4W); southwest on the 800 Road to the 850 Road (SW1/4 S3 T10N

R4W); northwest on the 850 Road to the Weyerhaeuser 4720 Road (S20 T11N R4W); north on the Weyerhaeuser 4720 Road to the Weyerhaeuser 4700 Road (S17 T11N R4W); east on the Weyerhaeuser 4700 Road to the Weyerhaeuser 5822 Road (NW1/4 S16 T11N R4W); east on the Weyerhaeuser 5822 Road to the Weyerhaeuser 5820 Road (NW1/4 S10 T11N R4W); southeast on the Weyerhaeuser 5820 Road to the PWT 574 Road (SE1/4 S10 T11N R4W); south on the PWT 574 Road to the 570 Road (NW1/4 S14 T11N R4W); south on the 570 Road to the 500 Road (NW1/4 S14 T11N R4W); northeast on the 500 Road to the 560 Road (SW1/4 S12 T11N R4W); east on the 560 Road to the 540 Road (SE1/4 S12 T11N R4W); east and south on the 540 Road to the 500 Road (SE1/4 S18 T11N R3W); east on the PWT 500 Road to the Wildwood Road (N1/2 S20 T11N R3W); south on the Wildwood Road to the point of beginning, the PWT 600 Road junction (SE1/4 S29 T11N R3W).

Elk Area No. 5062 Trout Lake (Klickitat County): Those portions of GMU 578 (West Klickitat) beginning at the intersection of SR 141 and Sunnyside Road; north on Sunnyside Road to Mount Adams Recreational Area Road; (including agricultural land on the Trout Lake Valley floor north of Sunnyside Road within T06N R10E in Sections 13 and 14); south on Mount Adams Recreational Area Road to the intersection of SR 141 and south on SR 141 and Sunnyside Road to the point of beginning.

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

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

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

Elk Area No. 5066 Norway Pass (Lewis and Skamania counties): That part of GMU 524 beginning at the U.S. Forest Service (USFS) Trail 211 (Lakes Trail) and USFS Trail 230 (Coldwater Trail) junction; NE to Minnie Peak; W to the USFS property boundary in the SE 1/4 of Section 20, T10N, R5E; N along the USFS property boundary to the Green River; E up the Green River to the USFS Rd 2612; E on the USFS Rd 2612 to USFS Rd 26; S on USFS Rd 26 to USFS Trail 1 (Boundary Trail); W on USFS Trail 1 to USFS Trail 214 (Whittier Trail); N on USFS Trail 214 to USFS Trail 211 (Lakes Trail); W on USFS Trail 211 to the USFS Trail 211, Trail 230 junction and point of beginning.

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

Elk Area No. 5099 Mudflow (Cowlitz County): That part of GMU 522 beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek; SE up the North Fork Toutle River to Deer Creek; SE up Deer Creek to ~~((Weyerhaeuser (Weyee)) Rd 3020 ((line)));~~ NW along ~~((Weyee)) 3020 ((line))~~ to ~~((Weyee)) Rd 3000 ((line))~~; E along ~~((Weyee)) Rd 3000 ((line to Weyee 3000P line; E on the 3000P line to Weyee 5600 Line to the Mount Saint Helens National Volcanic Monument Boundary; N on the Mount Saint Helens National Volcanic Monument Boundary))~~ to US Forest Service (USFS) Trail 216G; SE along USFS Trail 216G to USFS Trail 221 (Castle Lake Trail); N on USFS Trail 221 to Castle Creek; N along Castle Creek to the confluence with the North Fork Toutle River; W down the North Fork Toutle River to the North Fork Toutle River, Coldwater Creek confluence; North from the North Fork Toutle River, Coldwater Creek confluence on unnamed ridgeline, to Castle Lake viewpoint on SR 504; W on SR 504 to Hoffstadt Creek Bridge on Hoffstadt Creek; S and W down Hoffstadt Creek to the North Fork Toutle River and point of beginning.

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

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

Elk Area No. 6013 (Pierce County): That part of GMU 652 beginning at the intersection of Highway 167 and Highway 410; north on Highway 167 to Highway 18; east on Highway 18 to Highway 164; southeasterly on Highway 164 to intersection with power transmission line in T20 R6 Section 18. West along power transmission line to intersection with 226th Ave E. South on 226th Ave East to intersection with 40th St E, east on 40th St E to 230th Ave E, South on 230th Ave E to Radke Road. Southwest on Radke to Barkubine

Road, South on Barkubine Road to Connells Prairie; West on Connells Prairie Rd to 214th Ave E, South on 214th Ave E to Highway 410; westerly on Highway 410 to Highway 167 and the point of beginning.

Elk Area No. 6014 (Pierce County): Starting at Highway 164 intersection with power transmission line in T20 R6 Section 18; W along power transmission line to intersection with 226th Ave E; S on 226th Ave ~~((East))~~ E to intersection with 40th St E; E on 40th St E to 230th Ave E; S on 230th Ave E to Radke Rd; SW on Radke to Barkubine Rd; S on Barkubine Rd to Connells Prairie; W on Connells Prairie Rd to 214th Ave E; S on 214th Ave E to South Prairie ~~((Road))~~ Rd; SE on South Prairie ~~((Road))~~ Rd to Highway 162; E on Hwy 162 to Hwy 165; ~~((NE on Hwy 165 to Hwy 410; NE on Hwy 410 to White River; SE along White River to intersection with))~~ S on Hwy 165 to the power transmission lines at T19 R6 Section 21, NE along the power transmission lines to the White River, N along the White River to the power transmission lines ((in T19N)) at T19 R7E ((S)); NE on power transmission lines to intersection with Hwy 410 West on SR 410 to Hwy 164; NW on ~~((Highway))~~ Hwy 164 to starting point.

Elk Area No. 6054 Puyallup River (Pierce County): That portion of GMU 654 beginning at the intersection of Mount Rainier National Park's western boundary and State Route (SR) 706; W on SR 706 to intersection with Highway 7 at Elbe; NW on Highway 7 to Alder Cutoff Rd; N on Alder Cutoff Rd to Scott Turner Rd; NW on Scott Turner Rd to Alder Cutoff Rd; W and NE on Alder Cutoff Rd to Center St SE in the town of Eatonville; NW on Center St SE to SR 161; N and W on SR 161 to Orville Rd E; N on Orville Rd E, past Lake Ohop and Lake Kapowsin, to the bridge crossing the Puyallup River; SE up the Puyallup River to Mount Rainier National Park's western boundary; S on Mount Rainier National Park's western boundary to SR 706 and the point of beginning.

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

Elk Area No. 6064 Quinault Valley (Grays Harbor and Jefferson counties): That portion of GMU 638 (Quinault) within the Quinault River watershed east of Gatton Creek and Lake Quinault excluding US Forest Service (USFS) Colonel Bob Wilderness Area beginning at the mouth of the Quinault River; NE on the Olympic National Park boundary, which is along the Quinault River, to the intersection with USFS Colonel Bob Wilderness Area; then SW along the Colonel Bob Wilderness Area Western boundary to its intersection with Haas Creek; then downstream along Haas Creek to its intersection with USFS Olympic National Forest boundary; then SW along USFS boundary to the Lake Quinault shoreline; then N along the East shore of Lake Quinault to the mouth of Quinault River and the point of the beginning.

Elk Area No. 6069 Hanaford (Lewis and Thurston counties): That part of GMU 667 (Skookumchuck) beginning at the intersection of Salzer Valley Rd and S Pearl St (Centralia); N on S Pearl St to N Pearl St; N on N Pearl St to State Hwy 507; W and N on State Hwy 507 to Skookumchuck Rd; E on Skookumchuck Rd to the first bridge over the Skookumchuck River; E along the Skookumchuck River to the Skookumchuck Rd bridge; E on Skookumchuck Rd to the steel tower power line; SW along the power line to Big Hanaford Rd; E and S along Big Hanaford Rd to the intersection with the main stem of Hanaford Creek; SE along Hanaford Creek to the range line between Range 1W and Range 1E of Township 14N; S on the range line between Range 1W and Range 1E of Township 14N to Mitchell Creek; SW on Mitchell Creek to the North Fork of the Newaukum River; SW on the North Fork of the Newaukum River to North Fork Rd; W on North Fork Rd to Centralia-Alpha Rd; W on Centralia-Alpha Rd to Salzer Valley Rd and the point of beginning.

Elk Area No. 6071 Dungeness (Clallam County): Portions of GMUs 621 (Olympic) and 624 (Coyle) beginning at the mouth of the Dungeness River; east and south along the coast of the Strait of Juan de Fuca to the mouth of Dean Creek on Sequim Bay; south and west up Dean Creek to the power transmission line; west on the power transmission line to the Dungeness River; north down the Dungeness River to its mouth and the point of beginning.

Elk Area No. 6612 Forks (Clallam County): That part of GMUs 607 and 612 excluding the city of Forks and Bogachiel state park; starting at the confluence of Calawah River and the Bogachiel River; upstream on the Bogachiel River to the Hwy 101 Bridge north along Hwy 101 to Sportsman Club Rd; E on Sportsman Club Rd to DNR FR-F-1000; E on DNR FR-F-1000 to DNR FR-F-1200; N on DNR FR-F-1200 to its end; from the end of DNR FR-F-1200 N approximately 500' to Elk Creek; down Elk Creek to its confluence with the Calawah River; down the Calawah River to its confluence with the Bogachiel River.

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-415-050 ((2015-2017)) 2018-2020 Elk general seasons and definitions. It is unlawful to fail to comply with bag, possession, and season limits described below. A violation of this section is punishable under RCW 77.15.410 Unlawful hunting of big game—Penalty.

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

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

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

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

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

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

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

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

True Spike - Bull Antler Restrictions: Neither antler of bull elk taken in GMUs 251, and 328-335 can have branching originating more than 4 inches above where the antlers attach to the skull. Under the true-spike restriction, taking an elk that has two points on one side or antler points within one inch of the definitions regarding length of point, or point of origination, is an infraction under RCW 77.15.160. All other types of violations of the true-spike restriction are subject to current penalties and assessments under RCW 77.15.410 and 77.15.420.

True-spike GMUs: 251, 328-335.

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

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

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

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

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

Elk Tag Areas

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

EA - Eastern Washington Archery Tag

EF - Eastern Washington Modern Firearm General Elk Tag

EM - Eastern Washington Muzzleloader Tag

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

WA - Western Washington Archery Tag

WF - Western Washington Modern Firearm General Elk Tag

WM - Western Washington Muzzleloader Tag

Modern Firearm General Elk Seasons

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

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

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

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	((2015)) 2018 Dates	((2016)) 2019 Dates	((2017)) 2020 Dates	Legal Elk
Eastern Washington	EF	101, 105, 108, 111, 113, 117, 121, 204	((Oct. 31 - Nov. 8)) Oct. 27 - Nov. 4	((Oct. 29 - Nov. 6)) Oct. 26 - Nov. 3	((Oct. 28 - Nov. 5)) Oct. 31 - Nov. 8	Any bull
		145 through 154, 162 through 169, 172 (except Elk Area 1040), 175 through 186, 249, 336 through 368	((Oct. 31 - Nov. 8)) Oct. 27 - Nov. 4	((Oct. 29 - Nov. 6)) Oct. 26 - Nov. 3	((Oct. 28 - Nov. 5)) Oct. 31 - Nov. 8	Spike bull
		251, 328, 329, 334, 335	((Oct. 31 - Nov. 8)) Oct. 27 - Nov. 4	((Oct. 29 - Nov. 6)) Oct. 26 - Nov. 3	((Oct. 28 - Nov. 5)) Oct. 31 - Nov. 8	True spike bull
		Elk Area 3722*	Sept. 8-23	Sept. 7-22	Sept. ((6-21)) <u>5-20</u>	Antlerless only
		124 through 142, 372, 382, 388	((Oct. 31 - Nov. 8)) Oct. 27 - Nov. 4	((Oct. 29 - Nov. 6)) Oct. 26 - Nov. 3	((Oct. 28 - Nov. 5)) Oct. 31 - Nov. 8	Any elk
		203, 209 through 248, 250, 254 through 290, 373, 379, 381	Oct. ((31)) <u>27</u> - Nov. 15	Oct. ((29)) <u>26</u> - Nov. 15	Oct. ((28)) <u>31</u> - Nov. 15	Any elk
		Master Hunters Only: 371, Elk Areas 3911 and 3912. <u>Must wear hunter orange.</u>	Aug. 1 - Jan. 20, ((2016)) <u>2019</u>	Aug. 1 - Jan. 20, ((2017)) <u>2020</u>	Aug. 1 - Jan. 20, ((2018)) <u>2021</u>	Antlerless only
		((Master Hunters Only: Elk Area 3911**	Nov. 14 - Dec. 15	Nov. 12 - Dec. 15	Nov. 11 - Dec. 15	Antlerless only
		Master Hunters Only: Elk Area 3911** <u>2nd tag.</u>	Aug. 1 - Oct. 30	Aug. 1 - Oct. 28	Aug. 1 - Oct. 27	Antlerless-only))
		Master Hunters Only: 127, 130	Dec. 9-31	Dec. 9-31	Dec. 9-31	Antlerless only
<p>*GMU 372 and Elk Area 3722 are mainly private property. Hunters are not advised to try hunting these areas without making prior arrangements for access.</p> <p>((**Master hunters who hunt in Elk Area 3911 during the August to October early master hunter season must purchase a master hunter, Elk Area 3911, second elk transport tag. Only master hunters with an eastside elk tag can purchase this tag. Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 30, 2015, August 1 - October 28, 2016, and August 1 - October 27, 2017. Only one antlerless elk may be taken from Elk Area 3911, unless drawn for an antlerless elk special permit. Master hunters who hunt in Elk Area 3911 during the November to December late master hunter season may use their unused general season elk tag, but are not eligible to use an Elk Area 3911, master hunter, second elk transport tag. Any legal weapon may be used during either master hunter Elk Area 3911 hunt. All master hunters participating in an Elk Area 3911 hunt must wear hunter orange.))</p>						
Western Washington	WF	460, 466, 503, 505 through 520, 524 (except CLOSED in Elk Area 5066), 530, 550, 560, 568, 572, 574, 578, 601 through 618, 624 (except for Elk Area 6071), 627, 633, 638 (except master hunters only in Elk Area 6064 portion of GMU 638), <u>642</u> through 651, 652 (except for Elk Area 6014), 654 through <u>660, 667</u> through 684. ((Except master hunters only in Elk Area 6064 portion of GMU 638.))	Nov. ((7-18)) <u>3-14</u>	Nov. 5-16	Nov. 4-15	3 pt. min.
		501, 504, <u>663</u> , Elk Area 6014	Nov. ((7-18)) <u>3-14</u>	Nov. ((5-16)) <u>2-13</u>	Nov. ((4-15)) <u>7-18</u>	3 pt. min. or antlerless
		407, 448, 564, 666	Nov. ((7-18)) <u>3-14</u>	Nov. ((5-16)) <u>2-13</u>	Nov. ((4-15)) <u>7-18</u>	Any elk
		454	Nov. ((7-18)) <u>3-14</u>	Nov. ((5-16)) <u>2-13</u>	Nov. ((4-15)) <u>7-18</u>	Any bull

Archery General Elk Seasons

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

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

Hunting Method: Bow and arrow only, as defined under WAC 220-414-070.

Special Notes: Archery tag holders can hunt only during archery seasons and must hunt with archery equipment (WAC 220-414-070). Archery elk hunters may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	((2015)) 2018 Dates	((2016)) 2019 Dates	((2017)) 2020 Dates	Legal Elk
Early Archery General Elk Seasons						
Eastern Washington	EA	101 through 142, 204, 243, 247, 249, 250, 373, 379, 381, 388	Sept. ((12-24)) 8-20	Sept. ((10-22)) 7-19	Sept. ((9-21)) 12-24	Any elk
		162, 166, 169, 172 (except Elk Area 1040), 175, 186, 336, 340, 352, 356, 364	Sept. ((12-24)) 8-20	Sept. ((10-22)) 7-19	Sept. ((9-21)) 12-24	Spike bull
		328, 329, 336, 340, 352, 356, 364	Sept. 15-20			Antlerless
		328, 329, ((335))	Sept. ((12-24)) 8-20	Sept. ((10-22)) 7-19	Sept. ((9-21)) 12-24	True spike bull ((or antlerless))
		334, 335	Sept. 8-20	Sept. 7-19	Sept. 12-24	True spike bull or antlerless
		145, 149, 154, Elk Area 1010, Elk Area 1013, 163, ((175;)) 178, 181, ((334-336, 340, 352, 356, 364))	Sept. ((12-24)) 8-20	Sept. ((10-22)) 7-19	Sept. ((9-21)) 12-24	Spike bull or antlerless
Western Washington	WA	448, 454, 564, 652 (except Elk area 6013), 666, 684	Sept. ((12-24)) 8-20	Sept. ((10-22)) 7-19	Sept. ((9-21)) 12-24	Any elk
		407	Sept. ((12-24)) 8-20	Sept. ((10-22)) 7-19	Sept. ((9-21)) 12-24	Any elk
		501 through 505, 520, 550, 554, 560, 568, 572, 574, 578, ((624 (except for Elk Area 6071;)) Elk Area 6061, 654, 660, 667 through 673, 681, 699	Sept. ((12-24)) 8-20	Sept. ((10-22)) 7-19	Sept. ((9-21)) 12-24	3 pt. min. or antlerless
		460, 466, 506, 510, 513, 516, 524 (except CLOSED in Elk Area 5066), 530, 601 through 618, 624 (except for Elk Area 6071), 627, 633, 638 (except Master Hunters only in Elk Area 6064), 642 through 651, 658, 663	Sept. ((12-24)) 8-20	Sept. ((10-22)) 7-19	Sept. ((9-21)) 12-24	3 pt. min.
Late Archery General Elk Seasons						
Eastern Washington	EA	101, 105, 108, 117, 121, 204	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any bull
		124, 127, 373, 388	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any elk
		178	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Antlerless only
		Elk Area 1010, 163	Dec. 9 - Jan. 30, ((2016)) 2019	Dec. 9 - Jan. 30, ((2017)) 2020	Dec. 9 - Jan. 30, ((2018)) 2021	Antlerless only
		203, 209 through 248, 250, 254 through 290, 379, 381. Must wear hunter orange.	Oct. ((34)) 27 - Nov. 15	Oct. ((29)) 26 - Nov. 15	Oct. ((28)) 31 - Nov. 15	Any elk
		Master Hunters Only: 371, Elk Areas 3911 and 3912. Must wear hunter orange.	Aug. 1 - Jan. 20, ((2016)) 2019	Aug. 1 - Jan. 20, ((2017)) 2020	Aug. 1 - Jan. 20, ((2018)) 2021	Antlerless only
		((Master Hunters Only: Elk Area 3911**. Must wear hunter orange.	Nov. 14 - Dec. 15	Nov. 12 - Dec. 15	Nov. 11 - Dec. 15	Antlerless only

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	((2015)) 2018 Dates	((2016)) 2019 Dates	((2017)) 2020 Dates	Legal Elk
		Master Hunters Only: Elk Area 3911** 2nd tag. Must wear hunter orange.	Aug. 1 – Oct. 30	Aug. 1 – Oct. 28	Aug. 1 – Oct. 27	Antlerless-only))
		Master Hunters Only: 127, 130	Dec. 9-31	Dec. 9-31	Dec. 9-31	Antlerless only
		328, 334, 335	Nov. ((25)) 21 - Dec. 8	Nov. ((23)) 27 - Dec. 8	Nov. ((22)) 25 - Dec. 8	True spike bull or antlerless
		336, 342, 346, 352, 364, Elk Area 3681	Nov. ((25)) 21 - Dec. 8	Nov. ((23)) 27 - Dec. 8	Nov. ((22)) 25 - Dec. 8	Spike bull or antlerless
Western Washington	WA	Elk Area 4601, 503, 505, 506, 530, 652 (except Elk Area 6013), 663, 667, 672, 681, and 699. Master hunters only in Elk Area 6064 portion of GMU 638.	Nov. ((25)) 21 - Dec. 15	Nov. ((23)) 27 - Dec. 15	Nov. ((22)) 25 - Dec. 15	3 pt. min. or antlerless
		407	Nov. 21 - Jan 20, 2019	Nov. 27 - Jan 20, 2020	Nov. 25 - Jan 20, 2021	Any elk
		((407,)) 448, 454, 564, 666	Nov. ((25)) 21 - Dec. 15	Nov. ((23)) 27 - Dec. 15	Nov. ((22)) 25 - Dec. 15	Any elk
		603, 612, 615, 638 (except for Elk Area 6064), 648	Nov. ((25)) 21 - Dec. 15	Nov. ((23)) 27 - Dec. 15	Nov. ((22)) 25 - Dec. 15	3 pt. min.
		((506, 520, 530	Nov. 25 - Dec. 15	Nov. 23 - Dec. 15	Nov. 22 - Dec. 15	Antlerless-only))
<p>*GMU 372 and Elk Area 3722 are mainly private property. Hunters are not advised to try hunting these areas without making prior arrangements for access.</p> <p>((**Master hunters who hunt in Elk Area 3911 during the August to October early master hunter season must purchase a master hunter, Elk Area 3911, second elk transport tag. Only master hunters with an eastside elk tag can purchase this tag. Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 – October 30, 2015, August 1 – October 28, 2016, and August 1 – October 27, 2017. Only one antlerless elk may be taken from Elk Area 3911, unless drawn for an antlerless elk special permit. Master hunters who hunt in Elk Area 3911 during the November to December late master hunter season may use their unused general season elk tag, but are not eligible to use an Elk Area 3911, master hunter, second elk transport tag. Any legal weapon may be used during either master hunter Elk Area 3911 hunt. All master hunters participating in an Elk Area 3911 hunt must wear hunter orange.))</p>						

Muzzleloader General Elk Seasons

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

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

Hunting Method: Muzzleloader, as defined under WAC 220-414-060, or bow and arrow, as defined under WAC 220-414-070.

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

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	((2015)) 2018 Dates	((2016)) 2019 Dates	((2017)) 2020 Dates	Legal Elk
Early Muzzleloader General Elk Seasons						
Eastern Washington	EM	101 through 121, 204, 247	Oct. ((3-9)) 6-12	Oct. ((1-7)) 5-11	Oct. ((7-13)) 3-9	Any bull
		124 through 142, 245, 250	Oct. ((3-9)) 6-12	Oct. ((1-7)) 5-11	Oct. ((7-13)) 3-9	Any elk
		145, 149, 154, 162, 163, 166, 172 (except Elk Area 1040), 175, 178, 181, 336 through 342, 352 through 368	Oct. ((3-9)) 6-12	Oct. ((1-7)) 5-11	Oct. ((7-13)) 3-9	Spike bull
		328, 329, 334, 335, Elk Area 2051	Oct. ((3-9)) 6-12	Oct. ((1-7)) 5-11	Oct. ((7-13)) 3-9	True spike bull
Western Washington	WM	407	Oct. ((3-9)) 6-12	Oct. ((1-7)) 5-11	Oct. ((7-13)) 3-9	Any elk
		Elk Area 4601	Oct. ((3-9)) 6-12	Oct. ((1-7)) 5-11	Oct. ((7-13)) 3-9	3 pt. min. or antlerless
		448, 454, 564, 666, 684	Oct. ((3-9)) 6-12	Oct. ((1-7)) 5-11	Oct. ((7-13)) 3-9	Any elk

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	((2015)) 2018 Dates	((2016)) 2019 Dates	((2017)) 2020 Dates	Legal Elk
		460, 466, 505, 506, 510, 513, 516, 520, 524 (except CLOSED in Elk Area 5066), 530, 550, 554, 560, 568, 572, 574, 578, 602, 603, 607, 612, 615, 624 (except for Elk Area 6071), 627, 633, 638 (except for Elk Area 6064), 642, 648, 660, ((663;)) 672, 673, 681	Oct. ((3-9)) <u>6-12</u>	Oct. ((1-7)) <u>5-11</u>	Oct. ((7-13)) <u>3-9</u>	3 pt. min.
		501, 503, 504, 652 (except Elk Area 6013 closed to antlerless), 654, 663 , 667	Oct. ((3-9)) <u>6-12</u>	Oct. ((1-7)) <u>5-11</u>	Oct. ((7-13)) <u>3-9</u>	3 pt. min. or antlerless
Late Muzzleloader General Elk Seasons						
Eastern Washington	EM	130 through 142	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any elk
		203, 209 through 248, 250, 254 through 290, 373, 379, 381. Must wear hunter orange.	Oct. ((34)) <u>27</u> - Nov. 15	Oct. ((29)) <u>26</u> - Nov. 15	Oct. ((28)) <u>31</u> - Nov. 15	Any elk
		Master Hunters Only: 371, Elk Areas 3911 and 3912. Must wear hunter orange.	Aug. 1 - Jan. 20, ((2016)) <u>2019</u>	Aug. 1 - Jan. 20, ((2017)) <u>2020</u>	Aug. 1 - Jan. 20, ((2018)) <u>2021</u>	Antlerless only
		((Master Hunters Only: Elk Area 3911**). Must wear hunter orange.	Nov. 14 - Dec. 15	Nov. 12 - Dec. 15	Nov. 11 - Dec. 15	Antlerless only
		Master Hunters Only: Elk Area 3911** 2nd tag. Must wear hunter orange.	Aug. 1 - Oct. 30	Aug. 1 - Oct. 28	Aug. 1 - Oct. 27	Antlerless only))
		Master Hunters Only: 127, 130	Dec. 9-31	Dec. 9-31	Dec. 9-31	Antlerless only
Western Washington	WM	407	((Nov. 25 - Dec. 15)) Nov. 21 - Jan. 20, <u>2019</u>	((Nov. 23 - Dec. 15)) Nov. 27 - Jan. 20, <u>2020</u>	((Nov. 22 - Dec. 15)) Nov. 25 - Jan. 20, <u>2021</u>	((3 pt. min. or antlerless)) <u>Any elk</u>
		501, 503, 504, 505, 578 , 652 (except Elk Area 6013 closed to antlerless).	Nov. ((25)) <u>21</u> - Dec. 8	Nov. ((23)) <u>27</u> - Dec. 8	Nov. ((22)) <u>25</u> - Dec. 8	3 pt. min. or antlerless
		448, 454, 564, 666, 684	Nov. ((25)) <u>21</u> - Dec. 15	Nov. ((23)) <u>27</u> - Dec. 15	Nov. ((22)) <u>25</u> - Dec. 15	Any elk
		568, 574 ((, 578))	Nov. ((25-30)) <u>21-30</u>	Nov. ((23-30)) <u>27-30</u>	Nov. ((22-30)) <u>25-30</u>	3 pt. min.
		601, 618, 651, 658, 667	Nov. ((25)) <u>21</u> - Dec. 15	Nov. ((23)) <u>27</u> - Dec. 15	Nov. ((22)) <u>25</u> - Dec. 15	3 pt. min.
		<p>((**Master hunters who hunt in Elk Area 3911 during the August to October early master hunter season must purchase a master hunter, Elk Area 3911, second elk transport tag. Only master hunters with an eastside elk tag can purchase this tag. Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 30, 2015, August 1 - October 28, 2016, and August 1 - October 27, 2017. Only one antlerless elk may be taken from Elk Area 3911, unless drawn for an antlerless elk special permit. Master hunters who hunt in Elk Area 3911 during the November to December late master hunter season may use their unused general season elk tag, but are not eligible to use an Elk Area 3911, master hunter, second elk transport tag. Any legal weapon may be used during either master hunter Elk Area 3911 hunt. All master hunters participating in an Elk Area 3911 hunt must wear hunter orange.))</p>				

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-415-060 ((2017)) 2018 Elk special permits. It is unlawful to fail to comply with the bag, possession, and season limits described below. A violation of this section is punishable under RCW 77.15.410 Unlawful hunting of big game—Penalty.

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

Hunters must purchase an elk hunting license prior to purchasing a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for Eastern or Western Washington archery, muzzleloader, or modern firearm permit hunts. Applicants must have purchased the proper tag for these

hunts. The elk tag prefixes required to apply for each hunt are shown in the following table. Hunters drawn for a special permit hunt must comply with weapon restrictions, dates, and other conditions listed for the hunt. Hunters drawn for a special permit designated "Any tag" under the "Weapon/Tag" restriction must use equipment consistent with the requirements of their transport tag and license.

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EA, EF, EM	Any	((Oct. 1-15 and Nov. 9 - Dec. 6)) Oct. 1-6 and Nov. 9-30	Any bull	Elk Area 1015	1
((Preseott	EF	Any	Sept. 25-29	Any bull	GMU 149	4))
Prescott	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	GMU 149	2
Blue Creek	EF	Any	Sept. ((25-29)) 24-28	Any bull	GMU 154	1
Blue Creek	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	GMU 154	((6)) 11
Watershed	EA, EF, EM	Any	Oct. ((23 - Nov. 5)) 27 - Nov. 4	3 pt. min.	GMU 157	40
Dayton	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	GMU 162	((14)) 9
Ten Ten	EF	Any	Sept. ((25-29)) 24-28	Any bull	Elk Area 1010, GMU 163	1
Ten Ten	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	Elk Area 1010, GMU 163	((4)) 3
Tucannon	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	GMU 166	14
Wenaha West	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	Elk Area 1008	((9)) 8
Wenaha East	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	Elk Area 1009	((10)) 9
Mountain View	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	GMU 172, EXCEPT Elk Area 1040	16
Ten Forty	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	Elk Area 1040	2
Lick Creek	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	GMU 175	((6)) 4
Peola	EF	Any	Sept. ((25-29)) 24-28	Any bull	GMU 178	1
Peola	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	GMU 178	1
Couse	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	GMU 181	3
Mission	EF	Any	Sept. ((23-29)) 22-28	Any bull	GMU 251	3
Colockum	EF	Any	Sept. ((25-29)) 24-28	Any bull	GMUs 328, 329	1
Colockum	EF	Any	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	GMUs 328, 329	((22)) 19
Teanaway	EF	Any	Sept. ((25-29)) 24-28	Any bull	GMU 335	2
Peaches Ridge	EF	Any	Sept. ((25-29)) 24-28	Any bull	GMUs 336, 346	3
Observatory	EF	Any	Sept. ((25-29)) 24-28	Any bull	GMUs 340, 342	3
Little Naches	EF	Any	((Sept. 30 - Oct. 8)) Sept. 29 - Oct. 7	Any bull	GMU 346	((10)) 5
Goose Prairie	EF	Any	Sept. ((25-29)) 24-28	Any bull	GMUs 352, 356	((5)) 3
Bethel	EF	Any	Sept. ((25-29)) 24-28	Any bull	GMU 360	3
Rimrock	EF	Any	Sept. ((25-29)) 24-28	Any bull	GMU 364	3
Cowiche	EF	Any	Sept. ((25-29)) 24-28	Any bull	GMU 368	3
Nooksack	WF	Any	((Oct. 7 - Nov. 17)) Oct. 6-31 and Dec. 17-31	Any bull	GMU 418 ((and Elk Area 494))	12
Green River	WF, WA, WM	Any	((Nov. 4-10)) Oct. 20-26	Any bull	GMU 485	8
Wahkiakum	WF	Any	Sept. ((25-29)) 24-28	Any bull	GMUs 506, 530	1

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
South Rainier	WF	Any	Sept. ((25-29)) <u>24-28</u>	Any bull	GMUs 510, 513	1
Packwood	WF	Any	Sept. ((25-29)) <u>24-28</u>	Any bull	GMU 516	1
Winston	WF	Any	Sept. ((25-29)) <u>24-28</u>	Any bull	GMU 520	1
Coweeman	WF	Any	Sept. ((25-29)) <u>24-28</u>	Any bull	GMU 550	1
Toutle	WF	Any	Sept. ((25-29)) <u>24-28</u> and Nov. ((4-15)) <u>3-14</u>	Any bull	GMU 556	((3)) 2
Toutle	WF	Any	Nov. ((4-15)) <u>3-14</u>	Any bull	GMU 556	((46)) 45
Lewis River	WF	Any	Sept. ((25-29)) <u>24-28</u>	Any bull	GMU 560	2
Siouxon	WF	Any	Sept. ((25-29)) <u>24-28</u>	Any bull	GMU 572	2
Carlton	WF	Any	Sept. ((25-29)) <u>24-28</u>	Any bull	Elk Area 5057	5
West Goat Rocks	WF	Any	Sept. ((25-29)) <u>24-28</u>	Any bull	Elk Area 5058	5
Upper Smith Creek	WF	Any	Sept. <u>24-28</u>	Any bull	Elk Area 5064	1
Mount Whittier	WF	Any	Sept. <u>24-28</u>	Any bull	Elk Area 5065	1
Norway Pass	WF	Any	Sept. <u>24-28</u>	Any bull	Elk Area 5066	2
Mt. Adams	WF	Any	Sept. ((25-29)) <u>24-28</u>	Any bull	Elk Area 5059	5
Mudflow	WF	Any	Nov. ((4-15)) <u>3-14</u>	Any bull	Elk Area 5099	((5)) 7
Peninsula	WF	Any	Sept. ((25-29)) <u>24-28</u>	3 pt. min.	GMUs 602, <u>603</u> , 607, 612, <u>615</u>	((1)) 4
((Clearwater	WF	Any	Sept. <u>25-29</u>	3 pt. min.	GMU 615	2))
Matheny	WF	Any	Sept. ((25-29)) <u>24-28</u>	3 pt. min.	GMU 618	3
Quinault	WF	Any	Sept. ((25-29)) <u>24-28</u>	3 pt. min.	GMU 638	5
Wynoochee	WF	Any	Sept. ((25-29)) <u>24-28</u>	3 pt. min.	GMU 648	1
White River	WF	Any	Sept. ((25-29)) <u>24-28</u>	Any bull	GMU 653	2
Prescott	EA	Any	Sept. ((2-21)) <u>1-20</u>	Any bull	GMU 149	1
Blue Creek	EA	Any	Sept. ((2-21)) <u>1-20</u>	Any bull	GMU 154	((6)) 8
Dayton	EA	Any	Sept. ((2-21)) <u>1-20</u>	Any bull	GMU 162	((7)) 4
Ten Ten	EA	Any	Sept. ((2-21)) <u>1-20</u>	Any bull	Elk Area 1010, GMU 163	((4)) 5
Tucannon	EA	Any	Sept. ((2-21)) <u>1-20</u>	Any bull	GMU 166	6
Wenaha West	EA	Any	Sept. ((2-21)) <u>1-20</u>	Any bull	Elk Area 1008	((3)) 2
Wenaha East	EA	Any	Sept. ((2-21)) <u>1-20</u>	Any bull	Elk Area 1009	4
Mountain View	EA	Any	Sept. ((2-21)) <u>1-20</u>	Any bull	GMU 172, EXCEPT Elk Area 1040	((14)) 15
Ten Forty	EA	Any	Sept. ((11-24)) <u>10-23</u>	Any bull	Elk Area 1040	2
Lick Creek	EA	Any	Sept. ((2-21)) <u>1-20</u>	Any bull	GMU 175	((13)) 7
Peola	EA	Any	Sept. ((2-21)) <u>1-20</u>	Any bull	GMU 178	2
Couse	EA	Any	Sept. ((2-21)) <u>1-20</u>	Any bull	GMU 181	2
Colockum	EA	Any	Sept. ((9-21)) <u>8-20</u>	Any bull	GMUs 328, 329	((13)) 12
Teanaway	EA	Any	Sept. ((9-21)) <u>8-20</u>	Any bull	GMU 335	((4)) 3
Peaches Ridge	EA	Any	Sept. ((9-21)) <u>8-20</u>	Any bull	GMUs 336, 346	((104)) 58
Observatory	EA	Any	Sept. ((9-21)) <u>8-20</u>	Any bull	GMUs 340, 342	((104)) 57
Goose Prairie	EA	Any	Sept. ((9-21)) <u>8-20</u>	Any bull	GMUs 352, 356	((109)) 53

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Bethel	EA	Any	Sept. ((9-21)) 8-20	Any bull	GMU 360	((66)) 32
Rimrock	EA	Any	Sept. ((9-21)) 8-20	Any bull	GMU 364	((85)) 63
Cowiche	EA	Any	Sept. ((9-21)) 8-20	Any bull	GMU 368	21
Nooksack	WA	Any	((Aug. 28 – Sept. 16 and Dec. 1-31)) Aug. 27 - Sept. 15 and Jan. 1-18, 2019	Any bull	GMU 418 ((and Elk Area-4941))	7
Toutle	WA	Any	Sept. ((9-21)) 8-20 and Dec. 1-15	Any bull	GMU 556	((34)) 33
Upper Smith Creek	WA	Any	Sept. 16-22	Any bull	Elk Area 5064	1
Norway Pass	WA	Any	Sept. 8-14	Any bull	Elk Area 5066	2
Mudflow	WA	Any	Sept. ((15-21)) 15-23 and Nov. 16-21	Any bull	Elk Area 5099	((5)) 7
Peninsula	WA	Any	Sept. 1-23	3 pt. min.	GMUs 602, 603, 607, 612, 615	2
White River	WA	Any	Sept. ((9-21)) 8-20	Any bull	GMU 653	19
Prescott	EM	Any	Oct. ((1-13)) 1-12	Any bull	GMU 149	1
Blue Creek	EM	Any	Oct. ((1-13)) 1-12	Any bull	GMU 154	((2)) 3
Dayton	EM	Any	Oct. ((1-13)) 1-12	Any bull	GMU 162	((5)) 3
Ten Ten	EM	Any	Oct. ((1-13)) 1-12	Any bull	Elk Area 1010, GMU 163	1
Tucannon	EM	Any	Oct. ((1-13)) 1-12	Any bull	GMU 166	3
Wenaha West	EM	Any	Oct. ((1-13)) 1-12	Any bull	Elk Area 1008	2
Wenaha East	EM	Any	Oct. ((1-13)) 1-12	Any bull	Elk Area 1009	((4)) 3
Mountain View	EM	Any	Oct. ((1-13)) 1-12	Any bull	GMU 172, EXCEPT Elk Area 1040	5
Ten Forty	EM	Any	((Sept. 30 – Oct. 8)) Oct. 1-12	Any bull	Elk Area 1040	2
Lick Creek	EM	Any	Oct. ((1-13)) 1-12	Any bull	GMU 175	((2)) 1
Peola	EM	Any	Oct. ((1-13)) 1-12	Any bull	GMU 178	1
Couse	EM	Any	Oct. ((1-13)) 1-12	Any bull	GMU 181	1
Mission	EM	Any	((Oct. 1-10)) Sept. 30 - Oct. 9	Any bull	GMU 251	3
Colockum	EM	Any	Sept. ((30 – Oct. 8)) 29 - Oct. 7	Any bull	GMUs 328, 329	((7)) 5
Teanaway	EM	Any	Sept. ((30 – Oct. 8)) 29 - Oct. 7	Any bull	GMU 335	2
Peaches Ridge	EM	Any	Sept. ((30 – Oct. 8)) 29 - Oct. 7	Any bull	GMUs 336, 346	((33)) 17
Observatory	EM	Any	Sept. ((30 – Oct. 8)) 29 - Oct. 7	Any bull	GMUs 340, 342	((27)) 13
Goose Prairie	EM	Any	Sept. ((30 – Oct. 8)) 29 - Oct. 7	Any bull	GMUs 352, 356	((24)) 13
Bethel	EM	Any	Sept. ((30 – Oct. 8)) 29 - Oct. 7	Any bull	GMU 360	((20)) 9
Rimrock	EM	Any	Sept. ((30 – Oct. 8)) 29 - Oct. 7	Any bull	GMU 364	((10)) 9
Cowiche	EM	Any	Sept. ((30 – Oct. 8)) 29 - Oct. 7	Any bull	GMU 368	((5)) 6

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Nooksack	WM	Any	((Sept. 20 – Oct. 1 and Nov. 18-29)) Sept. 19-30 and Nov. 16-25, and Dec. 1-9	Any bull	GMU 418 ((and Elk Area 4941))	7
Toutle	WM	Any	Oct. ((7-13)) 6-12	Any bull	GMU 556	((13)) 18
Mount Whittier	WM	Any	Sept. 16-22	Any bull	Elk Area 5065	1
Norway Pass	WM	Any	Sept. 16-22	Any bull	Elk Area 5066	2
Mudflow	WM	Any	Oct. ((7-17)) 6-16	Any bull	Elk Area 5099	((5)) 7
Peninsula	WM	Any	Sept. 29 - Oct. 5	3 pt. min.	GMUs 602, 603, 607, 612, 615	2

Bulls						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
((Preseott	EF, EM	Any	Nov. 7-18	Any bull	GMU 149	2
Preseott	EF, EM	Any	Nov. 19-30	Any bull	GMU 149	2
Preseott	EF	Any	Dec. 1-15	Any bull	GMU 149	2
Preseott	EF	Any	Dec. 16-31	Any bull	GMU 149	2))
Ten Forty	EF	Any	Oct. ((23–Nov. 5)) 22 - Nov. 4	Spike bull only	Elk Area 1040	2
Grande Ronde	EF	Any	Oct. ((23–Nov. 5)) 22 - Nov. 4	Any bull	GMU 186	1
Mission	EF	Any	Oct. ((23–Nov. 5)) 22 - Nov. 4	Any bull	GMU 251	1
Teanaway	EF	Any	Oct. ((23–Nov. 5)) 22 - Nov. 4	Any bull	GMU 335	3
Peaches Ridge	EF	Any	Oct. ((23–Nov. 5)) 22 - Nov. 4	Any bull	GMUs 336, 346	((110)) 61
Observatory	EF	Any	Oct. ((23–Nov. 5)) 22 - Nov. 4	Any bull	GMUs 340, 342	((71)) 35
Goose Prairie	EF	Any	Oct. ((23–Nov. 5)) 22 - Nov. 4	Any bull	GMUs 352, 356	((106)) 54
Bethel	EF	Any	Oct. ((23–Nov. 5)) 22 - Nov. 4	Any bull	GMU 360	((76)) 38
Rimrock	EF	Any	Oct. ((23–Nov. 5)) 22 - Nov. 4	Any bull	GMU 364	((77)) 65
Cowiche	EF	Any	Oct. ((23–Nov. 5)) 22 - Nov. 4	Any bull	GMU 368	12
Alkali	EF	Any	Oct. ((16–Nov. 3)) 15 - Nov. 2	Any bull	GMU 371	15
Skagit River	WF	Any	Oct. ((7–Nov. 17)) 6 - Nov. 8	Any bull	Elk Area 4941	((2)) 4
Upper Smith Creek	WF	Any	Oct. 17-23	Any bull	Elk Area 5064	2
Mount Whittier	WF	Any	Oct. 17-23	Any bull	Elk Area 5065	1
Norway Pass	WF	Any	Oct. 17-23	Any bull	Elk Area 5066	3
Olympic	WF	Any	Oct. ((21–Nov. 15)) 20 - Nov. 14	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	7
Skokomish	WF	Any	Oct. ((21–Nov. 15)) 20 - Nov. 14	3 pt. min.	GMU 636	((3)) 2
White River	WF	Any	Nov. ((4-15)) 3-14	Any bull	GMU 653	((35)) 37
Ten Forty	EA	Any	Sept. ((2-10)) 1-9	Spike bull only	Elk Area 1040	2
Grande Ronde	EA	Any	Sept. ((2-21)) 1-20	Any bull	GMU 186	1
Alkali	EA	Any	Sept. ((1-24)) 1-23	Any ((bull)) Elk	GMU 371	10

Bulls						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Skagit River	WA	Any	((Aug. 28 – Sept. 16 and Dec. 1-31)) <u>Aug. 27 - Sept. 15 and Jan. 1-7, 2019</u>	Any bull	Elk Area 4941	((2)) 8
Upper Smith Creek	WA	((WA)) Any	Oct. 1-7	Any bull	Elk Area 5064	2
Mount Whittier	WA	Any	Oct. 1-7	Any bull	Elk Area 5065	1
Norway Pass	WA	Any	Oct. 1-7	Any bull	Elk Area 5066	3
Lewis River	WA	Any	Nov. ((22)) 21 - Dec. 8	3 pt. min.	GMU 560	5
Siouxon	WA	Any	Nov. ((22)) 21 - Dec. 8	3 pt. min.	GMU 572	5
Olympic	WA	Any	Sept. ((1-21)) 1-20 and Dec. 1-15	3 pt. min.	GMU 621, EXCEPT Elk Area 6071	((5)) 4
Skokomish	WA	Any	Sept. ((1-21)) 1-20 and Dec. 1-15	3 pt. min.	GMU 636	((5)) 2
Ten Forty	EM	Any	Oct. ((7-13)) 8-14	Spike bull only	Elk Area 1040	2
Grande Ronde	EM	Any	Oct. ((7-13)) 1-12	Any bull	GMU 186	1
Alkali	EM	Any	Sept. ((25 – Oct. 15)) 24 - Oct. 14	Any bull	GMU 371	15
Skagit River	WM	Any	((Sept. 20 – Oct. 1 and Nov. 18-29)) Sept. 19-30 and Dec. 1-10 and Jan. 9-19, 2019	Any bull	Elk Area 4941	((2)) 4
Upper Smith Creek	WM	Any	Oct. 9-15	Any bull	Elk Area 5064	2
Mount Whittier	WM	Any	Oct. 9-15	Any bull	Elk Area 5065	1
Norway Pass	WM	Any	Oct. 9-15	Any bull	Elk Area 5066	3
Yale	WM	Any	Nov. ((22)) 21 - Dec. 15	3 pt. min.	GMU 554	15
Olympic	WM	Any	Sept. ((30 – Oct. 13)) 29 - Oct. 12	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	2
Skokomish	WM	Any	Sept. ((30 – Oct. 13)) 29 - Oct. 12	3 pt. min.	GMU 636	1
White River	WM	Any	Oct. ((7-13)) 6-12	Any bull	GMU 653	7

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
North Half	EF	Any	Oct. ((28 – Nov. 5)) 27 - Nov. 4	Antlerless	GMUs 101, 105, 204	10
((Stevens)) Douglas	EF	Any	Oct. ((28 – Nov. 5)) 27 - Nov. 4	Antlerless	((GMUs 108, 121)) GMU 108	((40)) 5
Aladdin	EF	Any	Oct. ((28 – Nov. 5)) 27 - Nov. 4	Antlerless	GMU 111	10
Selkirk	EF	Any	Oct. ((28 – Nov. 5)) 27 - Nov. 4	Antlerless	GMU 113	10
49 Degrees North	EF	Any	Oct. ((28)) 27 - Nov. ((5)) 4 and Dec. 16-31	Antlerless	GMU 117	10
Huckleberry	EF	Any	Oct. 27 - Nov. 4 and Dec. 16-31	Antlerless	GMU 121	10
Turnbull	EF	Any	Nov. 16-21	Antlerless	Elk Area 1015	6
Turnbull	EF	Any	Dec. ((12-17)) 11-16	Antlerless	Elk Area 1015	6
Mayview-Peola	EF	Any	Oct. ((14-22)) 13-23	Antlerless	GMUs 145, 178	10
Mayview-Peola	EF	Any	Oct. ((28 – Nov. 5)) 27 - Nov. 4	Antlerless	GMUs 145, 178	((35)) 20
Prescott	EF	Any	Oct. ((28 – Nov. 5)) 27 - Nov. 4	Antlerless	GMU 149	20
Blue Creek	EF	Any	Oct. ((14-22)) 13-23	Antlerless	GMU 154	10

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Blue Creek	EF	Any	Oct. ((28--Nov.5)) <u>27 - Nov. 4</u>	Antlerless	GMU 154	10
Marengo-Dayton	EF	Any	Oct. ((28--Nov.5)) <u>27 - Nov. 4</u>	Antlerless	GMU 163 and Elk Area 1010	((400)) <u>75</u>
Mountain View	EF	Any	Oct. ((28--Nov.5)) <u>27 - Nov. 4</u>	Antlerless	Elk Area 1013	40
Dayton	EF	Any	Oct. ((28--Nov.5)) <u>27 - Nov. 4</u>	Antlerless	Elk Area 1016	((8)) <u>5</u>
Lick Creek	EF	Any	Oct. ((28--Nov.5)) <u>27 - Nov. 4</u>	Antlerless	GMU 175	3
Ten Forty	EF	Any	Nov. ((6-12)) <u>5-11</u>	Antlerless	Elk Area 1040	5
Couse	EF	Any	Aug. ((19-27)) <u>18-26</u>	Antlerless	Elk Area 1081	30
Couse	EF	Any	Oct. ((14-22)) <u>13-23</u>	Antlerless	Elk Area 1081	5
Couse	EF	Any	Oct. ((28--Nov.5)) <u>27 - Nov. 4</u>	Antlerless	Elk Area 1081	30
<u>George Creek</u>	<u>EF</u>	<u>Any</u>	<u>Oct. 13 - Nov. 19</u>	<u>Antlerless</u>	<u>Elk Area 1082</u>	<u>10</u>
Malaga	EF	Any	Sept. ((9-22)) <u>8-21</u>	Antlerless	Elk Area 2032	20
Malaga	EF	Any	Nov. ((6)) <u>5</u> - Dec. 31	Antlerless	Elk Area 2032	55
Colockum	EF	Any	((Nov. 1-5)) <u>Oct. 31 - Nov. 4</u>	Antlerless	GMUs 328, 329	100
West Bar	EF	Any	Oct. ((28-31)) <u>27-30</u>	Antlerless	GMU 330	5
West Bar	EF	Any	((Nov. 1-5)) <u>Oct. 31 - Nov. 4</u>	Antlerless	GMU 330	5
Teanaway	EF	Any	((Aug. 1 - Sept. 8)) <u>Oct. 27 - Nov. 4</u>	Antlerless	GMU 335	30
Taneum	EF	Any	((Nov. 1-5)) <u>Oct. 31 - Nov. 4</u>	Antlerless	GMU 336	35
Manastash	EF	Any	((Nov. 1-5)) <u>Oct. 31 - Nov. 4</u>	Antlerless	GMU 340	30
Umtanum	EF	Any	((Nov. 1-5)) <u>Oct. 31 - Nov. 4</u>	Antlerless	GMU 342	25
Little Naches	EF	Any	((Nov. 1-5)) <u>Oct. 31 - Nov. 4</u>	Antlerless	GMU 346	35
Nile	EF	Any	((Nov. 1-5)) <u>Oct. 31 - Nov. 4</u>	Antlerless	GMU 352	10
Bumping	EF	Any	((Nov. 1-5)) <u>Oct. 31 - Nov. 4</u>	Antlerless	GMU 356	20
Bethel	EF	Any	((Nov. 1-5)) <u>Oct. 31 - Nov. 4</u>	Antlerless	GMU 360	10
Rimrock	EF	Any	((Nov. 1-5)) <u>Oct. 31 - Nov. 4</u>	Antlerless	GMU 364	15
Cowiche	EF	Any	((Nov. 1-5)) <u>Oct. 31 - Nov. 4</u>	Antlerless	GMU 368	15
Alkali	EF	Any	Oct. ((16--Nov.3)) <u>15 - Nov. 2</u>	Antlerless	GMU 371	20
North Bend	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	Elk Area 4601	5
Green River	<u>WF, WA, WM</u>	Any	((Nov. 4-10)) <u>Oct. 20-26</u>	Antlerless	GMU 485	((4)) <u>8</u>
Mossyrock	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 505	50
Willapa Hills	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 506	25
Winston	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 520	25
Margaret	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 524 (except ((for)) CLOSED in Elk Area 5066)	((25)) <u>5</u>
Ryderwood	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 530	35

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Coweeman	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 550	((50)) <u>15</u>
Toutle	WF	Any	Nov. 20-30	Antlerless	GMU 556	((25)) <u>15</u>
Lewis River	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 560	40
Washougal	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 568	35
Siouxon	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 572	20
Wind River	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 574	40
West Klickitat	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 578	75
Upper Smith Creek	WF	Any	Oct. 17-23	Antlerless	Elk Area 5064	4
Mount Whittier	WF	Any	Oct. 17-23	Antlerless	Elk Area 5065	2
Norway Pass	WF	Any	Oct. 17-23	Antlerless	Elk Area 5066	5
Mudflow	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	Elk Area 5099	((7)) <u>5</u>
Mallis	WF	Any	Dec. 16-31	Antlerless	Elk Area 6010	10
Mallis	WF	Any	Jan. 1-20, ((2018)) <u>2019</u>	Antlerless	Elk Area 6010	20
Puyallup	WF	Any	Dec. 29, ((2017)) <u>2018</u> - Jan. 17, ((2018)) <u>2019</u>	Antlerless	Elk Area 6014	10
Puyallup	WF	Any	Jan. 18 - Feb. 7, ((2018)) <u>2019</u>	Antlerless	Elk Area 6014	10
Puyallup	WF	Any	Feb. 8-25, ((2018)) <u>2019</u>	Antlerless	Elk Area 6014	10
Hanaford	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	Elk Area 6069	5
Williams Creek	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 673	50
Long Beach	WF	Any	Nov. ((4-15)) <u>3-14</u>	Antlerless	GMU 684	6
Turnbull	EA	Any	Sept. ((9-21)) <u>8-20</u>	Antlerless	Elk Area 1015	14
Lick Creek	EA	Any	Sept. <u>8-20</u>	Antlerless	GMU 175	<u>10</u>
Dayton	EA	Any	Sept. ((9-21)) <u>8-20</u>	Antlerless	Elk Area 1016	((5)) <u>10</u>
Malaga	EA	Any	Sept. ((2-8)) <u>1-7</u>	Antlerless	Elk Area 2032	20
((Alkali))	EA	Any	Sept. <u>1-24</u>	Antlerless	GMU 371	5))
Margaret	WA	Any	Sept. ((9-21)) <u>8-20</u> and Dec. 1-15	Antlerless	GMU 524 (except ((for)) CLOSED in Elk Area 5066)	((20)) <u>5</u>
Toutle	WA	Any	Sept. ((9-21)) <u>8-20</u> and Dec. 1-15	Antlerless	GMU 556	((30)) <u>15</u>
Upper Smith Creek	WA	Any	Oct. 1-7	Antlerless	Elk Area 5064	4
Norway Pass	WA	Any	Oct. 1-7	Antlerless	Elk Area 5066	3
Mudflow	WA	Any	Sept. 8-14 and Nov. 16- <u>21</u>	Antlerless	Elk Area 5099	7
Lewis River	WA	Any	Nov. ((22)) <u>21</u> - Dec. 8	Antlerless	GMU 560	10
Siouxon	WA	Any	Nov. ((22)) <u>21</u> - Dec. 8	Antlerless	GMU 572	5
Wynoochee	WA	Any	Nov. ((22)) <u>21</u> - Dec. 15	Antlerless	GMU 648	((125)) <u>110</u>
North Half	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMUs 101, 105, 204	10
((Stevens)) Douglas	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	((GMUs 108, 121)) GMU 108	((10)) <u>5</u>
Aladdin	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 111	10
Selkirk	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 113	10
49 Degrees North	EM	Any	Oct. ((7-13)) <u>6-12</u> and Dec. 16-31	Antlerless	GMU 117	20
Huckleberry	EM	Any	Oct. <u>6-12</u>	Antlerless	GMU 121	<u>10</u>
Turnbull	EM	Any	((Oct. 1-7)) Nov. 23-28	Antlerless	Elk Area 1015	9

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EM	Any	Nov. ((23–Dec-6)) <u>30 - Dec. 5</u>	Antlerless	Elk Area 1015	9
Dayton	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	Elk Area 1016	((8)) <u>5</u>
Blue Creek	EM	Any	Dec. 9, ((2017)) 2018 - Jan. 20, ((2018)) 2019	Antlerless	GMU 154	25
Mountain View	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	Elk Area 1013	20
Lick Creek	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 175	3
Mayview-Peola	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMUs 145, 178	20
Couse	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	Elk Area 1081	10
Couse	EM	Any	Dec. ((4-31)) 1, 2018 - Jan. 20, 2019	Antlerless	Elk Area 1081 and Elk Area 1075	35
<u>George Creek</u>	EM	Any	<u>Sept. 29 - Oct. 12 and Nov. 20 - Dec. 31</u>	<u>Antlerless</u>	<u>Elk Area 1082</u>	<u>10</u>
Malaga	EM	Any	Sept. ((30–Oct-8)) <u>29 - Oct. 7</u>	Antlerless	Elk Area 2032	45
Colockum	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMUs 328, 329	50
West Bar	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 330	5
Teanaway	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 335	10
Taneum	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 336	25
Manastash	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 340	25
Umtanum	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 342	20
Nile	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 352	10
Bumping	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 356	10
Bethel	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 360	10
Cowiche	EM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 368	10
Alkali	EM	Any	Sept. ((25–Oct-15)) <u>24 - Oct. 14</u>	Antlerless	GMU 371	10
((Stella-	WM	Any	Jan. 1-15, 2018	Antlerless	GMU 504	35))
Willapa Hills	WM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 506	15
Mudflow	WM	Any	Oct. ((7-13)) <u>6-16</u>	Antlerless	Elk Area 5099	4
Winston	WM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 520	15
Margaret	WM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 524 (except ((for)) CLOSED in Elk Area 5066)	((40)) <u>5</u>
Ryderwood	WM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 530	30
Coweeman	WM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 550	((25)) <u>15</u>
Yale	WM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 554	((40)) <u>30</u>
Yale	WM	Any	Nov. ((22)) <u>21 - Dec. 15</u>	Antlerless	GMU 554	((35)) <u>25</u>
Toutle	WM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 556	((25)) <u>15</u>
Lewis River	WM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 560	15
Washougal	WM	Any	Nov. ((22)) <u>21 - Dec. 8</u>	Antlerless	GMU 568	35
Siouxon	WM	Any	Oct. ((7-13)) <u>6-12</u>	Antlerless	GMU 572	10
Wind River	WM	Any	Nov. ((22)) <u>21 - Dec. 8</u>	Antlerless	GMU 574	50
((West Kliekittat	WM	Any	Nov. 22 – Dec. 8	Antlerless	GMU 578	75))
Upper Smith Creek	WM	Any	Oct. 9-15	Antlerless	Elk Area 5064	4
Mount Whittier	WM	Any	Oct. 9-15	Antlerless	Elk Area 5065	2
Norway Pass	WM	Any	Oct. 9-15	Antlerless	Elk Area 5066	2

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Mallis	WM	Any	Oct. (7-13) <u>6-12</u>	Antlerless	Elk Area 6010	((20)) <u>10</u>
Mashel	WM	Any	Dec. 29, (2017) <u>2018</u> - Jan. 12, (2018) <u>2019</u>	Antlerless	Elk Area 6054	((25)) <u>20</u>
North River	WM	Any	Nov. (22) <u>21</u> - Dec. 15	Antlerless	GMU 658	20
Forks [±]	WF, WM, WA	Any	Jan. 1-31, 2019	Antlerless	Elk Area 6612	<u>20</u>

Youth - Only youth hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EF	Youth	Nov. 9-14	Antlerless	Elk Area 1015	6
Aladdin	EF	Youth	Oct. (28-Nov-5) <u>27 - Nov. 4</u>	Antlerless	GMU 111	5
Selkirk	EF	Youth	Oct. (28-Nov-5) <u>27 - Nov. 4</u>	Antlerless	GMU 113	5
49 Degrees North	EF	Youth	Oct. (28) <u>27</u> - Nov. (5) <u>4</u> and Dec. 16-31	Antlerless	GMU 117	5
Mayview-Peola	EF	Youth	Oct. (28-Nov-5) <u>27 - Nov. 4</u>	Antlerless	GMUs 145, 178	5
Blue Creek	EF	Youth	Oct. (28-Nov-5) <u>27 - Nov. 4</u>	Antlerless	GMU 154	5
Dayton	EF	Youth	Oct. (28-Nov-5) <u>27 - Nov. 4</u>	Antlerless	GMU 162	10
Ten Forty	EF	Youth	Oct. (14-22) <u>13-21</u>	Antlerless	Elk Area 1040	5
Lick Creek	EF	Youth	Oct. (28-Nov-5) <u>27 - Nov. 4</u>	Antlerless	GMU 175	2
Couse	EF	Youth	Aug. (19-27) <u>18-26</u>	Antlerless	Elk Area 1081	5
Couse	EF	Youth	Oct. (28-Nov-5) <u>27 - Nov. 4</u>	Antlerless	Elk Area 1081	5
Malaga	EF	Youth	Nov. (6-15) <u>5-15</u>	Antlerless	Elk Area 2032	10
Colockum	EF	Youth	(Nov. 1-12) Oct. 31 - Nov. 12	Antlerless	GMUs 328, 329, 335	((15)) <u>25</u>
Yakima North	EF	Youth	(Nov. 1-12) Oct. 31 - Nov. 12	Antlerless	GMUs 336, 340, 342, 346	15
Yakima Central	EF	Youth	(Nov. 1-12) Oct. 31 - Nov. 12	Antlerless	GMUs 352, 356, 360	5
Yakima South	EF	Youth	(Nov. 1-12) Oct. 31 - Nov. 12	Antlerless	GMUs 364, 368	5
Colockum	EM	Youth	Sept. (30-Oct-8) <u>29 - Oct. 7</u>	Antlerless	GMUs 328, 329, 335	((5)) <u>10</u>
Yakima North	EM	Youth	Sept. (30-Oct-8) <u>29 - Oct. 7</u>	Antlerless	GMUs 336, 340, 342, 346	10
Yakima Central	EM	Youth	Sept. (30-Oct-8) <u>29 - Oct. 7</u>	Antlerless	GMUs 352, 356, 360	10
Yakima South	EM	Youth	Sept. (30-Oct-8) <u>29 - Oct. 7</u>	Antlerless	GMUs 364, 368	10
North Bend	WF, WM, WA	Youth	Nov. (4-15) <u>3-14</u>	Antlerless	Elk Area 4601	5
Skagit River	WF, WM, WA	Youth	(Sept. 17-19, Oct. 2-6, and Oct. 15-29) Nov. 10-26 and Dec. 17-31	((Any elk)) Antlerless	Elk Area 4941	4
(Grays River)	WF	Youth	Dec. 16-31	Antlerless	Elk Area 5056	5)
Mudflow	WF	Youth	Nov. (22-30) <u>21-30</u>	Any bull	Elk Area 5099	((3)) <u>5</u>
Mudflow	WF	Youth	Oct. (28-Nov-3) <u>27 - Nov. 2</u> and Nov. 24-30	Antlerless	Elk Area 5099	((3)) <u>5</u>

Youth - Only youth hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Coweeman	WF	Youth	Nov. ((4-15)) 3-14	Antlerless	GMU 550	15
Toutle	WF	Youth	Nov. 20-30	Antlerless	GMU 556	((25)) 20
Lewis River	WF	Youth	Nov. ((4-15)) 3-14	Antlerless	GMU 560	10
Wind River	WF	Youth	Nov. ((4-15)) 3-14	Antlerless	GMU 574	10
West Klickitat	WF	Youth	Nov. ((4-15)) 3-14	Antlerless	GMU 578	25
Region 5	WF	Youth with mentor	Aug. 1, ((2017)) 2018 - Mar. 31, ((2018)) 2019	Antlerless	Designated Areas in Region 5	10 ^{HC}
Peninsula	WF	Youth	Nov. 3-14	Antlerless	GMUs 602, 607, 612, 615	4
Clearwater	WF	Youth	Nov. ((4-15)) 3-14	Antlerless	GMU 615	5
Matheny	WF	Youth	Nov. ((4-15)) 3-14	Antlerless	GMU 618	5
Wynoochee	WF	Youth	Nov. ((4-15)) 3-14	Antlerless	GMU 648	10
North River	WF	Youth	Nov. ((4-15)) 3-14	Antlerless	GMU 658	5
Williams Creek	WF	Youth	Nov. ((4-15)) 3-14	Antlerless	GMU 673	10
Mallis	WF	Youth	Dec. ((16-31)) 16, 2018 - Jan. 20, 2019	Antlerless	Elk Area 6010	10
Peninsula	WA	Youth	Sept. 8-20	Antlerless	GMUs 602, 607, 612, 615	2
Peninsula	WM	Youth	Oct. 6-12	Antlerless	GMUs 602, 607, 612, 615	2
Forks ^z	WF, WM, WA	Youth	Dec. 16-31	Antlerless	Elk Area 6612	10
Region 6	WF	Youth with mentor	Aug. 1, 2018 - Mar. 31, 2019	Antlerless	Designated Areas in Region 6	5 ^{HC}

65+ Senior - Only hunters 65 and older may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Northeast	EF	65+	Oct. ((28)) 27 - Nov. ((5)) 4 and Dec. 16-31	Antlerless	GMUs 113, 117	10
Prescott	EF	65+	Oct. ((28--Nov.5)) 27 - Nov. 4	Antlerless	GMU 149	3
Blue Creek	EF	65+	Oct. ((28--Nov.5)) 27 - Nov. 4	Antlerless	GMU 154	3
Dayton	EF	65+	Oct. ((28--Nov.5)) 27 - Nov. 4	Antlerless	GMUs 162, 163	3
Peola	EF	65+	Oct. ((28--Nov.5)) 27 - Nov. 4	Antlerless	GMU 178	3
Malaga	EF	65+	Nov. ((6-15)) 5-15	Antlerless	Elk Area 2032	10
Colockum	EF	65+	((Nov. 1-12)) Oct. 31 - Nov. 12	Antlerless	GMUs 328, 329, 335	((5)) 10
Yakima North	EF	65+	((Nov. 1-12)) Oct. 31 - Nov. 12	Antlerless	GMUs 336, 340, 342, 346	10
Yakima Central	EF	65+	((Nov. 1-12)) Oct. 31 - Nov. 12	Antlerless	GMUs 352, 356, 360	5
Yakima South	EF	65+	((Nov. 1-12)) Oct. 31 - Nov. 12	Antlerless	GMUs 364, 368	5
Alkali	EF	65+	Oct. ((16--Nov.3)) 15 - Nov. 2	Antlerless	GMU 371	10
North Bend	WF, WM, WA	65+	Nov. ((4-15)) 3-14	Antlerless	Elk Area 4601	5
Colockum	EM	65+	Sept. ((30--Oct.8)) 29 - Oct. 7	Antlerless	GMUs 328, 329, 335	5
Yakima North	EM	65+	Sept. ((30--Oct.8)) 29 - Oct. 7	Antlerless	GMUs 336, 340, 342, 346	5
Yakima Central	EM	65+	Sept. ((30--Oct.8)) 29 - Oct. 7	Antlerless	GMUs 352, 356, 360	5
Ryderwood	WF	65+	Nov. ((4-15)) 3-14	Antlerless	GMU 530	15
((West Klickitat	WM	65+	Nov. 22 - Dec. 8	Antlerless	GMU 578	15))

65+ Senior - Only hunters 65 and older may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Skagit River	WF, WM, WA	65+	((Sept. 17-19, Oct. 2-6, and Oct. 15-29)) Nov. 11-26 and Dec. 17-31	((Any elk)) Antlerless	Elk Area 4941	4
((Grays River Peninsula	WF, WM, WA	65+	Jan. 16-31, 2018	Antlerless	Elk Area 5056	5))
Peninsula	WF	65+	Nov. 3-14	Antlerless	GMUs 602, 607, 612, 615	3
Centralia Mine	WF	65+	Jan. ((6-7, 2018)) 5-6, 2019	Antlerless	Elk Area 6011	5
Centralia Mine	WF	65+	Jan. ((13-14, 2018)) 12-13, 2019	Antlerless	Elk Area 6011	5
Hanaford	WF, WM, WA	65+	Dec. 29, ((2017)) 2018 - Jan. 12, ((2018)) 2019	Antlerless	Elk Area 6069	5
Hanaford	WF, WM, WA	65+	Jan. 13-28, ((2018)) 2019	Antlerless	Elk Area 6069	5
Peninsula	WA	65+	Sept. 8-20	Antlerless	GMUs 602, 607, 612, 615	1
Peninsula	WM	65+	Oct. 6-12	Antlerless	GMUs 602, 607, 612, 615	1
Forks [§]	WF, WM, WA	65+	Dec. 16-31	Antlerless	Elk Area 6612	10

Hunters with Disabilities - Only hunters with disabilities may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Northeast	EF	Hunters w/ Disabilities	Oct. ((28)) 27 - Nov. ((5)) 4 and Dec. 16-31	Antlerless	GMUs 113, 117	4
Turnbull	EF, EM, EA	Hunters w/ Disabilities	Oct. ((9-15)) 1-6	Antlerless	Elk Area 1015	6
Prescott	EF	Hunters w/ Disabilities	Oct. ((28 - Nov. 5)) 27 - Nov. 4	Antlerless	GMU 149	3
Blue Creek	EF	Hunters w/ Disabilities	Oct. ((28 - Nov. 5)) 27 - Nov. 4	Antlerless	GMU 154	3
Dayton	EF	Hunters w/ Disabilities	Oct. ((28 - Nov. 5)) 27 - Nov. 4	Antlerless	GMUs 162, 163	3
Peola	EF	Hunters w/ Disabilities	Oct. ((28 - Nov. 5)) 27 - Nov. 4	Antlerless	GMU 178	3
Observatory	EF, EM, EA	Hunters w/ Disabilities	Oct. ((23 - Nov. 5)) 22 - Nov. 4	Any bull	GMUs 340, 342	5
Little Naches	EF, EM, EA	Hunters w/ Disabilities	Sept. ((30 - Oct. 8)) 29 - Oct. 7	Any bull	GMU 346	5
Malaga	EF, EM, EA	Hunters w/ Disabilities	Sept. ((9-22)) 8-21	Antlerless	Elk Area 2032	10
Colockum	EF, EM, EA	Hunters w/ Disabilities	((Nov. 1-12)) Oct. 31 - Nov. 12	Antlerless	GMUs 328, 329, 335	((5)) 10
Yakima North	EF, EM, EA	Hunters w/ Disabilities	((Nov. 1-12)) Oct. 31 - Nov. 12	Antlerless	GMUs 336, 340, 342, 346	10
Yakima Central	EF, EM, EA	Hunters w/ Disabilities	((Nov. 1-12)) Oct. 31 - Nov. 12	Antlerless	GMUs 352, 356, 360	5
Yakima South	EF, EM, EA	Hunters w/ Disabilities	((Nov. 1-12)) Oct. 31 - Nov. 12	Antlerless	GMUs 364, 368	5
Alkali	EF, EM, EA	Hunters w/ Disabilities	Oct. ((16 - Nov. 3)) 15 - Nov. 2	Any bull	GMU 371	5
Corral Canyon	EF, EM, EA	Hunters w/ Disabilities	Sept. 22-29	Any elk	Elk Area 3721	2
North Bend	WF, WM, WA	Hunters w/ Disabilities	Nov. ((4-15)) 3-14	Antlerless	Elk Area 4601	5
Skagit River	WF, WM, WA	Hunters w/ Disabilities	((Sept. 17-19, Oct. 2-6, and Oct. 15-29)) Nov. 11-26 and Dec. 17-31	((Any elk)) Antlerless	Elk Area 4941	4

Hunters with Disabilities - Only hunters with disabilities may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
((Grays River	WF, WM, WA	Hunters w/ Disabilities	Feb. 15-28, 2018	Antlerless	Elk Area 5056	5))
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Oct. ((20-26)) 19-25	Antlerless	Elk Area 5099	((3)) 5
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Sept. ((26--Oct. 2)) 25 - Oct. 1	Any bull	Elk Area 5099	((4)) 5
Washougal	WF	Hunters w/ Disabilities	Nov. ((4-15)) 3-14	Antlerless	GMU 568	15
Region 5	WF	Hunters w/ Disabilities	Aug. 1, 2018 - Mar. 31, 2019	Antlerless	Designated Areas in Region 5	10 ^{HC}
Centralia Mine	WF	Hunters w/ Disabilities	((Oct. 7-8)) Sept. 29-30	Antlerless	Designated Areas in Elk Area 6011	5
Centralia Mine	WF	Hunters w/ Disabilities	Oct. ((14-15)) 6-7	Antlerless	Designated Areas in Elk Area 6011	5
((Region 5	WF	Hunters w/ Disabilities	Aug. 1, 2017 - Mar. 31, 2018	Antlerless	Designated Areas in Region 5	10 ^{HC}))
Peninsula	WF	Hunters w/ Disabilities	Nov. 3-14	Antlerless	GMUs 602, 607, 612, 615	3
Peninsula	WM	Hunters w/ Disabilities	Oct. 6-12	Antlerless	GMUs 602, 607, 612, 615	1
Peninsula	WA	Hunters w/ Disabilities	Sept. 8-20	Antlerless	GMUs 602, 607, 612, 615	1

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

Hunt Name	Weapon/Tag	Requirements	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Dec. 19-31	Antlerless	Elk Area 1015	6
Region 1	EF, EA, EM/ 2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 1, ((2017)) 2018 - Mar. 31, ((2018)) 2019	Antlerless	Region 1	20 ^{HC}
Region 2	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 1, ((2017)) 2018 - Mar. 31, ((2018)) 2019	Antlerless	Designated Areas in Region 2	10 ^{HC}
Fairview	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	((Oct. 28, 2017 - Mar. 31, 2018)) Oct. 27, 2018 - Mar. 31, 2019	Antlerless	Designated Areas in GMUs 328-368	40 ^{HC}
Region 3	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 1, ((2017)) 2018 - Mar. 31, ((2018)) 2019	Antlerless	Designated Areas in Region 3	25 ^{HC}
Rattlesnake Hills	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 1, ((2017)) 2018 - Feb. 28, ((2018)) 2019	Antlerless	Designated Areas in GMU 372	20 ^{HC}
((North Bend	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	July 1, 2017 - Mar. 31, 2018	Antlerless	Designated Areas in Elk Area 4601	15 ^{HC}))
Region 4 North	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	July 1, ((2017)) 2018 - Mar. 31, ((2018)) 2019	Antlerless	Designated Areas in Whatcom and Skagit counties	((12)) 18 ^{HC}
Region 4 South	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	July 1, ((2017)) 2018 - Mar. 31, ((2018)) 2019	Antlerless	Designated Areas in King and Snohomish counties	10 ^{HC}
Pumice Plains	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Oct. 9-15	Antlerless	Elk Area 5063	2

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

Hunt Name	Weapon/Tag	Requirements	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Pumice Plains	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Oct. 17-23	Antlerless	Elk Area 5063	5
Pumice Plains	<u>Any elk tag/2nd elk tag</u>	<u>Master Hunter elk tag required</u>	<u>Master Hunter</u>	<u>Nov. 3-14</u>	<u>Antlerless</u>	<u>Elk Area 5063</u>	<u>2</u>
Trout Lake**	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Dec. 15-31	Antlerless	Elk Area 5062	5
((Grays River	WF, WM, WA/2nd-elk tag	Master Hunter-elk tag required	Master-Hunter	Aug. 16-30	Antlerless	Elk Area 5056	5))
Trout Lake**	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Jan. 1-15, ((2018)) 2019	Antlerless	Elk Area 5062	5
Trout Lake**	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Jan. 16-30, ((2018)) 2019	Antlerless	Elk Area 5062	5
JBH*	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Nov. 1 - Dec. 31	Antlerless	Elk Area 5090	5 ^{HC}
Region 5	Any western elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Aug. 1, ((2017)) 2018 - Mar. 31, ((2018)) 2019	Antlerless	Designated Areas in Region 5	20 ^{HC}
Long Beach	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	((Aug. 1—Sept. 8 and Oct. 14—Nov. 21)) July 1, 2018 - Mar. 31, 2019	Antlerless	GMU 684	5
((Long Beach	Any elk tag/2nd elk tag	Master Hunter-elk tag required	Master-Hunter	Dec. 16, 2017—Mar. 31, 2018	Antlerless	GMU 684	5))
Region 6	WF, WA, WM/2nd elk tag	Master Hunter elk tag required	Master Hunter	July 1, ((2017)) 2018 - Mar. 31, ((2018)) 2019	Antlerless	Designated Areas in Region 6	((60)) 30 ^{HC}

* Muzzleloader only, scopes allowed.

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

‡ Must use only archery, muzzleloader, or legal shotgun (10 or 12 gauge; slugs only).

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

Hunter Education Instructor Incentive Permits				
<ul style="list-style-type: none"> - Special elk permits will be allocated through a random drawing to those hunter education instructors who qualify. - Permit hunters must use archery equipment during archery seasons, muzzleloader equipment or archery equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons. Hunter orange is required during modern firearm seasons. - Except for online class incentive permits and chief instructor incentive permits, qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing. - Permittees may purchase a second license for use with the permit hunt only. - Qualified hunter education instructors may only receive one incentive permit each year. 				
Area	Dates	Restrictions	GMUs	Permits
Region 3	All general season and permit seasons established for GMUs included with the permit. Not eligible for seasons and permits for auction hunts; raffle hunts; and hunts for master hunters, youth hunters, hunters with disabilities, or hunters 65 years and older, unless the hunter education instructor legally qualifies for such hunts.	Any ((elk)) bull	GMUs 336-346	2
Region 3		Any ((elk)) bull	GMUs 352-360	1
Region 3		Any ((elk)) bull	GMUs 364-368	1
Region 5		Any elk	382, 388 and all 500 series GMUs EXCEPT GMU 522	2
Region 6		Any elk	GMUs 618, 638-648, 654, ((660)) 658, 663, 672, ((673, 681)) 692	1

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-415-070 ((2017)) 2018 Moose seasons, permit quotas, and areas. (1) It is unlawful to fail to comply with the provisions of this section. A violation of this section is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) **Moose Permit Hunts**

(a) **Who May Apply:**

(i) **Any antlered bull moose category:** An individual may only harvest one moose under the "any antlered bull moose" or "any moose" category during his or her lifetime. Applications will not be accepted from hunters having previously harvested a moose in the "any moose" or "any antlered bull moose" category.

(ii) **Antlerless only, youth antlerless, over-65 antlerless, disabled-antlerless, master-hunter any moose, hunter-education antlerless, auction moose, raffle moose:** Anyone may apply.

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

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

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

((Hunt Name	Notes	Permit Season	GMU or boundary	Permits
Mt Spokane South Y		Oct. 1 – Nov. 30	Moose Area 1 (within-124)	8
Mt Spokane North Y		Oct. 1 – Nov. 30	Moose Area 2 (within-124)	8
65 Year and over – antlerless				
	e			
49 Degrees North V		Oct. 1 – Nov. 30	GMU 117	2
Huckleberry V		Oct. 1 – Nov. 30	GMU 121	2
Disabled hunter – antlerless				
	b			
49 Degrees North D		Oct. 1 – Nov. 30	GMU 117	3
Mt Spokane North D		Oct. 1 – Nov. 30	Moose Area 2 (within-124)	1
Hunter Education antlerless				
	d			
District 1 HE	HEH	Oct. 1 – Nov. 30	GMU 101, 105, 108, 111, 113, 121	4
Master Hunter – Any moose				
Spokane District MH	HC	Aug. 1 – Mar. 31	GMUs 124-142	10))

(d) **Submitting moose teeth:** Successful moose hunters must submit an incisor tooth from the lower jaw, either in person at a WDFW office, or via the postage-paid envelope supplied, no later than sixty days after harvest.

(e) **Any antlered bull moose seasons:** Open only to the taking of moose with visible antlers (bull calves illegal).

Hunt Name	Notes	Permit Season	GMU or boundary	Permits
Any antlered bull moose				
<u>Kettle Range-East Okanogan 101, 105, 204</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMUs 101, 105, 204</u>	<u>10</u>
<u>Douglas A - Early</u>		<u>Oct. 1-31</u>	<u>GMU 108</u>	<u>3</u>
<u>Douglas A - Late</u>		<u>Nov. 1-30</u>	<u>GMU 108</u>	<u>3</u>
<u>Aladdin A - Early</u>		<u>Oct. 1-31</u>	<u>GMU 111</u>	<u>3</u>
<u>Aladdin A - Late</u>		<u>Nov. 1-30</u>	<u>GMU 111</u>	<u>3</u>
<u>Selkirk 113</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 113</u>	<u>15</u>
<u>49 Degrees North A - Early</u>		<u>Oct. 1-31</u>	<u>GMU 117</u>	<u>15</u>
<u>49 Degrees North A - Late</u>		<u>Nov. 1-30</u>	<u>GMU 117</u>	<u>15</u>
<u>Parker Lake A - Archery</u>	<u>e,W</u>	<u>Sept. 1-30</u>	<u>Moose Area 3</u>	<u>2</u>
<u>Parker Lake A - Muzzleloader</u>	<u>e,X</u>	<u>Oct. 1-31</u>	<u>Moose Area 3</u>	<u>2</u>
<u>Huckleberry A - Early</u>		<u>Oct. 1-31</u>	<u>GMU 121</u>	<u>6</u>
<u>Huckleberry A - Late</u>		<u>Nov. 1-30</u>	<u>GMU 121</u>	<u>6</u>
<u>Spokane West A</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 124 w of Hwy 395</u>	<u>1</u>
<u>Mt Spokane South A</u>		<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 1 (within 124)</u>	<u>8</u>
<u>Mt Spokane North A</u>		<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 2 (within 124)</u>	<u>8</u>
<u>Hangman</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 127 & 130</u>	<u>4</u>
Antlerless only -				
<u>Douglas 108 B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 108</u>	<u>2</u>
<u>Aladdin 111 B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 111</u>	<u>2</u>
<u>49 Degrees North B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 117</u>	<u>4</u>

<u>Hunt Name</u>	<u>Notes</u>	<u>Permit Season</u>	<u>GMU or boundary</u>	<u>Permits</u>
<u>Huckleberry B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 121</u>	<u>9</u>
<u>Spokane West B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 124 w of Hwy 395</u>	<u>2</u>
<u>Mt Spokane South B</u>		<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 1 (within 124)</u>	<u>4</u>
<u>Mt Spokane North B</u>		<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 2 (within 124)</u>	<u>4</u>
<u>Mica Peak</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 127</u>	<u>4</u>
<u>Cheney B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 130</u>	<u>2</u>
<u>Youth Only - Antlerless</u>	<u>a</u>			
<u>Mt Spokane South Y</u>		<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 1 (within 124)</u>	<u>1</u>
<u>65 Year and over - Antlerless</u>	<u>c</u>			
<u>49 Degrees North V</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 117</u>	<u>2</u>
<u>Huckleberry V</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 121</u>	<u>2</u>
<u>Disabled hunter - Antlerless</u>	<u>b</u>			
<u>49 Degrees North D</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 117</u>	<u>3</u>
<u>Mt Spokane North D</u>		<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 2 (within 124)</u>	<u>1</u>
<u>Hunter Education Antlerless</u>	<u>d</u>			
			<u>GMU 101, 105, 108, 111, 113, 117, 121</u>	<u>1</u>

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

^bApplicants must possess a Disabled Hunter Permit.

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

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

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

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

^wArchery only.

^xMuzzleloader or archery only.

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

(3) Moose Areas:

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

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

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

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

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

AMENDATORY SECTION (Amending WSR 17-19-088, filed 9/19/17, effective 10/20/17)

WAC 220-415-080 ((2018)) 2019-2020 Spring black bear ((seasons and regulations)) special permits. It is unlawful to fail to comply with the provisions of this section. A violation of this section is punishable under RCW 77.15.410, 77.15.245, or 77.15.280, depending on the circumstances of the violation.

Who May Apply: Anyone with a valid Washington big game license, which includes black bear as a species option.

Hunt Areas, Permit Levels, and Season Dates for Each License Year:

Hunt Name	Hunt Area	Permits	Season Dates
Sherman	GMU 101 <u>Note: Mandatory bear identification test required.</u>	50	April 1 - June 15
Kelly Hill	GMU 105 <u>Note: Mandatory bear identification test required.</u>	50	April 1 - June 15
Douglas	GMU 108 <u>Note: Mandatory bear identification test required.</u>	40	April 1 - June 15
Aladdin	GMU 111 <u>Note: Mandatory bear identification test required.</u>	50	April 1 - June 15
49 Degrees North	GMU 117 <u>Note: Mandatory bear identification test required.</u>	100	April 1 - June 15
Huckleberry	GMU 121	100	April 1 - June 15
Blue Creek	GMU 154	15	April 15 - June 15
Dayton	GMU 162	15	April 15 - June 15
Tucannon	GMU 166	5	April 15 - June 15
Wenaha	GMU 169	45	April 15 - June 15
Mt. View	GMU 172	15	April 15 - June 15
Lick Creek	GMU 175	15	April 15 - June 15
Couse	GMU 181	4	April 15 - June 15
Grande Ronde	GMU 186	5	April 15 - June 15
Kitsap	GMU 627	5	April 15 - May 31
Mason	GMU 633	5	April 15 - May 31
Bear River	GMU 681	20	April 15 - May 31
Long Beach	GMU 684	12	April 15 - May 31
North Skagit	That portion of GMU 418 that is designated as the hunt area by DNR, Sierra Pacific, Weyerhaeuser-Columbia Timber Lands, and Grandy Lake Timber company. <u>Note: Mandatory bear identification test required.</u>	30	April 15 - June 15
Copalis	GMU 642, 638, and 648 (excluding U.S. Forest Service lands).	50	April 15 - June 15
Kapowsin	That portion of GMUs 653 and/or 654 that is designated as the hunt area by Hancock Forest Management ((and International Forestry)), Hampton, and Olympic Resource Management.	150	April 15 - June 15

Bag Limit: One black bear per black bear special permit season.

License Required: A valid big game hunting license, which includes black bear as a species option, is required to ((~~hunt~~) apply for a spring black bear special permit). One black bear transport tag is included with a big game hunting license that has black bear as a species option.

Hunting Method: Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting black bear. The use of dogs or bait to hunt black bear is prohibited statewide.

Other Requirements: Hunters that are selected to hunt in GMUs located in grizzly bear recovery areas, as identified by the department, must successfully complete the annual WDFW online bear identification test with a passing score (80% or higher) or carry proof that they have passed an equivalent test from another state. The WDFW test may be taken repeatedly until a passing score is achieved. All hunters must carry proof of passing a bear identification test while hunting in the GMUs identified by the department.

Submitting Biological Samples and Bear Teeth: Successful bear hunters must ((~~submit~~) comply with harvest reporting and submission of biological samples including the black

bear premolar located behind the canine tooth of the upper jaw. Failure to comply with the submission of biological samples is a misdemeanor pursuant to RCW 77.15.280.

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-415-090 ((2015-2017)) 2018-2020 Fall black bear hunting seasons and regulations. It is unlawful to fail to comply with the provisions below. A violation of this section is punishable under RCW 77.15.410, 77.15.245, or 77.15.280 ((1)(e)).

Black Bear Management Unit	Season	Hunt Area
Coastal	Aug. 1 - Nov. 15, ((2015)) 2018 Aug. 1 - Nov. 15, ((2016)) 2019 Aug. 1 - Nov. 15, ((2017)) 2020	GMUs 501, 504, 506, 530, 601, 602, 603, 607-621, 636-651, 658-663, 672-684
Puget Sound	Aug. 1 - Nov. 15, ((2015)) 2018 Aug. 1 - Nov. 15, ((2016)) 2019 Aug. 1 - Nov. 15, ((2017)) 2020	GMUs 407, ((410,)) 454, 624, 627, 633, 652, 666, 667
North Cascades	Aug. 1 - Nov. 15, ((2015)) 2018 Aug. 1 - Nov. 15, ((2016)) 2019 Aug. 1 - Nov. 15, ((2017)) 2020	GMUs ((418-450)) 418-421, 426-450, 460
South Cascades	Aug. 15 - Nov. 15, ((2015)) 2018 Aug. 15 - Nov. 15, ((2016)) 2019 Aug. 15 - Nov. 15, ((2017)) 2020	GMUs 466, 485, 503, 505, 510-520, 524, 550-574, 653, 654
Okanogan	Aug. 15 - Nov. 15, ((2015)) 2018 Aug. 15 - Nov. 15, ((2016)) 2019 Aug. 15 - Nov. 15, ((2017)) 2020	GMUs 203, 209-243
East Cascades	Aug. 1 - Nov. 15, ((2015)) 2018 Aug. 1 - Nov. 15, ((2016)) 2019 Aug. 1 - Nov. 15, ((2017)) 2020	GMUs 244-247, 249-251, 328, 329-368, 382, 388, 578
Northeastern A	Sept. 1 - Nov. 15, ((2015)) 2018	GMUs 101-121, 204

Black Bear Management Unit	Season	Hunt Area
	Sept. 1 - Nov. 15, ((2016)) 2019 Sept. 1 - Nov. 15, ((2017)) 2020	
Northeastern B	Aug. 15 - Nov. 15, ((2015)) 2018 Aug. 15 - Nov. 15, ((2016)) 2019 Aug. 15 - Nov. 15, ((2017)) 2020	GMUs 124-130
Blue Mountains	Sept. 1 - Nov. 15, ((2015)) 2018 Sept. 1 - Nov. 15, ((2016)) 2019 Sept. 1 - Nov. 15, ((2017)) 2020	GMUs 145-154, 162-186
Columbia Basin	Aug. 1 - Nov. 15, ((2015)) 2018 Aug. 1 - Nov. 15, ((2016)) 2019 Aug. 1 - Nov. 15, ((2017)) 2020	GMUs 133, 136, 139, 142, 248, 254, 260-290, 371-381
Long Island	Sept. 1 - Nov. 15, ((2015)) 2018 Sept. 1 - Nov. 15, ((2016)) 2019 Sept. 1 - Nov. 15, ((2017)) 2020	GMU 699

Bag Limit: Two (2) black bear per annual hunting season, only one of which may be taken in Eastern Washington.

Area Restriction: Special deer permit required to hunt black bear in GMU 485. GMUs 410 and 422 are closed for black bear hunting. Hunters that choose to hunt in GMUs located in grizzly bear recovery areas, as identified by the department, must successfully complete the WDFW online bear identification test or equivalent test from another state and carry proof of successful completion.

License Required: A valid big game hunting license, which includes black bear as a species option, is required to hunt black bear. One black bear transport tag is included with a big game hunting license that has black bear as a species option. A second black bear transport tag must be purchased to take a second bear.

Hunting Method: Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting black bear. The use of hounds and bait to hunt black bear is prohibited statewide.

Other Requirements: Hunters that choose to hunt in GMUs located in grizzly bear recovery areas as identified by the department must successfully complete the annual WDFW

online bear identification test with a passing score (80% or higher) or carry proof that they have passed an equivalent test from another state. The WDFW test may be taken repeatedly until a passing score is achieved. All hunters must carry proof of passing a bear identification test while hunting in the GMUs identified by the department.

Submitting Biological Samples and Bear Teeth: Successful bear hunters must ((submit)) comply with harvest reporting and submission of biological samples including the black bear premolar tooth located behind the canine tooth of the upper jaw. Failure to comply with the submission of biological samples is a misdemeanor pursuant to RCW 77.15.280.

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-415-100 ((2016-2017 and 2017-2018)) 2018-2019 and 2019-2020 Cougar hunting seasons and regulations.

(1) As used in this section and in the context of general cougar hunting seasons, "harvest guideline" means the estimated allowable harvest; the actual harvest may be less than or more than the harvest guideline.

(2) General cougar season is September 1 to April 30 of the following year.

Season dates and harvest guidelines for each season:

Hunt Area	Harvest Guide-line	Early Hunting Season	Late Hunting Season	Legal Weapon
GMU 101	7-9	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 105	2	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 108, 111	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 113	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 117	6-8	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 121	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 124, 127, 130	7-9	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 133, 136, 139, 142, 248, 254, 260, 262, 266, 269, 272, 278, 284, 290, 330, 334, 371, 372, 373, 379, 381	None	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 149, 154, 162, 163	4-5	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 145, 166, 175, 178	3-4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 169, 172, 181, 186	3	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 203	5	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 204	6-8	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 209, 215	4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 218, 231	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 224	2	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 233, 239	4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 242, 243	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 244, 246, 247	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 245, 250	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 249, 251	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 328, 329, 335	6-7	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 336, 340, 342, 346	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 352, 356, 360, 364, 368	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 382, 388	3-4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 407	None	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 418, 426, 437	11-15	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 448, 450	10-13	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 454	None	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 460	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon

Hunt Area	Harvest Guide-line	Early Hunting Season	Late Hunting Season	Legal Weapon
GMUs 466, 485, 490	3	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 501, 504, 506, 530	8-10	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 503, 505, 520, 550	6-8	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 510, 513	3-4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 516	4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 524, 554, 556	3	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 560	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 564	1	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 568	2	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 572	3	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 574, 578	4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 601, 602, 603, 612	5-7	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 607, 615	4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 618, 636, 638	4-5	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 621, 624, 627, 633	None	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 642, 648, 651	6-8	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 652, 666	None	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 653, 654	5	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 658, 660, 663, 672, 673, 681, 684, 699	9-12	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 667	3-4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon

(a) In hunt areas with a harvest guideline, the cougar late hunting season may close on or after January 1st in one or more GMUs if cougar harvest meets or exceeds the guideline.

(b) In hunt areas with a harvest guideline, starting January 1st, cougar hunters may hunt cougar from January 1st until the hunt area harvest guideline has been met, and the department has notified licensed cougar hunters by posting the hunt area closure on the department's web site and on the toll-free cougar hunting hotline, or April 30th, whichever occurs first.

(3) Harvest guideline system:

(a) All cougar killed by licensed hunters during the early and late hunting seasons, and seasons authorized under WAC 220-440-030 shall be counted toward the harvest guideline.

(b) Individual problem cougar will continue to be killed on an as-needed basis utilizing depredation permits, landowner kill permits, and WDFW depredation authority regardless of harvest guidelines.

(c) It is each cougar hunter's responsibility to verify if the cougar late hunting season is open or closed in hunt areas with a harvest guideline. Cougar hunters can verify if the season is open or closed by calling the toll-free cougar hunting hotline or visiting the department's web site.

(4) Cougar hunting season requirements and special restrictions.

(a) A valid big game hunting license which includes cougar as a species option is required to hunt cougar.

(b) The statewide bag limit is one (1) cougar per license year; excluding removals authorized under WAC 220-440-

030. It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.

(c) The use of dogs to hunt cougar is prohibited; except by a commission authorized permit (WAC 220-440-030).

(d) Any person who takes a cougar must comply with the notification and sealing requirements in WAC 220-400-050.

(e) A special cougar permit is required to hunt cougar in GMU 485.

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-415-120 ((2017) 2018 Bighorn sheep seasons and permit quotas. (1) It is unlawful to fail to comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) **Bighorn Sheep Permit Hunts**

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

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

((Hunt Name-	Permit Season	Permit Hunt Boundary- Description	Special Restrictions	Permits
Selah Butte A-	Nov. 7-30	Sheep Unit 4	Any Legal Weapon	2
Umtanum	Sept. 15 - Oct. 10	Sheep Unit 5	Any Legal Weapon	2
Cleman Mountain A	Sept. 15 - Oct. 10	Sheep Unit 7	Any Legal Weapon	3
Cleman Mountain D	Nov. 13-30	Sheep Unit 7	Adult ewe only Any Legal Weapon	10
Mt. Hull A	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	1
Mt. Hull B	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Mt. Hull C ^a	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Lincoln Cliffs	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	1
Quilomene-	Sept. 15 - Oct. 10	Sheep Unit 13	Any Legal Weapon	2
Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	2
Manson	Nov. 7-30	Sheep Unit 16	Any Legal Weapon	2
Chelan Butte A	Sept. 15 - Oct. 10	Sheep Unit 18	Any Legal Weapon	2
(New hunt category) Chelan Butte B Juvenile ram - Disabled- hunter ^b	Oct. 11-31	Sheep Unit 18	Any Legal Weapon Juvenile ram ^c	2
Chelan Butte C - Disabled- hunter ^b	Oct. 11-31	Sheep Unit 18	Any Legal Weapon Adult ewe only	2))

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Ram (male) bighorn sheep only				
<u>Lincoln Cliffs A</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 12</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Mt. Hull A</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 10</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>Swakane</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 14</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Chelan Butte A</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 18</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Chelan Butte B</u>	<u>Oct. 11 - Nov. 15</u>	<u>Sheep Unit 18</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Manson</u>	<u>Nov. 7 - Nov. 30</u>	<u>Sheep Unit 16</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Selah Butte</u>	<u>Nov. 7 - Nov. 30</u>	<u>Sheep Unit 4</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Umtanum</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 5</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Cleman Mountain A</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 7</u>	<u>Any Legal Weapon</u>	<u>3</u>
<u>Quilomene</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 13</u>	<u>Any Legal Weapon</u>	<u>2</u>
Ewe (female) bighorn sheep only				
<u>Lincoln Cliffs Whitestone Unit</u>	<u>Oct. 1-10</u>	<u>Sheep Unit 12 west of Mount View Rd^d</u>	<u>Adult ewe only Any Legal Weapon</u>	<u>1</u>
<u>Lincoln Cliffs Lincoln Unit</u>	<u>Oct. 1-10</u>	<u>Sheep Unit 12 east of Mount View Rd^d</u>	<u>Adult ewe only Any Legal Weapon</u>	<u>1</u>
<u>Mt. Hull B</u>	<u>Oct. 1-10</u>	<u>Sheep Unit 10</u>	<u>Adult ewe only Any Legal Weapon</u>	<u>1</u>
<u>Mt. Hull C (youth hunter)^a</u>	<u>Oct. 1-10</u>	<u>Sheep Unit 10</u>	<u>Adult ewe only Any Legal Weapon</u>	<u>1</u>

<u>Hunt Name</u>	<u>Permit Season</u>	<u>Permit Hunt Boundary Description</u>	<u>Special Restrictions</u>	<u>Permits</u>
<u>Chelan Butte C</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 18</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>4</u>
<u>Chelan Butte D (disabled hunter)^b</u>	<u>Oct. 11-31</u>	<u>Sheep Unit 18</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>3</u>
<u>Cleman Mountain B</u>	<u>Oct. 11-31</u>	<u>Sheep Unit 7</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>10</u>
<u>Cleman Mountain C</u>	<u>Nov. 1-18</u>	<u>Sheep Unit 7</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>8</u>
<u>Cleman Mountain D (youth hunter)^a</u>	<u>Nov. 1-18</u>	<u>Sheep Unit 7</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>2</u>
<u>Juvenile ram (male) bighorn sheep only</u>				
<u>Chelan Butte E (disabled hunter)^b</u>	<u>Oct. 11-31</u>	<u>Sheep Unit 18</u>	<u>Any Legal Weapon</u> <u>Juvenile ram^c</u>	<u>2</u>

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

^bApplicants must possess a Disabled Hunter Permit.

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

^dSee subsection (3) of this section Bighorn Sheep Units for detailed legal descriptions of these hunt area boundaries.

(3) Bighorn Sheep Units:

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

(b) **Sheep Unit 4 Selah Butte:** Permit Area: That part of GMU 340 east of the Yakima River.

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

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

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

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

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

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

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

(j) **Sheep Unit 16 Manson:** Permit Area: Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US For-

est Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan-Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to shore line of Lake Chelan; W across Lake Chelan to the mouth of Riddle Creek on the South Shore; SE along South Shore of Lake Chelan to the point of beginning.

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

(l) **Sheep Unit 19 Sinlahekin:** Beginning at the eastern boundary of the Pasayten Wilderness border and the US-Canadian border; E on the US-Canadian border to the border station on Similkameen Rd (Co. Rd 4568); SE on the Similkameen Rd (Co. Rd 4568) to the Loomis-Oroville Rd (Co. Rd 9425); E on the Loomis-Oroville Rd (Co. Rd 9425) to US Hwy 97 in Oroville; S on US Hwy 97 to 12th Ave; W on 12th Ave (it curves S and changes to Old Highway 97); S on Old Highway 97 to US Hwy 97; S on US Hwy 97 to the

South Pine Creek Rd (Co. Rd 9410); W on the South Pine Creek Rd (Co. Rd 9410) to Fish Lake Rd (Co. Rd 4290); W on Fish Lake Rd (Co. Rd 4290) to South Fish Lake Rd (Co. Rd 4282), along the south shore of Fish Lake; SW on South Fish Lake Rd (Co. Rd 4282), to the Sinlahekin Rd (Co. Rd 4015); SW on the Sinlahekin Rd (Co. Rd 4015), along the north shore of Conconully Lake, to the Salmon Creek North Fork Rd (Co. Rd 2361), at the town of Conconully; N on US Forest Service Rd 38 (Salmon Creek North Fork Rd, Co. Rd 2361) to US Forest Service Rd 3820; N on US Forest Service Rd 3820 over Lone Frank Pass, to US Forest Service Rd 39; N on US Forest Service Rd 39 to the US Forest Service Rd 300 at Long Swamp trailhead; W on the US Forest Service Rd 300 to US Forest Service Trail 342; N on US Forest Service Trail 342 to US Forest Service Trail 343; E on US Forest Service Trail 343 to US Forest Service Trail 341; E on US Forest Service Trail 341 to US Forest Service Trail 375; E on US Forest Service Trail 375 to the eastern boundary of the Pasayten Wilderness Area; N on the Pasayten Wilderness Area boundary to the US-Canadian border and the point of beginning.

(m) Whitestone Unit: Starting at the intersection of Mount View Rd and US Highway 2; W on US Highway 2 to the Lincoln County Line; N on the Lincoln County Line to the Lincoln County Line in the Columbia River; E up the Columbia River to Halverson Canyon; S and W up Halverson Canyon to Mount View Rd; S on Mount View Rd to US Highway 2 and the point of the beginning.

(n) Lincoln Unit: Starting at the intersection of Mount View Rd and US Highway 2; E on US Highway 2 to the Lincoln County Line; N on the Lincoln County Line to the Lin-

coln County Line in the Spokane River; W down the Spokane River to the Columbia River; W down the Columbia River to Halverson Canyon; S and W up Halverson Canyon to Mount View Rd; S on Mount View Rd to US Highway 2 and the point of the beginning.

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-415-130 ((2015-2017)) 2018 Mountain goat seasons and permit quotas. (1) Hunters must comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) **Mountain Goat Permit Hunts**

(a) **Who May Apply:** Anyone may apply, except those who harvested a mountain goat in Washington state after 1998. Except for auction and raffle permitted hunts, an individual may only harvest one mountain goat during his or her lifetime.

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

(c) It is unlawful for a person who kills a mountain goat in Washington to fail, within ten days after acquisition, to personally present the horns attached to the head for inspection at a department office or location designated by a departmental representative. After inspection, the head/horns of a mountain goat lawfully killed in Washington may be kept for personal use. A violation of this subsection is punishable under RCW 77.15.280 (1)(b).

((Goat Hunt Area Name (Number))	Permit Season*	Subhunt Units (may be opened or closed by the director)*	Special Restrictions	Permits*
Chowder Ridge (4-3)	Sept. 15 - Nov. 30		Any Legal Weapon	1
Lincoln Peak (4-4)	Sept. 15 - Nov. 30		Any Legal Weapon	2
Dillard Creek (4-6)	Sept. 15 - Nov. 30		Any Legal Weapon	0
Avalanche Gorge (4-7)	Sept. 15 - Nov. 30		Any Legal Weapon	3
North Lake Chelan (2-1)	Sept. 15 - Nov. 30	Skookum Pass Mtn., Big-Goat Creek	Any Legal Weapon	2
Boulder River North (4-8a)	Sept. 15 - Nov. 30		Any Legal Weapon	1
Naehes Pass (3-6)	Sept. 15 - Nov. 30	Fife's East, Fife's Peak, Crystal Mountain, Basin-Lake	Any Legal Weapon	3
Bumping River (3-7)	Sept. 15 - Nov. 30	Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge	Any Legal Weapon	3
Blazed Ridge (3-10)	Sept. 15 - Nov. 30	Blowout Mtn., Blazed Ridge, Blazed North, Milk-Creek, Rock Creek	Any Legal Weapon	0
Goat Rocks-Tieton River (5-4/3-9)	Sept. 15 - Nov. 30	Chimney Rocks, Goat-Lake, McCall Glacier, Gilbert Peak	Any Legal Weapon	5

((Goat Hunt Area Name (Number))	Permit Season^b	Subhunt Units (may be opened or closed by the director)^a	Special Restrictions	Permits^a
South Lake Chelan (2-3)	Sept. 15 - Nov. 30	Railroad Creek, Pyramid Mountain, Box Canyon	Any Legal Weapon	1
Conflict reduction goat (new hunt type)				
East Olympic Mountains A [†]	Sept. 15 - 25	N/A	Any Legal Weapon	3
East Olympic Mountains B [†]	Sept. 26 - Oct. 6	N/A	Any Legal Weapon	3

[†]This is a new hunt type.) (d) Applicants drawn for a permit may only purchase their license after successfully completing the WDFW mountain goat gender identification training (online or at a participating WDFW office).

Goat Hunt Area Name (Number)	Permit Season	Special Restrictions	Permits
North Lake Chelan (2-1)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	2
South Lake Chelan (2-3)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	1
Naches Pass (3-6)	Oct. 10 - Nov. 30	Any Legal Weapon	1
Bumping River (3-7)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	3
Boulder River North (4-8a)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	1
Chowder Ridge (4-3)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	1
Lincoln Peak (4-4)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	2
Avalanche Gorge (4-7)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	3
Goat Rocks West (5-4)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	2
Goat Rocks East (5-5)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	3
Mt. Margaret Backcountry (5-6)	Oct. 1 - Nov. 30	Any Legal Weapon	1
Mt. St. Helens South (5-7)	Oct. 1 - Nov. 30	Any Legal Weapon	1
East Olympic Mountains A ¹	Sept. 15 - 25	Any Legal Weapon	3
East Olympic Mountains B ¹	Sept. 26 - Oct. 6	Any Legal Weapon	3

¹Points accrued or spent on this hunt do not apply to other mountain goat hunts.

^aPermit holders hunting with archery equipment may start hunting September 1.

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

Chelan North 2-1

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

Methow 2-2

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

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

South Lake Chelan 2-3

Permit Area: GMU 246

Naches Pass 3-6

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

Bumping River 3-7

Permit Area: Beginning on US Forest Service Trail 2000 (Pacific Crest Trail) and SR 410 at Chinook Pass; NE on SR 410 to US Forest Service Rd 1800 (Bumping Lake Rd); SW on the US Forest Service Rd 1800 (Bumping Lake Rd) to US Forest Service Trail 973 (Richmond Mine Rd); SE on US Forest Service Trail 973 (Richmond Mine Rd) to the north fork of Rattlesnake Creek; SE down the north fork of Rattlesnake Creek to US Forest Service Rd 1502 (McDaniel Lake Rd); SE on US Forest Service Rd 1502 (McDaniel Lake Rd) to US Forest Service Rd 1500; S on US Forest Service Rd 1500 to US Hwy 12; W on US Hwy 12 to US Forest Service Trail 2000 (Pacific Crest Trail) at White Pass; N on the US

Forest Service Trail 2000 (Pacific Crest Trail) to SR 410 at Chinook Pass and the point of beginning. (Lands within the boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting.)

Blazed Ridge 3-10

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

Chowder Ridge 4-3:

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

Lincoln Peak 4-4

Hunt Area: Whatcom County within the following described boundary: Beginning at the confluence of Glacier Creek and the North Fork Nooksack River; then up Glacier Creek to the confluence with Grouse Creek; then up Grouse Creek to the confluence with Kulshan Creek; then up Kulshan Creek to headwaters; then SE between Coleman and Roosevelt glaciers to the summit of Mount Baker; then SW on Easton Glacier to Baker Pass; then W on the Bell Pass Trail (USFS Trail 603.3) to the intersection with Ridley Creek Trail (Trail No. 696); then W on Ridley Creek Trail to Ridley Creek; then down Ridley Creek to the Middle Fork Nooksack River; then down the Middle Fork Nooksack River to the confluence with Clearwater Creek, then up Clearwater Creek to the confluence with Rocky Creek, then up Rocky Creek to the Washington DNR boundary; then along the National Forest-Washington DNR boundary to Hedrick Creek; then down Hedrick Creek to the North Fork Nooksack River; then up the North Fork Nooksack River to Glacier Creek and the point of beginning.

Dillard Creek 4-6

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

Avalanche Gorge 4-7

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

~~Chelan North 2-1~~

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

Methow 2-2

~~Permit Area: Okanogan County within following described boundary: Begin at Twisp, W along Twisp River Rd (County Rd 4440) to Roads End; W up Twisp Pass Trail 432 to Twisp Pass and Okanogan County line; N on Okanogan County line through Washington Pass to Harts Pass; SE down Harts Pass (Rd 5400) to Lost River; along Lost River Mazama Rd to Mazama; SW to State Hwy 20; SE on State Hwy 20 to Twisp and point of beginning.~~

South Lake Chelan 2-3

Permit Area: GMU 246

Naches Pass 3-6

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

Bumping River 3-7

Permit Area: Beginning on US Forest Service Trail 2000 (Pacific Crest Trail) and SR 410 at Chinook Pass; NE on SR 410 to US Forest Service Rd 1800 (Bumping Lake Rd); SW on the US Forest Service Rd 1800 (Bumping Lake Rd) to US Forest Service Trail 973 (Richmond Mine Rd); SE on US Forest Service Trail 973 (Richmond Mine Rd) to the north fork of Rattlesnake Creek; SE down the north fork of Rattlesnake Creek to US Forest Service Rd 1502 (McDaniel Lake Rd); SE on US Forest Service Rd 1502 (McDaniel Lake Rd) to US Forest Service Rd 1500; S on US Forest Service Rd 1500 to US Hwy 12; W on US Hwy 12 to US Forest Service

Trail 2000 (Pacific Crest Trail) at White Pass; N on the US Forest Service Trail 2000 (Pacific Crest Trail) to SR 410 at Chinook Pass and the point of beginning. (Lands within the boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting.)

Blazed Ridge 3-10

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

Goat Rocks 5-4/Tieton River 3-9

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

Permit Area—Tieton River: GMU 364

Permit Area—East Olympic Mountains Unit

Beginning at the intersection of Lake Cushman Rd and Jorsted Creek Rd (US Forest Service (USFS) Rd 24); W along Jorsted Creek Rd (USFS Rd 24) to Olympic National Park (ONP) boundary at the northern end of Lake Cushman; N and NE along the ONP-Olympic National Forest (ONF) boundary to the Jefferson-Clallam County line; E along the Jefferson-Clallam County line to its intersection with ONF boundary in Section 33 of T28N R2W; S along the ONF boundary to the intersection of Lake Cushman Rd and Jorsted Creek Rd (US Forest Service (USFS) Rd 24) and the point of beginning.

Permit Area—Boulder River North 4-8a

That area within the Boulder River Wilderness of the Mount Baker Snoqualmie National Forest, beginning at the Boulder River trailhead on U.S. Forest Service (USFS) Rd 2010 (to Boulder Falls), then E along the USFS Boulder River Wilderness boundary to Squire Creek, then southward along the Squire Creek to Squire Creek Pass, then SW up Squire Creek Pass to the headwaters of Copper Creek, then SE down Copper Creek to the unnamed tributary to Copper Creek which heads W up to Windy Pass, then W up said tributary to its headwaters in Windy Pass, then W across Windy Pass to the headwaters of Windy Creek, then W down Windy Creek to the USFS Boulder River Wilderness boundary, then N along the USFS Boulder River Wilderness boundary to the Boulder River trailhead on USFS Rd 2010 and the point of the beginning.

^aMountain goat populations are managed as a collection of subpopulations, and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or

close subhunt areas and reduce permit levels to protect from overharvesting specific areas.

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

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

Permit Area - Boulder River North 4-8a

That area within the Boulder River Wilderness of the Mount Baker Snoqualmie National Forest, beginning at the Boulder River trailhead on USFS Rd 2010 (to Boulder Falls), then E along the USFS Boulder River Wilderness boundary to Squire Creek, then southward along the Squire Creek to Squire Creek Pass, then SW up Squire Creek Pass to the headwaters of Copper Creek, then SE down Copper Creek to the unnamed tributary to Copper Creek which heads W up to Windy Pass, then W up said tributary to its headwaters in Windy Pass, then W across Windy Pass to the headwaters of Windy Creek, then W down Windy Creek to the USFS Boulder River Wilderness boundary, then N along the USFS Boulder River Wilderness boundary to the Boulder River trailhead on USFS Rd 2010 and the point of the beginning.

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

Goat Rocks East 5-5: (Yakima County): GMU 364

Permit Area 6-1: East Olympic Mountains Unit

Beginning at the intersection of Lake Cushman Rd and Jorsted Creek Rd (USFS Rd 24); W along Jorsted Creek Rd (USFS Rd 24) to Olympic National Park (ONP) boundary at the northern end of Lake Cushman; N and NE along the ONP-Olympic National Forest (ONF) boundary to the Jefferson-Clallam County line; E along the Jefferson-Clallam County line to its intersection with ONF boundary in section 33 of T28N R2W; S along the ONF boundary to the intersection of Lake Cushman Rd and Jorsted Creek Rd (USFS Rd 24) and the point of beginning.

Permit Area - Mt. Margaret Backcountry 5-6 (Skamania and Lewis counties)

Beginning at the junction of USFS 99 Rd and USFS 26 Rd; S on USFS 99 Rd to junction of USFS 99 Rd and USFS Trail 227 at Independence Pass trailhead; N on USFS Trail 227 to junction of USFS Trail 227 and USFS Trail 1; W on USFS Trail 1 to junction of USFS Trail 1 and USFS Trail 230; NW on USFS Trail 230 to junction of USFS Trail 230 and USFS Trail 211; NE to Minnie Peak; W to the USFS property boundary in the SE 1/4 of Section 20, T10N, R5E; N along the USFS property boundary to the Green River; E up the Green River to USFS Rd 2612; E on USFS 2612 to the junction of USFS Rd 2612 and USFS Rd 26; S on USFS Rd 26 to

the junction of USFS Rd 26 and USFS Rd 99 and point of beginning.

Permit Area - Mt. St. Helens South 5-7 (Skamania and Cowlitz counties)(awaiting JT input)

Beginning at the junction of USFS Trail 234 and USFS Rd 83; W on USFS Rd 83 to the junction of USFS Rd 83 and USFS Rd 81; NW on USFS Rd 81 to the junction of USFS Rd 81 and USFS Rd 8123; N on USFS Rd 8123 to USFS Trail 238 at Blue Lake; N on USFS Trail 238 to USFS Trail 216; N on USFS Trail 216 to the South Fork Toutle River; Up the South Fork Toutle River to Mt. St. Helens crater's edge; E along Mt. St. Helens crater to Ape Canyon Creek; Down Ape Canyon Creek to USFS Trail 216; E on USFS Trail 216 to USFS Trail 234; SE on USFS Trail 234 to USFS Rd 83 and point of beginning.

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-416-010 ((2015-16, 2016-17, 2017-18)) 2018-2019, 2019-2020, 2020-2021 Small game and other wildlife seasons and regulations. Hunters must comply with the bag, possession, and season limits described in this section. Failure to do so constitutes a violation of RCW 77.15.245, 77.15.400, or 77.15.430, depending on the species hunted and the circumstances of the violation.

STATEWIDE SEASONS

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

(a) DAILY BAG LIMIT: 4 grouse per day, to include not more than 3 Blue Grouse, 3 Spruce Grouse, and 3 Ruffed Grouse.

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

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

(2) BOBCAT

(a) BAG AND POSSESSION LIMITS: No limit.

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

(c) RESTRICTION: It is unlawful to hunt bobcat with dogs. Night hunting for bobcat is prohibited in GMUs that fall within the lynx management zones identified by the department.

(3) RACCOON

(a) BAG AND POSSESSION LIMITS: No limit.

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

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

(4) FOX

(a) BAG AND POSSESSION LIMITS: No limit.

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

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

(5) COYOTE

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Year-round.

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

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

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

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

(7) CROWS

(a) BAG AND POSSESSION LIMITS: No limit.

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

(8) JACKRABBIT:

Closed statewide.

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

Closed statewide.

(10) WILD TURKEY:

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

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

(ii) SEASON DATES:

(A) April (~~((4-5, 2015))~~) 6-7, 2019;

(B) April (~~((2-3, 2016))~~) 4-5, 2020;

(C) April (~~((1-2, 2017))~~) 3-4, 2021; and

(D) April (~~((7-8, 2018))~~) 2-3, 2022.

(b) SPRING SEASON

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

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

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

(c) (~~EARLY~~) FALL GENERAL SEASON

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

(ii) OPEN AREA: GMUs 101-154 and 162-186, 382, 388, 568-578.

(iii) SEASON DATES:

(A) Sept. (~~((19 - Oct. 16, 2015))~~) 1 - Dec. 31, 2018, (GMUs 101-154 and 162-186);

(B) Sept. (~~((17 - Oct. 14, 2016))~~) 22 - Oct. 12, 2018, (GMUs (~~((145-154, 162-186))~~) 382, 388, 568-578);

(C) Sept. (~~((17 - Oct. 31, 2016, (GMUs 101-142))~~) 1 - Dec. 31, 2019, (GMUs 101-154 and 162-186);

(D) Sept. (~~((23 - Oct. 13, 2017))~~) 28 - Oct. 11, 2019, (GMUs (~~((145-154, 162-186))~~) 382, 388, 568-578);

(E) Sept. (~~((23 - Oct. 31, 2017, (GMUs 101-142)))~~) 1 - Dec. 31, 2020, (GMUs 101-154 and 162-186);

(F) Sept. 26 - Oct. 16, 2020, (GMUs 382, 388, 568-578).

(iv) BAG LIMIT: (~~((Three (3)))~~) Four (4) turkeys during the (~~early~~) fall general season with the following area restrictions:

Game Management Units (GMUs)	Legal Bird and Limit
((105-121	Two (2) beardless turkeys
101, 145-154, 162-186)) 382, 388, 568-578	One (1) either sex turkey
((124-142)) 101-154 and 162-186	Two (2) beardless plus ((one (4)) two (2) either sex tur- key

- (d) FALL PERMIT SEASONS
- (i) LEGAL BIRD: Either sex.
- (ii) LEGAL HUNTER: All hunters who are selected in the fall turkey special permit drawing and who also possess a valid turkey tag.

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits	Bag Limit*
((Klickitat	Sept. 19 - Oct. 16, 2015, Sept. 17 - Oct. 14, 2016, Sept. 23 - Oct. 13, 2017	Either sex	GMUs 382, 388, 568-578	150	4))
Methow	Nov. 15 - Dec. 15, ((2015, 2016, 2017)) 2018, 2019, 2020	Either sex	GMUs 218-231 and 242	50	1
Teanaway	Nov. 15 - Dec. 15, ((2015, 2016, 2017)) 2018, 2019, 2020	Either sex	GMU 335	50	1

*BAG LIMIT: During the fall permit hunting seasons.

- (c) ~~((LATE FALL SEASON~~
- ~~(i) LEGAL BIRD: Either sex.~~
- ~~(ii) LEGAL HUNTER: Open to all hunters with a valid tur-~~
~~key tag.~~
- ~~(iii) OPEN AREA: GMUs 105-154, 162-186.~~
- ~~(iv) SEASON DATES: Nov. 20 - Dec. 15 during the current~~
~~license year.~~
- ~~(v) BAG LIMIT: One (1) turkey.~~
- ~~(f)) HUNTER EDUCATION INSTRUCTOR INCENTIVE~~
~~PERMITS~~
- (i) LEGAL BIRD: Male turkeys and turkeys with visible
beards only.
- (ii) LEGAL HUNTER: Qualified hunter education instruc-
tors who are selected through a random drawing. Hunter edu-
cation instructors qualify if the instructor is certified and has
been in active status for a minimum of 3 consecutive years,
inclusive of the year prior to the permit drawing.
- (iii) OPEN AREA: Statewide.
- (iv) SEASON DATES: April 1 - May 31 during the current
license year.
- (v) PERMITS: 2 individuals will be drawn for this permit
per year.
- (vi) BAG LIMIT: 1 male turkey or turkey with visible
beard in addition to other spring season turkey harvest.
- ~~((g)) (f) OFFICIAL HUNTING HOURS FOR WILD TUR-~~
~~KEY:~~
- 1/2 hour before sunrise to sunset during spring and fall
seasons.
- ~~((h)) (g) SPECIAL RULES FOR WILD TURKEY:~~
- (i) It is unlawful to hunt turkey unless the hunter pos-
sesses a turkey tag.

- (ii) It is unlawful to hunt turkeys with dogs.
- (iii) It is unlawful to bait game birds.

EASTERN WASHINGTON SEASONS:

- (11) RING-NECKED PHEASANT
- (a) BAG AND POSSESSION LIMITS: Three (3) cock pheas-
ants per day. Hunters may possess up to 15 cock pheasants at
any one time.
- (b) YOUTH SEASON DATES: Open only to youth hunters
accompanied by an adult 18 years of age or older.
- (i) Sept. ~~((19-20, 2015))~~ 22-23, 2018;
- (ii) Sept. ~~((17-18, 2016))~~ 21-22, 2019; and
- (iii) Sept. ~~((23-24, 2017))~~ 19-20, 2020.
- (c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER AND
HUNTERS WITH DISABILITIES SEASON DATES:
- (i) Sept. ~~((21-25, 2015))~~ 24-28, 2018;
- (ii) Sept. ~~((19-23, 2016))~~ 23-27, 2019; and
- (iii) Sept. ~~((25-29, 2017))~~ 21-25, 2020.
- (d) REGULAR SEASON DATES:
- (i) Oct. ~~((24, 2015 - Jan. 18, 2016))~~ 20, 2018 - Jan. 21,
2019;
- (ii) Oct. ~~((22, 2016 - Jan. 16, 2017))~~ 19, 2019 - Jan. 20,
2020; and
- (iii) Oct. ~~((21, 2017 - Jan. 15, 2018))~~ 24, 2020 - Jan. 18,
2021.
- (12) CHUKAR
- (a) BAG AND POSSESSION LIMITS: 6 chukar per day. Hunt-
ers may possess up to 18 chukar at any one time.
- (b) YOUTH SEASON DATES: Open only to youth hunters
accompanied by an adult 18 years of age or older.
- (i) Sept. ~~((19-20, 2015))~~ 22-23, 2018;
- (ii) Sept. ~~((17-18, 2016))~~ 28-29, 2019; and

(iii) Sept. (~~(23-24, 2017)~~) 26-27, 2020.

(c) REGULAR SEASON DATES:

(i) Oct. (~~(3, 2015 - Jan. 18, 2016)~~) 6, 2018 - Jan. 21, 2019;

(ii) Oct. (~~(1, 2016 - Jan. 16, 2017)~~) 5, 2019 - Jan. 20, 2020; and

(iii) Oct. (~~(7, 2017 - Jan. 15, 2018)~~) 3, 2020 - Jan. 18, 2021.

(13) GRAY (HUNGARIAN) PARTRIDGE

(a) BAG AND POSSESSION LIMITS: 6 gray partridges per day. Hunters may possess up to 18 gray partridges at any one time.

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

~~((i) Sept. 19-20, 2015;~~

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

~~(iii) Sept. 23-24, 2017.))~~

(i) Sept. 22-23, 2018;

(ii) Sept. 28-29, 2019; and

(iii) Sept. 26-27, 2020.

(c) REGULAR SEASON DATES:

~~((i) Oct. 3, 2015 - Jan. 18, 2016;~~

~~(ii) Oct. 1, 2016 - Jan. 16, 2017; and~~

~~(iii) Oct. 7, 2017 - Jan. 15, 2018.))~~

(i) Oct. 6, 2018 - Jan. 21, 2019;

(ii) Oct. 5, 2019 - Jan. 20, 2020; and

(iii) Oct. 3, 2020 - Jan. 18, 2021.

(14) MOUNTAIN QUAIL

Closed throughout Eastern Washington.

(15) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

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

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

~~((i) Sept. 19-20, 2015;~~

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

~~(iii) Sept. 23-24, 2017.))~~

(i) Sept. 22-23, 2018;

(ii) Sept. 28-29, 2019; and

(iii) Sept. 26-27, 2020.

(c) REGULAR SEASON DATES:

~~((i) Oct. 3, 2015 - Jan. 18, 2016;~~

~~(ii) Oct. 1, 2016 - Jan. 16, 2017; and~~

~~(iii) Oct. 7, 2017 - Jan. 15, 2018.))~~

(i) Oct. 6, 2018 - Jan. 21, 2019;

(ii) Oct. 5, 2019 - Jan. 20, 2020; and

(iii) Oct. 3, 2020 - Jan. 18, 2021.

WESTERN WASHINGTON SEASONS:

(16) RING-NECKED PHEASANT

(a) BAG AND POSSESSION LIMITS: 2 pheasants of either sex per day. Hunters may possess up to 15 pheasants at any one time.

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

~~((i) Sept. 19-20, 2015;~~

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

~~(iii) Sept. 23-24, 2017.))~~

(i) Sept. 22-23, 2018;

(ii) Sept. 21-22, 2019; and

(iii) Sept. 19-20, 2020.

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

~~((i) Sept. 21-25, 2015;~~

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

~~(iii) Sept. 25-29, 2017.))~~

(i) Sept. 24-28, 2018;

(ii) Sept. 23-27, 2019; and

(iii) Sept. 21-25, 2020.

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

~~(i) Sept. ((26 - Nov. 30, 2015))~~ 29 - Nov. 30, 2018;

~~(ii) Sept. ((24 - Nov. 30, 2016))~~ 28 - Nov. 30, 2019; and

~~(iii) Sept. ((30 - Nov. 30, 2017))~~ 26 - Nov. 30, 2020.

(e) EXTENDED SEASON DATES:

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

(ii) 8 a.m. to 4 p.m. only at the following release sites:

Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek, Skookumchuck, and all Whidbey Island release sites EXCEPT Bayview.

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

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

(17) MOUNTAIN QUAIL

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

(b) SEASON DATES:

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

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

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

(i) Sept. 29 - Nov. 30, 2018;

(ii) Sept. 28 - Nov. 30, 2019; and

(iii) Sept. 26 - Nov. 30, 2020.

(18) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

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

(b) SEASON DATES:

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

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

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

(i) Sept. 29 - Nov. 30, 2018;

(ii) Sept. 28 - Nov. 30, 2019; and

(iii) Sept. 26 - Nov. 30, 2020.

FALCONRY SEASONS:

(19) UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY

(a) BAG AND POSSESSION LIMITS:

- (i) 2 pheasants (either sex);
- (ii) 6 partridge;
- (iii) 5 California (valley) quail or northern bobwhite;
- (iv) 2 mountain quail (in Western Washington only);
- (v) 3 forest grouse (blue, ruffed, spruce) per day; and
- (vi) Possession limit is twice the daily bag limit.

(b) OPEN AREA: Statewide.

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

(20) TURKEY - FALCONRY

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

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

(c) OPEN AREA: Eastern Washington.

(d) SEASON DATES: Sept. 1 - Feb. 15 during the current license year.

(21) COTTONTAIL RABBIT AND SNOWSHOE HARE - FALCONRY

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

(b) OPEN AREA: Statewide.

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

OTHER SEASONS:

(22) BIRD DOG TRAINING SEASON

(a) Wild upland game birds may be pursued during the dog-training season but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if the hunter has proof of lawful acquisition (invoices) and the birds are appropriately marked (WAC 220-450-010 and 220-416-110).

(b) OPEN AREA: Statewide.

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

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

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

- (i) Region One - Espanola (T24N, R40E, E 1/2 of section 16);
- (ii) Region Three - Wenas Wildlife Area;
- (iii) Region Four - Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area;
- (iv) Region Five - Shillapoo/Vancouver Lake Wildlife Area;

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

(23) YAKAMA INDIAN RESERVATION:

The ~~((2015-16, 2016-17, and 2017-18))~~ 2018-2019, 2019-2020, and 2020-2021 upland bird seasons within the Yakama Indian Reservation are the same as the season established by the Yakama Indian Nation.

(24) COLVILLE INDIAN RESERVATION:

The ~~((2015-16, 2016-17, and 2017-18))~~ 2018-2019, 2019-2020, and 2020-2021 upland bird seasons within the Colville Indian Reservation are the same as the season established by the Colville Indian Tribe.

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-416-060 ((2017-2018)) 2018-2019 Migratory waterfowl seasons and regulations. Hunters must comply with the bag, possession, and season limits described in this section. Failure to do so constitutes a violation of RCW 77.15.245, 77.15.400, or 77.15.430, depending on the species hunted and the circumstances of the violation.

DUCKS

Statewide: Oct. ~~((14-18, 2017 and Oct. 21, 2017—Jan. 28, 2018))~~ 13-31, 2018 and Nov. 3, 2018 - Jan. 27, 2019; except scaup season closed Oct. ~~((14 - Nov. 3, 2017))~~ 13 - Nov. 2, 2018.

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. ((16-17, 2017)) 22-23, 2018, in Western Washington (West Zone); Sept. 29-30, 2018, in Eastern Washington (East Zone).

Daily Bag Limit: 7 ducks, to include not more than 2 hen mallard, ~~((4))~~ 2 pintail, 3 scaup, 2 canvasback, and 2 redhead statewide; and to include not more than 1 harlequin, 2 scoter, 2 long-tailed duck, and 2 goldeneye in Western Washington.

Possession Limit for Regular Season: 21 ducks, to include not more than 6 hen mallard, ~~((3))~~ 6 pintail, 9 scaup, 6 canvasback, and 6 redhead statewide; and to include not more than 1 harlequin, 6 scoter, 6 long-tailed duck, and 6 goldeneye in Western Washington.

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

Season Limit: 1 harlequin in Western Washington.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SEA DUCKS

Hunters must possess a special ~~((2017-2018))~~ 2018-2019 hunting authorization and harvest record card for sea ducks when hunting harlequin, scoter, long-tailed duck, and goldeneye in Western Washington. A hunter who has not previously possessed a sea duck harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a sea duck into

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

COOT (Mudhen)

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

Daily Bag Limit: 25 coots.

Possession Limit: 75 coots.

Possession Limit for Youth Hunting Weekend: 50 coots.

SNIFE

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

Daily Bag Limit: 8 snipe.

Possession Limit: 24 snipe.

GEESE (except Brant)

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. ~~((16-17, 2017, state-wide))~~ 22-23, 2018, in Western Washington (West Zone); Sept. 29-30, 2018, in Eastern Washington (East Zone).

Daily Bag Limit: 4 Canada geese and 10 white-fronted geese.

Possession Limit: 8 Canada geese and 20 white-fronted geese.

Western Washington Goose Seasons

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

September Canada Goose Season

Sept. ~~((9-14, 2017))~~ 8-13, 2018.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season

Oct. 13 - Nov. 25, 2018, and Dec. 8, 2018 - Jan. 27, 2019, for Canada and white-fronted geese (except brant).

Oct. ~~((14, 2017 - Jan. 28, 2018;))~~ 13 - Nov. 25, 2018, Dec. 8, 2018 - Jan. 27, 2019, and Feb. 9-20, 2019, for snow, Ross', and blue(~~(, and white-fronted geese. Oct. 14-26, 2017 and Nov. 4, 2017 - Jan. 28, 2018, for other geese (except brant))~~) geese (collectively referred to as white geese). During Feb. 9-20, 2019, in Skagit and Snohomish counties, specified WDFW lands including Fir Island Farm Game Reserve, Island Unit, Johnson DeBay's Slough Swan Reserve and Hunt Unit, Leque Island, Samish, Samish River, South Padilla Bay, and Skagit Headquarters Units of the Skagit Wildlife Area are closed to goose hunting in Goose Management Area 1. During Feb. 9-20, 2019, in Snohomish County, that portion east of Interstate 5 is closed to goose hunting in Goose Management Area 1.

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

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

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SNOW GEESE

Hunters must possess a special ~~((2017-2018))~~ 2018-2019 migratory bird hunting authorization and harvest record card for snow geese when hunting snow, Ross', and blue geese in Goose Management Area 1. A hunter who has not previously possessed a snow goose harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a snow, Ross', or blue goose into possession, hunters must record in ink the information required on the harvest record card.

SKAGIT COUNTY SPECIAL RESTRICTIONS

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

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

Goose Management Area 2 ~~((+ Clark, Cowlitz, Grays Harbor, Pacific and Wahkiakum counties-))~~ - Coast: Pacific County and the portion of Grays Harbor County west of highway 101.

September Canada Goose Season

Sept. 1-9, 2018.

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

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

Regular Season

Open in all areas from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, 7 days per week during Oct. 13-28, 2018; Saturdays, Sundays, and Wednesdays only, Nov. 1 - Dec. 2, 2018, Dec. 22 - Jan. 20, 2019; and Feb. 2-16, 2019. During Feb. 2-16, 2019, U.S. Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas are closed to goose hunting in Goose Management Area 2 - Coast.

Bag Limits for Goose Management Area 2 - Coast:

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

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

Dusky Canada geese: SEASON CLOSED.

Goose Management Area 2 - Inland: Clark, Cowlitz, Wahkiakum counties and the portion of Grays Harbor County east of highway 101.

September Canada Goose Season

Sept. (~~(2-10, 2017)~~) 1-9, 2018.

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

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

Regular Season

Open in all areas except Ridgefield NWR from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, 7 days per week during Oct. (~~(14-29, 2017)~~) 13-28, 2018; Saturdays, Sundays, and Wednesdays only, Nov. (~~(25, 2017 - Jan. 14, 2018; and Feb. 10 - Mar. 10, 2018. During Feb. 10 - Mar. 10, 2018)~~) 24, 2018 - Jan. 13, 2019; and Feb. 9 - Mar. 9, 2019. During Feb. 9 - Mar. 9, 2019, U.S. Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas are closed to goose hunting in Goose Management Area 2 - Inland. Ridgefield NWR open from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, Tuesdays, Thursdays, and Saturdays only, Oct. (~~(14-21, 2017 and Nov. 25, 2017 - Jan. 13, 2018)~~) 13-28, 2018 and Nov. 24, 2018 - Jan. 12, 2019.

Bag Limits for Goose Management Area 2 - Inland:

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

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

Dusky Canada geese: SEASON CLOSED.

Special Provisions for Goose Management Area 2 Coast and Inland Regular Season only:

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

Hunters must possess a valid special (~~(2017-2018)~~) 2018-2019 migratory bird hunting authorization (~~(for)~~) and harvest record card for geese when hunting all goose species in Goose Management Area 2 ((when hunting geese in Goose Management Area 2)) Coast and Inland. New hunters and

those who did not maintain a valid (~~(2016-2017)~~) 2017-2018 authorization must review goose identification training materials and score a minimum of 80% on a goose identification test to receive authorization. Hunters who fail a test must wait 28 days before retesting, and will not be issued a reciprocal authorization until that time. Immediately after taking a goose into possession, hunters must record in ink the information required on the harvest record card.

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

Goose Management Area 3

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

September Canada Goose Season

Sept. (~~(9-14, 2017)~~) 8-13, 2018.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season

Oct. (~~(14-26, 2017 and Nov. 4, 2017 - Jan. 28, 2018)~~) 13-25, 2018 and Nov. 3, 2018 - Jan. 27, 2019.

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

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

Eastern Washington Goose Seasons

September Canada Goose Season (Eastern Washington)

Sept. (~~(9-10, 2017)~~) 8-9, 2018.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 10 Canada geese.

Goose Management Area 4

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

Saturdays, Sundays, and Wednesdays only during Oct. (~~14, 2017 – Jan. 21, 2018; Nov. 10, 23, and 24, 2017; Dec. 25, 26, 28, and 29, 2017; Jan. 15, 2018~~) 13, 2018 - Jan. 20, 2019; additionally, to accommodate opportunity during recognized holiday periods, the 2018-2019 season will include: Nov. 12, 22, and 23, 2018; Dec. 24, 25, 27, and 28, 2018; Jan. 1, 2019; and every day Jan. (~~22-28, 2018~~) 21-27, 2019.

Goose Management Area 5

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

Oct. (~~14-16, 2017~~) 13-29, 2018 and every day from (~~Oct. 21, 2017 – Jan. 28, 2018~~) Nov. 3, 2018 - Jan. 27, 2019.

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

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

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

BRANT

Open in Skagit County only on the following dates: Jan. (~~6, 7, 10, 13, 14, 17, 20, and 21, 2018~~) 12, 13, 16, 19, 20, 23, 26, and 27, 2019.

If the (~~2017-2018~~) 2018-2019 preseason brant population in Skagit County is 3,000-6,000 (as determined by the midwinter waterfowl survey), the brant season in Skagit County will be open only on the following dates: Jan. (~~6, 10, and 13, 2018~~) 12, 16, and 19, 2019.

If the (~~2017-2018~~) 2018-2019 preseason brant population in Skagit County is below 3,000 (as determined by the midwinter waterfowl survey), the brant season in Skagit County will be canceled.

Open in Clallam and Whatcom counties only on the following dates: Jan. (~~6, 10, and 13, 2018~~) 12, 16, and 19, 2019.

Open in Pacific County only on the following dates: Jan. (~~6, 7, 9, 11, 13, 14, 16, 18, 20, and 21, 2018~~) 12, 13, 15, 17, 19, 20, 22, 24, 26, and 27, 2019.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT BRANT

Hunters must possess a special (~~2017-2018~~) 2018-2019 migratory bird hunting authorization and harvest record card for brant when hunting brant. A hunter who has not previously possessed a brant harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a brant into possession, hunters must record in ink the information required on the harvest record card.

Bag Limits for Clallam, Skagit, Pacific and Whatcom counties:

Daily Bag Limit: 2 brant.

Possession Limit: 6 brant.

SWANS

Season closed statewide.

MOURNING DOVE

Sept. 1 - Oct. 30, (~~2017~~) 2018, statewide.

Daily Bag Limit: 15 mourning doves.

Possession Limit: 45 mourning doves.

BAND-TAILED PIGEON

Sept. 15-23, (~~2017~~) 2018, statewide.

Daily Bag Limit: 2 band-tailed pigeons.

Possession Limit: 6 band-tailed pigeons.

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

Hunters must possess a special (~~2017-2018~~) 2018-2019 migratory bird hunting authorization and harvest record card for band-tailed pigeons when hunting band-tailed pigeons. A hunter who has not previously possessed a band-tailed pigeon harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a band-tailed pigeon into possession, hunters must record in ink the information required on the harvest record card.

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

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

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

Possession Limit: 3 times the daily bag limit.

DUCKS, COOTS, CANADA GEESE, AND WHITE-FRONTED GEESE (EXCEPT BRANT AND WHITE GEESE) (Extended Falconry)

Sept. 22-23, 2018, in Western Washington (West Zone).

Sept. 29-30, 2018, in Eastern Washington (East Zone).

Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, Canada geese and white-fronted geese following special youth weekend allowable species.

Possession Limit: 2 times the daily bag limit.

MOURNING DOVE (Extended Falconry)

Oct. 31 - Dec. 16, (~~2017~~) 2018.

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

Possession Limit: 3 times the daily bag limit.

HIP REQUIREMENTS:

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

WSR 18-11-062
PERMANENT RULES
EXECUTIVE ETHICS BOARD

[Filed May 14, 2018, 9:12 a.m., effective June 14, 2018]

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

Purpose: Update the rules to provide clarity to state employees and the public.

Citation of Rules Affected by this Order: Amending WAC 292-110-020, 292-110-030, 292-110-050, and 292-110-060.

Statutory Authority for Adoption: RCW 42.52.360.

Adopted under notice filed as WSR 18-03-098 on January 17, 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 4, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 4, Repealed 0.

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

Date Adopted: May 7, 2018.

Ruthann Bryant
Administrative Officer

AMENDATORY SECTION (Amending WSR 96-22-030, filed 10/30/96, effective 11/30/96)

WAC 292-110-020 Working hours. (1) ~~((RCW 42.52.180(1) provides that no state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Facilities of an agency includes use of state officers or state employees during working hours. The purpose of the rule is to define the term "working hours" for officers and employees of the executive branch~~

~~of state government. The prohibition in RCW 42.52.180(1) only applies during working hours.)) Nothing in RCW 42.52.180(1) or this rule prohibits a state officer or state employee from assisting in a campaign during nonworking hours ~~((-An))~~ provided that the state officer or state employee who ~~((assists in a campaign))~~ engages in activity that would fall under RCW 42.52.180(1) during nonworking hours ~~((may))~~ does not use any facilities of an agency.~~

(2) Some state officers and state employees occupy positions that have fixed schedules with the same beginning and ending times. For state officers and state employees with fixed schedules, working hours are the hours between the starting and ending times of their ~~((positions.))~~ scheduled working hours. State officers and state employees with fixed schedules may not ~~((assist in a campaign))~~ engage in activity that would fall under RCW 42.52.180(1) during these fixed working hours, unless they are on a lunch break under ~~((section four))~~ subsection (5) of this rule or on ~~((annual))~~ leave under ~~((section five))~~ subsection (6) of this rule.

~~((Example 1: An employee works for an agency open to the public during the hours of 8:00 a.m. to 5:00 p.m. The employee is in a position with a fixed schedule of Monday through Friday 8:00 a.m. to 5:00 p.m. The employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. The employee may not assist in a campaign during these hours unless the employee is on a lunch break or on annual leave. The employee may assist in a campaign before 8:00 a.m. or after 5:00 p.m. Monday through Friday or on Saturday or Sunday.~~

~~Example 2: An employee works for an agency open to the public during the hours of 8:00 a.m. to 5:00 p.m. Although the agency is open during the hours 8:00 a.m. to 5:00 p.m., the employee is in a position with a fixed schedule of Monday through Thursday 3:00 p.m. through 12:00 a.m. The employee's working hours are 3:00 p.m. to 12:00 a.m. Monday through Thursday. The employee may not assist in a campaign during these hours unless the employee is on a lunch break or on annual leave. The employee may assist in a campaign before 3:00 p.m. or after 12:00 a.m. Monday through Thursday or anytime on Friday, Saturday or Sunday.))~~

(3) Some state officers and state employees occupy positions that do not have fixed schedules with the same starting and ending times. For state officers and state employees who do not have fixed schedules, working hours are defined as ~~((either))~~:

(a) The hours set forth in any policy on working hours adopted by ~~((an agency. Agencies have flexibility in determining working hours for the officers and employees to meet their unique needs so long as the time considered to be working hours is clearly established. If an agency does not adopt a working hours policy, working hours shall be 8:00 a.m. to 5:00 p.m. Monday through Friday when state agencies are generally open to the public))~~ their agency; or

(b) If the agency has not adopted a working hours policy, 8:00 a.m. to 5:00 p.m. Monday through Friday; or

(c) The work schedule for ~~((an))~~ the state officer or state employee approved by ~~((the))~~ their agency ~~((if it is different from the agency policy or, if the agency has not adopted a policy, 8:00 a.m. to 5:00 p.m. Monday through Friday.~~

Example 3: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. Although the agency is open to the public at these times, the work of the agency goes on twenty-four hours a day. The agency has adopted a working hours policy that divides working hours into three shifts: The day shift (8:00 a.m. to 5:00 p.m.); swing shift (3:00 p.m. to 12:00 a.m.) and mid-night shift (12:00 a.m. to 9:00 a.m.). An employee without a fixed schedule is assigned to the swing shift (3:00 p.m. to 12:00 a.m.) Monday through Friday. Since the employee does not have a fixed schedule, the employee sometimes comes to work before 3:00 p.m. and sometimes after 3:00 p.m. Similarly, the employee may leave work before or after 12:00 a.m. This employee's working hours are 3:00 p.m. to 12:00 a.m. Monday through Friday. The employee may not assist in a campaign during these hours unless the employee is on a lunch break or on annual leave. The employee may assist in a campaign before 3:00 p.m. or after 12:00 a.m. Monday through Friday or on Saturday or Sunday.

Example 4: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. The agency has not adopted a policy on working hours. An employee without a fixed schedule usually works 8:00 a.m. to 5:00 p.m. Since the employee does not have a fixed schedule, the employee sometimes comes to work before 8:00 a.m. and sometimes after 8:00 a.m. Similarly, the employee may leave work before or after 5:00 p.m. Since the agency has not adopted a policy on working hours, this employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. The employee may not assist in a campaign during these hours unless the employee is on a lunch break or on annual leave. The employee may assist in a campaign before 8:00 a.m. or after 5:00 p.m. Monday through Friday, or on Saturday or Sunday.

Example 5: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. Although the agency is open to the public at these times, the work of the agency goes on twenty-four hours a day. The agency has adopted a working hours policy that divides working hours into three shifts: The day shift (8:00 a.m. to 5:00 p.m.); swing shift (3:00 p.m. to 12:00 a.m.) and mid-night shift (12:00 a.m. to 9:00 a.m.). An employee without a fixed schedule is assigned to the day shift (8:00 a.m. to 5:00 p.m.) Monday through Friday. However, the agency has approved a different work schedule for this employee. Instead of the usual day shift of 8:00 a.m. to 5:00 p.m., the employee works 7:00 a.m. to 4:00 p.m. Since the employee does not have a fixed schedule the employee, sometimes

comes to work before 7:00 a.m. and sometimes after 7:00 a.m. Similarly, the employee may leave work before or after 4:00 p.m. This employee's working hours are 7:00 a.m. to 4:00 p.m. Monday through Friday. The employee may not assist in a campaign during these hours unless the employee is on a lunch break or on annual leave. The employee may assist in a campaign before 7:00 a.m. or after 4:00 p.m. Monday through Friday, or on Saturday or Sunday).

(4) Working hours do not include state legal holidays unless the state officer's or state employee's work schedule requires the state officer or state employee to work on a state legal holiday.

(5) Working hours do not include the time ~~((approved and))~~ designated for ~~((an))~~ a state officer's or state employee's lunch break. A lunch break is between 12:00 p.m. and 1:00 p.m., unless the agency has designated a different time in a working hours policy or has approved a different lunch break as part of ~~((an))~~ the state officer's or state employee's work schedule. If ~~((an))~~ a state officer or state employee engages in ~~((campaign))~~ activity that would fall under RCW 42.52.-180(1) during the lunch break, the state officer or state employee may not make use of any of the facilities of the agency.

((Example 6: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. The agency has not adopted a policy on working hours. An employee without a fixed schedule usually works 8:00 a.m. to 5:00 p.m. Since the employee does not have a fixed schedule, the employee sometimes comes to work before 8:00 a.m. and sometimes after 8:00 a.m. Similarly, the employee may leave work before or after 5:00 p.m. Since the agency has not adopted a policy on working hours, this employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday with a lunch break between 12:00 p.m. and 1:00 p.m. The employee may assist in a campaign during the employee's lunch break between 12:00 p.m. and 1:00 p.m.))

(6) Working hours do not include the time in official leave status ~~((if the leave has received advance documented or written authorization. An officer or employee on leave may assist in a campaign.~~

Example 7: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. The agency has not adopted a policy on working hours. An employee without a fixed schedule usually works 8:00 a.m. to 5:00 p.m. Since the employee does not have a fixed schedule, the employee sometimes comes to work before 8:00 a.m. and sometimes after 8:00 a.m. Similarly, the employee may leave work before or after 5:00 p.m. Since the agency has not adopted a policy on working hours, this employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. On Friday the employee receives advance written authori-

zation to be on leave for five days, Monday through Friday of the next week. The employee may assist in a campaign during this leave.

Example 8: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. The agency has not adopted a policy on working hours. An employee without a fixed schedule usually works 8:00 a.m. to 5:00 p.m. Since the employee does not have a fixed schedule the employee sometimes comes to work before 8:00 a.m. and sometimes after 8:00 a.m. Similarly, the employee may leave work before or after 5:00 p.m. Since the agency has not adopted a policy on working hours, this employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. In this agency employees without fixed schedules take leave during a month and then get written authorization for the leave at the end of the month. An employee takes leave Monday through Friday and assists in a campaign. At the end of the month the employee obtains written authorization for the leave. The employee has assisted in a campaign during working hours since the employee did not obtain written authorization prior to taking leave to assist in a campaign. To assist in a campaign while on leave, the employee must obtain written authorization prior to going on leave). If a state officer or state employee engages in activity that would fall under RCW 42.52.180(1) while on leave, the state officer or state employee may not make use of any of the facilities of the agency.

(7) The definition of working hours also includes any time ~~((an))~~ a state officer or state employee is actually working ~~(. For an officer or employee with a fixed schedule, working hours includes overtime when the officer or employee is working additional hours other than those in the fixed schedule. For an officer or employee without a fixed schedule, working hours include any time the officer or employee is working.~~

Example 9: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. The agency has not adopted a policy on working hours. An employee without a fixed schedule usually works 8:00 a.m. to 5:00 p.m. Since the employee does not have a fixed schedule, the employee sometimes comes to work before 8:00 a.m. and sometimes after 8:00 a.m. Similarly, the employee may leave work before or after 5:00 p.m. Since the agency has not adopted a policy on working hours, this employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. On a Monday the employee works from 8:00 a.m. to 9:00 p.m. Even though the employees working hours are 8:00 to 5:00 the time spent working between 5:00 p.m. and 9:00 p.m. are working hours because the employee is working for the agency during this time); for example overtime.

(8) The governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands, and the insurance commissioner are ~~((state officers in the executive branch subject to RCW 42.52.180. These officers are))~~ elected to office and hold office for a term of four years and until their successors are elected and qualified. Since these officers are elected to a term of office, they do not have working hours and may ~~((assist in a campaign))~~ engage in activity that would fall under RCW 42.52.180(1) at any time. However, if these officers ~~((do assist in a campaign))~~ engage in activity that would fall under RCW 42.52.180(1), they may not make use of any facilities of an agency except as provided in RCW 42.52.180 (2).

AMENDATORY SECTION (Amending WSR 96-22-029, filed 10/30/96, effective 11/30/96)

WAC 292-110-030 Measurable expenditure. ~~((+))~~ RCW 42.52.180(1) provides that no state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Facilities of an agency include, but are not limited to, use of stationery, postage, machines and equipment, use of state employees during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency.

~~(2) RCW 42.52.180(2) sets forth exceptions to the prohibition in RCW 42.52.180(1). The exceptions include a statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry without an actual measurable expenditure of public funds (RCW 42.52.180 (2)(b)); activities that are part of the normal and regular conduct of the office (RCW 42.52.180 (2)(c)); and de minimis use of public facilities by statewide elected officials incidental to the preparation or delivery of permissible communications initiated by the official regarding the official's views on a ballot proposition that may foreseeably affect a matter that falls within the official's constitutional or statutory responsibilities (RCW 42.52.180 (2)(d)).~~

~~(3) Elected officials regularly expend public funds to respond to inquiries from the media, constituents and other persons on matters unrelated to ballot propositions. RCW 42.52.180 (2)(b) permits elected officials to respond to such inquiries regarding ballot propositions without an actual measurable expenditure of public funds.)~~ For purposes of RCW 42.52.180 (2)(b) "measurable expenditure" means ~~((an expenditure or))~~ any separately identifiable cost or specific portion of a cost ~~((incurred by the agency))~~ that is beyond the normal and regular ~~((expenditures or))~~ costs incurred by the agency in responding directly to ~~((inquiries from the media, constituents and other persons on matters unrelated to ballot propositions.~~

Example 1: A statewide elected official conducts a press conference in state office space. During the conference the official is asked about a ballot proposition. The subject of the ballot proposition does

not fall within the normal and regular conduct of the official's agency nor within the official's constitutional or statutory responsibilities. The official replies to the question explaining his or her opinion on the ballot proposition and the reason for the opinion. It is not an ethical violation to reply to such an inquiry. The use of state office space, during the time the official answers the question about the ballot proposition, does not result in a measurable expenditure of public funds. This is because the expenditure or cost of the office space during this period is not a separately identifiable cost.

~~Example 2: A statewide elected official receives a letter from a constituent asking for the official's position on a ballot proposition. The subject of the ballot proposition does not fall within the normal and regular conduct of the official's agency nor within the official's constitutional or statutory responsibilities. The official replies by letter explaining his or her opinion on the ballot proposition and the reason for the opinion. In the course of preparing the reply the official has the assistance of staff and uses office space, equipment, stationery and postage. It is not an ethical violation to reply to such an inquiry. There is no measurable expenditure of public funds because the agency has not incurred a cost beyond the normal and regular costs incurred by the agency in responding to inquiries from the media, constituents and other persons on matters unrelated to ballot propositions.~~

~~Example 3: A statewide elected official received a letter from a constituent asking for the official's position on a ballot proposition. The subject of the ballot proposition does not fall within the normal and regular conduct of the official's agency nor within the official's constitutional or statutory responsibilities. The official replies by letter explaining his or her opinion on the ballot proposition and the reason for the opinion. In the course of preparing the reply the official has the assistance of staff and uses office space, equipment, stationery and postage. The official sends copies of the reply to other individuals on the agency mailing list. This is an ethical violation. While it is permissible to reply to the constituent who inquired about the official's position (Example 1), it is improper to send copies of the response to others. There is a measurable expenditure of public funds because the cost of the paper and postage for the additional copies is a separate identifiable cost beyond the normal and regular costs incurred by the agency in responding to inquiries from the media, constituents and other persons on matters unrelated to ballot propositions.~~

~~Example 4: A statewide elected official writes a letter to the editor of a newspaper stating the official's position on a ballot proposition. The subject of the ballot proposition does not fall within the normal and regular conduct of the official's agency nor within the official's constitutional or statutory~~

~~responsibilities. In the course of preparing the letter the official has the assistance of staff and uses office space, equipment, stationery and postage. This is an ethical violation. The official has used the facilities of the agency and the exception in RCW 42.52.180 (2)(b) does not apply because the official is not responding to an inquiry)) a specific inquiry from the media, a constituent, or any other person.~~

AMENDATORY SECTION (Amending WSR 01-13-080, filed 6/19/01, effective 7/20/01)

WAC 292-110-050 Advisory opinions and informal staff analysis. State officers and state employees are encouraged to seek an advisory opinion whenever they have questions concerning ~~((ethical standards or potential conflicts of interest))~~ situations that implicate the Ethics in Public Service Act and corresponding rules. Advisory opinions are intended to provide guidance to a state officer or state employee in advance of an action or decision and ~~((thereby))~~ prevent ethics violations.

(1) ~~((Whenever requested by a state officer, state employee, or other person, or whenever it deems it in the public interest, the board shall issue advisory opinions.))~~ Requests for advisory opinions, if not issued in response to a motion by the board, ~~((shall))~~ must be written ~~((and signed.))~~ and addressed to either the chair of the board or the executive director. ~~((Requests may be made by electronic mail.))~~ Each request should provide sufficient information and circumstances to enable the board to evaluate the request ~~((and issue the advisory opinion)).~~

(2) ~~((Upon receiving a request for an advisory opinion.))~~ The executive director ~~((shall.))~~ will acknowledge a request for an advisory opinion within fifteen calendar days of receipt ~~((, acknowledge the request)).~~ Persons requesting advisory opinions ~~((shall))~~ will be notified of the status of the request at thirty day intervals until final action is taken.

(3) The board ~~((shall))~~ will either:

(a) Deny the request and state the reason(s) for the denial; or((;))

(b) Issue a written advisory opinion.

(4) An advisory opinion is final when it has been approved by the board ~~((and is signed by the executive director)).~~

(5) A person requesting an advisory opinion may, ~~((upon))~~ after receiving the board approved opinion, petition the board for reconsideration within thirty days of the approval date of the advisory opinion ~~((is issued))~~ if the person believes that the advisory opinion is erroneous in factual detail. A petition for reconsideration ~~((shall))~~ must be written and ~~((signed, and shall))~~ must briefly state the errors of fact. The board may deny the petition if it lacks merit, or if the person who submitted the request provided erroneous information to the board.

(6) If a state officer or state employee receives an advisory opinion and fails to make a good faith effort to follow its guidance, the board ~~((shall))~~ will give this fact weight when considering a complaint alleging a violation based on the advice received.

(7) ~~((Informal staff analysis.))~~ It is the responsibility of the executive director to provide ethics advice to any state officer, state employee, or other person; however, a state officer, state employee, or other person may only rely on written ethics advice. In providing such advice, the executive director may issue a written nonbinding staff analysis. A nonbinding staff analysis is intended to provide ethics guidance and advice in an expeditious manner, but does not substitute for a formal advisory opinion from the board. The executive director ~~((shall))~~ will provide a disclaimer to the person requesting the nonbinding staff analysis that the advice is solely the opinion of the executive director and not the opinion of the board or in any respect binding on the board. Only advisory opinions issued by the board and complaints decided by the board may be relied on for determining how the board will interpret a provision of the Ethics in Public Service Act.

(a) In considering a complaint alleging a violation, the board will give weight to the fact that the person charged in the complaint relied in good faith on written advice from the executive director.

(b) The board may review staff analyses provided under this subsection and may approve or disapprove of any advice ~~((se))~~ provided. However, any such approval or disapproval is limited to whether staff had reasonable grounds for the advice ~~((and should not be interpreted as indicating approval or disapproval of the advice provided)).~~

AMENDATORY SECTION (Amending WSR 04-18-019, filed 8/23/04, effective 9/23/04)

WAC 292-110-060 Current state officers and employees contracting with state agencies. (1) ~~((Purpose—The primary purposes of the Ethics in Public Service Act are to prevent conflicts of interest that impair the impartial and independent judgment of state officers and employees and the misuse of state position for private gain. Conflicts of interest occur whenever a state officer or state employee:~~

~~(a) Has a beneficial interest relating to a matter in which the officer or employee participated in an official capacity;~~

~~(b) Accepts outside compensation for the performance or nonperformance of official duties; or~~

~~(c) Accepts or seeks outside compensation from persons that they regulate or conduct state business with.~~

~~A misuse of state position occurs whenever a state officer or employee:~~

~~(i) Uses his or her official position to influence a contract award; or~~

~~(ii) Uses state resources to engage in private work that is not part of official duties.~~

~~(2) **Applicable law, standards of review**—RCW 42.52.020 prohibits financial and other interests that conflict with official duties. RCW 42.52.030 prohibits financial and beneficial interests in transactions involving the state. RCW 42.52.030(2) provides alternate conflict of interest provisions related to research and technology transfer agreements at certain institutions of higher education. RCW 42.52.160(1) prohibits the use of state resources for private benefit or gain. RCW 42.52.120(1) prohibits compensation outside of official duties unless certain conditions are met. RCW 42.52.120(2) requires prior board approval of noncompetitive contracts between state officers and employees and any state~~

~~agency. RCW 42.52.120(3) requires that contracts approved by the board must also be filed with the board within thirty days of execution.~~

~~(3)) **Approval required**—Under RCW 42.52.120(2), a state officer or state employee must receive board approval before entering into, or obtaining a beneficial interest in, a contract or grant with a state agency only if the process for awarding the contract or grant was not open and competitive, or, whenever only one bid or application was received. The review of the contract or grant is to determine whether performance under the contract or grant by the state employee or state officer is in accordance with the Ethics in Public Service Act.~~

~~((4)) (2) **Application for approval**—State officers and state employees seeking the approval of the board for a contract~~((:))~~ or grant application, ~~((or outside employment with a state agency shall))~~ must provide the following information to the executive director no later than thirty days prior to the commencement of the contract or grant:~~

~~(a) A description of current official duties and responsibilities;~~

~~(b) A statement of the work to be performed and a copy of the contract or grant;~~

~~(c) The duration and dollar value of the contract or grant, if applicable;~~

~~(d) A statement that no state resources will be used to perform ~~((the outside employment))~~ or to fulfill the contract or grant;~~

~~(e) A description of how the work will be performed without the use of state resources; and~~

~~(f) A statement that the employing agency has reviewed or approved the outside contract or grant under applicable rules or policies, except when requesting a conditional approval as provided in subsection ~~((5))~~ (3)(b) of this section.~~

~~((5)) (3) **Approval process**—The executive director ~~((shall))~~ will review the contract or grant application ~~((terms))~~ and related documents and ~~((may))~~ determine whether there could be a potential conflict with RCW 42.52.120(1) or other applicable provisions of the Ethics in Public Service Act ~~((as noted in subsection (2) of this section)).~~ If the executive director determines:~~

~~(a) There would be no potential conflict under RCW 42.52.120(1) or other applicable provisions of chapter 42.52 RCW, the executive director ~~((shall))~~ will approve the contract or grant application~~((:));~~~~

~~(b) There would be no potential conflict under RCW 42.52.120(1) or other applicable provisions of chapter 42.52 RCW but the contract or grant application has not been approved by the appointing authority ~~((pending a board review)),~~ the executive director may conditionally approve the contract or grant application; or~~

~~(c) There could be a potential conflict under RCW 42.52.120(1) or other applicable provisions of chapter 42.52 RCW, the executive director ~~((shall))~~ will refer the ~~((contract or grant application))~~ matter to the board for approval or disapproval.~~

~~((6)) (4) **Contract or grant amendments**~~((—))~~. If a contract or grant has been amended or the scope of work altered, and the effect of the amendment or alteration may~~

create a potential conflict of interest under RCW 42.52.120(1) or other applicable provisions of chapter 42.52 RCW, ~~((the))~~ a state officer or state employee must resubmit the contract or grant to the board at least fifteen days prior to commencement of work under the amended or altered contract or grant.

~~((7))~~ (5) **Series of similar contracts~~((--))~~ or grants.** If a state officer or state employee anticipates receiving a series of substantially identical contracts or grants with a state agency ~~((is anticipated, they)),~~ the state officer or state employee may request that the board preapprove such contracts or grants. Preapproval ~~((shall))~~ will be effective for the period of one calendar year, after which the state officer or state employee ~~((shall))~~ must resubmit the request.

~~((8))~~ (6) **Exemptions, preapproved contracts or grants~~((--An))~~.** A state officer or state employee who has a contract or grant or a beneficial interest ~~((therein))~~ in a contract or grant which is preapproved by the board under this section is not required to file an application for approval of the contract or grant. However, ~~((the))~~ a state officer or state employee is responsible for determining that the contract or grant would not conflict with RCW 42.52.120(1) or other applicable provisions of chapter 42.52 RCW. Provided that the applicable conditions in RCW 42.52.120(1) are met, the following contracts or grants are ~~((approved))~~ preapproved by the ~~((executive ethics))~~ board:

(a) A contract or grant ~~((whereby the))~~ in which a state officer or state employee receives assistance through state programs or federal programs administered by the state when they are entitled to receive such assistance by law and on the same basis as similarly situated citizens, and when the state officer or state employee does not exercise discretionary judgment with regard to an assistance program for which he or she is otherwise eligible;

(b) A contract to perform teaching duties at a ~~((bona fide))~~ community college, vocational-technical school, or institution of higher learning, provided no state resources are used to perform the duties; there is no conflict with the performance of official duties; and the state officer or state employee did not use his or her official position to influence the contract of employment;

(c) A contract held by a spouse, in which the state officer or state employee has a beneficial interest, with a state agency, provided that the state officer or state employee did not participate in the contract;

(d) A contract that was received by ~~((an))~~ a state officer or state employee of an institution of higher education to provide expert witness services in state litigation provided no ~~((higher education))~~ state resources are used to perform the duties; there is no conflict with the performance of official duties; and the state officer or state employee did not use his or her official position to influence the contract~~((; and~~

~~((e))~~ A contract or grant that was received by an officer or employee of an institution of higher education or of the Spokane Intercollegiate Research and Technology Institute under conditions that complied with RCW 42.52.030(2). At the request of the institution the board may advise the institution if a specific contract or grant would raise significant conflict of interest concerns under applicable provisions of chapter 42.52 RCW.

~~((9))~~.

(7) **Filing required** - Final contracts or grants reviewed under this rule ~~((shall))~~ must be filed with the ~~((executive director))~~ board within thirty days of execution. ~~((An employee who is awarded a contract or grant preapproved under subsection (8)(a) through (e) of this section shall file a copy of the contract with the board.~~

(10) **Filing exemptions** - An officer or employee of an institution of higher education or of the Spokane Intercollegiate Research and Technology Institute who is awarded a contract or grant preapproved under subsection (8)(d) or (e) of this section is not required to file a copy of the contract or grant with the board. A copy of all expert witness contracts awarded under subsection (8)(d) of this section shall be maintained by the office of the attorney general subject to review by board staff. Those state institutions of higher education or the Spokane Intercollegiate Research and Technology Institute who award contracts or grants under RCW 42.52.030(2) shall maintain copies of all contracts or grants approved under subsection (8)(e) of this section. In lieu of filing the contracts with the board, these institutions shall provide the board by September 1 of each year a brief summary of all such contracts or grants awarded in the previous fiscal year.)

WSR 18-11-065

PERMANENT RULES

EASTERN WASHINGTON UNIVERSITY

[Filed May 15, 2018, 9:45 a.m., effective June 15, 2018]

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

Purpose: The modifications to chapter 172-137 WAC update university standards and processes to better reflect current practices regarding the use of university facilities.

Citation of Rules Affected by this Order: Amending chapter 172-137 WAC.

Statutory Authority for Adoption: RCW 28B.35.120 (12), 42.56.070.

Adopted under notice filed as WSR 18-06-057 on March 5, 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 1, Amended 7, 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 11, 2018.

Joseph Fuxa
Labor Relations Manager

AMENDATORY SECTION (Amending WSR 12-04-065, filed 1/30/12, effective 3/1/12)

WAC 172-137-010 Purpose. Eastern Washington University is an educational institution established and maintained by the citizens of Washington state in order to carry out the mission of teaching, research and public service. University facilities exist for the primary purpose of supporting that mission and related educational activities.

The university may ~~((also permit the use of facilities for other purposes so long as the use does not interfere with university activities. In such cases, the university may))~~ impose reasonable conditions on the time, place, and manner in which facilities are used.

~~((This chapter establishes standards and procedures for use of university facilities by individuals and entities other than the university itself, including university employees, students, and registered student organizations, as well as individuals and groups that are not related to or affiliated with the university.))~~ The purpose of these regulations is to facilitate the effective use and enjoyment of university facilities on the Cheney campus. Orderly procedures are necessary to promote the use of facilities by students and university-affiliated groups, to conserve and protect facilities for educational use, and to prevent interference with university operations.

NEW SECTION

WAC 172-137-015 Scope. This chapter establishes standards and procedures for use of university facilities on the Cheney campus by individuals and entities other than the university itself, such as university employees, students, university-affiliated groups, nonaffiliated groups, and outside community members. The use of facilities for university activities is not subject to the requirements of this chapter. Use of open, outdoor areas on university property for first amendment activities is governed by chapter 172-138 WAC.

Use of university facilities is subject to all university regulations and policies. For example, in addition to these regulations, the university has specific rules about alcohol on campus (chapter 172-64 WAC), parking (chapter 172-100 WAC), drones and model aircraft (chapter 172-110 WAC), pets (chapter 172-115 WAC), recreational equipment (chapter 172-118 WAC), weapons (WAC 172-122-120), and use of tobacco, electronic cigarettes, and related products (WAC 172-122-310).

AMENDATORY SECTION (Amending WSR 12-04-065, filed 1/30/12, effective 3/1/12)

WAC 172-137-020 Definitions. (1) "Facility" or "facilities" includes all buildings ~~((and grounds owned or controlled by the university and the streets, sidewalks, malls, parking lots, and roadways within the boundaries of property owned or controlled by the university. Specific rules also apply to parking lots, recreational equipment, and commercial activities (chapters 172-116, 172-118, and 172-139 WAC)))~~, athletic fields, and parking lots owned or controlled by the university.

(2) "First amendment activities" includes, but ~~((are))~~ is not necessarily limited to, informational picketing, petition

circulation, the distribution of information leaflets or pamphlets, speechmaking, demonstrations, rallies, appearances of speakers in outdoor areas, protests, meetings to display group feelings or sentiments, and/or other types of constitutionally protected assemblies to share information, perspectives, or viewpoints.

(3) ~~((("Nonuniversity groups" are groups that are neither a university group nor a university affiliate. Nonuniversity groups include employee union organizations, businesses, nonprofit organizations, and individuals who are not currently enrolled students, current university employees, or employees of a university affiliate.~~

(4) ~~("University affiliates" are external entities that have formal relationships with the university, including: The EWU Foundation, the EWU Alumni Association, and the office of the attorney general. University affiliates also includes the officers, agents, and employees of such an entity.~~

(5) ~~"University groups" include: The ASEWU, student groups that are officially recognized by the ASEWU, the faculty organization, the academic senate, and any other group that is formally recognized by the university as a group that is directly associated with and a part of the university organization. University group also includes individual members of these groups when acting on behalf of the group, as well as currently enrolled students and current employees.~~

(6) ~~"Use of facilities" includes the holding of any event or forum, the posting of signs, all forms of advertising, commercial solicitation or the conduct of other commercial activities, the distribution of pamphlets or similar written materials, and the charitable solicitation or the conduct of other charitable activities on or using university facilities.))~~ "Non-affiliated groups" is groups that are not affiliated with the university. Nonaffiliated groups include employee union organizations, businesses, nonprofit organizations, advocacy groups, and religious entities, as well as the individuals belonging to such groups.

(4) "Students" includes all people currently enrolled in classes at the university.

(5) "Outside community members" means individuals who are not employees, students, or part of a university-affiliated group.

(6) "University-affiliated groups" includes any group formally recognized by or a part of the university, such as ASEWU, student groups officially recognized by ASEWU, The Easterner, the faculty organization, academic senate, and any other group formally recognized by or directly associated with and a part of the university. It also includes external entities that have a close relationship with the university, including the EWU foundation, the EWU alumni association, and the attorney general's office. University-affiliated groups also include the individual members or employees of such groups when acting on behalf of the group.

AMENDATORY SECTION (Amending WSR 12-04-065, filed 1/30/12, effective 3/1/12)

WAC 172-137-030 University priority. First priority for the use of campus facilities shall be given to regularly scheduled university activities. ~~((Additionally,))~~ A facility may only be reserved by someone other than the university

when the facility is not needed for a university activity. Use of university facilities may be subject to reasonable time, place, and manner restrictions that take into account, among other considerations, the general facilities policy; the direct and indirect costs to the institution; environmental, health and safety concerns; wear and tear on the facilities; appropriateness of the event to the specific facility; and the impact of the event on the campus community, surrounding neighborhoods, and the general public. In reviewing conflicting requests to use university facilities, primary consideration is given to activities specifically related to the university's mission.

AMENDATORY SECTION (Amending WSR 12-04-065, filed 1/30/12, effective 3/1/12)

WAC 172-137-040 Conditions of use. Use of university facilities by employees, students, university-affiliated groups, nonaffiliated groups, and community members is subject to the following restrictions:

(1) **Restriction of access.** The president of Eastern Washington University may restrict access to university facilities and may establish rules of conduct for persons while on university facilities, as prescribed under WAC 172-122-210.

(2) **No disruption to normal activities.** University facilities may not be used in ways which obstruct or disrupt university operations, the freedom of movement, or any other lawful activities. No activity may obstruct entrances, exits, staircases, doorways, hallways, or the safe and efficient flow of people and vehicles. The use of university facilities and any first amendment activities engaged in within university facilities must not substantially and materially interfere with university activities or otherwise prevent the university from fulfilling and achieving its primary purpose of educating students. Activities must not substantially and materially infringe on the rights and privileges of university employees, students, or university-affiliated groups.

(3) **Sound amplification.** The use of electronic sound amplification is only permitted in facilities designated by the VP-BF or designee. Use of audio amplifying equipment is permitted only in locations and at times that will not interfere with the normal conduct of university affairs. ~~((Sound amplification equipment is not permitted within the university's public forum areas.))~~ Use of sound amplification equipment must comply with all local ordinances.

(4) **Overnight use.**

(a) No person may use university facilities to camp, except as provided in subsection (b) of this section. "Camp" means to remain overnight, to erect a tent or other shelter, or to use sleeping equipment, a vehicle, or a trailer camper, for the purpose of or in such ways as will permit remaining overnight. Violators are subject to arrest and criminal prosecution under applicable state, county and city laws.

(b) Exceptions:

(i) The use and occupancy of university housing in accordance with housing rules;

(ii) The use of facilities by a university employee or agent who remains overnight to fulfill the responsibilities of his or her position;

(iii) The use of facilities by a university student who remains overnight to fulfill the responsibilities of his or her course of study;

(iv) The use of facilities where overnight stays are specifically permitted in identified locations for attendees at special events designated by the university, such as during home football games, commencement, and special weekends.

(5) ~~((Prohibited users.))~~ **Accessibility.** The university will not make its facilities or services available to organizations which do not assure the university that they will comply with the terms of the Americans with Disabilities Act ~~((ADA, 42 U.S.C. secs. 12132 and 12182))~~ and the Rehabilitation Act of 1973 ~~((RA, 29 U.S.C. 794))~~ while using university facilities. ~~((Uses))~~ Users must not impose restrictions nor alter facilities in a manner which would violate the ~~((ADA or RA))~~ Americans with Disabilities Act or Rehabilitation Act.

~~((The university will not make its facilities or services available to organizations which do not assure the university that they do not discriminate against any person because of race, color, religion, national origin, sex, sexual orientation, age, handicap, or status as a Vietnam era or disabled veteran, except where the organizations have been exempted from provisions of applicable state or federal laws or regulations.~~

~~((6) Demands on university resources. University facilities may not be used where the use would create undue stress on university resources (e.g., a request for a major event may be denied if another major event is already scheduled for the same time period, because of demands for parking, security coverage, etc.); except that the use of public forum areas for a first amendment activity may not be halted simply because the event may require additional university security or police costs.))~~ (6) **Harassment.** EWU is committed to providing an educational and work environment in accordance with federal law. As such, EWU prohibits individuals and groups who are using its facilities from engaging in harassment while using university facilities. Harassment is defined as conduct by any means that is sufficiently severe, pervasive, or persistent, and objectively offensive so as to threaten an individual or limit the individual's ability to work, study, participate in, or benefit from the university's programs or activities.

(7) **Prohibited items and authority to inspect.** Within the limits of applicable laws, Eastern Washington University is committed to establishing and maintaining safe conditions for persons attending events in university facilities. Accordingly, some events have restrictions on items that may be brought into the event (i.e., beverage containers, noisemakers). Individuals possessing such items will not be admitted to, or will be removed from, university facilities until the items have been properly removed, discarded, or stored. All persons entering events at university facilities shall be subject to having all containers, bags, backpacks, coolers, or similar items visually inspected. Persons who refuse the visual inspection and refuse to dispose of the item shall be denied entry.

(8) **Cleanup and repairs.** All facilities must be left in their original condition and may be subject to inspection by a university representative after the activity. Reasonable charges may be assessed against an individual or group for

the costs of cleaning up the condition of the property beyond reasonable wear and tear or for the repair of damaged property. If a nonaffiliated group or outside community member is sponsored by a university-affiliated group or department, the sponsoring group is responsible for the costs of repairs if the nonaffiliated group or outside community member fails to pay the costs.

(9) Violations and trespass. Individuals who violate the university's ~~((use of facilities rules and approved users))~~ regulations and/or who violate university contract terms for use of facilities may be advised of the specific nature of the violation and, if continued, individuals may be requested to leave university property or be refused future use of university facilities.

Under WAC 172-122-200, the university president, or designee, may prohibit access to university facilities, give notice against trespass, and/or order any person or group to leave university facilities.

Failure to comply with a request to leave university property could subject the individuals to arrest and criminal prosecution under the provisions of WAC 172-122-200 and other applicable state, county, and city laws.

~~((9))~~ **(10) Safety and liability.**

(a) Users must comply with all applicable university policies, procedures, rules and regulations; local, state and federal laws; and fire, health and safety regulations, to include any special regulations specified for the event by the university and/or government authorities.

(b) Users assume full responsibility for any loss, damage or claims arising out of ~~((the))~~ use of a university facility.

(c) University facilities may not be used in ways that create safety hazards or pose unreasonable safety risks to students, employees, or invitees.

(d) University facilities may not be used in any manner that creates a hazard or results in damage to university facilities.

(e) Users shall complete a risk assessment as required or directed by the event planning office. Depending on the nature of the proposed event, the requestor may be required to provide its own liability insurance coverage at an amount determined by the VP-BF/designee naming Eastern Washington University as additionally insured for any events held in a university facility.

(f) University facilities may not be used in furtherance of or in connection with illegal activity.

~~((g))~~ Users are responsible for the appropriate care of facilities being used. Facilities may be inspected by a representative of the university after the event. Reasonable charges may be assessed against the sponsoring organization for the costs of extraordinary cleanup or for the repair of damaged property.

~~((h))~~ When the event involves physical activity, the serving of alcohol, or otherwise will increase the risk of bodily injury above the level inherent in the facilities to be used, proof of appropriate liability insurance coverage with limits of at least one million dollars per occurrence must be provided to the VP-BF/designee before approval for the requested use will be granted.)

AMENDATORY SECTION (Amending WSR 12-04-065, filed 1/30/12, effective 3/1/12)

WAC 172-137-050 Authorized and prohibited uses.

~~(1) ((Public forum/free speech areas. Use of university facilities for first amendment/free speech activities is governed by the rules set forth in WAC 172-137-080.~~

~~(2) Private or)~~ **(2) Commercial activities.**

(a) University facilities may not be used for ~~((private or))~~ commercial gain, including: Commercial advertising; solicitation and merchandising of any food, goods, wares, service, or merchandise of any nature whatsoever; or any other form of sales or promotional activity; except as allowed under chapter 172-139 WAC or in the following cases:

(i) By special permission granted by the university president, or designee, if an agreement, lease, or other formal arrangement is entered into between the university and the person, corporation, or other entity desiring to engage in commercial activity; or

(ii) To the extent it represents the regular advertising, promotional, or sponsorship activities carried on, by, or in any university media, *The Easterner*, or at university events;

(b) University facilities may not be used by faculty or staff in connection with compensated outside service, except that faculty or staff may use university facilities that are generally available to the public on the same basis, including payment of the same fees, as may other private citizens.

(c) Commercial advertising and/or solicitation which is deceptive or concerns an illegal product or service is prohibited on university facilities.

~~((3))~~ **(2) Political activities.** University facilities may be used for political activities when such use complies with chapter 42.52 RCW, Ethics in Public Service Act. Permitted activities may include:

(a) University departments, ~~((student government organizations))~~ ASEWU, or ~~((registered))~~ recognized student organizations may sponsor candidate forums as well as issue forums regarding ballot propositions;

(b) Candidates for office and proponents or opponents of ballot propositions may rent university facilities on a short-term basis for campaign purposes to the same extent and on the same basis as may other individuals or groups;

(c) Candidates for office and proponents or opponents of ballot propositions may use ~~((public forum areas))~~ outdoor spaces pursuant to chapter 172-138 WAC, to the same extent and on the same basis as may other individuals or groups; and

(d) A registered student organization may invite a candidate or another political speaker to one of the meetings of its membership on university property, if it has complied with the scheduling procedures of WAC 172-137-070.

(e) Restrictions:

(i) When an event under this section involves the rental of a university facility, the full rental cost of the facility must be paid and ~~((state))~~ university funds may not be used to pay rental costs or any other costs associated with the event.

(ii) University facilities may not be used to establish or maintain offices or headquarters for political candidates or partisan political causes.

(iii) All candidates who have filed for office for a given position, regardless of party affiliation, must be given equal access to the use of facilities within a reasonable time.

(iv) No person shall solicit contributions on university property for political uses, except in instances where this limitation conflicts with applicable federal law regarding interference with the mails.

(v) Use of university facilities for political activities, as described in this section, must have prior approval of the vice president for business and finance or designee.

~~((EXCEPTION: Use of public forum areas for first amendment activities does not require VP-BF/designee approval but must comply with all other applicable requirements of this chapter.~~

~~(4))~~ **(3) Charitable organization use.** University facilities may be used to benefit a charitable organization when such use complies with chapter 42.52 RCW, Ethics in Public Service Act. Examples of permitted use include, but are not limited to, the following:

(a) Charities that are licensed in the state of Washington may use university facilities that are generally available to the public on the same basis, including payment of the same fees, as may private citizens;

(b) Charities that are licensed in the state of Washington may use facilities without charge by special permission granted by the university president, or designee, or the vice president for business and finance where the university has determined that the charitable activity or use will serve an educational or public service purpose related to the university's mission; and

~~(c) ((Student government organizations))~~ ASEWU, registered student organizations, and university units that have followed university policies and procedures to conduct fundraising activities and have adhered to all scheduling requirements and other university policies.

(4) Prohibited speech. The following types of speech or materials are prohibited in university facilities or on university property:

- (a) Obscene material, as defined by state and federal law;
- (b) Defamation or libelous material, as defined by state law;
- (c) Incitement of imminent lawlessness;
- (d) True threats, as defined by federal law;
- (e) Fighting words, as defined by federal law; and
- (f) Speech or conduct that will cause a material and substantial disruption of university activities.

AMENDATORY SECTION (Amending WSR 12-04-065, filed 1/30/12, effective 3/1/12)

WAC 172-137-060 Solicitation, visual displays and advertising. (1) **Solicitation, handbills, pamphlets, and similar materials.**

(a) Anyone may personally distribute noncommercial announcements, handbills, pamphlets, or materials in any outdoor area of campus consistent with the orderly conduct of university operations, maintenance of university property, and the free flow of vehicular and pedestrian traffic. Efforts must be made to avoid litter. Solicitation, or distribution of handbills, pamphlets, and similar materials by anyone ~~(, whether a member of the university community or of the general public,))~~ is not permitted in those areas of campus to which access by the public is restricted or where the solici-

tion or distribution would significantly impinge upon the primary business being conducted.

(b) No person shall place in or on any vehicle parked on the university campus, any solicitation devices.

(c) For the purposes of this chapter, the following definition applies: A "solicitation device" is any printed or written matter, sample, or device which:

(i) Advertises for sale any merchandise, product, service, or commodity; or

(ii) Directs attention, either directly or indirectly, to any business or mercantile or commercial establishment, or other activity, for the purpose of promoting an interest in sales or use; or

(iii) Directs attention to or advertises any meeting, performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit.

(2) Signs, posters, tables, and visual displays. To ensure that goals and objectives relating to the appearance of the campus are maintained, the university regulates the content, location, dimensions, and period of display time of posted materials. Posters must be approved by PUB administration, in accordance with university policy, prior to their placement in any campus location. Specific regulations are available to the public in the PUB administration office. An individual or organization must reserve space within a facility before setting up a table in such location.

AMENDATORY SECTION (Amending WSR 12-04-065, filed 1/30/12, effective 3/1/12)

WAC 172-137-070 Procedures for ~~((other than first amendment/free speech activities))~~ reserving university facilities. This section prescribes procedures for the use of university facilities, by individuals and entities other than the university itself ~~((, for other than first amendment/freedom of expression activities)).~~

(1) Scheduling and reservation practices.

(a) The primary purpose of university facilities is to serve the university's instructional, research, and public service activities. However, designated facilities, when not required for scheduled university use, may be available for rental by the public in accordance with current fee schedules and other relevant terms and conditions. Not all university facilities are available for reservation or request for non-instructional purposes. Information concerning reservation and request procedures for designated facilities available for non-instructional use may be obtained from events planning.

(b) Designated university facilities and services may be reserved in accordance with the procedures below. No university facilities may be used by individuals or groups unless the facilities ~~((, including buildings, equipment, and land,))~~ have been reserved ~~((as required under))~~ in accordance with this section. Reservations shall be made at least forty-eight hours in advance, excluding weekends and holidays, to events planning or another appropriate university office.

(c) The VP-BF/designee may deny a request to use university facilities when it is determined that the use would violate any of the limitations set forth in this chapter ~~((or)),~~ when the request is for a space previously reserved, where the

requestor is unwilling to comply with university requirements for the use of facilities, ((as authorized by these rules) or for any other content neutral, legitimate business or educational reason.

(2) **Requests.** Requests for use of university facilities must be directed to the event planning office.

(3) **Approval authority.**

(a) University employees and university-affiliated groups may use university facilities to hold events for faculty, staff, and students without sponsorship by an academic or administrative unit, or approval by the VP-BF/designee, so long as the use complies with this policy and the policies of the specific facilities involved.

(b) University employees and university-affiliated groups may use university facilities to hold events to which the general public is invited when the event is sponsored by an academic or administrative unit and approved by the VP-BF or designee.

(c) All requests for the use of university facilities by ((university affiliates or nonuniversity groups)) students, nonaffiliated groups, and outside community members, whether sponsored or not, must be approved by the VP-BF or designee. Such requests are subject to the following additional limitations:

(i) Use of the facility must benefit the university;

(ii) The use must be pursuant to a written agreement setting forth the terms and conditions of the proposed use;

(iii) The use by the requestor must be occasional rather than frequent;

(iv) The use must not interfere with any organized university activity or event;

(v) Students or other organizations/individuals with a campus affiliation shall be granted priority over other nonaffiliated groups and outside community members;

(vi) Consideration must be given to the availability of comparable nonuniversity facilities and services which could accommodate the proposed use.

(4) **Facility rental/use fees.**

(a) The university assesses fees based upon the actual cost, direct and indirect, of using a university facility. Fees for the use of most facilities are set forth on a schedule available on the event planning office web site. The university reserves the right to make changes to fees without prior written notice, except that fee changes do not apply to facility use agreements already approved by the university.

(b) In the event that the fee for the use of a particular facility has not been placed on the schedule, and if the university determines to allow the use of the facility, the university will assess a fee based upon the full cost, direct and indirect, of using the facility.

(c) ((Student government organizations)) ASEWU and ((registered)) university recognized student organizations may be allowed to use space in many university facilities at no charge or at a reduced rate. The fees charged to ((student government)) ASEWU and ((registered)) university recognized student organizations for facilities are available through the event planning office.

(5) **Nontransferability of authorization.** A university-affiliated group must reserve university facilities or request services through one of its officers or authorized representa-

tives. A university-affiliated group that reserves a facility or requests services on behalf of the group assumes responsibility for costs associated with the use of those facilities or services and for damage to the facility by group members or other attendees of the event. No group other than the reserving group may use the facility reserved. The reserving group may not transfer control of the event for which the facilities were reserved or the services requested to any other group or individual.

(6) Denial of facility reservation. Any applicant who is denied a reservation for use of a university facility may appeal in writing to the vice president for business and finance or designee. Any applicant who is denied a request on the basis that the event will include prohibited speech shall be offered the opportunity for prompt review upon submission of an appeal in writing to the president or designee.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 172-137-080 Facility use rules for first amendment/free speech activities.

WSR 18-11-066

PERMANENT RULES

EASTERN WASHINGTON UNIVERSITY

[Filed May 15, 2018, 9:46 a.m., effective June 15, 2018]

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

Purpose: While revisions were being made to chapter 172-137 WAC, it was determined that first amendment activities described therein, would be separated and a new chapter created. The new chapter 172-141 WAC, Use of outdoor areas for first amendment activities, is being created to update university standards and processes to better reflect current practices regarding the use of outdoor areas for first amendment activities.

Citation of Rules Affected by this Order: Amending chapter 172-141 WAC.

Statutory Authority for Adoption: RCW 28B.35.120 (12), 42.56.070.

Adopted under notice filed as WSR 18-06-058 on March 5, 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 6, 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 172-141 WAC

USE OF OUTDOOR AREAS FOR FIRST AMENDMENT ACTIVITIES

NEW SECTION

WAC 172-141-010 Commitment and purpose. Eastern Washington University is committed to freedom of expression and first amendment principles. Active participation in dialogue and expression is a vital part of higher education. Listening to and engaging with various viewpoints transforms students into informed citizens. Thus, the university believes freedom of expression is indispensable and is committed to respecting and promoting first amendment rights.

As an educational institution, the university's property and facilities are reserved primarily for educational use including, but not limited to, instruction, research, public assembly of university groups, student activities, and activities directly related to the educational mission of the university. The public character of the university does not grant individuals the right to substantially interfere with, or otherwise disrupt, the normal activities for and to which the university's facilities and property are dedicated. Accordingly, the university's outdoor areas are designated as a public forum for the purposes identified in this chapter and subject to the time, place and manner provisions set forth below.

The time, place, and manner regulations set forth in this chapter establish procedures and reasonable controls for the use of university property. It is intended to balance the university's responsibility to fulfill its mission as a state educational institution with the interest of persons and groups who are interested in using the campus for constitutionally protected expression. Due to the nature of its purpose, the university prioritizes use for university employees, students, and university-affiliated groups. The university intends to open its outdoor spaces to nonuniversity affiliated groups and persons to the extent such usage does not conflict with the rights of university employees, students, and university-affiliated groups or substantially disrupt the university's operations and functions.

NEW SECTION

WAC 172-141-020 Scope. The regulations contained in this chapter apply to all first amendment activities, as defined below, occurring in open areas on university property. These regulations do not apply to first amendment activities inside of a university facility or off campus. University buildings, rooms, and athletic fields may be rented and/or reserved for nonuniversity purposes in accordance with chapter 172-137 WAC.

This chapter does not apply to the area surrounding the university house. The university house is primarily a personal residence and is not open to the public. It is accessible by invitation only and is not a designated area for public expression. Rallies, demonstrations, and other forms of public expression are not permitted at any time on the grounds of the university house. Given the nature of the university house as a residential home, any assembly or advocacy may not occur within the fenced area surrounding the university house or within one hundred feet of any door on the house.

NEW SECTION

WAC 172-141-030 Definitions. "Employees" includes all people currently employed by the university.

"First amendment activities" includes, but is not necessarily limited to, informational picketing, petition circulation, the distribution of information leaflets or pamphlets, speech-making, demonstrations, rallies, appearances of speakers in outdoor areas, protests, meetings to display group feelings or sentiments, and/or other types of constitutionally protected assemblies to share information, perspectives, or viewpoints. The following types of expression are not permitted under this chapter and are not protected by the first amendment:

- (a) Obscene material, as defined by state and federal law;
- (b) Defamation or libelous material, as defined by state law;
- (c) Incitement of imminent lawlessness;
- (d) True threats, as defined by federal law;
- (e) Fighting words, as defined by federal law; and
- (f) Speech or conduct that causes a material and substantial disruption of university activities.

"Nonaffiliated groups" is groups that are not affiliated with the university. Nonaffiliated groups include employee union organizations, businesses, nonprofit organizations, advocacy groups, and religious entities, as well as the individuals belonging to such groups.

"Outside community members" means individuals who are not employees, students, or part of a university-affiliated group.

"Students" includes all people currently enrolled in classes at the university.

"University-affiliated groups" includes any group formally recognized by or a part of the university, such as associated students of Eastern Washington University (ASEWU), student groups officially recognized by ASEWU, *The Easterner*, the faculty organization, academic senate, and any other group formally recognized by or directly associated with and a part of the university. It also includes external entities that have a close relationship with the university, including the EWU foundation, the EWU alumni association, and the attorney general's office. University-affiliated groups also include the individual members or employees of such groups when acting on behalf of the group.

NEW SECTION

WAC 172-141-040 Use of outdoor space and notification. (1) Use of outdoor space. University employees, students, university-affiliated groups, nonaffiliated groups, and outside community members may engage in first amendment

activities in open, outdoor spaces on the university's Cheney campus between the hours of 6:00 a.m. and 10:00 p.m. and subject to the restrictions identified in WAC 172-141-050.

(2) Notification. Individuals and groups who are planning on engaging in first amendment activities on campus are encouraged to notify the university police at 509-359-4021 at least twenty-four hours in advance of the activity to ensure adequate safety measures are in place, to acknowledge receipt of these rules, and to ensure there are no scheduling conflicts for the area they are planning to use. This notice does not involve an application or approval process. When providing the notification, groups are encouraged to provide the name of their organization, a contact person, the date, time, and location of the proposed activity, and the estimated number of people expected to participate in the activity. Additional rules apply to large groups as set forth in subsection (3) of this section.

(3) Large groups. If an activity is likely to attract one hundred or more attendees or counter-protestors, individuals and groups are required to contact university police at 509-359-4021 at least three days in advance of the activity. Advanced notice is required in such situations because large groups require additional safety and security planning. The purpose and elements of this notice are the same as those specified in subsection (2) of this section.

(4) Other campuses. The use of public spaces on the Spokane campus is governed by Washington State University pursuant to chapter 504-33 WAC. The use of public spaces on the Bellevue campus is governed by Bellevue College under chapter 132H-142 WAC.

NEW SECTION

WAC 172-141-050 Restrictions on use of university property. Use of university property for first amendment activities by university employees, students, university-affiliated groups, nonaffiliated groups, and outside community members is subject to the following restrictions:

(1) Obstruction. No activity may obstruct or disrupt university operations or functions. No activity may obstruct freedom of movement, including, but not limited to, obstructing entrances, exits, staircases, doorways, hallways, or the safe and efficient flow of people and vehicles.

(2) Sound amplification. Any sound amplification device may only be used at a volume that does not disrupt or disturb the normal use of university classrooms, offices, laboratories, meeting space, or any previously scheduled university activity.

(3) Overnight use. No person may camp on university property, except for attendees of special events designated by the university, such as during home football games, commencement or special student activities. "Camp" means to remain overnight, to erect a tent or other shelter, or to use sleeping equipment, a vehicle, or a trailer camper, for the purpose of or in such ways as will permit remaining overnight. This does not include use of university housing or employees who are required to work at night.

(4) Clean-up and repairs. All sites used for first amendment activities must be left in their original condition and may be subject to inspection by a university representative

after the activity. Reasonable charges may be assessed against an individual or group for the costs of cleaning up the condition of the property beyond reasonable wear and tear or for the repair of damaged property.

(5) Harassment. EWU is committed to providing an educational and work environment in accordance with federal law. As such, EWU prohibits people who are using campus property from engaging in harassment. Harassment is defined as conduct by any means that is sufficiently severe, pervasive, or persistent, and objectively offensive so as to threaten an individual or limit the individual's ability to work, study, participate in, or benefit from the university's programs or activities.

(6) Safety. People using university property must comply with all applicable university policies, procedures, rules and regulations; local, state, and federal laws; and fire, health and safety regulations. Any first amendment activities must not create safety hazards or pose safety risks to others.

(7) Noninterference. First amendment activities must not substantially and materially interfere with university activities or otherwise prevent the university from fulfilling and achieving its primary purpose of educating students. Activities must not substantially and materially infringe on the rights and privileges of university employees, students, or university-affiliated groups.

(8) Time limitations. To ensure space is available for everyone, use of the campus for first amendment activities may be limited to not more than eight hours per day and for not more than five days during any two-week period when there is a competing request to use the same space or if continuing use of the space conflicts with an existing reservation for the space.

(9) Reservations. University employees, students, and university-affiliated groups may reserve outdoor space on campus for university-sponsored activities. Reservation of university facilities is governed by chapter 172-137 WAC. If space is reserved for a university-sponsored activity, other persons and groups may be prohibited from engaging in first amendment activities in the reserved space. In such cases, a university representative will suggest another area on campus for the first amendment activities.

(10) Termination of license. These regulations grant people and groups a limited license to use university property. The university president or designee may, at any time, terminate, cancel, or prohibit the use of facilities or campus property if an activity is violating these regulations or substantially and materially disrupting or interfering with university operations and functions. Such determinations will be made without consideration to the content of the message communicated by the activity. If a person or group is violating these regulations or any other regulations governing conduct on university property, the person will be advised of the specific nature of the violation, and if they persist in the violation, they may be asked to leave campus in accordance with WAC 172-122-200 and their license to remain on campus is terminated.

NEW SECTION

WAC 172-141-060 Distribution of materials. Information that falls within the definition of "first amendment activities" as set forth in WAC 172-141-030, may be distributed in open spaces on campus. The distributor is encouraged, but not required, to include its name and address on the distributed information. All individuals and groups may distribute information in outdoor space. Anyone may personally distribute noncommercial announcements, handbills, pamphlets, or materials in any outdoor area of campus consistent with the orderly conduct of university operations, maintenance of university property, and the free flow of vehicular and pedestrian traffic. Efforts must be made to avoid litter. Materials may not be posted or affixed to any university property unless such posting is done in accordance with the university's poster policy. A copy of the poster policy is available on the university's web site.

WSR 18-11-071
PERMANENT RULES
HEALTH CARE AUTHORITY

[Filed May 15, 2018, 1:01 p.m., effective June 15, 2018]

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

Purpose: The agency is amending these rules to include tailored [tailored] supports for older adults (TSOA) in subsection (5). The agency is also amending the rules to clarify both who may apply and language regarding the application process for these programs, and to update a web site. In addition, the agency added a new subsection (11) to make it clear that authorized representatives may apply on the applicant's behalf.

Citation of Rules Affected by this Order: Amending WAC 182-503-0005.

Statutory Authority for Adoption: RCW 41.05.021, 41.05.160.

Adopted under notice filed as WSR 18-07-060 on March 15, 2018.

Changes Other than Editing from Proposed to Adopted Version:

Proposed/ Adopted	WAC Subsection	Reason
WAC 182-503-0005 Washington apple health—How to apply		
Proposed	(3)(b) By completing the application for aged, blind, disabled/long-term care coverage (HCA 18-005) and mailing or faxing to DSHS; or	Removed "or" following subsection (b), as subsection (c) had been the last subsection under (3).
Adopted	(3)(b) By completing the application for aged, blind, disabled/long-term care coverage (HCA 18-005) and mailing or faxing to DSHS; or	
Proposed	(3)(c) In person at a local DSHS CSO or home and community services (HCS) office.	Added "or" following subsection (c) because a new subsection (d) now follows.
Adopted	(3)(c) In person at a local DSHS CSO or home and community services (HCS) office; or	
Adopted	<u>(3)(d) As specified in subsection (2) of this section, if you are a child, pregnant, a parent or caretaker relative, or an adult age sixty-four and under without medicare.</u>	New subsection clarifies that persons under age sixty-five with disabilities may apply through Washington Healthplanfinder.
Proposed	(4) You may receive help filing an application: (a) For household containing people described in subsection (2) of this section: ...	Housekeeping corrections.
Adopted	(4) You may receive help filing an application; 2 (a) For households containing people described in subsection (2) of this section: ...	
Proposed	(7) For the confidential pregnant minor program under WAC 182-505-0117 and for minors living independently, you must complete a separate application directly with us (the medicaid agency). (8) More information on how to give us an application may be found at the agency's web site: www.hca.wa.gov/free-or-low-cost-health-care .	Combining subsections (7) and (8) helps clarify that the provision applies to teens. Adding the parenthetical "search for teen" will help readers locate this information.

Proposed/ Adopted	WAC Subsection	Reason
WAC 182-503-0005 Washington apple health—How to apply		
Adopted	(7) For the confidential pregnant minor program under WAC 182-505-0117 and for minors living independently, you must complete a separate application directly with us (the medicaid agency). (8) More information on how to give us an application may be found at the agency's web site: www.hca.wa.gov/free-or-low-cost-health-care (search for "teen").	
Proposed	(12) We help you with your application or renewal for apple health in a manner that is accessible to you if you: (a) Are a person with disabilities, impairments, or other limitations and choose equal access services as described in WAC 182-503-0120; or (b) Have limited-English proficiency as described in WAC 182-503-0110;	These revisions clarify that the equal access (EA) services offered are as specified in WAC 182-503-0120 and identifies the ways in which a person receives EA services.
Adopted	(12) We help you with your application or renewal for apple health in a manner that is accessible to you. <u>We provide equal access (EA) services as described in WAC 182-503-0120</u> if you: (a) Are a person with disabilities, impairments, or other limitations and choose equal access services as described in WAC 182-503-0120 <u>Ask for EA services, you apply for or receive long-term services and supports, or we determine that you would benefit from EA services;</u> or (b) Have limited-English proficiency as described in WAC 182-503-0110.	

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 1, Repealed 0.

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

Date Adopted: May 15, 2018.

Wendy Barcus
Rules Coordinator

AMENDATORY SECTION (Amending WSR 17-15-061, filed 7/13/17, effective 8/13/17)

WAC 182-503-0005 Washington apple health—How to apply. (1) You may apply for Washington apple health at any time.

(2) For apple health programs for children, pregnant people, parents and caretaker relatives, and adults age sixty-four and under without medicare ~~((parents and caretaker relatives (modified adjusted gross income (MAGI)):~~

~~((a)))~~ (including people who have a disability or are blind), you may apply:

~~((i)))~~ (a) Online via the Washington Healthplanfinder at ~~((http://www.wahealthplanfinder.org))~~ www.wahealthplanfinder.org;

~~((ii)))~~ (b) By calling the Washington Healthplanfinder customer support center ~~((number))~~ and completing an application by telephone;

~~((iii)))~~ (c) By completing the application for health care coverage (HCA 18-001P), and mailing or faxing to Washington Healthplanfinder; or

~~((iv)) Through))~~ (d) At a department of social and health services (DSHS) community services office (CSO).

~~((b)) If you need help filing a MAGI-based apple health application, you may:~~

~~(i) Contact the Washington Healthplanfinder customer support center number listed on the application for health care coverage form (HCA 18-001P); or~~

~~(ii) Contact a navigator, health care authority community assistor, or broker.)~~

~~(3) If you seek apple health ((and have a disability or are blind, age sixty-five or older, eligible for medicare, or need long-term services and supports (non-MAGI)) coverage and are age sixty-five or older, have a disability, are blind, need assistance with medicare costs, or seek coverage of long-term services and supports, you may apply:~~

~~(a) Online via Washington Connection at ((http://www.WashingtonConnection.org)) www.WashingtonConnection.org;~~

~~(b) By completing the application for aged, blind, disabled/long-term care coverage (HCA 18-005) and mailing or faxing to DSHS; ((or))~~

~~(c) In person at a local DSHS CSO or home and community services (HCS) office; or~~

~~(d) As specified in subsection (2) of this section, if you are a child, pregnant, a parent or caretaker relative, or an adult age sixty-four and under without medicare.~~

~~(4) ((For apple health that is not based on MAGI, you may apply if you are:~~

~~(a) Age sixty-five or older;~~

~~(b) Eligible for medicare;~~

~~(c) Applying for health care based on blindness or disability;~~

~~(d) Applying for long-term services and supports; or~~

~~(e) Applying for assistance with medicare premiums.~~

~~(5)) You may receive help filing an application ((by: (a) Visiting)).~~

~~(a) For households containing people described in subsection (2) of this section:~~

~~(i) Call the Washington Healthplanfinder customer support center number listed on the application for health care coverage form (HCA 18-001P); or~~

~~(ii) Contact a navigator, health care authority volunteer assistor, or broker.~~

~~(b) For people described in subsection (3) of this section who are not applying with a household containing people described in subsection (2) of this section:~~

~~(i) Call or visit a local DSHS CSO or HCS office; or~~

~~((b) Calling)) (ii) Call the DSHS community services customer service contact center number listed on the medic-aid application form.~~

~~(5) To apply for tailored supports for older adults (TSOA), see WAC 182-513-1625.~~

~~(6) You must apply directly with the service provider for the following programs:~~

~~(a) The breast and cervical cancer treatment program under WAC 182-505-0120;~~

~~(b) The TAKE CHARGE program under chapter 182-532 WAC; and~~

~~(c) The kidney disease program under chapter 182-540 WAC.~~

~~(7) For the confidential pregnant minor program under WAC 182-505-0117 and for minors living independently,~~

you must complete a separate application directly with us (the medicaid agency).

More information on how to give us an application may be found at the agency's web site: ((<http://www.hca.wa.gov>)) www.hca.wa.gov/free-or-low-cost-health-care (search for "teen").

(8) As the primary applicant or head of household, you may start an application for apple health by((=

~~(a)) providing your:~~

~~((+)) (a) Full name;~~

~~((+)) (b) Date of birth; ((and~~

~~((+)) (c) Physical address, and mailing addresses (if different)((=~~

~~(b) Signing the application); and~~

~~(d) Signature.~~

(9) To complete an application for apple health, you must also give us all of the other information requested on the application.

(10) You may have an authorized representative apply on your behalf as described in WAC 182-503-0130.

(11) We help you with your application or renewal for apple health in a manner that is accessible to you. We provide equal access (EA) services as described in WAC 182-503-0120 if you:

~~(a) ((Are a person with disabilities, impairments, or other limitations and may need equal access services as described in WAC 182-503-0120)) Ask for EA services, you apply for or receive long-term services and supports, or we determine that you would benefit from EA services; or~~

~~(b) Have limited-English proficiency as described in WAC 182-503-0110.~~

WSR 18-11-074

PERMANENT RULES

HEALTH CARE AUTHORITY

[Filed May 16, 2018, 10:39 a.m., effective July 1, 2018]

Effective Date of Rule: July 1, 2018.

Purpose: The agency is repealing WAC 182-550-3840 and restoring its former policy regarding fourteen day readmissions to WAC 182-550-2900 and 182-550-3000. The agency is making these changes because it has determined that restoring the fourteen day readmission rule is the most clinically sound and cost-effective approach to managing readmissions.

Citation of Rules Affected by this Order: Repealing WAC 182-550-3840; and amending WAC 182-550-2900 and 182-550-3000.

Statutory Authority for Adoption: RCW 41.05.021, 41.05.160.

Adopted under notice filed as WSR 18-06-036 on March 1, 2018.

Changes Other than Editing from Proposed to Adopted Version:

Proposed/ Adopted	WAC Subsection	Reason
Original WAC 182-550-3000 Payment method		
Proposed	(7)(f) A client is discharged from an inpatient hospital stay and, within fourteen calendar days, is readmitted as an inpatient to the same hospital or an affiliated hospital. The agency or the agency's designee performs a retrospective utilization review (see WAC 182-550-1700) on the initial admission and all readmissions to determine which inpatient hospital stays qualify for payment.	The agency added three subsections (i), (ii), and (iii) to clarify the reimbursement options for readmissions.
Adopted	(7)(f) A client is discharged from an inpatient hospital stay and, within fourteen calendar days, is readmitted as an inpatient to the same hospital or an affiliated hospital. The agency or the agency's designee performs a retrospective utilization review (see WAC 182-550-1700) on the initial admission and all readmissions to determine which inpatient hospital stays qualify for payment. <u>The review may determine:</u> <u>(i) If both admissions qualify for separate reimbursement;</u> <u>(ii) If both admissions must be combined to be reimbursed as one payment; or</u> <u>(iii) Which inpatient hospital stay(s) qualifies for individual payment.</u>	
Proposed	(7)(g) A readmission is due to a complication arising from a previous admission (e.g., provider preventable condition). The agency or its designee performs a retrospective utilization review to determine if: (i) Both admissions are appropriate and qualify for individual payments; or (ii) The claims for these admissions must be combined to be reimburse as one payment; or	The agency added a reference to WAC 182-502-0022 regarding the payment policy for provider preventable conditions. The agency also corrected an editorial error.
Adopted	(7)(g) A readmission is due to a complication arising from a previous admission (e.g., provider preventable condition <u>described in WAC 182-502-0022</u>). The agency or <u>the agency's</u> designee performs a retrospective utilization review to determine if both admissions are appropriate and qualify for individual payments; or	

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 2, Repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 1.

Date Adopted: May 16, 2018.

Wendy Barcus
Rules Coordinator

AMENDATORY SECTION (Amending WSR 15-24-021, filed 11/19/15, effective 1/1/16)

WAC 182-550-2900 Payment limits—Inpatient hospital services. (1) To be eligible for payment for covered inpatient hospital services, a hospital must:

(a) Have a core-provider agreement with the medicaid agency; and

(b) Be an in-state hospital, a bordering city hospital, a critical border hospital, or a distinct unit of that hospital, as defined in WAC 182-550-1050; or

(c) Be an out-of-state hospital that meets the conditions in WAC 182-550-6700.

(2) The agency does not pay for any of the following:

(a) Inpatient care or services, or both, provided in a hospital or distinct unit to a client when a managed care organization (MCO) plan is contracted to cover those services.

(b) Care or services, or both, provided in a hospital or distinct unit provided to a client enrolled in the hospice program, unless the care or services are completely unrelated to the terminal illness that qualifies the client for the hospice benefit.

(c) Ancillary services provided in a hospital or distinct unit unless explicitly spelled out in this chapter.

(d) Additional days of hospitalization on a non-DRG claim when:

(i) Those days exceed the number of days established by the agency or mental health designee under WAC 182-550-2600, as the approved length of stay (LOS); and

(ii) The hospital or distinct unit has not received prior authorization for an extended LOS from the agency or mental health designee as specified in WAC 182-550-4300(4). The agency may perform a prospective, concurrent, or retrospective utilization review as described in WAC 182-550-1700, to evaluate an extended LOS. A mental health designee may also perform those utilization reviews to evaluate an extended LOS.

(e) Inpatient hospital services when the agency determines that the client's medical record fails to support the medical necessity and inpatient level of care for the inpatient admission. The agency may perform a retrospective utilization review as described in WAC 182-550-1700, to evaluate if the services are medically necessary and are provided at the appropriate level of care.

(f) Two separate inpatient hospitalizations if a client is readmitted to the same or affiliated hospital or distinct unit within fourteen calendar days of discharge and the agency determines that one inpatient hospitalization does not qualify for a separate payment. See WAC 182-550-3000.

(g) A client's day(s) of absence from the hospital or distinct unit.

~~((g))~~ (h) A nonemergency transfer of a client. See WAC 182-550-3600 for hospital transfers.

~~((h))~~ (i) Charges related to a provider preventable condition (PPC), hospital acquired condition (HAC), serious reportable event (SRE), or a condition not present on admission (POA). See WAC 182-502-0022.

~~((i))~~ (j) An early elective delivery as defined in WAC 182-500-0030. The agency may pay for a delivery before thirty-nine weeks gestation, including induction and cesarean

section, if medically necessary under WAC 182-533-0400(20).

(3) This section defines when the agency considers payment for an interim billed inpatient hospital claim.

(a) When the agency is the primary payer, each interim billed nonpsychiatric claim must:

(i) Be submitted in sixty calendar day intervals, unless the client is discharged before the next sixty calendar day interval.

(ii) Document the entire date span between the client's date of admission and the current date of services billed, and include the following for that date span:

(A) All inpatient hospital services provided; and

(B) All applicable diagnosis codes and procedure codes.

(iii) Be submitted as an adjustment to the previous interim billed hospital claim.

(b) When the agency is not the primary payer:

(i) The agency pays an interim billed nonpsychiatric claim when the criteria in (a) of this subsection are met; and

(ii) Either of the following:

(A) Sixty calendar days have passed from the date the agency became the primary payer; or

(B) A client is eligible for both medicare and medicaid and has exhausted the medicare lifetime reserve days for inpatient hospital care.

(c) For psychiatric claims, (a)(i) and (b)(i) of this subsection do not apply.

(4) The agency considers for payment a hospital claim submitted for a client's continuous inpatient hospital admission of sixty calendar days or less upon the client's formal release from the hospital or distinct unit.

(5) To be eligible for payment, a hospital or distinct unit must bill the agency using an inpatient hospital claim:

(a) Under the current national uniform billing data element specifications:

(i) Developed by the National Uniform Billing Committee (NUBC);

(ii) Approved or modified, or both, by the Washington state payer group or the agency; and

(iii) In effect on the date of the client's admission.

(b) Under the current published international classification of diseases clinical modification coding guidelines;

(c) Subject to the rules in this section and other applicable rules;

(d) Under the agency's published billing instructions and other documents; and

(e) With the date span that covers the client's entire hospitalization. See subsection (3) of this section for when the agency considers and pays an initial interim billed hospital claim and any subsequent interim billed hospital claims;

(f) That requires an adjustment due to, but not limited to, charges that were not billed on the original paid claim (e.g., late charges), through submission of an adjusted hospital claim. Each adjustment to a paid hospital claim must provide complete documentation for the entire date span between the client's admission date and discharge date, and include the following for that date span:

(i) All inpatient hospital services provided; and

(ii) All applicable diagnosis codes and procedure codes; and

(g) With the appropriate NUBC revenue code specific to the service or treatment provided to the client.

(6) When a hospital charges multiple rates for an accommodation room and board revenue code, the agency pays the hospital's lowest room and board rate for that revenue code. The agency may request the hospital's charge master. Room charges must not exceed the hospital's usual and customary charges to the general public, as required by C.F.R. Sec. 447.271.

(7) The agency allows hospitals an all-inclusive administrative day rate for those days of a hospital stay in which a client no longer meets criteria for the acute inpatient level of care. The agency allows this day rate only when an appropriate placement outside the hospital is not available.

(8) The agency pays for observation services according to WAC 182-550-6000, 182-550-7200, and other applicable rules.

(9) The agency determines its actual payment for an inpatient hospital admission by making any required adjustments from the calculations of the allowed covered charges. Adjustments include:

- (a) Client participation (e.g., spenddown);
- (b) Any third-party liability amount, including medicare part A and part B; and
- (c) Any other adjustments as determined by the agency.

(10) The agency pays hospitals less for services provided to clients eligible under state-administered programs, as provided in WAC 182-550-4800.

(11) All hospital providers must present final charges to the agency according to WAC 182-502-0150.

AMENDATORY SECTION (Amending WSR 15-24-096, filed 12/1/15, effective 1/1/16)

WAC 182-550-3000 Payment method. (1) The medic-aid agency uses the diagnosis-related group (DRG) payment method to pay for covered inpatient hospital services, except as specified in WAC 182-550-4300 and 182-550-4400.

(2) The agency assigns a DRG code to each claim for an inpatient hospital stay using 3M™ software (AP-DRG or APR-DRG) or other software currently in use by the agency. That DRG code determines the method used to pay claims for prospective payment system (PPS) hospitals. For the purpose of this section, PPS hospitals include all in-state and border area hospitals, except both of the following:

- (a) Critical access hospitals (CAH), which the agency pays per WAC 182-550-2598; and
- (b) Military hospitals, which the agency pays using the following payment methods depending on the revenue code billed by the hospital:
 - (i) Ratio of costs-to-charges (RCC); and
 - (ii) Military subsistence per diem.

(3) For each DRG code, the agency establishes an average length of stay (ALOS). The agency may use the DRG ALOS as part of its authorization process and payment methods as specified in this chapter.

(4) An inpatient claim payment includes all hospital covered services provided to a client during days the client is eligible. This includes, but is not limited to:

- (a) The inpatient hospital stay;

(b) Outpatient hospital services, including preadmission, emergency department, and observation services related to an inpatient hospital stay and provided within one calendar day of a client's inpatient hospital stay. These outpatient services must be billed on the inpatient hospital claim;

(c) Any hospital covered service for which the admitting hospital sends the client to another facility or provider during the client's inpatient hospital stay, and the client returns as an inpatient to the admitting hospital.

(5) The agency's claim payment for an inpatient stay is determined by the payment method. The agency pays hospitals for inpatient hospital covered services provided to clients using the following methods:

Payment Method	General Description of Payment Formula	WAC Reference
DRG (Diagnostic Related Group)	DRG specific relative weight times hospital specific DRG rate times maximum service adjustor	182-550-3000
Per Diem	Hospital-specific daily rate for the service (psych, rehab, detox, or CUP) times covered allowable days	182-550-2600 and 182-550-3381
Single Case Rate	Hospital specific bariatric case rate per stay	182-550-3470
Fixed Per Diem for Long Term Acute Care (LTAC)	Fixed LTAC rate per day times allowed days plus ratio of cost to charges times allowable covered ancillaries not included in the daily rate	182-550-2595 and 182-550-2596
Ratio of Costs-to-Charges (RCC)	RCC times billed covered allowable charges	182-550-4500
Cost Settlement with Ratio of Costs-to-Charges	RCC times billed covered allowable charges (subject to hold harmless and other settlement provisions of the Certified Public Expenditure program)	182-550-4650 and 182-550-4670
Cost Settlement with Weighted Costs-to-Charges (WCC)	WCC times billed covered allowable charges subject to Critical Access Hospital settlement provisions	182-550-2598
Military	Depending on the revenue code billed by the hospital: <ul style="list-style-type: none"> • RCC times billed covered allowable charges; and • Military subsistence per diem. 	182-550-4300
Administrative Day	Standard administrative day rate times days authorized by the agency combined with RCC times ancillary charges that are allowable and covered for administrative days	182-550-3381

(6) For claims paid using the DRG method, the payment may not exceed the billed amount.

(7) The agency may adjust the initial allowable calculated for a claim when one or more of the following occur:

- (a) A claim qualifies as a high outlier (see WAC 182-550-3700);

(b) A claim is paid by the DRG method and a client transfers from one acute care hospital or distinct unit per WAC 182-550-3600;

(c) A client is not eligible for a Washington apple health program on one or more days of the hospital stay;

(d) A client has third-party liability coverage at the time of admission to the hospital or distinct unit;

(e) A client is eligible for Part B medicare, the hospital submitted a timely claim to medicare for payment, and medicare has made a payment for the Part B hospital charges; ((ø))

(f) A client is discharged from an inpatient hospital stay and, within fourteen calendar days, is readmitted as an inpatient to the same hospital or an affiliated hospital. The agency or the agency's designee performs a retrospective utilization review (see WAC 182-550-1700) on the initial admission and all readmissions to determine which inpatient hospital stays qualify for payment. The review may determine:

(i) If both admissions qualify for separate reimbursement;

(ii) If both admissions must be combined to be reimbursed as one payment; or

(iii) Which inpatient hospital stay(s) qualifies for individual payment.

(g) A readmission is due to a complication arising from a previous admission (e.g., provider preventable condition described in WAC 182-502-0022). The agency or the agency's designee performs a retrospective utilization review to determine if both admissions are appropriate and qualify for individual payments; or

(h) The agency identifies an enhanced payment due to a provider preventable condition, hospital-acquired condition, serious reportable event, or a condition not present on admission.

(8) In response to direction from the legislature, the agency may change any one or more payment methods outlined in chapter 182-550 WAC for the purpose of achieving the legislature's targeted expenditure levels. The legislative direction may take the form of express language in the Biennial Appropriations Act or may be reflected in the level of funding appropriated to the agency in the Biennial Appropriations Act. In response to this legislative direction, the agency may calculate an adjustment factor (known as an "inpatient adjustment factor") to apply to inpatient hospital rates.

(a) The inpatient adjustment factor is a specific multiplier calculated by the agency and applied to existing inpatient hospital rates to meet targeted expenditure levels as directed by the legislature.

(b) The agency will apply the inpatient adjustment factor when the agency determines that its expenditures on inpatient hospital rates will exceed the legislature's targeted expenditure levels.

(c) The agency will apply any such inpatient adjustment factor to each affected rate.

(9) The agency does not pay for a client's day(s) of absence from the hospital.

(10) The agency pays an interim billed hospital claim for covered inpatient hospital services provided to an eligible cli-

ent only when the interim billed claim meets the criteria in WAC 182-550-2900.

(11) The agency applies to the allowable for each claim all applicable adjustments for client responsibility, any third-party liability, medicare payments, and any other adjustments as determined by the agency.

(12) The agency pays hospitals in designated bordering cities for allowed covered services as described in WAC 182-550-3900.

(13) The agency pays out-of-state hospitals for allowed covered services as described in WAC 182-550-4000.

(14) The agency's annual aggregate payments for inpatient hospital services, including payments to state-operated hospitals, will not exceed the estimated amounts that the agency would have paid using medicare payment principles.

(15) When hospital ownership changes, the agency's payment to the hospital will not exceed the amount allowed under 42 U.S.C. Section 1395x (v)(1)(O).

(16) Hospitals participating in the Washington apple health program must annually submit to the agency:

(a) A copy of the hospital's CMS medicare cost report (Form 2552 version currently in use by the agency) that is the official "as filed" cost report submitted to the medicare fiscal intermediary; and

(b) A disproportionate share hospital (DSH) application if the hospital wants to be considered for DSH payments. See WAC 182-550-4900 for the requirements for a hospital to qualify for a DSH payment.

(17) Reports referred to in subsection (16) of this section must be completed according to:

(a) Medicare's cost reporting requirements;

(b) The provisions of this chapter; and

(c) Instructions issued by the agency.

(18) The agency requires hospitals to follow generally accepted accounting principles.

(19) Participating hospitals must permit the agency to conduct periodic audits of their financial records, statistical records, and any other records as determined by the agency.

(20) The agency limits payment for private room accommodations to the semiprivate room rate. Room charges must not exceed the hospital's usual and customary charges to the general public as required by 42 C.F.R. Sec. 447.271.

(21) For a client's hospital stay that involves regional support network (RSN)-approved voluntary inpatient or involuntary inpatient hospitalizations, the hospital must bill the agency for payment. When the hospital contracts directly with the RSN, the hospital must bill the RSN for payment.

(22) For psychiatric hospitals and psychiatric hospital units, when a claim groups to a DRG code that pays by the DRG method, the agency may manually price the claim at the hospital's psychiatric per diem rate.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 182-550-3840 Payment adjustment for potentially preventable readmissions.

WSR 18-11-075
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Children's Administration)

[Filed May 16, 2018, 10:47 a.m., effective June 16, 2018]

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

Purpose: The department is amending WAC 388-27-0090 What information must the department or child placing agency provide to prospective adoptive parents about the child that is being considered for adoption?, in order to clarify the documents needed to comply with RCW 26.33.350 and 26.33.380. These amendments also eliminate the duplication of information in regards to court report documents.

Citation of Rules Affected by this Order: Amending WAC 388-27-0090.

Statutory Authority for Adoption: RCW 74.13.031.

Adopted under notice filed as WSR 18-07-043 on March 13, 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 1, Repealed 0.

Date Adopted: May 15, 2018.

Katherine I. Vasquez
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 01-08-047, filed 3/30/01, effective 4/30/01)

WAC 388-27-0090 What information must the department or child placing agency provide to prospective adoptive parents about the child that is being considered for adoption? (1) The department or the child placing agency must provide a medical report containing all known and available information concerning the mental, physical, and sensory handicaps of an adopted child, or a child placed for adoption, to the adoptive or prospective adoptive parents under the authority of RCW 26.33.020, 26.33.340, 26.33.343 and 26.33.350.

(2) The department or the child placing agency worker must provide the child's medical and family background report, DSHS 13-041(X), to the prospective adoptive parents. This report must include documentation of efforts made to obtain medical and social information on the child and birth parents.

(3) The department must provide a social history report on the child and birth family that includes, at a minimum in accordance with RCW 26.33.380:

(a) Circumstances of the child's birth including all child medical records known and available to the department;

(b) All case notes from the child's file to provide a chronological report of how the child came to be available for adoption;

(c) The child's placement and legal history;

(d) ~~((AH))~~ The dependency fact finding court report and the latest court reports pertaining to the dependency and custody of the child at time of pre-adoption disclosure;

(e) The child's education history, including school reports and records known and available to the department; and

(f) The child's psychological and psychiatric reports and recommendations known and available to the department.

WSR 18-11-077
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 18-99—Filed May 17, 2018, 10:43 a.m., effective June 17, 2018]

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

Purpose: Recent clam and oyster survey data, sport harvest projections, and negotiations affecting intertidal treaty and nontreaty fisheries, along with public health considerations and administrative tasks, call for recreational clam and oyster seasons to be opened or extended on some public beaches and requires some beaches to be closed, removed, or the seasons shortened. This proposal reflects those openings and closures.

Citation of Rules Affected by this Order: Amending WAC 220-330-110 and 220-330-140.

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

Adopted under notice filed as WSR 18-07-114 on March 21, 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 2, 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

AMENDATORY SECTION (Amending WSR 17-18-004, filed 8/24/17, effective 9/24/17)

WAC 220-330-110 Clams other than razor clams, mussels—Areas and seasons. It is permissible to take, dig for, and possess clams and mussels for personal use from public tidelands year-round, except the following restrictions apply to the public tidelands at the beaches listed below:

(1) Ala Spit: All public tidelands of Ala Spit are open May 1 through May 31 only.

(2) Alki Park: Closed year-round.

(3) Alki Point: Closed year-round.

(4) Bay Center Oyster Reserve (Willapa Harbor reserves): Palix River channel, extending from the Palix River bridge to beyond Bay Center to the north of Goose Point, is closed year-round.

(5) Bay View State Park: Closed year-round.

(6) Belfair State Park: Open year-round.

(7) Blaine Marine Park: Closed year-round.

(8) Blake Island State Park Marina: Closed year-round.

(9) Blowers Bluff North: Closed year-round.

(10) Brown's Point Lighthouse: Closed year-round.

(11) Budd Inlet: All state-owned tidelands of Budd Inlet south of a line drawn due west from the southern boundary of Burfoot Park to the opposite shore near 68th Avenue N.W. are closed year-round.

(12) Cama Beach State Park: Closed year-round.

(13) Camano Island State Park: Closed year-round.

(14) Chimacum Creek Tidelands (Irondale Beach Park): Public tidelands south of the main Chimacum Creek channel are closed year-round.

(15) Chuckanut Bay: All tidelands of Chuckanut Bay north of the BNSF Railroad trestle are closed year-round.

(16) Coupeville: Closed year-round.

(17) Cultus Bay: Closed year-round.

(18) Dave Mackie County Park: Closed year-round.

(19) Des Moines City Park: Closed year-round.

(20) Discovery Park: Closed year-round.

(21) DNR-142: Closed year-round.

(22) DNR-144 (Sleeper): Closed year-round.

(23) Dockton County Park: Closed year-round.

(24) Dosewallips State Park: Open year-round only in the area defined by boundary markers and signs posted on the beach.

(25) Dosewallips State Park South: Closed year-round south of the line defined by boundary markers on the beach.

(26) Drayton West: All public tidelands of Drayton Harbor are closed year-round, except tidelands identified as approved by the department of health and defined by boundary markers and signs posted on the beach are open year-round.

(27) Duckabush: Open November 1 through April 30 only.

(28) Dungeness Spit and Dungeness National Wildlife Refuge Tidelands: Open May 15 through September 30 only.

(29) Eagle Creek: Open July 1 through July 31 only.

(30) East San de Fuca: Tidelands east of the Rolling Hills Glencairn Community dock are closed year-round.

(31) Eld Inlet Oyster Reserves (Mud Bay reserves): Closed year-round.

(32) English Camp: Tidelands between the National Park Service dinghy dock to the southern park boundary are closed year-round.

(33) Evergreen Rotary Park (Port Washington Narrows): Closed year-round.

(34) Fay Bainbridge Park: Closed year-round.

(35) Fort Flagler State Park: Open January 1 through April 15 and July 1 through December 31 only, except that portion of Rat Island and the spit west and south of the park boundary is closed year-round from two white posts on the north end of the island at the vegetation line south to the end of the island.

(36) Freeland County Park: Open January 1 through May 15 only.

(37) Frye Cove County Park: Open May 1 through May 31 only.

(38) Fudge Point State Park: Closed year-round.

(39) Gertrude Island: All tidelands of Gertrude Island are closed year-round.

(40) Golden Gardens: Closed year-round.

(41) Graveyard Spit: Closed year-round.

(42) Guss Island: All tidelands of Guss Island are closed year-round.

(43) Hoodspport: Tidelands at Hoodspport Salmon Hatchery are closed year-round.

(44) Hope Island State Park (South Puget Sound): Open May 1 through May 31 only.

(45) Howarth Park/Darlington Beach: Closed year-round.

(46) Illahee State Park: Open April 1 through July 31 only.

(47) Indian Island County Park/Lagoon Beach: From the jetty boundary with Port Townsend Ship Canal east to the beach access stairs on Flagler Road near milepost 4 open August 15 through September 30 only.

(48) Joemma Beach State Park: Closed year-round.

(49) Kayak Point County Park: Closed year-round.

(50) Kitsap Memorial State Park: Closed year-round.

(51) Kopachuck State Park: Open ~~(June)~~ April 1 through ~~(July)~~ May 31 only.

(52) Lent Landing (Port Washington Narrows): Closed year-round.

(53) Liberty Bay: All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed year-round, except the western shoreline of Liberty Bay from the unincorporated Kitsap County line south to Virginia Point is open October 1 through April 30 only.

(54) Lincoln Park: Closed year-round.

(55) Lions Park (Bremerton): Closed year-round.

(56) Lofall: Closed year-round.

(57) Long Island Oyster Reserve (Willapa Harbor reserves): Diamond Point on the northwest side of Long Island between reserve monuments 39 and 41 and Pinnacle

Rock on the southwest side of Long Island between reserve monuments 58 and 59 is open year-round.

~~((56))~~ (58) Long Island Slough Oyster Reserve (Willapa Harbor reserves): Closed year-round.

~~((57))~~ (59) Long Point West: Closed year-round.

~~((58))~~ (60) Lower Roto Vista Park: Closed year-round.

~~((59))~~ (61) Manchester State Park: Closed year-round.

~~((60))~~ (62) March Point Recreation Area: Closed year-round.

~~((61))~~ (63) McNeil Island: All tidelands of McNeil Island are closed year-round.

~~((62))~~ (64) Meadowdale County Park: Closed year-round.

~~((63))~~ (65) Mee-Kwa-Mooks Park: Closed year-round.

~~((64))~~ (66) Monroe Landing: Closed year-round.

~~((65))~~ (67) Mukilteo: Closed year-round.

~~((66))~~ (68) Mystery Bay State Park: Open October 1 through April 30 only.

~~((67))~~ (69) Nahcotta Tidelands: State-owned tidelands east of the Willapa Bay Field Station and Nahcotta Tidelands interpretive site are closed year-round.

~~((68))~~ (70) Nemah Oyster Reserve (Willapa Harbor reserves): Oyster reserves between reserve monuments 10 and 11 are closed year-round.

~~((69))~~ (71) Nisqually National Wildlife Refuge: All state-owned tidelands of the Nisqually River delta south of a line drawn from Luhr Beach boat ramp to Sequelitchew Creek are closed year-round.

~~((70))~~ (72) North Bay (Case Inlet): State-owned oyster reserves and contiguous state-owned tidelands south and east of the powerline crossing are open September 1 through December 31 only.

~~((71))~~ (73) North Beach County Park: Closed year-round.

~~((72))~~ (74) North Tabook Point: Closed year-round.

~~((73))~~ (75) Oak Bay County Park: Open May 1 through May 31 only.

~~((74))~~ (76) Oak Harbor: Closed year-round.

~~((75))~~ (77) Oak Harbor Beach Park: Closed year-round.

~~((76))~~ (78) Oak Harbor City Park: Closed year-round.

~~((77))~~ (79) Oakland Bay: State-owned oyster reserves are open year-round except in areas defined by boundary markers and signs posted on the beach.

~~((78))~~ (80) Old Mill County Park (Silverdale): Closed year-round.

~~((79))~~ (81) Olympia Shoal: Closed year-round.

~~((80))~~ (82) Pat Carey Vista Park: Closed year-round.

~~((81))~~ (83) Penrose Point State Park: Open March 1 through April 30 only, except that portion of Mayo Cove within the commercially prohibited growing area is closed year-round.

~~((82))~~ (84) Picnic Point County Park: Closed year-round.

~~((83))~~ (85) Pitship Point: Closed year-round.

~~((84))~~ (86) Pitt Island: All tidelands on Pitt Island are closed year-round.

~~((85))~~ (87) Pleasant Harbor State Park: Closed year-round.

~~((86))~~ (88) Pleasant Harbor WDFW Boat Launch: Closed year-round.

~~((87))~~ (89) Point Defiance: Closed year-round.

~~((88))~~ (90) Point No Point South: Closed year-round.

~~((89))~~ (91) Point Whitney Lagoon: Open January 1 through April 30 only.

~~((90))~~ (92) Point Whitney Tidelands (excluding Point Whitney Lagoon): Open January 1 through ~~(March 31)~~ April 30 only.

~~((91))~~ (93) Port Angeles Harbor: All public tidelands of Port Angeles Harbor and interior tidelands of Ediz Hook are closed year-round.

~~((92))~~ (94) Port Gamble Heritage Park Tidelands: Open year-round.

~~((93))~~ (95) Port Gardner: Closed year-round.

~~((94))~~ (96) Port Townsend Ship Canal/Portage Beach: Open January 1 through ~~(June 15)~~ May 31 only.

~~((95))~~ (97) Post Point: Closed year-round.

~~((96))~~ (98) Potlatch DNR tidelands: Open April 1 through August 31 only.

~~((97))~~ (99) Potlatch State Park: Open April 1 through August 31 only.

~~((98))~~ (100) Priest Point County Park: Closed year-round.

~~((99))~~ (101) Purdy Spit County Park: The southern shore of the spit from the boat ramp east to the southern utility tower near Purdy Bridge is open April 1 through April 30 only.

~~((100))~~ (102) Quilcene Bay Tidelands: All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed to the harvest of clams year-round, except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open year-round.

~~((101))~~ (103) Retsil: Closed year-round.

~~((102))~~ (104) Richmond Beach Saltwater Park: Closed year-round.

~~((103))~~ (105) Salt Creek Recreation Area (DNR-419): Closed year-round.

~~((104))~~ (106) Saltair Beach (Kingston Ferry Terminal): Closed year-round.

~~((105))~~ (107) Saltwater State Park: Closed year-round.

~~((106))~~ (108) Samish Bay: Public tidelands of Samish Bay between Scotts Point and an unnamed point on the shore (latitude N48.5745°; longitude W122.4440°) are closed year-round.

~~((107))~~ (109) Scenic Beach State Park: Closed year-round.

~~((108))~~ (110) Seahurst County Park: Closed year-round.

~~((109))~~ (111) Semiahmoo County Park: Closed year-round.

~~((110))~~ (112) Semiahmoo Marina: Closed year-round.

~~((111))~~ (113) Sequim Bay State Park: Open January 1 through June 30 only.

~~((112))~~ (114) Shine Tidelands State Park: Open January 1 through May 15 only.

~~((113))~~ (115) Silverdale Waterfront Park: Closed year-round.

~~((114))~~ (116) Sinclair Inlet: All public tidelands of Sinclair Inlet west of a line drawn from the intersection of Bancroft Road and Beach Drive East northerly to Point Herron are closed year-round.

~~((115))~~ (117) Skagit Bay Estuary Wildlife Areas: All public tidelands of Skagit Bay Estuary Wildlife Area, Fir Island Farms Reserve Wildlife Area, Island Wildlife Area, Camano Island Wildlife Area and Leque Island Wildlife Area are closed year-round.

~~((116))~~ (118) South Carkeek Park: Closed year-round.

~~((117))~~ (119) South Mukilteo: Closed year-round.

~~((118))~~ (120) Southworth: Closed year-round.

~~((119))~~ (121) Spencer Spit State Park: Open March 1 through July 31 only.

~~((120))~~ (122) Stuart Island State Park - Reid Harbor (South Beach): Closed year-round.

~~((121))~~ (123) Taylor Bay: Closed year-round.

~~((122))~~ (124) Totten Inlet Oyster Reserve (Oyster Bay reserves): Closed year-round.

~~((123))~~ (125) Triton Cove Tidelands: Open July 15 through August 31 only.

~~((124))~~ (126) Twanoh State Park: Open ~~(July 15)~~ September 1 through September 30 only.

~~((125))~~ (127) Walker County Park: Closed year-round.

~~((126))~~ (128) West Dewatto: DNR Beach 44A open July 1 through September 30 only.

~~((127))~~ (129) West Pass Access: Closed year-round.

~~((128))~~ (130) West Penn Cove: From the property boundary at the Grasser's Lagoon access on Highway 20 to the dock extending across the tidelands from Captain Whidbey Inn on Madrona Road ~~(open June 1 through December 31 only)~~ is closed year-round.

~~((129))~~ (131) Willapa River Oyster Reserve (Willapa Harbor reserves): Reserves located in the Willapa River channel extending west and upriver from a point approximately one-quarter mile from the blinker light marking the division of Willapa River channel and the North River channel are closed year-round.

~~((130))~~ (132) Wolfe Property State Park: Open January 1 through May 15 only.

~~((131))~~ (133) Woodard Bay Natural Resource Conservation Area: Closed year-round.

~~(It is permissible to take, dig for, and possess clams, cockles, borers, and mussels, not including razor clams, for personal use in Grays Harbor and Willapa Harbor year-round, except from state oyster reserves, which are closed to clam digging year-round.)~~

It is permissible to take, dig for, and possess clams, cockles, borers, and mussels, not including razor clams, for personal use from the Pacific Ocean beaches from November 1 through March 31 only.

Violation of the provisions of this section shall be an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending WSR 17-18-004, filed 8/24/17, effective 9/24/17)

WAC 220-330-140 Oysters—Areas and seasons. It is permissible to take and possess oysters for personal use from

public tidelands year-round except the following restrictions apply to the public tidelands at the beaches listed below:

(1) Ala Spit: All public tidelands of Ala Spit open May 1 through May 31 only.

(2) Alki Park: Closed year-round.

(3) Alki Point: Closed year-round.

(4) Bay Center Oyster Reserve (Willapa Harbor reserves): Palix River channel, extending from the Palix River bridge to beyond Bay Center to the north of Goose Point, is closed year-round.

(5) Bay View State Park: Closed year-round.

(6) Blaine Marine Park: Closed year-round.

(7) Blake Island State Park Marina: Closed year-round.

(8) Blowers Bluff North: Closed year-round.

(9) Brown's Point Lighthouse: Closed year-round.

(10) Budd Inlet: All state-owned tidelands of Budd Inlet south of a line drawn from the southern boundary of Burfoot Park to the opposite shore near 68th Avenue N.W. are closed year-round.

(11) Cama Beach State Park: Closed year-round.

(12) Camano Island State Park: Closed year-round.

(13) Chimacum Creek Tidelands (Irondale Beach Park): Public tidelands south of the main Chimacum Creek channel are closed year-round.

(14) Chuckanut Bay: All tidelands of Chuckanut Bay north of the BNSF Railroad trestle are closed year-round.

(15) Coupeville: Closed year-round.

(16) Cultus Bay: Closed year-round.

(17) Dave Mackie County Park: Closed year-round.

(18) Des Moines City Park: Closed year-round.

(19) Discovery Park: Closed year-round.

(20) DNR-142: Closed year-round.

(21) DNR-144 (Sleeper): Closed year-round.

(22) Dockton County Park: Closed year-round.

(23) Dosewallips State Park: Open year-round only in the area defined by boundary markers and signs posted on the beach.

(24) Dosewallips State Park South: Closed year-round south of the line defined by boundary markers on the beach.

(25) Drayton West: All public tidelands of Drayton Harbor are closed year-round, except tidelands identified as approved by the department of health and defined by boundary markers and signs posted on the beach are open year-round.

(26) Duckabush: Open November 1 through April 30 only.

(27) Dungeness Spit/National Wildlife Refuge: Open May 15 through September 30 only.

~~((27))~~ (28) East San de Fuca: Tidelands east of the Rolling Hills Glencairn Community dock are closed year-round.

~~((28))~~ (29) Eld Inlet Oyster Reserves (Mud Bay reserves): Closed year-round.

~~((29))~~ (30) English Camp: Tidelands between the National Park Service dinghy dock to the southern park boundary are closed year-round.

~~((30))~~ (31) Evergreen Rotary Park (Port Washington Narrows): Closed year-round.

~~((31))~~ (32) Fay Bainbridge Park: Closed year-round.

~~((32))~~ (33) Fort Flagler State Park: Open January 1 through April 15 and July 1 through December 31 only, except that portion of Rat Island and the spit west and south of the park boundary is closed year-round from two white posts on the north end of the island at the vegetation line south to the end of the island.

~~((33))~~ (34) Freeland County Park: Open January 1 through May 15 only.

~~((34))~~ (35) Frye Cove County Park: Open May 1 through May 31 only.

~~((35))~~ (36) Fudge Point State Park: Closed year-round.

~~((36))~~ (37) Gertrude Island: All tidelands of Gertrude Island are closed year-round.

~~((37))~~ (38) Golden Gardens: Closed year-round.

~~((38))~~ (39) Graveyard Spit: Closed year-round.

~~((39))~~ (40) Guss Island: All tidelands of Guss Island are closed year-round.

~~((40))~~ (41) Hoodspout: Tidelands at the Hoodspout Salmon Hatchery are closed year-round.

~~((41))~~ (42) Hope Island State Park (South Puget Sound): Open May 1 through May 31 only.

~~((42))~~ (43) Howarth Park/Darlington Beach: Closed year-round.

~~((43))~~ (44) Illahee State Park: Open April 1 through July 31 only.

~~((44))~~ (45) Indian Island County Park/Lagoon Beach: From the jetty boundary with Port Townsend Ship Canal east to the beach access stairs on Flagler Road near milepost 4 open August 15 through September 30 only.

~~((45))~~ (46) Joemma Beach State Park: Closed year-round.

(47) Kayak Point County Park: Closed year-round.

~~((46))~~ (48) Kitsap Memorial State Park: Closed year-round.

~~((47))~~ (49) Kopachuck State Park: Open ~~(March)~~ April 1 through ~~(July)~~ May 31 only.

~~((48))~~ (50) Lent Landing (Port Washington Narrows): Closed year-round.

~~((49))~~ (51) Liberty Bay: All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed year-round, except the western shoreline of Liberty Bay from the unincorporated Kitsap County line south to Virginia Point is open October 1 through April 30 only.

~~((50))~~ (52) Lincoln Park: Closed year-round.

~~((51))~~ (53) Lions Park (Bremerton): Closed year-round.

~~((52))~~ (54) Lofall: Closed year-round.

~~((53))~~ (55) Long Island Oyster Reserve (Willapa Harbor reserves): Diamond Point on the northwest side of Long Island between reserve monuments 39 and 41 and Pinnacle Rock on the southwest side of Long Island between reserve monuments 58 and 59 is open year-round.

~~((54))~~ (56) Long Island Slough Oyster Reserve (Willapa Harbor reserves): Closed year-round.

~~((55))~~ (57) Long Point West: Closed year-round.

~~((56))~~ (58) Lower Roto Vista Park: Closed year-round.

~~((57))~~ (59) Manchester State Park: Closed year-round.

~~((58))~~ (60) March Point Recreation Area: Closed year-round.

~~((59))~~ (61) McNeil Island: All tidelands of McNeil Island are closed year-round.

~~((60))~~ (62) Meadowdale County Park: Closed year-round.

~~((61))~~ (63) Mee-Kwa-Mooks Park: Closed year-round.

~~((62))~~ (64) Monroe Landing: Closed year-round.

~~((63))~~ (65) Mukilteo: Closed year-round.

~~((64))~~ (66) Mystery Bay State Park: Open October 1 through April 30 only.

~~((65))~~ (67) Nahcotta Tidelands: State-owned tidelands east of the Willapa Bay Field Station and Nahcotta Tidelands interpretive site are open year-round.

~~((66))~~ (68) Nemah Oyster Reserve (Willapa Harbor reserves): Oyster reserves between reserve monuments 10 and 11 are closed year-round.

~~((67))~~ (69) Nisqually National Wildlife Refuge: All state-owned tidelands of the Nisqually River delta south of a line drawn from Luhr Beach boat ramp to Sequelitchew Creek are closed year-round.

~~((68))~~ (70) North Bay (Case Inlet): State-owned oyster reserves and contiguous state-owned tidelands south and east of the powerline crossing are open September 1 through December 31 only.

~~((69))~~ (71) North Beach County Park: Closed year-round.

~~((70))~~ (72) North Tabook Point: Closed year-round.

~~((71))~~ (73) Oak Bay County Park: Open May 1 through May 31 only.

~~((72))~~ (74) Oak Harbor: Closed year-round.

~~((73))~~ (75) Oak Harbor Beach Park: Closed year-round.

~~((74))~~ (76) Oak Harbor City Park: Closed year-round.

~~((75))~~ (77) Oakland Bay: State-owned oyster reserves are open year-round except in areas defined by boundary markers and signs posted on the beach.

~~((76))~~ (78) Old Mill County Park (Silverdale): Closed year-round.

~~((77))~~ (79) Olympia Shoal: Closed year-round.

~~((78))~~ (80) Pat Carey Vista Park: Closed year-round.

~~((79))~~ (81) Penrose Point State Park: Open March 1 through April 30 only, except that part of Mayo Cove within the commercially prohibited growing area is closed year-round.

~~((80))~~ (82) Pitship Point: Closed year-round.

~~((81))~~ (83) Picnic Point County Park: Closed year-round.

~~((82))~~ (84) Pitt Island: Closed year-round.

~~((83))~~ (85) Pleasant Harbor State Park: Closed year-round.

~~((84))~~ (86) Pleasant Harbor WDFW Boat Launch: Closed year-round.

~~((85))~~ (87) Point Defiance: Closed year-round.

~~((86))~~ (88) Point No Point South: Closed year-round.

~~((87))~~ (89) Point Whitney Tidelands (excluding Point Whitney Lagoon): Open January 1 through June 30 only.

~~((88))~~ (90) Port Angeles Harbor: All public tidelands of Port Angeles Harbor and interior tidelands of Ediz Hook are closed year-round.

~~((89))~~ (91) Port Gamble Heritage Park Tidelands: Open year-round.

~~((90))~~ (92) Port Gardner: Closed year-round.

~~((91))~~ (93) Port Townsend Ship Canal/Portage Beach: Open January 1 through ~~((June 15))~~ May 31 only.

~~((92))~~ (94) Post Point: Closed year-round.

~~((93))~~ (95) Potlatch DNR Tidelands: Open April 1 through August 31 only.

~~((94))~~ (96) Potlatch State Park: Open April 1 through August 31 only.

~~((95))~~ (97) Priest Point County Park: Closed year-round.

~~((96))~~ (98) Purdy Spit County Park: The southern shore of the spit from the boat ramp east to the southern utility tower near Purdy Bridge is open April 1 through April 30 only.

~~((97))~~ (99) Quilcene Bay Tidelands: All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed year-round except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open year-round.

~~((98))~~ (100) Retsil: Closed year-round.

~~((99))~~ (101) Richmond Beach Saltwater Park: Closed year-round.

~~((100))~~ (102) Salt Creek Recreation Area (DNR-419): Closed year-round.

~~((101))~~ (103) Saltair Beach (Kingston Ferry Terminal): Closed year-round.

~~((102))~~ (104) Saltwater State Park: Closed year-round.

~~((103))~~ (105) Samish Bay: Public tidelands of Samish Bay between Scotts Point and an unnamed point on the shore (latitude N48.5745°; longitude W122.4440°) are closed year-round.

~~((104))~~ (106) Scenic Beach State Park: Closed year-round.

~~((105))~~ (107) Seahurst County Park: Closed year-round.

~~((106))~~ (108) Semiahmoo County Park: Closed year-round.

~~((107))~~ (109) Semiahmoo Marina: Closed year-round.

~~((108))~~ (110) Sequim Bay State Park: Open January 1 through June 30 only.

~~((109))~~ (111) Shine Tidelands State Park: Open January 1 through May 15 only.

~~((110))~~ (112) Silverdale Waterfront Park: Closed year-round.

~~((111))~~ (113) Sinclair Inlet: All public tidelands of Sinclair Inlet west of a line drawn from the intersection of Bancroft Road and Beach Drive East northerly to Point Herron are closed year-round.

~~((112))~~ (114) Skagit Bay Estuary Wildlife Areas: All public tidelands of the Skagit Bay Estuary Wildlife Area, Fir Island Farms Reserve Wildlife Area, Island Wildlife Area, Camano Island Wildlife Area and Leque Island Wildlife Area are closed year-round.

~~((113))~~ (115) South Carkeek Park: Closed year-round.

~~((114))~~ (116) South Mukilteo: Closed year-round.

~~((115))~~ (117) Southworth: Closed year-round.

~~((116))~~ (118) Spencer Spit State Park: Open March 1 through July 31 only.

~~((117))~~ (119) Stuart Island State Park - Reid Harbor (South Beach): Closed year-round.

~~((118))~~ (120) Taylor Bay: Closed year-round.

~~((119))~~ (121) Totten Inlet Oyster Reserve (Oyster Bay reserves): Closed year-round.

~~((120))~~ (122) Walker County Park: Closed year-round.

~~((121))~~ (123) West Pass Access: Closed year-round.

~~((122))~~ (124) West Penn Cove: From the property boundary at the Grasser's Lagoon access on Highway 20 to the dock extending across the tidelands from Captain Whidbey Inn on Madrona Road ~~((open June 1 through December 31 only))~~ is closed year-round.

~~((123))~~ (125) Willapa River Oyster Reserve (Willapa Harbor reserves): Reserves located in the Willapa River channel extending west and upriver from a point approximately one-quarter mile from the blinker light marking the division of Willapa River channel and the North River channel are closed year-round.

~~((124))~~ (126) Wolfe Property State Park: Open January 1 through May 15 only.

~~((125))~~ (127) Woodard Bay Natural Resource Conservation Area: Closed year-round.

It is permissible to take and possess oysters for personal use from the Pacific Ocean beaches from November 1 through March 31 only.

Violation of the provisions of this section shall be an infraction, punishable under RCW 77.15.160.

WSR 18-11-094

PERMANENT RULES

LOWER COLUMBIA COLLEGE

[Filed May 18, 2018, 4:10 p.m., effective June 18, 2018]

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

Purpose: Amending chapter 132M-110 WAC to clarify procedures regarding the disclosure of records, new definitions, fees, request procedure, clarification when the request is unclear, and current statute citations.

Citation of Rules Affected by this Order: Repealing WAC 132M-110-030, 132M-110-040, 132M-110-070, 132M-110-110, 132M-110-120, 132M-110-130, 132M-110-140 and 132M-110-990; and amending WAC 132M-110-010, 132M-110-020, 132M-110-050, 132M-110-060, 132M-110-080, 132M-110-090, and 132M-110-100.

Statutory Authority for Adoption: RCW 28B.50.140, 42.56.040, 42.56.070, 42.56.100, 42.56.120 (as amended by chapter 304, Laws of 2017).

Adopted under notice filed as WSR 18-07-082 on March 20, 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 3, Repealed 8.

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 7, Repealed 8.

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

Date Adopted: May 16, 2018.

Kendra Sprague
Vice President of Foundation
HR and Legal Affairs

AMENDATORY SECTION (Amending Order 1-75, filed 11/10/75)

WAC 132M-110-010 Authority and purpose. ~~((The purpose of this chapter shall be to ensure compliance by the Community College District Number Thirteen with the provisions of chapter 42.17 RCW Disclosure—Campaign finances—Lobbying—Records; and in particular with RCW 42.17.250–42.17.320 of that act, dealing with public records.))~~ (1) RCW 42.56.070(1) requires Lower Columbia College (college or agency) to make available for inspection and copying nonexempt "public records" in accordance with published rules. The act defines "public record" to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained" by the agency. RCW 42.56.070(2) requires each agency to set forth "for informational purposes" every law, in addition to the Public Records Act, that exempts or prohibits the disclosure of public records held by that agency.

(2) The purpose of these rules is to establish the procedures Lower Columbia College will follow in order to provide access to public records. These rules provide information to persons wishing to request access to public records of the college and establish processes for both requestors and college staff that are designed to best assist members of the public in obtaining such access.

(3) The purpose of the act is to provide the public access to information concerning the conduct of government, mindful of individuals' privacy rights and the desirability of the efficient administration of government. The act and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the act, the college will be guided by the provisions of the act describing its purposes and interpretation.

AMENDATORY SECTION (Amending Order 1-75, filed 11/10/75)

WAC 132M-110-020 Definitions. (1) ~~((**Public records.** "Public record" indicates those documents which contain information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.))~~ "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used,

or retained by any state or local agency regardless of physical form or characteristics. This definition does not include records that are not otherwise required to be retained by the college and are held by volunteers who:

(a) Do not serve in an administrative capacity;

(b) Have not been appointed by the college to a college board, commission, or internship; and

(c) Do not have a supervisory role or delegated college authority.

(2) ~~((**Writing.**)~~) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation((s)) including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, ((magnetic or punched cards, discs, drums and other documents.

~~((**Community College District Number Thirteen.**)~~) motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

(3) Relating to the "conduct of government" means to be a public record, a document must relate to the conduct of government or the performance of any governmental or proprietary function. Almost all records held by an agency relate to the conduct of government; however, some do not. A purely personal record having absolutely no relation to the conduct of government is not a public record. Even though a purely personal record might not be a public record, a record of its existence might be. For example, a record showing the existence of a purely personal email sent by an agency employee on an agency computer would probably be a public record, even if the contents of the email itself were not.

(4) "Prepared, owned, used, or retained" means a public record is a record prepared, owned, used, or retained by an agency. A record can be used by an agency even if the agency does not actually possess the record. If an agency uses a record in its decision-making process, it is a public record. For example, if an agency considered technical specifications of a public works project and returned the specifications to the contractor in another state, the specifications would be a public record because the agency used the document in its decision-making process. The agency could be required to obtain the public record, unless doing so would be impossible. An agency cannot send its only copy of a record to a third party for the sole purpose of avoiding disclosure.

(5) "Identifiable record(s)" means the public record request must be for identifiable records. A request for all or substantially all records prepared, owned, used, or retained by the college is not a valid request for identifiable records, provided that a request for all records regarding a particular topic or containing a particular keyword or name shall not be considered a request for all of the college's records.

(6) "Bot request" means a request for public records that the college reasonably believes was automatically generated by a computer program or script.

(7) The Community College District Number Thirteen is an agency organized by statute pursuant to RCW 28B.50.040. The Community College District Number Thirteen shall

hereinafter be referred to as the "college" and includes the institution known as Lower Columbia College. Where appropriate, the term college also refers to the board of trustees, and the officers, agents, and employees of the college.

AMENDATORY SECTION (Amending Order 1-75, filed 11/10/75)

WAC 132M-110-050 Public records availability. ((All public records of the college, as defined in WAC 132M-110-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 132M-110-100.)) (1) Hours for inspection of records. Once a request is processed, public records of Lower Columbia College are available for inspection or receipt of copies during normal business hours of the college. Monday through Thursday 9:00 a.m. to 4:00 p.m., excluding legal holidays and other college closures. Records must be inspected at the Administration Building, 1600 Maple Street, Longview, WA 98632.

(2) Records index. An index of public records is available for use by members of the public, including nonexempt final orders, declaratory orders, interpretive statements, and policy statements, as defined by RCW 42.56.070(5), issued after June 30, 1990, by the board of trustees of the district, the presidents of the colleges, or their designees.

Form. The index shall reference final orders, declaratory orders, interpretive statements, or policy statements by one or more of the following classifications: Date of implementation, organizational unit, or subject matter.

Requests for access to indexes. Information regarding public inspection of indexes, their location, and a schedule for revising and updating these indexes can be obtained by contacting the public records officer.

(3) Organization of records. Lower Columbia College will maintain its records in a reasonably organized manner. The college will take reasonable actions to protect records from damage and disorganization. A requestor shall not take the college's records from Lower Columbia College offices without the permission of the public records officer or designee. A variety of records are available on the Lower Columbia College web site at www.lowercolumbia.edu. Requestors are encouraged to view the documents available on the web site prior to submitting a records request.

(4) The college shall not impose copying charges for access to or downloading of records that the college routinely posts on its public internet web site prior to receipt of a request unless the requestor has specifically requested that the college provide copies of records through other means.

(5) Making a request for public records.

(a) Any person wishing to inspect or receive copies of public records of the college should make the request in person during the college's normal office hours, or in writing on the college's request form, or by letter, fax, or email addressed to the public records officer. While no official format is required for making a records request, the college recommends that the requestor submit requests using the college provided request form. The request form is available at the office of the public records officer and online at [columbia.edu. Regardless of format, the request must include the following information:](http://www.lower</u></p>
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(i) Name of requestor;

(ii) Address of requestor;

(iii) Other contact information, including telephone number and any email address;

(iv) Identification of the public records must be for identifiable records; and

(v) The date and time of day of the request.

(b) If the requestor wishes to have copies of the records made instead of simply inspecting them, the requestor should so indicate and make arrangements to pay for copies of the records or a deposit.

(c) The public records officer or designee may accept requests for public records that contain the information in subsection (4) of this section by telephone or in person. If the public records officer or designee accepts such a request, they will confirm receipt of the information and the substance of the request in writing.

(d) The act does not allow an agency to provide access to "lists of individuals requested for commercial purposes." The request form includes an inquiry of the requestor whether the request is for commercial purposes. Lower Columbia College may also require a requestor to sign a declaration attesting that the request is not for use for commercial purposes.

AMENDATORY SECTION (Amending Order 1-75, filed 11/10/75)

WAC 132M-110-060 Public records officer. ((The college's public records shall be in the charge of the records officer designated by the college president. The person so designated may in turn designate persons in the administrative office to implement this section. The records officer and his designees shall be responsible for:

(1) The implementation of the rules and regulations of the college regarding release of public records.

(2) Coordinating the staff of the college in this regard.

(3) Insuring compliance by the staff with the public disclosure requirements of chapter 42.17 RCW.) (1) Any person wishing to request access to public records of Lower Columbia College, or seeking assistance in making such a request should contact the public records officer of the college:

Vice President of Administration

Lower Columbia College

1600 Maple Street

Longview, WA 98632

Phone: 360-442-2201

Fax: 360-442-2109

Email: publicrecords@lowercolumbia.edu

Information is also available at the college's web site at www.lowercolumbia.edu.

(2) The public records officer will oversee compliance with the act but another college staff member may process requests. Therefore, these rules will refer to the public records officer or designee.

AMENDATORY SECTION (Amending Order 1-75, filed 11/10/75)

WAC 132M-110-080 Requests for public records.

~~((In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:~~

~~(1) A request shall be made in writing upon a form prescribed by the college which shall be available at its administrative office on the campus. The form shall be presented to the records officer and/or his designees at the administrative office on the campus during customary office hours. The request shall include the following information:~~

- ~~(a) The name of the person requesting the record;~~
- ~~(b) The time of day and calendar date on which the request was made;~~
- ~~(c) The nature of the request;~~
- ~~(d) If the material requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in the index;~~
- ~~(e) If the material requested is not identifiable by reference to the current index, an appropriate description of the record requested.~~

~~(2) In all cases in which a member of the public is making a request, it shall be the obligation of the records officer and/or his designees to assist the member of the public in appropriately identifying the public record requested.~~

~~(3) The records officer and/or his designee to whom the request is presented shall respond promptly and~~

- ~~(a) Make the requested document available, or~~
- ~~(b) State that such a document does not exist, or~~
- ~~(c) Ask for clarification of the document requested, or~~
- ~~(d) Deny access if the record is exempt from public inspection under WAC 132M-110-050 as determined by RCW 42.17.310-.)~~

Both requestors and agencies have responsibilities under the act. The public records process can function properly only when both parties perform their respective responsibilities. An agency has a duty to promptly provide access to all nonexempt public records. A requestor has a duty to request identifiable records, inspect the assembled records or pay for the copies, and be respectful to agency staff.

(1) Providing "fullest assistance." Lower Columbia College is charged by statute with adopting rules which provide for how it will provide full access to public records, protect records from damage or disorganization, prevent excessive interference with other essential functions of the agency, provide fullest assistance to requestors, and provide the timeliest possible action on public records requests. The public records officer or designee will process requests in the order allowing the most requests to be processed in the most efficient manner.

(2) Acknowledging receipt of request. Within five business days of receipt of the request, the public records officer will do one or more of the following:

- (a) Make the records available for inspection or copying;

(b) If copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon, send the copies to the requestor;

(c) Provide a reasonable estimate of when records will be available; or

(d) Request clarification from the requestor by telephone or in writing if the request is unclear or does not sufficiently identify the requested records. To the greatest extent possible, the request for clarification will provide a reasonable estimate of the time required to respond to the request if it is not clarified. If the requestor fails to clarify the request, and the entire request is unclear, the public records officer need not respond to it. Otherwise, the public records officer must respond to those portions of the request that are clear. Once clarification is received, the public records officer or designee may revise the estimate of when records will be available; or

(e) Deny the request.

(3) Protecting rights of others. In the event the requested records contain information that may affect rights of others and may reasonably be exempt from disclosure, the public records officer may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.

(4) Records exempt from disclosure. Some records are exempt from disclosure, in whole or in part. If the college believes that a record is exempt from disclosure and should be withheld, the public records officer will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the public records officer will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted.

(5) Inspection of records.

(a) Consistent with other demands, the college shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the college to copy.

(b) The requestor must claim or review the assembled records within thirty days of the college's notification that the records are available for inspection or copying. The college will notify the requestor in writing of this requirement and inform the requestor to contact the college to make arrangements to claim or inspect the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the college may close the request and refile the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

(6) Providing copies of records. After inspection is complete, the public records officer or designee shall make the requested copies or arrange for copying by college staff.

(7) Providing records in installments. When the request is for a large number of records, the public records officer or designee will provide access for inspection and copying in installments, if the public records officer reasonably determines that it would be practical to provide the records in that way. If, within thirty days, the requestor fails to inspect the entire set of records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.

(8) Completion of inspection. When the inspection of the requested records is complete and all requested copies are provided, the public records officer or designee will indicate that Lower Columbia College has completed a diligent search for the requested records and made any located nonexempt records available for inspection.

(9) Closing withdrawn or abandoned request. When the requestor either withdraws the request or fails to fulfill the obligation to inspect the records or pays the deposit or final payment for the requested copies, the public records officer will close the request and indicate to the requestor that the college has closed the request.

(10) Later discovered documents. If, after the college has informed the requestor that it has provided all available records, the college becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

AMENDATORY SECTION (Amending Order 1-75, filed 11/10/75)

WAC 132M-110-090 ((Copying)) Charges for public records. ((No fee shall be charged for the inspection of public records. The college shall charge a minimum fee of twenty-five cents per page of copy for providing copies of public records. In the event the copying of public records would unreasonably burden existing personnel of the college, or additional personnel and/or equipment would have to be added because of the request(s) for copying the public records, then a reasonable charge may be added to the twenty-five cents per copy minimum to reflect the cost for additional personnel or equipment. The increased cost shall be determined by the records officer and shall be stated on the form requesting the copying of public records when the same request is approved by the records officer. In any case where the records officer estimates that the cost of duplication of a request will exceed ten dollars, then he may at his discretion require an advance payment of all or a percentage of the cost estimate prior to complying with the request for duplication. When, in the opinion of the records officer, it would be less expensive or more practical to duplicate public records by contract with a printing company, then the records officer shall have the authority to do the same and the actual cost of the printing shall be paid by the person requesting the duplication.)) Calculating the actual costs of charges for providing public records is unduly burdensome because it will consume scarce college resources to conduct a study of actual costs,

and it is difficult to accurately calculate all costs directly incident to copying records, including equipment and paper costs, data storage costs, electronic production costs, and staff time for copying and sending requested records. Instead of calculating the actual costs of charges for records, the college president or designee shall establish, maintain, and make available for public inspection and copying a statement of costs that the college charges for providing photocopies or electronically produced copies of public records, and such charges for records shall not exceed the maximum default charges allowed in RCW 42.56.120 (2)(b). The college may also use any other method authorized by the Public Records Act for imposing charges for public records including, but not limited to, charging a flat fee, charging a customized service charge, or charging based on a contract, memorandum of understanding, or other agreement with a requestor. The college may waive charges assessed for records when the public records officer determines collecting a fee is not cost effective.

AMENDATORY SECTION (Amending Order 1-75, filed 11/10/75)

WAC 132M-110-100 Exemptions. (((1) The college reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132M-110-080 is exempt under the provisions of chapter 42.17 RCW.

(2) In addition, pursuant to RCW 42.17.260, the college reserves the right to delete identifying details when it makes available or publishes any public record, in any case when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The records officer and/or his designee will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.))

(1) Public Records Act exemptions. There are a number of types of records exempt from public inspection and copying. The college reserves the right to determine that a public record requested in accordance with WAC 132M-110-080, or any portion thereof, is exempt under the Public Records Act.

(2) Other exemptions. Requestors should be aware of the following exemptions, outside the Public Records Act, that restrict the availability of some documents held by the college for inspection and copying. This is not an exhaustive list as numerous exemptions exist outside of the act to an academic setting. The college's failure to list an exemption here shall not affect the efficacy of any exemption.

(a) RCW 5.60.060 - Privileged communications;

(b) 20 U.S.C. 1232g - Family Educational Rights and Privacy Act (FERPA);

(c) 42 U.S.C. 405 (c)(2)(vii)(1) - Social Security numbers;

(d) 45 C.F.R. 16-0164 - HIPPA privacy rule;

(e) Chapter 19.108 RCW and RCW 4.24.601 - Uniform Trade Secrets Act; and

(f) Chapter 10.97 RCW - Regarding criminal history information.

(3) Identification of exemptions. A denial of any record, in whole or part, shall include a statement of the specific exemption(s) authorizing the withholding of the record (or portion thereof) and a brief explanation of how the exemption applies to the record of information withheld.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132M-110-030	Description of central and field organization of Community College District Number Thirteen.
WAC 132M-110-040	Operations and procedures.
WAC 132M-110-070	Office hours.
WAC 132M-110-110	Review of denials of public records.
WAC 132M-110-120	Protection of public records.
WAC 132M-110-130	Records index.
WAC 132M-110-140	Adoption of form.
WAC 132M-110-990	Appendix A—Request for public record.

WSR 18-11-098

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed May 21, 2018, 7:37 a.m., effective September 4, 2018]

Effective Date of Rule: September 4, 2018.

Purpose: This rule making will align driver licensing hearing procedural rules with recent legislation, standardize the procedural rules across all types of hearings, and codify long-standing informal procedures and policies.

Citation of Rules Affected by this Order: New chapter 308-101 WAC and WAC 308-102-085; repealing chapter 308-103 WAC, WAC 308-102-130, 308-104-035 and 308-104-350; and amending WAC 308-102-100, 308-102-190, 308-102-200, and 308-104-025.

Statutory Authority for Adoption: RCW 46.01.110.

Adopted under notice filed as WSR 18-07-008 on March 9, 2018.

Changes Other than Editing from Proposed to Adopted Version: In the adoption, the department made a technical correction by adding "suspension or" to WAC 308-104-025 (4) which was unintentionally left out of the proposed language. This clarifies the requirements but does not substantively change the rule making.

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 27, Amended 4, Repealed 23.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 27, Amended 4, Repealed 23.

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 27, Amended 4, Repealed 23.

Date Adopted: May 21, 2018.

Damon Monroe
Rules Coordinator

Chapter 308-101 WAC

HEARING PROCEDURAL RULES

NEW SECTION

WAC 308-101-010 Applicability. (1) This chapter applies to all adjudicative proceedings under the jurisdiction of the department of licensing or the director of the department of licensing with respect to the following types of cases:

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

(2) Unless otherwise specified, this chapter does not apply to administrative interviews conducted under RCW 46.20.323 through 46.20.327.

NEW SECTION

WAC 308-101-020 Hearings examiners. All adjudicative proceedings under this chapter shall be conducted by a department hearings examiner, who is appointed a referee or presiding officer for such purposes. The director may also appoint additional referees or presiding officers from the employees of the department to conduct hearings. The director retains the discretion to revoke or limit an appointment at any time.

NEW SECTION

WAC 308-101-030 Computation of time. (1) In computing any period of time prescribed or allowed by any applicable statute or rule, RCW 1.12.040 shall apply;

(2) When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation;

(3) Whenever a person has the right to request a hearing or other proceeding within a prescribed period after "notice is given" by the department under Title 46 RCW or 308 WAC, such notice is deemed to be given on the third day after the notice is deposited into the state mailing service;

(4) Whenever a person has the right to request a hearing or other proceeding within a prescribed period after "receiv-

ing notice" from the department under Title 46 RCW or 308 WAC, such notice is deemed to be "received" by a person on the third day after the notice is deposited into the state mailing service.

(5) A request for a hearing or interview under Title 46 RCW is deemed complete on the day the request is post-marked or, if sent electronically, the date the request is received by the department.

NEW SECTION

WAC 308-101-040 Eligibility for hearing. (1) A person is eligible for a hearing whenever the department proposes an adverse action against the driving privilege and the opportunity for a hearing or an interview is required by law. A person is also eligible for a hearing in the following circumstances:

(2) **HTO stay hearings:** A habitual traffic offender is eligible for a stay hearing under RCW 46.65.060 so long as the following conditions have been met:

(a) There is an alcohol/drug assessment on file completed after the last drug or alcohol related offense on the driving record;

(b) The person is not revoked for a violation of a stay or probation previously granted under RCW 46.65.060 or 46.65.080;

(c) If a stay has previously been denied after a hearing, there is evidence of alcoholism or drug addiction (substance dependence) with new treatment information.

(3) **HTO reinstatement hearings:** A habitual traffic offender is eligible for a reinstatement hearing if all of the following conditions have been met:

(a) At least four years have elapsed since the beginning of the habitual traffic offender revocation or if a habitual traffic offender stay has been violated, at least four years have elapsed since the date of the new revocation notice;

(b) The person submits a declaration stating that he or she has not driven within two years prior to the request for a hearing. A record of any traffic infraction or conviction is conclusive evidence that a person drove within the past two years;

(c) Any period of additional revocation imposed following a habitual traffic offender reinstatement probation violation must be completed;

(d) If there has been a previous denial of a petition for reinstatement by a hearings examiner, at least one year has elapsed since the denial unless a shorter time is ordered by the hearings examiner.

(4) **HTO reinstatement without a hearing:** The department may grant a habitual traffic offender a reinstatement without a hearing if the person is eligible for a hearing under subsection (4) of this section and at the time of the request for a hearing:

(a) There are no other suspensions or revocations in effect;

(b) There are no vehicular homicide or vehicular assault convictions on the driver's record; and

(c) There is no more than one alcohol or drug-related incident on the driver's record. An alcohol or drug-related incident shall include an alcohol-related offense as defined in

RCW 46.01.260, or an incident for which a sworn report was received under RCW 46.20.308 or 46.25.120, or similar incidents involving drugs and alcohol (including minor in possession laws), so long as the same incident is not counted more than once.

NEW SECTION

WAC 308-101-060 Service on petitioner. Service on the petitioner: Except as provided in WAC 308-101-080(10), the hearings and interviews unit provides all final orders and correspondence to the petitioner at the petitioner's address of record, unless the petitioner is represented, in which case service on the legal representative is deemed service on the petitioner. Documents may be provided to a petitioner via electronic distribution only, with the petitioner's agreement.

NEW SECTION

WAC 308-101-070 Signatures. (1) Legal representative signatures. An electronic document which requires a legal representative's signature may be signed in the following manner:

/s/ Jane Attorney
State Bar Number 12345
ABC Law Firm
123 South Fifth Avenue
Seattle, WA 98104
Telephone: 206-123-4567
Fax: 206-123-4567
Email: Jane.Attorney@lawfirm.com

(2) Nonattorney signatures. An electronic document which requires a nonattorney's signature may be signed in the following manner:

/s/ John Citizen
123 South Fifth Avenue
Seattle, WA 98104
Telephone: 206-123-4567
Fax: 206-123-4567
Email: John.Citizen@email.com

(3) Law enforcement officer signatures on documents signed under penalty of perjury. Any document initiated by a law enforcement officer is presumed to have been signed when the officer uses his or her user ID and password to electronically submit the document to a court or prosecutor through the statewide electronic collision and traffic online records application, the justice information network data exchange, or a local secured system that the presiding judge designates by local rule. Unless otherwise specified, the signature shall be presumed to have been made under penalty of perjury under the laws of the state of Washington and on the date and at the place set forth in the report and/or citation.

NEW SECTION

WAC 308-101-080 Requests for hearing. (1) A request for a hearing shall be in writing;

(2) When no deadline for requesting a hearing or interview is provided in Title 46 RCW, or other law or rule of the

department, a hearing or interview request must be post-marked or received by the hearings and interviews unit within fifteen days after notice is given;

(3) The hearing request form provided by the department shall include a statement that if the parties or witness(es) are hearing or speech impaired and/or non-English speaking, a qualified interpreter will be appointed at no cost to the parties or witnesses. The form shall include a section where the petitioner may request an interpreter and where he or she may identify the language and/or nature of the interpretive services needed;

(4) The request for hearing shall include the following information with respect to the petitioner:

- (a) Full name;
- (b) Mailing address;
- (c) Daytime telephone number, including area code;
- (d) Date of birth; and
- (e) Driver's license number.

(5) The written request for hearing shall be accompanied by the applicable nonrefundable filing fee, unless the petitioner is entitled to a waiver of the filing fee because of indigence, in which case a request to waive the hearing fee for indigence must be submitted with the hearing request and be on a form approved by the department;

(6) When the department denies an application for an indigent fee waiver, the petitioner shall be granted an additional ten days to submit payment of the hearing fee;

(7) **Submitting hearing request with fees:** The request for a hearing may be submitted to: Department of Licensing, Hearings and Interviews Unit, P.O. Box 9048, Olympia, WA 98507-9048;

(8) **Submitting hearings request without a fee:** If there is not filing fee or if the petitioner is entitled to or applies for a waiver of the filing fee because of indigence, the request must be submitted to: Department of Licensing, Hearings and Interviews Unit, P.O. Box 9031, Olympia, WA 98507-9031;

(9) The request for a hearing may also be submitted online if the petitioner meets the qualifications described on the web site at www.dol.wa.gov;

(10) If a request for hearing is denied, the department shall notify the petitioner and the petitioner's legal representative, if any, stating the reason(s) for the denial;

(a) The department (or a hearings examiner) may set aside a denial of a hearing due to an untimely request if the petitioner establishes good cause for the failure to timely request a hearing;

(b) In the alternative, the department may grant a hearing on the merits subject to a preliminary determination by a hearings examiner on the issue of whether the hearing request was timely filed or, if untimely, whether there was good cause to file a late hearing request. If the petitioner fails to establish the hearing request was timely filed or that there was good cause for a late hearing request, the department's action shall be sustained or affirmed without further review.

NEW SECTION

WAC 308-101-090 Scheduling—Notice of hearing.

(1) The department shall mail a hearing notice to the petitioner or petitioner's legal representative in the time frame

prescribed in Title 46 RCW. If no period is prescribed, the petitioner shall be served with a notice of hearing at least ten days before the date set for the hearing.

(2) The department's hearing notice will include the assigned examiner's name, a phone number at which he or she may be contacted, and other information concerning the hearing. The department's notice will also include a telephone number and a TDD number that any party or witness may call to request special accommodations. The notice must also include:

(a) A statement of the time, place, and nature of the hearing.

(b) A statement of the legal authority under which the hearing is to be held;

(c) A statement that a party who fails to attend or participate in a hearing or other stage of an adjudicative proceeding may be held in default in accordance with this chapter.

NEW SECTION

WAC 308-101-100 Place of hearing. (1) All hearings and interviews will be scheduled telephonically, unless the hearing is required by law to be in person or an in-person hearing is requested in accordance with subsection (2) of this section.

(2) The petitioner or petitioner's legal representative may request that all or part of the hearing or interview be conducted in person. Such a request must be in writing stating the reasons and be directed to the assigned hearings examiner upon receipt of the hearing notice. The hearings examiner will have the sole discretion to grant or deny this request.

NEW SECTION

WAC 308-101-110 Notice of appearance. (1) If a petitioner has legal representation at the administrative hearing, the department shall be provided with the legal representative's name, address, and telephone number. The department may require the legal representative to file a written notice of appearance or to provide documentation that an absent petitioner has authorized the legal representative to appear on the party's behalf. The legal representative shall file a notice of withdrawal upon withdrawal of representation.

(2) When a legal representative has appeared in a matter, documents related to the hearing, including final orders, will only be served on the legal representative. Documents may be provided to a petitioner's legal representative via electronic distribution only, with the legal representative's agreement.

(3) For the purposes of this section, a "legal representative" means an attorney or supervised legal intern that is authorized to practice law in the state of Washington.

NEW SECTION

WAC 308-101-120 Continuances. (1) After a hearing has been scheduled, it may be continued, rescheduled, or adjourned only at the discretion of the hearings examiner.

(2) Requests for a continuance, to reschedule, or to adjourn must be made in writing, to the assigned hearings examiner, and shall include the basis for the request.

(3) Except in the case of an emergency, the hearings examiner must receive the continuance request at least two business days before the scheduled hearing. Absent an emergency, requests made with less than two business days' notice may be summarily denied.

(4) The hearings examiner may continue, reschedule, or adjourn at any time, including on the date of the administrative hearing.

(5) A party shall not consider a hearing continued, rescheduled, or adjourned until notified by the hearings examiner or his or her designee.

(6) The hearings examiner may require the party who requests a continuance, to reschedule, or to adjourn to submit documentary evidence that substantiates the reason for the request.

(7) A second request for a continuance, to reschedule, or to adjourn will only be granted in the event of an emergency and at the discretion of the assigned hearings examiner.

(8) Notwithstanding any provisions of this section to the contrary, a hearings examiner may continue a hearing in the event a law enforcement officer who has been subpoenaed as a witness fails to appear. The hearings examiner must continue a hearing in the event a law enforcement officer who has been subpoenaed as a witness fails to appear and the petitioner is a holder of a commercial driver's license or was operating a commercial motor vehicle at the time of the driver's arrest. A hearing continued under this subsection must be adjourned until such time as the subpoena may be enforced under RCW 7.21.060.

NEW SECTION

WAC 308-101-130 Agreements to schedule hearings under RCW 46.20.308 past the time frame required by law. (1) The department presumes any of the following actions taken by the petitioner is a request that the department agree to extend the hearing beyond the time frame required by RCW 46.20.308:

- (a) A request for a continuance;
- (b) A request to hold an in-person hearing when the request cannot be accommodated within the time frame required;
- (c) A request to set aside a default order;
- (d) A request for a subpoena when service cannot be accommodated within the time frame required;
- (e) Remitting insufficient funds to satisfy the hearing fee;
- (f) Any other action taken by the petitioner that makes the scheduling of the hearing within the time frame required by law impracticable.

(2) A hearings examiner's decision to grant any of the petitioner's requests in subsection (1) of this section constitutes the department's assent to extend the hearing past the time frame required by law.

(3) If a person requests one of the actions in subsection (1) of this section but affirmatively declines to agree to extend the time frame required by law, the hearings examiner may direct the hearing to proceed as originally scheduled or may take any other action that protects the petitioner's right to

be heard and the public's interest in a speedy resolution of the matter.

(4) The department must stay a driver's license suspension any time a timely hearing request has been received but it is otherwise impracticable to hold the hearing within the time frame required by law.

NEW SECTION

WAC 308-101-140 Cancellation of hearings. (1) If the petitioner elects to cancel his or her request for a hearing, he or she must notify the department of his or her intent to do so in writing or orally on the record.

(2) **Entry into deferred prosecution:** A stay of a suspension or revocation granted pursuant to the provisions of RCW 46.20.308(9) does not automatically result in a cancellation of a requested hearing. Absent a written cancellation under subsection (1) of this section, the hearing will proceed and the results will be sent to the petitioner. If the suspension is sustained after the hearing, the stay of the action shall continue but any appeal of the findings and conclusions must be undertaken within thirty days of service of the results.

NEW SECTION

WAC 308-101-150 Subpoenas. (1) Subpoenas shall be issued and enforced, and witness fees paid, as provided in RCW 46.20.308(7). All subpoenas shall direct the witness to appear by telephone unless otherwise agreed to by the hearings examiner.

(2) Every subpoena shall be submitted on a form approved by the department, available on the internet at www.dol.wa.gov, for approval by a hearings examiner. If approved, the hearings examiner may either sign and issue the subpoena back to the party requesting the subpoena or direct the requesting party, by telephone, electronic mail, or other reliable means, to note the hearings examiner's approval on the subpoena.

(a) A subpoena to a person to provide testimony at a hearing shall specify the date and time set for hearing.

(b) A subpoena duces tecum requesting a person to produce designated books, documents, or things under his or her control shall specify a time and place for producing the books, documents, or things. That time and place may be the time and place set for hearing, or another reasonably convenient time and place in advance of the hearing.

(3) A subpoena must be personally served by a suitable person over eighteen years of age, by exhibiting and reading it to the witness, or by giving him or her a copy thereof, or by leaving such copy at the place of his or her abode. Proof of service shall be made by affidavit or declaration under penalty of perjury, and must be filed with the hearings examiner at least two days prior to the hearing. If the subpoena is served by personal service, proof of service must include a copy of the subpoena that shows it was received by the law enforcement agency. Service by certified mail must be preapproved by the hearings examiner. Service of a subpoena on a law enforcement officer may be effected by serving the subpoena upon the officer's employer.

(4) The hearings examiner may condition issuance of the subpoena upon advancement by the person in whose behalf

the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

(5) A subpoena must be properly served five days prior to the date of the hearing.

NEW SECTION

WAC 308-101-155 Filing of exhibits and other documents with the department. (1) Any document submitted to the hearings and interviews unit must include the petitioner's case number assigned by the unit, if a case number has been assigned.

(2) A petitioner may submit documents for consideration via any one of the following methods:

(a) U.S. mail addressed to: Department of Licensing, Hearings and Interviews Unit, P.O. Box 9030, Olympia, WA 98507-9030.

(b) Facsimile transmission to the assigned hearings examiner.

(c) An internet portal made available by the department.

(d) Email to the hearings examiner, but only with the hearings examiner's preapproval.

NEW SECTION

WAC 308-101-160 Evidence. (1) All rulings upon objections to the admissibility of evidence shall be made in accordance with the provisions of these rules.

(2) Evidence including testimony and documentary evidence, is admissible if received prior to, or during, the hearing.

(3) The hearings examiner shall rule on the admissibility and weight to be accorded to all evidence submitted at the hearing. Evidence, including hearsay evidence, is admissible if in the judgment of the hearings examiner it is the kind of evidence on which reasonably prudent persons are accustomed to rely on in the conduct of their affairs. The hearings examiner may exclude evidence that is irrelevant, immaterial, or unduly repetitious. The admissibility of evidence shall be liberally construed to effect the intent and purpose of the hearings covered by these rules.

(4) **Oral testimony:** Law enforcement officers or other persons with knowledge relevant to the hearing may appear and testify without notice. Such testimony shall not preclude the admissibility of any documents submitted.

(5) The refusal of a witness to answer any question which has been ruled to be proper shall, in the discretion of the hearings examiner, be grounds for striking all testimony previously given by such witness on related matter.

(6) **Documentary evidence:** Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference. When only portions of a document are to be relied upon, the offering party shall identify the pertinent excerpts and state the purpose for which such materials will be offered. Only the excerpts, in the form of copies, shall be received in the record. However, the whole of the original documents, except any portions containing confidential material protected by law, shall be made available for examination and for use by all parties.

(7) Official notice may be taken of: (a) Any judicially cognizable facts; (b) technical or scientific facts within the

agency's specialized knowledge; and (c) codes or standards that have been adopted by an agency of the United States, of this state or of another state, or by a nationally recognized organization or association. Parties shall be notified either before or during the hearing of the material so noticed and the sources thereof and they shall be afforded an opportunity to contest the facts and materials so noticed. A party proposing that official notice be taken may be required to produce a copy of the material to be noticed.

NEW SECTION

WAC 308-101-170 Video evidence. If the petitioner wishes to submit video evidence, the petitioner shall be responsible for the costs of preparing a copy to be admitted as evidence. Video evidence shall be submitted sufficiently in advance of the hearing to allow the hearings examiner the opportunity to review it prior to the hearing. The hearings examiner may require a time waiver from the petitioner in order to reschedule the hearing and satisfy this provision when needed. Video evidence must be submitted by DVD and in a format which allows the DVD to be viewed on the department's equipment. Any costs associated with this requirement is to be the responsibility of the petitioner.

NEW SECTION

WAC 308-101-180 Format and length for briefs. (1) The text of any brief must be typed or printed in a proportionally spaced typeface and must appear in print as twelve point or larger type with no more than ten characters per inch and double-spaced. The same typeface and print size should be standard throughout the brief, except that footnotes may appear in print as ten point or larger type and be the equivalent of single-spaced. Quotations may be the equivalent of single-spaced. Except for materials in an appendix, the typewritten or printed material in the brief may not be reduced or condensed by photographic or other means.

(2) Briefs shall not exceed twenty pages. For the purpose of determining compliance with this rule, appendices are not included. For good cause, the hearings examiner may grant a motion to file an over-length brief.

(3) Unpublished opinions of the Washington court of appeals are those opinions not published in the *Washington Appellate Reports*. Unpublished opinions of the court of appeals have no precedential value and are not binding on any court. However, unpublished opinions of the court of appeals filed on or after March 1, 2013, may be cited as non-binding authorities, if identified as such by the citing party, and may be accorded such persuasive value as the hearings examiner deems appropriate.

NEW SECTION

WAC 308-101-190 Interpreters. (1) When an impaired person as defined in chapter 2.42 RCW or a non-English-speaking person as defined in chapter 2.43 RCW is a party or witness in an adjudicative proceeding, the department shall appoint an interpreter to assist the party or witness during the hearing. Appointment, qualifications, waiver, compensation, visual recording, and ethical standards of interpreters in hear-

ings are governed by the provisions of chapters 2.42 and 2.43 RCW.

(2) Relatives of any participant in a proceeding and employees of the department involved in a proceeding shall not be appointed as interpreters in the proceeding unless authorized by the petitioner.

(3) The appointing authority shall make a determination that an interpreter is able in the particular proceeding to interpret accurately all communication to and from the impaired or non-English-speaking person. This determination shall be based upon the testimony or stated needs of the impaired or non-English-speaking person, the interpreter's education, certifications, and experience in interpreting for contested cases or adjudicative proceedings, the interpreter's understanding of the basic vocabulary and procedure involved in the proceeding, and the interpreter's impartiality. The parties or their representatives may question the interpreter as to his or her qualifications and impartiality.

(4) If in the opinion of the impaired or non-English-speaking person, the appointing authority or a qualified observer, the interpreter does not provide accurate and effective communication with the impaired or non-English-speaking person, the appointing authority shall appoint another interpreter.

(5) The department shall attach to or include in the decision or order a telephone number to request a visual translation or sight translation.

(6) If the party has a right to review the order or decision, the hearings examiner shall orally inform the party during the hearing of the right and of the time limits to request review.

(7) The department shall pay interpreter fees and expenses.

(8) The consecutive mode of foreign language interpretation shall be used unless the hearings examiner and interpreter agree that simultaneous interpretation will advance fairness and efficiency.

(9) Interpreters for hearing impaired persons shall use the simultaneous mode of interpretation unless an intermediary interpreter is needed. If an intermediary interpreter is needed, interpreters shall use the mode that the interpreter considers to provide the most accurate and effective communication with the hearing impaired person.

NEW SECTION

WAC 308-101-200 Testimony under oath or affirmation. Every person called as a witness and who is giving oral testimony in a hearing shall swear or affirm that the testimony he or she is about to give in the hearing shall be the truth according to the provisions of RCW 5.28.020 through 5.28.060. If the witness is testifying from outside the jurisdiction, the hearings examiner may require the witness to agree to be bound by the laws of the state of Washington for purposes of the oath or affirmation.

NEW SECTION

WAC 308-101-210 Conduct of hearings. Hearings are open to public observation. To the extent that a hearing is conducted by telephone or other electronic means, the availability of public observation is satisfied by giving members

of the public an opportunity to hear or inspect the agency's record. The hearings examiner's authority includes, but shall not be limited to, the authority to:

- (1) Determine the order of presentation of evidence;
- (2) Administer oaths and affirmations;
- (3) Issue subpoenas pursuant to RCW 46.20.308(7);
- (4) Rule on procedural matters, objections, and motions;
- (5) Rule on offers of proof and receive relevant evidence;
- (6) Order the exclusion of witnesses upon a showing of good cause;
- (7) Afford the petitioner the opportunity to respond, present evidence, conduct cross-examination, and submit rebuttal evidence. The hearings examiner may question witnesses to develop any facts deemed necessary to fairly and adequately decide the matter;
- (8) Call additional witnesses and request and/or obtain additional exhibits deemed necessary to complete the record and receive such evidence subject to full opportunity for cross-examination and rebuttal by the petitioner;
- (9) Examine and admit the official records of the department, subject to full opportunity, including the opportunity to request a continuance if needed, for cross-examination and rebuttal by the petitioner;
- (10) Examine and admit public records including, but not limited to, maps, policy and procedure manuals, breath testing equipment manuals and the Washington state patrol breath test section web site at any time before, during, or after the hearing, subject to full opportunity, including the opportunity to request a continuance if needed, for cross-examination and rebuttal by the petitioner;
- (11) Regulate the course of the hearing and take any appropriate action necessary to maintain order during the hearing;
- (12) Permit or require oral argument or briefs and determine the time limits for submission thereof;
- (13) Issue an order of default;
- (14) Recess the hearing to a later time to accommodate scheduling conflicts. Hearings are ordinarily scheduled to be one hour in length;
- (15) Take any other action necessary and authorized by any applicable statute or rule; and
- (16) Waive any requirement of these rules unless petitioner shows that he or she would be prejudiced by such a waiver.

NEW SECTION

WAC 308-101-220 Default. (1) In the event that the person who requested an interview or hearing is not available at the time it is scheduled via the manner of appearance directed in the notice of interview or hearing, or as subsequently modified in writing or orally on the record, no interview or hearing shall be held. An order of default shall be entered and the department's proposed action shall be sustained.

- (2) A person who fails to appear at an interview waives his or her right to request a formal hearing.
- (3) Within seven days after service of a default order, the petitioner may file a written motion requesting that the order

of default be vacated, and stating the grounds relied upon for the motion. In determining whether the default should be set aside, the hearings examiner shall consider whether there was good cause for the nonappearance.

NEW SECTION

WAC 308-101-230 Final orders. (1) Every decision and final order shall:

(a) Be correctly captioned as to the name of the department of licensing and name of the proceeding;

(b) Designate all parties and representatives participating in the proceeding;

(c) Contain a final order disposing of all contested issues; and

(d) Contain a statement describing the right to appeal.

(2) In the event the original hearings examiner is unavailable, the department may assign a case to another hearings examiner to either hear the case if the record has not closed, or in a case where the record is closed, make a determination as to the findings of fact and conclusions of law based on the record submitted.

(3) At any stage prior to commencement of the hearing the department may reassign a matter to a different hearings examiner.

NEW SECTION

WAC 308-101-240 Probation in habitual traffic offender matters. (1) Upon reinstatement after a habitual traffic offender revocation, a person must be placed on probation for one year.

(2) Every stay order issued under RCW 46.65.060 and any reinstatement order of the driving privilege granted under RCW 46.65.080 or 46.65.100 are granted subject to the following probationary terms and conditions:

(a) The individual must not be convicted of or found to have committed any of the following types of offenses during the period of probation or the duration of the stay:

(i) Vehicular homicide - RCW 46.61.520;

(ii) Vehicular assault - RCW 46.61.522;

(iii) Driving under the influence - RCW 46.61.502;

(iv) Driver under twenty-one consuming alcohol or marijuana - RCW 46.61.503;

(v) Physical control of vehicle under the influence - RCW 46.61.504;

(vi) Driving a commercial motor vehicle with alcohol or THC in system;

(vii) Driving while license suspended or revoked 1st or 2nd degree (includes driving violation of an occupational/restricted driver's license) - RCW 46.20.342;

(viii) Hit and run (occupied) - RCW 46.52.020;

(ix) Reckless driving - RCW 46.61.500;

(x) Attempting to elude a police vehicle - RCW 46.61.-024;

(xi) Felony involving motor vehicle - RCW 46.20.285 (4);

(xii) Ignition interlock violation - RCW 46.20.720;

(xiii) Violation of an occupational or restricted license - RCW 46.20.410;

(xiv) Operating a vehicle without an ignition interlock device - RCW 46.20.740;

(xv) Circumventing ignition interlock device - RCW 46.20.750;

(xvi) Open container violation (alcoholic beverages) - RCW 46.61.519;

(xvii) Open container violation (marijuana) - RCW 46.61.745;

(xviii) A conviction for any reduced or amended alcohol or drug-related driving offense.

(b) Two or more moving violations received within a twelve-month period as defined in WAC 308-104-160 during the period of probation or the duration of the stay;

(c) Any of the following:

(i) A reported driving incident with a detectable alcohol concentration;

(ii) A revocation or disqualification for refusing a breath or blood test as provided by RCW 46.20.308, 46.20.3101, 46.25.090, or 46.25.120 from an incident;

(iii) Entry into a deferred prosecution program for any alcohol or drug-related offense;

(iv) A report of positive drug/alcohol test or refusal - RCW 46.25.090;

(v) A violation of the terms of any mandatory court probation - RCW 46.61.5055.

(d) Compliance with a state approved alcohol/drug treatment program as set forth in chapter 70.96A RCW and WAC 308-104-170.

(3) A violation of these terms will result in:

(a) If on probation as a habitual traffic offender: The revocation of the driving privilege for the balance of the habitual traffic offender revocation period as well as any further driving while revoked revocation(s), or for one year, whichever is longer;

(b) If subject to a stay: Cancellation of the stay and revocation of the driving privilege for seven years.

(4) Review of violations of the terms and conditions of the probation or stay may be sought via the procedure provided in RCW 46.20.245.

NEW SECTION

WAC 308-101-250 Reconsideration of final order. (1) Motions for reconsideration are limited to cases heard under the implied consent law, RCW 46.20.308.

(2) Grounds for a petition for reconsideration are limited to evidence or legal argument which are material to the petitioner and were not produced at the time of the hearing, or for other good and sufficient reason as determined by the hearings examiner.

(3) The petition must state with particularity any new evidence or new legal argument that is proposed and why it could not have been discovered using due diligence prior to the hearing. The petition must specify with particularity the portions of the initial order to which the petition applies.

(4) A petition for reconsideration of an order shall be filed with the hearings and interviews unit within ten days of the date the final order was mailed to the petitioner.

(5) The disposition shall be in the form of a written order denying the petition, granting the petition and dissolving or

modifying the final order, or granting the petition and setting the matter for further hearing.

(6) If the petition is granted in whole or in part, a new order shall be issued in the same form as the original order, and shall include the designation "amended" in its title. This amended order shall reference the petition for reconsideration in its preamble, which sets out what the hearings examiner considered. Any amended order shall include the "findings of fact and conclusions of law" from the original final order with amendments.

(7) The relief granted pursuant to a petition for reconsideration is limited to review of the designated evidence and/or argument as identified in the petition. At the hearings examiner's discretion, a supplemental hearing may be scheduled. Such a petition is not grounds for a new hearing, and the record already established shall remain undisturbed.

(8) A petition for reconsideration does not stay the department's action on the petitioner's driving privilege as ordered by the original final order. A petitioner seeking a stay must file a separate petition for that purpose. The hearings examiner will grant a stay only if the hearings examiner determines that it is likely that the petitioner will prevail and the action be reversed and that denying the stay will create irreparable harm to the petitioner. If the hearings examiner grants such a petition for a stay, the hearings examiner shall sign an order releasing the action and crediting any time already served, and subsequently sign an order sustaining or reversing the action, as determined by the amended final order. Disposition denying a stay is not subject to review.

(9) An amended final order shall be issued either denying reconsideration or, in the event reconsideration is granted, dissolving or modifying the original final order. The date of the amended final order begins the thirty-day period for the petitioner to appeal the amended final order.

(10) The filing of a petition for reconsideration is not a prerequisite for filing an appeal. An order denying reconsideration is not subject to appeal.

NEW SECTION

WAC 308-101-260 Significant decisions in driver license cases. (1) The department will use the process outlined in this section to nominate, select, and index significant decisions hearings related to driver's licenses in the following types of adjudicative proceedings related to a sanction of the driving privilege:

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

(2) For the purposes of this section, a significant decision is a final order or a portion of a final order in an adjudicative proceeding that is of substantial importance to the department in carrying out its duties. Generally, an order is of substantial

importance only if it analyzes and applies a statute or rule under the department's authority, demonstrates the department's reasoning as to a frequently recurring legal issue, provides a legal analysis or interpretation not found in existing case law, or applies settled law to unusual facts.

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

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

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

(6) The department shall periodically update and review the index to verify that the indexed documents continue to meet the criteria in subsection (2) of this section. The department may, at any time, delete a document from an index. Under RCW 42.56.070(6), a significant decision may not be cited in a proceeding if it has not been indexed.

NEW SECTION

WAC 308-102-085 Agreements for payment of damages—Effect on administrative proceedings. An individual that submits a written payment agreement to the department in accordance with RCW 46.29.140, waives any further review to the validity of the department's action. Any pending document review, administrative interview, or formal hearing shall be canceled upon receipt of the written payment agreement.

AMENDATORY SECTION (Amending WSR 92-08-045, filed 3/25/92, effective 4/25/92)

WAC 308-102-100 Request for informal settlement—Effect, timeliness. Pursuant to WAC 10-08-230, regarding informal settlements, any person notified of the requirement of depositing security and suspension for failure to deposit security under the Financial Responsibility Act, chapter 46.29 RCW, may within fifteen days of the date of the notice of intent to suspend his or her driver's license or nonresident privilege to drive request ((either)) an interview ((or document review)) before a presiding officer. The request may be oral or written, but if made orally, such request must be confirmed by the person in writing within five days following such request.

Upon receipt of a timely request for interview (~~(or document review)~~), the suspension shall be stayed pending the outcome of the document review or interview.

If the person does not request (~~(a document review or)~~) an interview within the time specified above, or fails to attend an interview scheduled at the person's request, said person shall have waived his or her right to any further administrative remedies, including the formal hearing, and the suspension of the person's driver's license or driving privilege shall become effective.

AMENDATORY SECTION (Amending WSR 92-08-045, filed 3/25/92, effective 4/25/92)

WAC 308-102-190 Informal settlement—(~~Document review or~~) Interview—Decision. Upon conclusion of (~~(a document review or)~~) an interview the presiding officer shall make findings on the matter under consideration and shall sustain, modify, or reverse the department's notice of intention to suspend and/or the amount of security required. The department shall notify the person of the presiding officer's decision and said person's right to request a formal administrative hearing in writing by first class mail sent to the last address of record. A copy of the presiding officer's findings shall be sent to the person with the notice of the decision and right to a formal hearing. Upon receipt of a timely request for formal hearing the order for the deposit of security and suspension for failure to deposit security shall be stayed pending the results of the hearing.

AMENDATORY SECTION (Amending WSR 92-08-045, filed 3/25/92, effective 4/25/92)

WAC 308-102-200 Request for adjudicative proceeding—Formal hearing. Any person who is aggrieved by the interview (~~(or document review decision)~~) of the department may request a formal hearing on the matter. The request for formal hearing must be in writing and must be addressed to the department of licensing and postmarked within fifteen days following the mailing of the decision of the department to the person. Failure to make timely request for a formal hearing to the department shall be considered a withdrawal of the person's request for adjudicative proceedings and shall result in a waiver of the person's right to such hearing and the decision of the department shall become final.

If a timely request for a formal hearing is made, the department shall notify the person of the time (~~(and place)~~) of such hearing in writing, and mail such notice to the person's last address of record, at least twenty days in advance of the hearing date. In accordance with RCW 34.05.449(3), the hearing shall be by telephone or other electronic means. If in the discretion of the presiding officer an in-person hearing is necessary, the hearing shall be held within a reasonable distance of the county wherein the person resides, or, if the person is a nonresident of Washington, in the county where the accident occurred. The notice shall include the information required by RCW 34.05.434(2).

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-102-130 Informal settlement—Document review.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 308-103-010 Applicability.
 WAC 308-103-020 Definitions.
 WAC 308-103-030 Computation of time.
 WAC 308-103-040 Requests for hearings.
 WAC 308-103-050 Scheduling—Notice of hearing.
 WAC 308-103-060 Notice of appearance.
 WAC 308-103-070 Continuances.
 WAC 308-103-080 Deferred prosecutions—Cancellation of hearings.
 WAC 308-103-090 Subpoenas.
 WAC 308-103-100 Evidence—Exhibits.
 WAC 308-103-110 Video evidence.
 WAC 308-103-120 Evidence.
 WAC 308-103-125 Format and length for briefs.
 WAC 308-103-130 Interpreters.
 WAC 308-103-140 Testimony under oath or affirmation.
 WAC 308-103-150 Conduct of hearings.
 WAC 308-103-160 Defaults.
 WAC 308-103-170 Reserved.
 WAC 308-103-180 Final order.
 WAC 308-103-190 Reconsideration and appeals.

AMENDATORY SECTION (Amending WSR 00-18-069, filed 9/1/00, effective 10/2/00)

WAC 308-104-025 Effect of accumulation of traffic offenses. (1) For the purposes of RCW 46.20.291(3), whenever the official records of the department show that a person has committed (~~(at least)~~) four or more traffic offenses within a (~~(twelve month)~~) one-year period, or (~~(at least)~~) five or more traffic offenses within a (~~(twenty-four month)~~) two-year period, the department may (~~(require the person to appear for a driver improvement interview, as provided in chapter 46.20 RCW: Provided, That when a person has committed fewer traffic offenses than set forth in this section, the department may require the person to appear for a driver improvement interview or suspend or deny the person's driving privilege when such action appears to be in the interest of the safety of other persons on the highways. For purposes of this section, the driver improvement interview may be conducted in a group setting.~~)

Failure to appear at the interview may result in a suspension or denial of the driving privilege.)) provide notice to the driver warning them of the risk of crash involvement and the possible consequences of further action against the person's license under this section or chapter 46.65 RCW.

(2) Whenever the official records of the department show that a person has committed six or more traffic offenses within a one-year period, or seven or more traffic offenses within a two-year period, the department must issue a notice of suspension denying the person's driving privilege for sixty days and establishing a three hundred sixty-five day period of probation to begin when the period of suspension ends. During the period of probation, a person must not be convicted of an additional traffic offense.

(3) At a hearing requested by the driver to contest the notice of suspension, the accumulation of violations in subsection (2) of this section shall be considered prima facie evidence of violations of such frequency as to indicate a disrespect for traffic laws or a disregard for the safety of other persons on the highways.

(4) If a person is convicted of a traffic offense during the period of suspension or probation, the department must impose an additional thirty-day suspension to run consecutively with any suspension already being served under this section and the period of probation must be extended for three hundred sixty-five days from the date the additional suspension period ends. A person shall have the opportunity to contest the additional period of suspension under the procedure authorized by RCW 46.20.245.

(5) For purposes of this section "traffic offense" means a conviction as defined in RCW 46.20.270(~~(4)~~) (3), or a finding that a traffic infraction has been committed as defined in RCW 46.20.270(5), of a moving violation as defined in WAC 308-104-160. A traffic offense committed under the provisions of chapter 46.37 RCW by a commercial driver with respect to equipment required on commercial motor vehicles shall not be considered for driver improvement purposes.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-104-035 Interest of safety.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-104-350 Significant decisions in driver license cases.

WSR 18-11-103

PERMANENT RULES

DEPARTMENT OF REVENUE

[Filed May 21, 2018, 12:44 p.m., effective June 21, 2018]

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

Purpose: WAC 458-65A-10001 Brief adjudicated proceedings for matter[s] related to penalties and interest imposed under the Uniform Unclaimed Property Act, chapter 63.29 RCW, will provide an expedited process under a brief adjudicative proceeding (BAP) for the following issues:

- Provide a BAP for matters related to whether a holder is subject to penalties and interest under chapter 63.29 RCW;
- Provide the process for the BAP; and
- Provide the appeals process from a BAP.

Citation of Rules Affected by this Order: New WAC 458-65A-10001.

Statutory Authority for Adoption: RCW 63.29.370.

Adopted under notice filed as WSR 18-07-104 on March 21, 2018.

Changes Other than Editing from Proposed to Adopted Version: The rule was amended to allow the waiver of interest and penalties for circumstances beyond a holder's control per WAC 458-20-228 as reflected in WAC 458-20-228 (1)(f).

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

Number of Sections Adopted at 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 1, Amended 0, Repealed 0.

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

Date Adopted: May 21, 2018.

Erin T. Lopez
Rules Coordinator

Chapter 458-65A WAC

UNCLAIMED PROPERTY

NEW SECTION

WAC 458-65A-10001 Brief adjudicative proceedings for matters related to penalties and interest imposed under the Uniform Unclaimed Property Act, chapter 63.29 RCW. (1) Introduction. The department of revenue (department) conducts adjudicative proceedings pursuant to chapter 34.05 Revised Code of Washington (RCW), the Administrative Procedure Act (APA). The department will use a brief adjudicative proceeding as provided in RCW

34.05.482 through 34.05.494 to determine the following issues:

(a) Whether a holder is liable for accrued interest for failure to pay or deliver property to the department (RCW 63.29.340(1));

(b) Whether a holder is subject to the ten percent penalty for failure to timely file a report or pay or deliver any amounts or property due under a report (RCW 63.29.340(2));

(c) Whether a holder is subject to the ten percent penalty for an assessment following an examination, of amounts unpaid or property not delivered (RCW 63.29.340(3));

(d) Whether a holder is subject to the five percent penalty for failure to timely pay or deliver property due under an assessment (RCW 63.29.340(4)); and

(e) Whether a holder is subject to the five percent penalty for failing to electronically file a report or pay electronically (RCW 63.29.340(7)).

(i) For (a) of this rule, interest may be waived for circumstances beyond the person's control sufficient for waiver or cancellation of interest under RCW 82.32.105 and WAC 458-20-228(10);

(ii) For (b) through (d) of this rule, penalties may be waived if the penalty or penalties was the result of circumstances beyond the person's control sufficient for waiver or cancellation of penalties under RCW 82.32.105 and WAC 458-20-228 (9)(a);

(iii) For (e) of this rule, whether good cause exists to relieve a holder from the electronic filing or payment requirement under RCW 63.29.170(5) and 63.29.190(1). "Good cause" includes, but is not limited to, a circumstance beyond a person's control sufficient for waiver or cancellation of penalties under RCW 82.32.105 and WAC 458-20-228(9).

(2) **Multiple penalties.** The assessment of more than one type of penalty against a holder will be determined in a single brief adjudicative proceeding if those penalties were assessed in the same notice of assessment.

(3) **Holder defined.** Holder, as applied throughout this rule means a person obligated to report, or to deliver, property that is subject to chapter 63.29 RCW, the Uniform Unclaimed Property Act of 1983.

(4) **Record in brief adjudicative proceedings.** The record with respect to a holder's petition for review per RCW 34.05.482 through 34.05.485 will consist of:

(a) The holder's unclaimed property report and electronic confirmation of report (RCW 63.29.170);

(b) Application for penalty and interest waiver (RCW 63.29.340 and 63.29.191);

(c) Application for refund of property, interest, or penalty (RCW 63.29.192);

(d) The holder's unclaimed property petition for review (RCW 63.29.193);

(e) Request for relief from electronic filing and payment requirements (RCW 63.29.170 (5)(a) and 63.29.190 (1)(a));

(f) Department's letter of denial for refund or return of property (RCW 63.29.193); and

(g) All correspondence between the holder and the department regarding the penalty, interest, or refund in question.

(5) **Conduct of brief adjudicative proceedings.**

(a) If the department assesses penalties and interest under chapter 63.29 RCW, it will notify the holder of the penalties and interest in writing and state the reason for the penalties and interest. To initiate a review of the department's assessment of penalties and interest, the holder must file a written petition for review no later than thirty days after service of the department's written notice that the holder has been assessed penalties and interest. See RCW 63.29.193.

(b) A form notice of petition for review is available at dor.wa.gov or by calling 1-800-647-7706. The completed form must be mailed, emailed, or faxed to the department at:

Mail:

Washington State Department of Revenue
Special Programs, Unclaimed Property Section
P.O. Box 47477
Olympia, WA 98504-7477

Email: UCP@dor.wa.gov

Fax: 360-534-1498

(c) At the time the petition is filed, the holder must submit to the special programs, unclaimed property section, all arguments and any evidence or written material relevant to the matter that the party wishes the presiding officer to consider. No witnesses may offer testimony.

(d) A presiding officer, who will be the unclaimed property operations manager of the special programs division or such other person as designated by the director of the department, will conduct brief adjudicative proceedings. The presiding officer for brief adjudicative proceedings will have agency expertise in the subject matter but will not otherwise have participated in the assessment of penalties on the holder.

(e) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis in making a decision.

(f) Within twenty-one days of receipt of the holder's petition for review, the presiding officer will enter an initial order, including a brief explanation of the decision per RCW 34.05.485. All orders will be in writing. The initial order will become the department's final order unless a timely petition for review is filed with the department's administrative review and hearings division as provided in subsection (6) of this rule.

(6) **Review of initial orders from brief adjudicative proceeding.**

(a) A holder may request a review by the department of an initial order issued per subsection (5) of this rule by filing a written petition for review with the department's administrative review and hearings division within twenty-one days of service of the initial order on the holder. See RCW 34.05.488. At the time the petition is filed, the holder must submit to the administrative review and hearings division all arguments and any evidence or written material relevant to the matter that the party wishes the reviewing officer to consider.

(b) An unclaimed property petition for review of an initial order per subsection (5) of this rule is available at dor.wa.gov. The petition must be sent to one of the following:

Mail:

Washington State Department of Revenue
 Administrative Review and Hearings Division
 P.O. Box 47460
 6400 Linderson Way S.W.
 Olympia, WA 98504-7460
Email: DORARHDadmin@dor.wa.gov
Fax: 360-534-1340

(c) A reviewing officer, who will be either the assistant director of the administrative review and hearings division or such other person as designated by the director, will conduct a brief adjudicative proceeding and determine whether the department's initial order issued per subsection (5) of this rule was correctly based on the criteria set forth in RCW 63.29.-340. The reviewing officer will review the record and, if needed, convert the proceeding to a formal adjudicative proceeding in accordance with subsection (7) of this rule.

(d) The agency record need not constitute the exclusive basis for the reviewing officer's decision. The reviewing officer will have the authority of a presiding officer.

(e) The reviewing officer will issue a written order that includes a brief statement of the reasons for the decision, within twenty days of the date the petition for review was filed. The order will include a notice that judicial review may be available. The order of the reviewing officer represents the final decision of the department.

(f) A request for review is deemed denied if the department does not issue an order on review within twenty days after the petition for review is filed, unless a continuance is issued under subsection (11) of this rule. See RCW 34.05.-491(5).

(7) Conversion of a brief adjudicative proceeding to a formal proceeding. The presiding officer or reviewing officer may convert the brief adjudicative proceeding to a formal proceeding at any time on motion of the holder, the department, or the presiding or reviewing officer's own motion.

(a) The presiding or reviewing officer will convert the proceeding when it finds that the use of the brief adjudicative proceeding violates any provision of law, the protection of the public interest requires the agency to give notice to and an opportunity to participate to persons other than the holder and department, or when the issues and interests involved warrant the use of the procedures of RCW 34.05.413 through 34.05.-479.

(b) When a proceeding is converted from a brief adjudication to a formal proceeding, the director may become the reviewing officer or may designate a replacement reviewing officer to conduct the formal proceedings upon notice to the holder and the department.

(c) In the conduct of the formal proceedings, WAC 458-20-10002(2) will apply to the proceedings.

(8) Court appeal.

(a) A holder may appeal a final order of the department under Part V, chapter 34.05 RCW, when a review of the initial decision has been requested under subsection (6) of this rule and all other administrative remedies have been exhausted. See RCW 34.05.534.

(b) A holder who has already paid or delivered property to the department may appeal directly to the superior court of

Thurston County for a refund of such payment or property instead of appealing to the department. See RCW 63.29.194.

(9) Computation of time. In computing any period of time prescribed by this rule, the day of the act or event after which the designated period is to run is not to be included. The last day of the period is to be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the next day which is not a Saturday, Sunday or legal holiday. When the period of time prescribed is less than seven days, intermediate Saturdays, Sundays and holidays are excluded in the computation. Service as discussed in subsection (10) of this rule is deemed complete upon mailing.

(10) Service. All notices and other pleadings or papers filed with the presiding or reviewing officer must be served on the holder, their representatives/agents of record, and the department's representative.

(a) Service is made by one of the following methods:

- (i) In person;
- (ii) By first-class, registered or certified mail;
- (iii) By fax and same-day mailing of copies;
- (iv) By commercial parcel delivery company; or
- (v) By electronic delivery.

(b) Service by mail is regarded as completed upon deposit in the United States mail properly stamped and addressed.

(c) Service by electronic fax is regarded as completed upon the production by the fax machine of confirmation of transmission.

(d) Service by commercial parcel delivery is regarded as completed upon delivery to the parcel delivery company, properly addressed with charges prepaid.

(e) Service by electronic delivery is regarded as completed on the date that the department electronically sends the information to the parties or electronically notifies the parties that the information is available to be accessed by them.

(f) Service to a holder and to their representative/agent of record must be to the address(es) shown on the petition for review.

(g) Service to the department's representative and to the presiding officer must be to the special programs division unclaimed property section at the address shown in subsection (5) of this rule.

(h) Service to the reviewing officer must be to the administrative review and hearings division at the address shown in subsection (6) of this rule.

(i) Where proof of service is required, the proof of service must include a certificate, signed by the person who served the document(s), stating the date of service; that the person did serve the document(s) upon all or one or more of the parties of record in the proceeding by delivering a copy to (names); and that the service was accomplished by a method of service as provided in this subsection.

(j) Failure to serve documents on all parties of record in the proceeding in a manner prescribed by this subsection will result in an unlawful ex parte contact. An ex parte contact cannot constitute evidence of any fact at issue in the matter unless the party complies with RCW 34.05.455(5).

(11) Continuance. The presiding officer or reviewing officer may grant a request for a continuance by motion of the holder, the department, or on its own motion.

WSR 18-11-106
PERMANENT RULES
HEALTH CARE AUTHORITY

[Filed May 21, 2018, 2:32 p.m., effective July 1, 2018]

Effective Date of Rule: July 1, 2018.

Purpose: The agency is amending this rule to revise the requirements for sleep center to become an agency-approved center of excellence. The agency plans to reduce the number of documents that must be submitted for each sleep center. The agency will instead use the sleep center's certification by the American Academy of Sleep Medicine, which requires the same documentation as listed in the current rule.

Citation of Rules Affected by this Order: Amending WAC 182-531-1500.

Statutory Authority for Adoption: RCW 41.05.021, 41.05.160.

Adopted under notice filed as WSR 18-04-021 on January 29, 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 1, Repealed 0.

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

Date Adopted: May 21, 2018.

Wendy Barcus
Rules Coordinator

AMENDATORY SECTION (Amending WSR 16-13-158, filed 6/22/16, effective 7/23/16)

WAC 182-531-1500 Sleep studies. (1) Purpose. For the purposes of this section, sleep studies include polysomnography (PSG), unattended home sleep test (HST), and multiple sleep latency testing (MSLT). The medicaid agency covers attended, full-channel, PSG, MSLT, and unattended HSTs when:

- (a) Ordered by the client's physician;
- (b) Performed by an agency-designated center of excellence (COE) that is an independent diagnostic testing facility, sleep laboratory, or outpatient hospital; and
- (c) Results are used to:
 - (i) Establish a diagnosis of narcolepsy or sleep apnea; or
 - (ii) Evaluate a client's response to therapy, such as continuous positive airway pressure (CPAP).

(2) Definitions. The following definitions, those found in chapter 182-500 WAC, and definitions found in other sections of this chapter, apply to this section:

(a) "American Academy of Sleep Medicine" or "AASM" - The only professional society dedicated exclusively to the medical subspecialty of sleep medicine. AASM sets standards and promotes excellence in health care, education, and research. Members specialize in studying, diagnosing, and treating disorders of sleep and daytime alertness such as insomnia, narcolepsy, and obstructive sleep apnea.

(b) "Continuous positive airway pressure" or "CPAP" - See WAC 182-552-0005.

(c) "Core provider agreement" or "CPA" - The basic contract the agency holds with providers serving medical assistance clients.

(d) "Multiple sleep latency test" or "MSLT" - A sleep disorder diagnostic tool used to measure the time elapsed from the start of a daytime nap period to the first signs of sleep, called sleep latency. The MSLT is used extensively to test for narcolepsy, to distinguish between physical tiredness and true excessive daytime sleepiness, or to assess whether treatments for breathing disorders are working.

(e) "Obstructive sleep apnea" or "OSA" - See WAC 182-552-0005.

(f) "Polysomnogram" - The test results from a polysomnography.

(g) "Polysomnography" - A multiparametric test that electronically transmits and records specific physical activities while a person sleeps. The recordings become data that are analyzed by a qualified sleep specialist to determine whether or not a person has a sleep disorder.

(h) "PSG" - The abbreviation for both "polysomnography" and "polysomnogram."

(i) "Registered polysomnographic technologist" or "RPSGT" - A sleep technologist credentialed by the board of registered polysomnographic technologists to assist sleep specialists in the clinical assessment, physiological monitoring and testing, diagnosis, management, and prevention of sleep-related disorders with the use of various diagnostic and therapeutic tools. These tools include, but are not limited to, polysomnograph, positive airway pressure devices, oximeter, capnograph, actigraph, nocturnal oxygen, screening devices, and questionnaires. To become certified as a registered polysomnographic technologist, a sleep technologist must have the necessary clinical experience, hold CPR certification or its equivalent, adhere to the board of registered polysomnographic technologists standards of conduct, and pass the registered polysomnographic technologist examination for polysomnographic technologists.

(3) Client eligibility. Clients in the following agency programs are eligible to receive sleep studies as described in this section:

- (a) Categorically needy (CN);
- (b) Apple health for kids and other children's medical assistance programs as defined in WAC 182-505-0210;
- (c) Medical care services as described in WAC 182-508-0005 (within Washington state or border areas only); and
- (d) Medically needy (MN) only when the client is either:
 - (i) Twenty years of age or younger and referred by a screening provider under the early and periodic screening, diagnosis, and treatment program as described in chapter 182-534 WAC; or

(ii) Receiving home health care services as described in chapter 182-551 WAC, subchapter II.

(4) Provider requirements. To be paid for providing sleep studies as described in this section to eligible clients, the facility must:

(a) Be a sleep study COE. Refer to subsection (5) of this section for information on becoming an agency-approved sleep study COE;

(b) Be currently accredited by AASM and continuously meet the accreditation standards of AASM;

(c) Have at least one physician on staff who is board certified in sleep medicine; and

(d) Have at least one registered polysomnographic technologist (RPSGT) in the sleep lab when studies are being performed.

(5) Documentation.

(a) To become an agency-approved COE, a sleep center must send the following documentation to the Health Care Authority, c/o Provider Enrollment, P.O. Box 45510, Olympia, WA 98504-5510:

(i) A completed CPA; and

~~(ii) ((Copies)) A copy of the ((following:~~

~~(A) The)) sleep center's current accreditation certificate by AASM((;~~

~~(B) Either of the following certifications for at least one physician on staff:~~

~~(I) Current certification in sleep medicine by the American Board of Sleep Medicine (ABSM); or~~

~~(II) Current subspecialty certification in sleep medicine by a member of the American Board of Medical Specialties (ABMS); and~~

~~(C) The certification of an RPSGT who is employed by the sleep center)).~~

(b) Facilities accredited by the AASM must be in compliance with all accreditation standards at the time of application and throughout the accreditation period.

(c) Sleep centers must request reaccreditation from AASM in time to avoid expiration of COE status with the agency.

~~((e))~~ (d) At least one physician on staff at the sleep center must be board certified in sleep medicine. If the only physician on staff who is board certified in sleep medicine resigns, the sleep center must ensure another physician on staff at the sleep center obtains board certification or another board-certified physician is hired. The sleep center must then send provider enrollment a copy of the physician's board certification.

~~((f))~~ (e) If a certified medical director leaves a COE, the COE status does not transfer with the medical director to another sleep center.

~~((g))~~ (f) The COE must maintain a record of the physician's order for the sleep study.

(6) Coverage.

(a) The agency pays for only medically necessary sleep studies. The need for the sleep study must be confirmed by medical evidence (e.g., physician examination and laboratory tests).

(b) For clients age twenty-one and older, the agency covers:

(i) An unattended home sleep test (HST) as follows:

(A) Using one of the following HST devices:

(I) Type II home sleep monitoring device;

(II) Type III home sleep monitoring device; or

(III) Type IV home sleep monitoring device that measures at least three channels.

(B) To confirm obstructive sleep apnea (OSA) in an individual with signs or symptoms consistent with OSA (e.g., loud snoring, awakening with gasping or choking, excessive daytime sleepiness, observed cessation of breathing during sleep, etc.).

(ii) Full-night, in-laboratory PSG for either of the following:

(A) Confirmation of obstructive sleep apnea (OSA) in an individual with signs or symptoms consistent with OSA (e.g., loud snoring, awakening with gasping or choking, excessive daytime sleepiness, observed cessation of breathing during sleep, etc.); or

(B) Titration of positive airway pressure therapy when initial PSG confirms the diagnosis of OSA, and positive airway pressure is ordered; or

(iii) Split-night, in-laboratory PSG in which the initial diagnostic portion of the PSG is followed by positive airway pressure titration when the PSG meets either of the following criteria:

(A) The apnea-hypopnea index (AHI) or respiratory disturbance index (RDI) is greater than or equal to fifteen events per hour; or

(B) The AHI or RDI is greater than or equal to five and less than or equal to fourteen events per hour with documentation of either of the following:

(I) Excessive daytime sleepiness, impaired cognition, mood disorders, or insomnia; or

(II) Hypertension, ischemic heart disease, or history of stroke.

(c) The agency considers any of the following indications medically necessary for clients age twenty and younger:

(i) OSA suspected based on clinical assessment;

(ii) Obesity, Trisomy 21, craniofacial abnormalities, neuromuscular disorders, sickle cell disease, or mucopolysaccharidosis (MPS), prior to adenotonsillectomy in a child;

(iii) Residual symptoms of OSA following mild preoperative OSA;

(iv) Residual symptoms of OSA in a child with preoperative evidence of moderate to severe OSA, obesity, craniofacial anomalies that obstruct the upper airway, or neurologic disorder following adenotonsillectomy;

(v) Titration of positive airway pressure in a child with OSA;

(vi) Suspected congenital central alveolar hypoventilation syndrome or sleep related hypoventilation due to neuromuscular disorder or chest wall deformities;

(vii) Primary apnea of infancy;

(viii) Evidence of a sleep-related breathing disorder in an infant who has experienced an apparent life threatening event;

(ix) Child being considered for adenotonsillectomy to treat OSA; or

(x) Clinical suspicion of an accompanying sleep-related breathing disorder in a child with chronic asthma, cystic

fibrosis, pulmonary hypertension, bronchopulmonary dysplasia, or chest wall abnormality.

(7) Noncoverage. The agency does not cover sleep studies:

(a) When documentation for a repeat study does not indicate medical necessity (e.g., no new clinical documentation indicating the need for a repeat study); or

(b) For the following indications, except when an underlying physiology exists (e.g., loud snoring, awakening with gasping or choking, excessive daytime sleepiness, observed cessation of breathing during sleep, etc.):

(i) Chronic insomnia; and

(ii) Snoring.

WSR 18-11-113
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 22, 2018, 10:27 a.m., effective July 1, 2018]

Effective Date of Rule: July 1, 2018.

Purpose: The department reviewed these chapters and made revisions to: Correct typographical and other errors (such as invalid or outdated references), specifically, making corrections to classification references which changed as a result of a prior rule making for a number of classifications; revise wording and formatting to make the rules easier to understand and apply; and incorporate and formalize existing agency practices (such as expressly including in a risk classification employment that the department currently includes by interpretation or analogy). This rule making does not make changes to how the department classifies employment, but updates the classification plan to ensure it is clear and understandable. These changes do not impact the way we calculate employer rates, our reporting requirements, or how we classify businesses.

Citation of Rules Affected by this Order: Amending WAC 296-17-31014 Farming and agriculture, 296-17A-0217 Concrete flatwork, 296-17A-1106-00 Rental stores, N.O.C.; Truck canopy sales, 296-17A-1303-00 Telecommunication service providers—All other employees, 296-17A-2906-14 Wood piano or musical instrument: Manufacturing, 296-17A-3503-17 Pottery, earthenware, ceramics, porcelain or china: Manufacturing, 296-17A-3503-20 Stained or leaded glassware, N.O.C.: Manufacturing, 296-17A-3602-10 Camera, video camcorder, motion picture projectors; Manufacturing, assembly, or repair, 296-17A-4107-20 Piano tuning, 296-17A-5301-18 Telephone answering services, 296-17A-6206-06 Golf courses, N.O.C., 296-17A-6411-24 Tobacco and marijuana products, vaporizers and liquids, and smoking accessories, 296-17A-6506-02 Motion picture film exchanges, and 296-17A-6705-00 Ski facilities.

Statutory Authority for Adoption: RCW 51.04.020 and 51.16.035.

Adopted under notice filed as WSR 18-07-090 on March 20, 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 14, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 14, 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.

Joel Sacks
Director

AMENDATORY SECTION (Amending WSR 16-14-085, filed 7/5/16, effective 1/1/17)

WAC 296-17-31014 Farming and agriculture. (1) What is the classification approach for farming?

We classify farming and agricultural operations by the type of crop or livestock raised. Farmers and ranchers often have several basic classifications assigned to their account covering various types of crops or livestock.

Note: If we assign multiple classifications to your farm or agriculture business, take special care in maintaining the records required in the auditing and recordkeeping section of **WAC 296-17-35201 Recordkeeping and retention**. If you fail to keep the required records, we will assign all worker hours for which the records were not maintained to the highest-rated classification applicable to your business or the highest-rated classification a worker was exposed to.

(2) Who do the farming and agriculture rules apply to?

If we assign one or more of the following classifications to your business, this rule applies to you: 4802, 4803, 4804, 4805, 4808, 4809, 4810, 4811, 4812, 4813, 7301, 7302, and 7307.

(3) If I am involved in diversified farming, can I still have one classification assigned to my account to cover all of the farming I am involved in?

Yes, you can request assignment of a single classification to cover all of your farming operations by contacting your account manager.

(4) How will the department determine what single farming classification will be assigned to my business?

The approach used to assign a single classification to a farming business is similar to that used for construction contractors. We prorate based on the information you provide. We need you to estimate the number of hours to be worked by your employees by type of crop or livestock being cared for. We use this information to estimate the premium which would be paid using multiple classifications. The total premium is then divided by the total estimated hours to produce an average rate per hour. We then select the classification assigned to your business which carries the hourly premium rate which is the closest to the average rate determined by

your estimated hours. However, classification 4806 is not to be assigned to any grower as the single farming classification. See **WAC 296-17A-4806**.

Note: See WAC 296-17-31013(4) for an example how single classifications are determined.

(5) How will I know what single farming classification you have assigned to my business?

We will send you a written notice of the basic classification that will apply to your entire operation.

(6) If I requested a single classification for my farming operation, can I change my mind and use multiple classifications?

Yes, but let your account manager know you decided against using the single classification and will report the work by type of crop or livestock. This will avoid any potential confusion if you are audited.

(7) I have workers who do not use or operate any tools or equipment; can I classify these workers separately?

The special exception classification 4806 is available to farms classified in 4802 or 4803. It is limited to harvesting operations where all of the workers pick or harvest by hand without the use of any:

- Cutting tools, such as knives or clippers;
- Machinery;
- Ladders, climbing equipment, or stools.

(8) What is a farm labor contractor?

A farm labor contractor is a specialty contractor who supplies laborers to a farm operation for specified services such as weeding, planting, irrigating, and fertilizing. Generally, work involves manual labor tasks as opposed to machine operations.

(9) I am a farm labor contractor. How is my business classified?

If you are supplying only laborers to a farm, we will assign the same classification given to the farm for the work performed. However, if you supply both machine operators and the machinery to a farm, the machine operators are assigned to classification 4808-11, Custom farm services by contractor, since machinery work carries the same hazard regardless of the crop.

(10) Farm internship pilot (~~(program)~~) project. Who may participate in the farm internship pilot (~~(program created by the department as a result of Title 49 RCW, effective June 12, 2014)~~) project established by RCW 49.12.470?

Small farms with annual sales of less than \$250,000 per year located in (~~San Juan, Skagit, King, Whatcom, Kitsap, Pierce, Jefferson, Spokane, Yakima, Chelan, Grant, Island, Snohomish, Kittitas, Lincoln, and Thurston~~) certain qualifying counties (~~that~~) as identified by RCW 49.12.470 who receive a special certification from the department may have farm interns. Employers who qualify may report up to three farm interns. Farm internship (~~(program)~~) project risk classifications are: WAC 296-17A-4814, 296-17A-4815, and 296-17A-4816. The farm internship project is administered by the employment standards division of L&I.

AMENDATORY SECTION (Amending WSR 17-03-109, filed 1/17/17, effective 4/1/17)

WAC 296-17A-0217 Classification 0217. Applies to: Contractors engaged in the construction and/or repair of:

- Concrete flatwork not covered by another classification (N.O.C.);

- Concrete foundations and flatwork for wood structural buildings;

- Concrete sawing, drilling and cutting not covered by another classification (N.O.C.).

Work contemplated by this classification includes, but is not limited to:

- Set-up and tear down of forms;
- Placement of reinforcing steel and wire mesh;
- Pouring and finishing of concrete;
- Concrete sawing, drilling and cutting operations in connection with wood frame and nonwood frame buildings and structures.

Projects could include, but are not limited to:

- Walkways, pathways, patios, fences and curbing;
- Concrete footings, stem walls, floor pads, cellar or basement floors, garage floors;
- Swimming pools and ponds;
- Sawing, cutting and drilling for ventilation boxes in the footings or stem walls;
- Cutting out for windows or doorways;
- Preparing to mount brackets for stairways or interior bearing walls;
- Cutting interior walls as part of a building renovation project;
- Cutting out for electrical and switch boxes;
- Repairing defective areas.

Excluded phases of work:

- Worker hours engaged in land clearing or excavation work for a land clearing or excavation contract, which are classified in **0101**;

- Worker hours engaged in concrete work contained within a building or structure made of concrete, masonry, iron or steel frame, such as the foundation, floor slab, precast or poured in place bearing floors or wall panels, columns, pillars, metal erection or any other portion of the building or structure itself, which are classified in **0518**;

- Worker hours engaged in paver stone installation projects such as, but not limited to: Driveways, walkways, patios and pool decks, which are classified in **0301**;

- Worker hours engaged in concrete work performed on or in connection with projects on highways, streets, or roadways, including sidewalks, curbs, gutters, median or retaining walls, or sawing, drilling or cutting operations as part of the roadway which are classified in **0214**;

- Worker hours engaged in bridge construction which are classified in **0201**;

- Worker hours engaged in new dam construction which are classified in **0701**;

- Worker hours engaged in concrete landscape curbing which are classified in **0301**.

For administrative purposes, classification 0217 is divided into the following subclassifications:

0217-00 Concrete flatwork - Construction and/or repair: N.O.C.

0217-01 Concrete foundation and flatwork construction and repair: Wood structural buildings**0217-02 Concrete sawing, drilling and cutting, N.O.C.**

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

WAC 296-17A-1106 Classification 1106.**1106-00 Rental stores, N.O.C.; Truck canopy sales**

Applies to establishments engaged in the rental of items, not covered by another classification (N.O.C.), such as hand tools, air compressors, automotive tools, baby equipment, convalescent equipment, exercise equipment, floor care equipment, pressure washers, party and banquet equipment, light construction tools or equipment such as saws, drills, and sanders, and lawn and garden equipment, as opposed to machinery or larger commercial or industrial equipment. The tools and equipment are generally rented to homeowners for use on their property. Rental stores within this classification rent a variety of tools and equipment unlike specialty rental stores that specialize in one type of product. This classification includes clerical office personnel, sales personnel, as well as the maintenance and repair of rented goods when performed by employees of the rental store. This classification also applies to establishments engaged in the sale and installation of truck canopies and related accessories, but who do not sell other types of vehicles or trailers.

This classification excludes establishments engaged in the rental of commercial or industrial equipment and/or machinery such as, but not limited to, bulldozers, tractors, and backhoes which are to be reported separately in classification 6409; establishments engaged in the rental of farm machinery equipment which are to be reported separately in classification 6408; establishments engaged in the rental of vehicles which are to be reported separately in the applicable classification; establishments engaged in the rental of sporting goods which are to be reported separately in classification ((6309)) 6406; establishments engaged in the rental of clothing or costumes which are to be reported separately in classification 6305; and establishments engaged in the rental of furniture which are to be reported separately in classification 6306.

AMENDATORY SECTION (Amending WSR 17-11-120, filed 5/23/17, effective 7/1/17)

WAC 296-17A-1303 Classification 1303.**1303-00 Telecommunication service providers - All other employees**

Applies to establishments engaged in providing telecommunication services which enable subscribers to converse or transmit coded data. Work contemplated by this classification includes, but is not limited to, the regular installation, maintenance and repair of machinery and equipment, the extension and maintenance of lines (including poles, towers and underground lines), clearing right of ways, installing telephones and wiring in buildings, and making service connections when done by employees of an employer having

operations subject to this classification. Machinery and equipment includes, but is not limited to, central control and switching center equipment, relays, computers, antennae, cranes, forklifts, vehicles and garages, warehouse equipment, and hand tools.

This classification excludes clerical office, exchange operators and administrative personnel who are to be reported separately in classification 1304; contractors engaged in underground line construction maintenance or repair who are to be reported separately in classification 0107; contractors engaged in overhead line, pole, and tower construction, maintenance or repair, who are to be reported separately in classification 0509; contractors engaged in wiring within buildings and making pole-to-house hook-ups who are to be reported separately in classification 0608; contractors engaged in the installation or contract maintenance of machinery or equipment who are to be reported separately in classification 0603; and establishments primarily engaged in selling telephone equipment retail which are to be reported separately in classification ((6406)) 6411.

1303-01 Telegraph companies - All other employees

Applies to establishments engaged in providing telecommunication services which enable printed messages (telegrams) to be transmitted from one agent to another for receipt by, or delivery to, a designated party. Telegraph companies also provide a "moneygram" service which allows an agent to receive a sum of money at one location and transmit a message to another agent to pay out the same amount of money to a designated party at another location. Work contemplated by this classification includes the regular installation, maintenance and repair of machinery and equipment, the extension and maintenance of lines (including poles, towers and underground lines), installing transmission and receiving equipment, the clearing of right of ways, and delivery work when done by employees of an employer having operations subject to this classification. Machinery and equipment includes, but is not limited to, cables, control panels, poles, lines, relays, computers, cranes, forklifts, vehicles and garages, warehouse equipment, and hand tools.

This classification excludes clerical office and administrative personnel who are to be reported separately in classification 1304; contractors engaged in underground line construction maintenance or repair who are to be reported separately in classification 0107; contractors engaged in overhead line, pole, and tower construction, maintenance or repair, who are to be reported separately in classification 0509; contractors engaged in wiring within buildings who are to be reported separately in classification 0608; and contractors engaged in the installation or contract maintenance of machinery or equipment who are to be reported separately in classification 0603.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

WAC 296-17A-2906 Classification 2906.

2906-01 Pattern or model - Metal, plastic or wood: Manufacturing

Applies to establishments engaged in making metal, plastic, or wood patterns or models. Patterns or models produced may include industrial, aircraft, foundry, architectural scale and mechanical models. Use of this classification is limited to the fabrication of individual or prototype pieces. Work contemplated is limited to fabricating the pattern or model using woodworking and metal cutting tools, sanding and filling voids with fillers (wood or plastic); and extensive hand finishing of all these mediums when performed by employees of an employer subject to this classification.

This classification excludes pattern or model making by other manufacturers unless specifically allowed for in the manufacturing classification, and establishments engaged in the manufacture of plastic or wood model kits (assembly of a scale model of a car, boat, or plane) which is to be reported separately in the applicable classification.

2906-14 Wood piano or musical instrument: Manufacturing

Applies to establishments engaged in the manufacture of wood musical instruments including, but not limited to, pianos, organs, violins, harps, and guitars. Work contemplated by this classification includes various phases of woodworking techniques required to manufacture cases, sounding boards, pedals and action boards, metal working techniques required to produce components such as pipes, frames, switches, magnets, wind reservoirs and blower systems, and incidental tanning of skins for drums and banjos when done by employees of an employer having operations subject to this classification. This classification applies whether the company is producing all component parts or assembling a wooden musical instrument from purchased parts. This classification includes the reconditioning and subsequent sale of reconditioned pianos, organs, and wooden musical instruments.

This classification excludes the manufacture of metal musical instruments which is to be reported separately in classification 3404; tuning or repair of pianos which is to be reported separately in classification 4107; and the sale of new piano and organs or wooden musical instruments which is to be reported separately in ~~((classification 6306 or 6406 as))~~ the applicable store classification.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

WAC 296-17A-3503 Classification 3503.**3503-17 Pottery, earthenware, ceramics, porcelain or china: Manufacturing**

Applies to establishments engaged in the manufacture of a wide variety of household or decorative items such as earthenware, pottery, ceramics, porcelain or china. Casting and throwing are the most common techniques. Other techniques include pressing, extrusion and sculpturing. Finished products include, but are not limited to, pots, bowls, dishes, plates, cups, cookie jars, vases, dolls, tobacco pipes, and novelty items. Materials include clay, sand, fluxing agents, paints, and glazing compounds. Machinery includes, but is not lim-

ited to, hand tools, potter's wheels, kilns, and plaster molds. In the casting method, clay is mixed with water and other additives until it is about the consistency of thick cream (called slip). The molds are closed shut and secured; then the slip is poured into them through a small hole at the top, and left in the mold to dry for a short time then poured out, leaving a hollow product to fire. In the throwing method, the clay mixture is placed on a potter's wheel and molded by hand as the wheel slowly turns. The pressing technique forces relatively dry clay into molds under substantial hydraulic pressure, which makes it hold its shape until fired. Extrusion forces a ribbon of clay through specially shaped dies, then it is cut with wire to create the final form. Sculpturing is hand carving wet clay to the desired dimensions. The resulting greenware from any method may be sanded, then further dried and fired in a small kiln. Most of the items will be glazed and refired several more times, depending on the desired end result. Prior to glazing, products may be decorated by hand painting designs on them. Most of the establishments in this classification are small shops that make the products they sell, either at their shop or occasionally at craft fairs. The teaching of classes and the incidental sale of ceramic and pottery making supplies or tools to home crafters is included within the scope of classification 3503-17. This classification includes establishments that only make molds by casting shapes in plaster, most of which they sell to ceramic shops for use in casting greenware.

This classification excludes the mining, digging or quarrying of raw materials which is to be reported separately in the applicable classification; manufacture of decorative tile which is to be reported separately in classification 3503-19; manufacture of brick or concrete products such as, but not limited to, brick or clay pipe and concrete tile which is to be reported separately in the classification applicable to the work being performed; and establishments whose primary business is the sale of supplies used for crafts or hobbies which are to be reported separately in classification ~~((6309))~~ 6406.

~~((*Special note:* Care must be taken when considering classifications 6309 or 3503. Classification 6309 is to be assigned to establishments whose primary business is the sale of supplies such as, but not limited to, ceramic and pottery making materials or tools. Classification 6309 does not cover the manufacture, fabrication or assembly of craft or hobby items for sale, but includes the teaching of classes and the assembly of an individual piece or two for display.))~~

3503-19 Decorative tile: Manufacturing

Applies to establishments engaged in the manufacture of decorative tile from cement or various clay mixtures. Raw materials include clay, sawdust, straw, coal dust, sand, and glazing compounds. Machinery includes, but is not limited to, hand tools, hydraulic presses, automatic grinding and polishing machines, hand grinding and polishing stones and laps, batch mixers, molds, hand trucks, kiln ovens and steam curing rooms. Cement tiles are usually pressed on hydraulic presses, kept wet until cured, then ground to size with a diamond wheel and polished. To make cast clay tiles, clay is mixed with water and other ingredients, ground to desired fineness, screened, then poured into molds to dry. After drying, tiles are removed from molds and fired in a kiln oven,

then glazed. Tile glaziers apply designs to bisque tile by hand or with a silk screen process, then glaze and fire it in a kiln one or more times. This classification includes the manufacture of decorative artificial rock or brick used as trimming around fireplaces, stoves, or on walls. To make artificial rock or brick, coloring is added to a mixture of cement and aggregate; the mixture is poured into molds. After the mixture has set, the piece is removed from the mold and cured.

This classification excludes the mining, digging or quarrying of the raw materials which is to be reported separately in the applicable classification; the manufacture of pottery, earthenware, ceramics, porcelain or china which is to be reported separately in classification 3503-17; and the manufacture of brick or concrete products such as brick or clay pipe and concrete blocks or stepping stones, drain tile, beams which is to be reported separately in the classification applicable to the work being performed.

3503-20 Stained or leaded glassware, N.O.C.: Manufacturing

Applies to establishments engaged in the manufacture of stained or leaded glassware not covered by another classification (N.O.C.) including, but not limited to, windows, tiffany style or plain glass lamp shades, terrariums, or decorative items such as aquariums, shadow boxes, mirror picture frames or figurines. Much artistic hand labor is involved in making stained glass items. Pattern paper, masking tape, kerosene, wire solder, putty, and H-lead came (slender, grooved bars) are received from others. Individual pieces of a design are cut to pattern out of stained glass; pieces may be ground for a precision fit on an emery or diamond wheel. Individual segments are pressed into the channels of the lead came; joints are fluxed, soldered and putty is pushed into any open spaces between the glass and the comes. The finished piece is smoothed and cleaned with kerosene. While lead comes are more widely used, copper foil may be used instead of lead. Manufacturers may also paint on glass and fire it in a kiln; this is most often done for stained glass window insets. Employers subject to this classification may repair items such as stained glass windows. If the repair requires bent or shaped glass, they make a mold and heat the replacement glass in a kiln oven until it "slumps" or bends to the shape of the mold. Most manufacturers in this state purchase their stained glass from others; however, the manufacture of stained glass is contemplated within the scope of this classification. Raw materials such as, but not limited to, sand, soda ash, and metal oxides are melted in a furnace and the molten glass is either rolled into sheets by machine or blown into long balloon shapes that are slit open and flattened by reheating. Color may be added to the surface while it is still molten. Some incidental manufacturing of insulated glass, such as sandwiching leaded glass between two sheets of clear glass, is included within the scope of this classification, but production line manufacturing of insulated glass is to be reported separately in classification 1108. Most of the establishments in this classification are small shops that make the products they sell, either at their shop or occasionally at craft fairs. The teaching of classes and the incidental sale of supplies or tools used to make glassware items to home crafters is included within the scope of this classification.

This classification excludes the mining, digging or quarrying of raw materials which is to be reported separately in the applicable classification; establishments that manufacture optical goods or telescopes, or perform precision grinding of blank or rough lenses, which are to be reported separately in classification 6604; establishments engaged in etching, frosting, sandblasting, carving, grinding, and beveling glass which are to be reported separately in classification 1108; establishments engaged in melting or blowing glass which are to be reported separately in classification 3503-21; and establishments whose primary business is the sale of supplies used for crafts or hobbies which are to be reported separately in classification ((6309)) 6406.

~~((*Special note:* Care must be taken when considering classifications 6309 or 3503. Classification 6309 is to be assigned to establishments whose primary business is the sale of supplies such as, but not limited to, materials or tools used to make glassware items. Classification 6309 does not cover the manufacture, fabrication or assembly of craft or hobby items for sale, but includes teaching of classes and the assembly of an individual piece or two for display.))~~

3503-21 Glassware, N.O.C.: Manufacturing; Melting, blowing, and forming hot glass

Applies to establishments engaged in manufacturing housewares, decorative and specialty items not covered by another classification (N.O.C.) from hot glass using methods that include melting, blowing, or forming. Items include, but are not limited to, tableware, bakeware, perfume bottles, candlestick holders, kerosene lamp chimneys, auto headlight lenses, radio insulators, doorknobs, paperweights, and ashtrays. Machinery includes, but is not limited to, hand tools, glass melting furnaces, annealing ovens, mixing machines, ball mills, glass cutting diamond saws, glass grinding wheels and discs, glass polishing laps, drill presses, steel cutting saws, arc and gas welders, forklifts, overhead cranes or hoists. Some shops make their glass from raw materials including oxides, volcanic ash, soda ash, silica sand, lime, phosphate, or borax which are received from outside sources. Others will heat glass chips (frit) in a furnace, and work the molten glass into decorative or functional shapes by molding or blowing. The molten glass is poured into molds to make products such as, but not limited to, heavy glass for special purpose windows up to about eight inches thick. Molten glass may also be poured into cold water to make "frit" which is either sold or used for further processing. The molten glass can also be formed in a mouth-blowing process or by semiautomatic blowing machines. A glass blowing process will usually have a helper working with each glass blower. The helper's duties include preliminary glass gathering and blowing, adding colored glass "ribbons" to the item being blown as the glassblower turns it, shaping items being blown with wooden or metal tools, and placing the blown object in an annealing oven to be reheated and cooled slowly to relieve internal stress in the glass. When glass reaches room temperature, it is often cut on diamond wheels or ground down and polished on a series of wheels, stones, and laps. This work is normally done under a continuous water bath which may include grinding or polishing compounds.

This classification excludes the mining, digging or quarrying of raw materials which is to be reported separately in

the applicable classification; establishments engaged in manufacturing stained or leaded glassware which are to be reported separately in classification 3503-20; establishments that manufacture optical goods or telescopes, or perform precision grinding of blank or rough lenses, which are to be reported separately in classification 6604; and establishments engaged in etching, frosting, sandblasting, carving, grinding, and beveling glass which are to be reported separately in classification 1108.

3503-23 Agate or enamel ware: Manufacturing

Applies to establishments engaged in enameling or porcelainizing products they have made or products made by others. Enamel is defined as a vitreous, usually opaque, protective or decorative coating baked on metal. Enameled products vary widely, including but not limited to, signs, cookware, items made from ceramics or clay, stove parts, or small parts for automobiles, to sewer pipe, automobile manifolds, or irrigation water gauges. Machinery includes, but is not limited to, ball mills, silk screen equipment, blenders or mixers, scales, kilns, degreasing and acid etching tanks, spray guns, heaters, conveyors, and fork lifts. The enameling process is essentially the same regardless of the product. Ceramic balls and frit (small glass chips) are placed in the ball mill. (A ball mill is a metal drum lined with rubber.) As the drum rotates, the balls roll over the frit, gradually grinding it into powder. Some enameling shops purchase the powder ready-made. To obtain desired colors, various mixes of glaze powders are prepared and placed on 1" to 2" square metal chips and baked in a small kiln. When the formulas are ready for all colors required, the job goes to the production line. The object to be glazed is cleaned, degreased, and given an acid bath if necessary, then rinsed and dried. The enamel (or porcelain) glaze may be applied by hand, silk screened on, or sprayed on with a spray gun. After the coating has air-dried, the piece heated in a kiln to melt the ceramic powder and fuse it to the surface; then cooled. Items may require repeated coatings and firings.

This classification excludes the manufacture of enamelled brick which is to be reported separately in classification 3501.

AMENDATORY SECTION (Amending WSR 12-11-109, filed 5/22/12, effective 7/1/12)

WAC 296-17A-3602 Classification 3602.

3602-01 Electrical, telegraph or radio component, telephone set: Manufacture, assembly, or repair

Applies to establishments engaged in the manufacture, assembly, or repair of components related to the telegraph, electrical, radio or telephone industry. Component parts may be for items such as, but not limited to, radio or television sets, hearing aids, transformers, coils, condensers, switches, antennae, phones, speaker units, dials, rheostats, plugs, arrestors, resistors, and electrical control relays, circuit breakers, or other parts necessary to accomplish radio, electrical, telegraph or telephone communication. Materials include, but are not limited to, metal, plastic, and wood used for the outside casings, and component parts. Some establishments in this classification manufacture the casings and the internal com-

ponents. Other establishments in this classification assemble the ready-made parts with air and hand tools such as, but not limited to, drill presses, solder guns, or saws. Internal parts are usually assembled simply by clamping circuit boards in place, then soldering small pieces together. This classification includes engineers, research and laboratory personnel employed by establishments having operations subject to this classification. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-02 Instrument - Scientific, medical, or professional: Manufacturing; magnetic tape: Manufacturing

Applies to establishments engaged in the manufacture of instruments used in medical, scientific, or professional applications. This classification also applies to establishments engaged in the manufacture of magnetic tapes. Instruments in this classification range widely in shape and size; they include, but are not limited to, dental or surgical instruments, microscopes or other scientific testing or research instruments, surveyors' instruments, and electrical testing instruments. Materials include, but are not limited to, metal, glass, plastic, or wood for casings, and component parts. Processes vary depending upon the product being produced, and could involve some stamping, machining, and heat-treating. However, component parts are usually manufactured by others, and establishments in this classification perform a substantial amount of hand assembling, inspecting, testing, and packaging operations. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-03 Sound recording equipment: Manufacturing

Applies to establishments engaged in the manufacture of sound recording equipment. Establishments in this classification may manufacture all or some equipment such as instruments for measuring sounds, and generators (for producing sounds), filters or modulators (for processing sounds), magnetic or tape recorders (for storing sounds), and speakers (for reproducing sounds). Materials include, but are not limited to, metal, glass, plastic, or wood for casings, clamps, glue or epoxy, and component parts. Components may be produced by the manufacturer or purchased from others and assembled. The assembly may be partially or wholly automated. Machinery includes, but is not limited to, shears, drill presses, grinders, soldering guns, welding equipment, and air or hand tools. There may be inspection areas and sound testing rooms. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-04 Thermometer and steam gauge: Manufacturing

Applies to establishments engaged in the manufacture of thermometers and/or steam gauges. The most common type of thermometer is a mercury thermometer which consists of a capillary tube that is sealed at its upper end and is enlarged into a spherical or cylindrical bulb at its lower end. This bulb is filled with mercury and mounted on a thin metal or plastic sheet. The manufacturers of steam gauges may simply assemble component parts with hand tools, test, and package them. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-05 Dental laboratories

Applies to establishments engaged in the manufacture of dentures, artificial teeth, braces, and retainers. These types of establishments are generally referred to as dental laboratories. The manufacture of these items involves precision work with castings, plastic or vinyl molding, and light wire forming. In the state of Washington dental laboratories can fit patients for dentures, in addition to making the denture which is included when performed by employees of employers subject to this classification. This is a shop only classification. Repair work when specified is limited to work performed at the shop. Shops may include kiosks in malls that make custom dental molds used in tooth whitening treatments.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-06 Jewelry: Manufacturing or engraving; trophy assembly or engraving

Applies to establishments engaged in the manufacture or engraving of jewelry, such as, but not limited to, rings, bracelets, necklaces, earrings, watchbands, pins, brooches, and cigarette lighters. Jewelry manufacturing or engraving involves working with precious metal and/or stones. Operations usually include polishing, buffing, drilling, and assembly, mixing and melting alloys and metals, then pouring the mixture into small casts. This classification also applies to establishments engaged in assembling or engraving trophies on a production basis. For purposes of this classification, assembly means making trophies from premanufactured components purchased from others. The engraving may be done by "etching" or by computer. In the etching method, patterns or lettering are cut into a metal strip that is coated with a solution resistant to etching acids. The metal strip is

treated with etching acids that "melt away" the uncoated portion of metal, leaving an impression of the design. Computerized engraving is done by keying the designs or letters into the computer; the designs are transmitted to an "arm" on the computer which "draws" (engraves) them onto the metal plate. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification; the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used; and establishments engaged in the manufacture of watches which are to be reported separately in classification 3602-09.

Special note: This classification is for manufacturers engaged in the mass production of jewelry items and is distinguishable from jewelry stores reported in classification 6308 that produce custom, one-of-a-kind pieces on a special order basis. Trophy stores in classification 6308 may assemble components to make custom trophies, or engrave plaques for the trophies they sell. Assembly and engraving that is incidental to their retail sales operation is included in their store classification.

3602-07 Electronic parts: Assembly

Applies to establishments engaged in the assembly of electronic parts which are usually sold to other manufacturers. They may have automated/robotics assembly lines for all or part of the processes. In manual operations, small parts are soldered, chipped, riveted, or screwed into place with hand tools such as, but not limited to, soldering guns, riveters, drills, screw drivers, or water jets. This classification also applies to establishments engaged in the manufacture or assembly of computers and the manufacture of dry cell (flashlight type) batteries. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-08 Electrical/electronic ignition assembly, cord set, or radio set: Assembly

Applies to establishments engaged in the assembly of electrical/electronic ignition assemblies, cord sets, and radio set components. An ignition assembly is a switching component that allows an electrical circuit to be completed in order to start a piece of machinery or equipment. Electrical cord sets are the portion of wiring found on appliances and tools that plug into electrical power sources. A radio set is comprised of an input circuit for tuning in to the frequencies of the various transmitters to be received, the demodulation circuit for separating the audio-frequency from the high-frequency carrier, a low-frequency amplifier stage, and the loudspeaker. The amplifier elements are transistors supplied with the necessary operating voltages. Establishments in this

classification usually assemble radio component parts and circuit boards that are manufactured by others. The assembly is accomplished by soldering, clipping, riveting, and welding the parts into place. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-09 Watch: Manufacturing

Applies to establishments engaged in the manufacture of watches. The component parts are usually mass produced on an assembly line. Watch cases are usually made from sheet metal or plastic; watch faces are made from plastic or glass. The internal works are very small gears or springs and/or computer chips. The face may have hands and a dial, or may consist of a light emitting diode (LED). This classification includes the manufacture of internal works of clocks. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes establishments engaged in the manufacture of jewelry which are to be reported separately in classification 3602-06; establishments engaged in the manufacture of wooden housings or casings for clocks such as grandfather and mantle types which are to be reported separately in classification 2905; all outside repair work which is to be reported separately in the applicable services classification; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-10 Camera, video camcorder, motion picture projectors: Manufacturing, assembly, or repair

Applies to establishments engaged in the manufacture, assembly, or repair of cameras, video camcorders, and motion picture projectors. Materials include, but are not limited to, metals, plastics, glass and internal components. Machinery includes, but is not limited to, punch presses, drill presses, and soldering guns. Establishments in this classification often assemble products from internal components manufactured by others. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

Special note: When an establishment subject to this classification has a retail store, if all the conditions of the general reporting rules covering the operation of a secondary business have been met, then both classifications ((6406)) 6411 and 3602-10 may be assigned. Otherwise, all operations are to be reported in the highest rated classification of the two.

3602-11 Fishing tackle: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of fishing tackle. For purposes of this classification, the term fishing tackle is limited to lures, spinners, spoons, flies, plugs, sinkers, artificial bait and similar items. Work contemplated by this classification includes the receipt of supplies such as wire, hooks, spoons, swivels, beads and feathers, and other components from unrelated manufacturers and distributors, hand assembly of components into finished fishing tackle, painting spoons and plug bodies, packaging and shipping. This classification also contemplates testing of products and research and development of new products. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes the manufacture of items such as, but not limited to, reels, poles, nets, tackle boxes, knives, melting pots, plastic beads, wooden or plastic plug bodies, hand tools (pliers, bench vise), molds, specialty clothing or protective gear which are to be reported separately in the classification applicable to the material and process used to produce the product; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

Special note: Care should be taken when assigning this classification to verify that the product being manufactured is compatible with the manufacturing and assembly processes contemplated within this classification. Most fishing tackle subject to this classification is hand assembled from small component parts.

3602-12 Incandescent lamp or electric tube: Manufacturing

Applies to establishments engaged in the manufacture of electrical or gas-filled bulbs or tubes such as, but not limited to, incandescent lamps, photoflash lamps, flood lamps, fluorescent tubes, X-ray tubes, cathode-ray tubes, neon tubes or artistic style neon tube signs that are not attached to metal backings. The processes and equipment will vary somewhat depending on the type of electrical bulb, tube, or lamp being made, but the basic operation is the same. Component parts such as, but not limited to, glass bulbs, globes, or tubes, tungsten wire, metal bases, shellac, and nitrogen and argon gas are purchased from outside sources. Using flange machines, the bottom of the glass tubing is fused to the flange to produce the base that is used within the bulb or globe. Metal bases may be milled, and then coated with a sealing compound such as shellac. Mounts are assembled and inserted into the flange on stem machines. The assemblies are seared together, and then the tungsten filaments are fixed between support wires forming the stem. The bulbs or globes are flushed with nitrogen to expel any moisture before the stems are inserted into them. These units are inserted into the metal bases and cemented. Air is evacuated and argon gas is pumped into the bases, after which they are heat sealed and trimmed. Neon tube signs or displays are made by heating a thin tube of glass over a ribbon flame until the tube becomes flexible, blowing air into the tube to keep the glass from collapsing, then, while it is still hot, bending it to shape. Because the glass cools rapidly, the heating and bending is repeated

until the desired shape is achieved, then the tube is filled with neon or argon gas and the ends sealed.

This classification excludes establishments engaged in the manufacture of metal fixtures equipped with electrical or gas lighting which are to be reported separately in classification 3402; all outside repair work which is to be reported separately in the applicable services classification; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-14 Musical instrument - Metal: Repair

Applies to establishments engaged in the repair of metal musical instruments which include, but are not limited to, trumpets, trombones, French horns, and tubas. The operations involve primarily hand work such as, but not limited to, brazing and soldering, as well as fitting, testing, and polishing the instruments. Tools include, but are not limited to, solder or brazing guns, lathes, drill presses, and various types of saws. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification; the repair of wood musical instruments which is to be reported separately in classification 2906; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-23 Electronics products - Resistors, capacitors, chips and relays, transistors: Manufacturing

Applies to establishments engaged in the manufacture of resistors, capacitors, chips, relays, and transistors which are usually tiny and delicate. Products manufactured in this classification are usually mass produced with little human intervention during the production process, which is often done in a vacuum or a nitrogen filled room. Materials include, but are not limited to, silicon, wires, and plastics. In addition to the automated equipment, hand-held tools include, but are limited to, pliers, wrenches, and soldering guns. Finished products are inspected, usually through powerful microscopes, then packaged and shipped. This is a shop or plant only classification. Repair work, when specified, is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-24 Stamped metal goods: Manufacturing

Applies to establishments engaged in the manufacture of small, stamped, metal goods such as, but not limited to, metal tags, buttons, zippers, bottle caps, fasteners, snaps, clasps, buckles, and curtain fasteners. Materials, which come in coils or strips, are run through presses. Most of the stamping is done on automatic stamping presses. Products are cut, stamped, formed, trimmed, and cleaned, then usually finished by plating or lacquering. This is a shop or plant only classification.

Repair work, when specified, is limited to work performed at the shop or plant.

This classification excludes the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-27 Electronic circuit board, N.O.C: Assembly

Applies to establishments engaged in the assembly of electronic circuit boards not covered by another classification (N.O.C.) which are used in a wide variety of electronic and automotive products. The process usually begins by cutting boards to size with power saws, then drilling or punching holes in them with automated drills or punches. Depending upon the original materials used, the boards used for the base may be coated or dipped. Then the chips, transistors, resistors, and/or condensers are installed, usually as part of an assembly line process. Next, the circuit boards are dipped and coated with a thin metal. Finished products are inspected, tested, packaged and shipped. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-28 Stereo components: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of stereo components such as, but not limited to, record changers, disc or video players, receivers and amplifiers. Materials include, but are not limited to, circuit boards, resistors, drivers, baffle plates, chambers, trim/rings, and grills. Equipment includes, but is not limited to, hot glue guns, electric drills, electric screw drivers, and automated assembly or manufacturing equipment. Finished products are inspected, tested, packaged and shipped. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

AMENDATORY SECTION (Amending WSR 12-11-109, filed 5/22/12, effective 7/1/12)

WAC 296-17A-4107 Classification 4107.

4107-04 Business machines: Service, repair, installation, and recycle, N.O.C.

Applies to establishments engaged in the service, repair, installation, or recycling of business machines not covered by another classification (N.O.C.). This classification includes all work performed on the customer's premises as well as in the employer's shop.

Installation work contemplated by this classification includes low voltage prewiring to the point of connecting to

the live circuit. Types of machines or equipment include, but are not limited to:

- Computer components;
- Copiers;
- Depth finders;
- Fax machines;
- Postage meters;
- Radar equipment;
- X-ray or other medical-related electronic equipment.

Recycling in this classification includes printer cartridge recycling or remanufacturing, and the breakdown of computer equipment to remove useable parts to sell or use for rebuilding and resale. The unusable materials are picked up by recyclable materials processors or garbage collectors.

This classification excludes:

- The retail sale of computers and accessories which may be separately reported in classification 6406;
- Recyclable materials processors described in classification 2102;
- Electrical work with a live power source which is to be reported separately in classification 0601; and
- Low voltage wiring which is to be reported in classification 0608.

4107-20 Piano tuning

Applies to establishments engaged in tuning services for pianos, organs, and other keyboard musical instruments. Establishments in this classification will tune, clean, replace the felt, and provide minor repair service such as, but not limited to:

- Removing and replacing bad cords;
- Regluing broken keys;
- Replacing faulty foot pedals. This classification includes all work performed on the customer's premises as well as in the shop.

This classification excludes:

- Establishments engaged in the sale of pianos and organs which are to be reported separately in classification 6306;
- Establishments engaged in the sale of other types of musical instruments such as string, wind and percussion instruments, which are to be reported separately in classification ((6406)) 6411; and
- Establishments engaged in the reconditioning of pianos and organs (and the related sales of reconditioned pianos and organs) which are to be reported separately in classification 2906.

AMENDATORY SECTION (Amending WSR 17-10-059, filed 5/2/17, effective 1/1/18)

WAC 296-17A-5301 Classification 5301.

5301-10 Accounting or bookkeeping services

Applies to establishments engaged in providing general accounting or bookkeeping services to others. Types of services contemplated by establishments subject to this classification include, but are not limited to:

- Auditing;
- Tax preparation;
- Medical or dental claims processing and billing;

- Advisory services.

This classification includes:

- Clerical office;
- Outside sales, and personnel who travel from one office to another.

This classification excludes establishments engaged primarily in management consultant services that are not otherwise classified, which are to be reported separately in classification 5301-12.

Special note: This classification is limited to employers engaged in such services being provided to the general public. This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.

5301-11 Law firms

Applies to establishments engaged in providing legal services to others. Law firms may specialize in one or more areas of law. This classification includes clerical office and outside sales personnel who travel from one office environment to another.

Special note: This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.

5301-12 Management consultant services, N.O.C.

Applies to establishments engaged in providing management consulting services not covered by another classification (N.O.C.). Management consultants typically will observe and analyze:

- Computer or communication systems;
- Mail distribution;
- Organizational structures;
- Planning or development of related business needs;
- Work processes or work flows.

After a thorough analysis, consultants usually prepare a written report for the customer which identifies problem areas and/or recommends improvements to processes or equipment. Consultants may remain to oversee the implementation of the recommended improvements. Consultants subject to this classification do not sell any product they have recommended although they may act as an agent for their client in purchasing the product. Consulting projects vary from client to client depending upon the contract. Included within this classification are businesses that provide similar consultative services such as, but not limited to:

- Advertising agencies;
- Employer representative organizations;
- Mortgage brokers and financial advisers who do not make purchases on behalf of their clients;
- Public relations companies.

This classification includes clerical office staff, outside sales personnel and other staff who travel from one office to another.

This classification excludes businesses that perform computer consulting for others, which is to be reported in classification 5302.

Special note: This classification is limited to employers engaged in such services being provided to the general public. This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.

5301-13 Credit bureaus; collection agencies

Applies to establishments that are licensed to provide collection and/or credit investigation services to others. Services include, but are not limited to:

- Checking the credit backgrounds of their client's potential customers;
- Collection of NSF checks or delinquent debts owed to clients of the collection agency.

If debts are not collected, the service agency may initiate legal proceedings against the debtor. This classification includes clerical office and outside sales personnel, and other staff who travel from one office to another.

This classification excludes establishments engaged in providing process and legal messenger services which are to be reported separately in classification 6601.

5301-14 Employment agencies

(only to be assigned by the temporary help/leasing underwriter)

Applies to establishments that are licensed to provide employment services for others. Clients of employment agencies may be persons seeking employment or companies looking for employees. Employment agencies usually conduct preliminary interviews with candidates for positions prior to referring them to their client companies for interviews. Generally, establishments subject to this classification place people in permanent positions. This classification includes clerical office and outside sales personnel, and staff who travel from one office to another.

This classification excludes:

- Employees of a temporary help agency who are assigned to work in the administrative or branch offices of the agency who are to be reported separately in classification 7104;
- Employees of a temporary help agency who are assigned on a temporary basis to its customers who are to be reported separately in the appropriate temporary help classification.

5301-15 Court reporting services

Applies to establishments engaged in providing court reporting services to others. Court reporters record verbatim testimony presented in court proceedings, depositions, public hearings or meetings. The most frequently used method to record testimony is by stenotype machine, although it may be recorded by voice recording on audio tape, or by manual shorthand. Transcription of the recorded material may be performed by the court reporter or by "note readers" or typists. The majority of court reporters today use computer-aided transcription systems. Court reporters may also offer notary

public services for their clients. This classification includes clerical office and staff who travel from one office to another.

5301-16 Service and professional organizations

Applies to establishments engaged in protecting or furthering the interest of their members and/or the general public. Many of these operate as nonprofit organizations. Service and professional organizations may perform one or many of the following activities:

- Administer certification tests;
- Arbitrate disputes;
- Award scholarships;
- Collect membership dues;
- Compile, review, and disseminate informational data;
- Disburse funds;
- Host conventions;
- Issue vehicle license registrations, plates, decals, and certificates of title;
- Lobby the legislature;
- Manage promotional marketing programs;
- Maintain a membership directory;
- Offer insurance programs;
- Operate a tourist information center;
- Organize fund-raising campaigns;
- Perform charitable community services;
- Perform collective bargaining;
- Provide counseling, adoption, and advocacy services;
- Provide job placement assistance;
- Publish a newsletter;
- Research and interpret local, state, and federal regulations and apprise members of the results;
- Sponsor athletic leagues and tournaments;
- Sponsor educational training programs.

Also included in this classification are Economic Development Councils, Boards, or Associations. These nonprofit organizations provide economic consulting services and related statistics to government and industry in the promotion of economic stability, and recruit businesses that will create jobs and provide loans from the grant funds they manage. This classification includes clerical office and outside sales personnel who travel from one office environment to another.

This classification excludes:

- Collection of donated items by truck which is to be reported separately in classification 1101;
- Labor unions and employee representative associations which are to be reported separately in classification 6503.

Special note: If a charitable organization subject to classification 5301 operates a retail store for the sale of donated items, the collection of those items by truck, and all store operations, are to be reported separately in classification 6504.

5301-18 Telephone answering services

Applies to establishments engaged in providing telephone answering services or call centers for others. Customers include, but are not limited to:

- Attorneys;
- Medical professionals;
- Private businesses;
- Individuals.

Most answering services today use computerized communications systems to identify company names when answering calls for various companies, obtain correct information about the company to respond to questions, record and relay accurate messages in a timely manner. Related services often offered to customers by telephone answering service companies or call centers include, but are not limited to:

- Dispatching;
- Monitoring alarm systems;
- Placing reminder calls;
- Rental of office space;
- Scheduling appointments for customers;
- Taking orders for customers;
- Troubleshooting technical problems;
- Telemarketing;
- Voice mail or paging.

This classification includes clerical office personnel and staff who travel from one office to another.

5301-19 Travel agencies

Applies to establishments engaged in providing travel arrangement services for others. Travel agencies coordinate all types of travel arrangements for their clients through:

- Air;
- Bus lines;
- Car rental agencies;
- Cruise;
- Hotels;
- Motels;
- Related travel providers;
- Resorts;
- Train;
- Travel insurance companies.

Services vary and could include:

- Arrangement of special needs for people with disabilities or elderly travelers;
- Booking reservations;
- Delivery of tickets and itineraries to clients;
- Selling tickets for tours, excursions, or other entertainment events.

This classification includes clerical office and sales staff who travel from one office to another.

5301-21 Word processing, secretarial, or tutoring services

Applies to establishments engaged in providing word processing or secretarial services to others. Services include, but are not limited to:

- Correcting assignments;
- Desktop publishing;
- Dictation and transcription services;
- Instruction;
- Making copies of documents;
- Student assessments;
- Typing/compiling reports, proposals, resumes, or correspondence;
- Testing;
- Sending faxes.

This classification includes clerical office and outside personnel who travel from one office or instructional environment to another.

Excluded operations: Classification **5301-21** excludes:

- Tutoring programs operated by schools, libraries, and any other organization or enterprise classified **6103** and/or **6104**.

Note: WAC 296-17-31017 multiple classifications must be applied when more than one basic classification is assigned.

Special note: This classification is limited to employers engaged in such services being provided to the general public. This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

WAC 296-17A-6206 Classification 6206.

6206-06 Golf courses, N.O.C.

Applies to establishments engaged in operating public or private golf courses. Pro shops, miniature golf courses, and driving ranges operated in connection with the golf course are included in this classification. Typical operations of a pro shop include, but are not limited to, selling golf clubs, golf balls, specialty clothing, and related golfing items, renting carts, arranging tee times, and collecting green fees. Also included in this classification are snack bars operated at the golf course when limited to the same hours as the golf course is open. Typical employees include golf pros, greens keepers, caddies, and snack bar employees.

This classification excludes establishments operating miniature golf courses and driving ranges which are to be reported separately in classification 6208 and "bona fide" restaurant operations which may be reported separately in classification 3905. For purposes of this classification a "bona fide" restaurant at a golf course is operated independent of the course and is open to the public even when the golf course is closed.

Special note: A pro shop operated by an independent concessionaire may qualify for classification ((6309)) **6406**, provided the pro shop does not operate the course, collect green fees, or perform other functions of managing a golf course.

AMENDATORY SECTION (Amending WSR 17-05-095, filed 2/14/17, effective 1/1/18)

WAC 296-17A-6411 Classification 6411. Retail store operations limited to providing any combination of the following merchandise, supplies, or services:

- All types of phones;
- Beads;
- Books, newspapers, magazines, and comic books;
- Cameras;
- Cards (greeting, post, and sports);
- Cosmetics and fragrances;
- Laptops, electronic notebooks and pads, and other small electronic devices;

- Musical instruments (string, wood, brass, wind, and percussion);
- Photography and darkroom supplies;
- Records, music discs, tapes, videos, video games, and software disks;
- Small or portable entertainment players (or parts of player), radios, for homes, offices, or automobiles;
- Smoking accessories and tobacco products;
- Vaporizers and e-liquids;
- Other smaller items, such as playing cards, cups, calendars, puzzles, games, costume jewelry, cosmetics, pencils, pens, notebooks, etc.

Note: Stores in classification **6411** may also carry inventory listed in the scopes language of lower rated store risk classifications, along with the goods listed below, as long as the majority of the merchandise is described by the above list.

Classification 6411 includes:

- Cashiering;
- Cleaning and maintenance of store, storage areas, and associated business offices when performed by store employees;
- Inventory work by store employees;
- Sales of already-prepared snacks, and beverages (for off-site consumption), and/or promotional clothing;
- Parts and batteries for products included in classification **6411**;
- Receiving and returning merchandise at store's loading area;
- Renting items normally sold in classification **6411**;
- Sales work inside store;
- Store security and surveillance;
- Stocking.

Classification 6411 excludes:

- Stores selling merchandise described by a higher rated store classification;
- Delivery drivers who are reported separately in classification **1101**;
- Door to door sales, which are reported separately in subclassification **6309-22**;
- Stores using pallet jacks, fork lifts, conveyors, or other mechanized means of moving merchandise into and within store premises, which are classified in **6406** when merchandise is described by classification **6411** and/or classification **6406**;
- Stand-alone distribution centers or warehouses which are to be reported separately in classification **6407**;
- Repair or installation work, which must be reported separately;
- Sales of pets; see classifications **6406** and **7308**;
- Working at coffee stands, lunch counters, or any on-site food preparation or manufacturing of candy, where employees hours are to be reported separately in classification **3905**;
- Employees doing custom framing; see classifications **6406** and **6309**;
- Product demonstration services which are to be reported in subclassification **6406-40**;
- Businesses providing inventory services which are to be reported in subclassification **6406-00**;
- Wholesales, reported in classification **6407**;

- High volume warehouse and distribution facilities which are reported separately in classification **6407**.

For administrative purposes, classification **6411** is divided into the following retail store subclassification(s):

6411-00 Stores meeting the criteria for classification 6411, but not specifically described in any other subclassification. N.O.C.

6411-14 Wind, string, brass, and percussion musical instruments

Includes hand held keyboards and music instruction.

Excludes:

- Stores selling pianos and organs, see classifications **6406**, **6309**, and **6306**;
- Repair of instruments, which is reported separately in classification **2906** or **3602**; (if more than one is applicable, assign only the highest rated classification for all repair).

6411-19 Coin, stamp, rare metals, and collectible cards

6411-20 Book, videos, electronic games, newspapers, magazines, and comic books

Excludes establishments with coin or token arcades, to be reported in subclassification **6406-00**.

6411-24 Tobacco and marijuana products, vaporizers and liquids, and smoking accessories

Excludes:

- Retail stores primarily selling marijuana infused grocery items or marijuana, see classification ~~(6304)~~ **6403**;
- Retail bakeries selling a variety of baked goods infused with marijuana; see subclassification **3901-00**.

6411-25 Phones, cameras, electronic tablets, laptops, and notebooks, GPS displays, small stereo components and other small portable electronic devices, N.O.C.

Includes stores and kiosks selling and/or arranging DSL, cable, or dish services for phones, computers, televisions and other devices.

Excludes:

- Stores selling office or school supplies, reported in subclassification **6406-11**;
- Stores selling furniture or furniture kits; see classification **6406**, **6309**, or **6306**;
- Stores providing photo development and printing, see classification **6406** or **6506**;
- Workers performing repair work, which is to be reported separately in classification **3602**.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

WAC 296-17A-6506 Classification 6506.

6506-00 Photography studios

Applies to establishments engaged in the operation of photography studios. Photographers use a wide range of still and motion cameras; services include both sitting portraits and motion pictures of special events, and are photographed in the studio or at outside locations. Photographers may develop and print photographs in their own studio darkrooms, or they may contract out to an independent photo finishing shop. Studios may also offer services such as retouching neg-

atives, restoration work, mounting and framing pictures, and enlarging photographs. This classification includes glamour and boudoir photography studios which often have a salon where clients have their hair styled and make-up applied. This classification also includes booths, usually located in malls, that will produce photography novelty items such as, but not limited to, cups, shirts and calendars from photographs. Photographs may be taken on location or the customer may bring a picture or negative in to have the image applied to the particular item. Video taping services performed in connection with photography studios is included in this classification.

This classification excludes delivery drivers who are to be reported separately in classification 1101; and establishments engaged in video taping services not in connection with photography studio operations which are to be reported separately in classification 6303.

Special note: Clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6506-01 Film processing shops

Applies to establishments engaged in processing film. Operations include, but are not limited to, processing film, reproducing negatives, prints or slides, enlarging pictures, mounting and finishing, storing and mixing chemicals, and inspecting and packaging finished products. Finishing processes may be manual or automated. These shops may offer retail type film developing services to commercial laboratories that provide mass film developing and/or one-hour processing services.

This classification excludes delivery drivers who are to be reported separately in classification 1101.

Special note: Clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6506-02 Motion picture film exchanges

Applies to establishments engaged in the operation of motion picture film exchanges. These exchanges receive fully processed movie films from producers, which they catalogue and store for subsequent rental or sale to commercial movie theaters, television networks, or other groups. Film exchanges have a projection room where customers may view the film before they book it. When rented films are returned, they are inspected and repaired as necessary. Repair usually consists of cutting out damaged section and splicing the film with special adhesive and pressure.

This classification excludes delivery drivers who are to be reported separately in classification 1101 and video rental stores which are to be reported separately in classification ((6406)) 6411.

Special note: Clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

6506-03 Microfilming

Applies to establishments engaged in providing microfilming services for others. Microfilming reproduces and pre-

serves documents onto film in greatly reduced sizes to allow the storage of information in less space. Documents are photographed; the film is developed in automatic processing units, then stored on reels or cartridges or cut into microfiche. Establishments subject to this classification usually offer related services such as, but not limited to, advice on setting up micrographic systems, the sale or rental of supplies or equipment, storage facilities, keypunch services, film restoration, and/or the destruction of source materials.

This classification excludes drivers who are to be reported separately in classification 1101.

Special note: Clerical office and outside sales employees may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

WAC 296-17A-6705 Classification 6705.

6705-00 Ski facilities

Applies to establishments engaged in operating facilities for all types of skiing such as downhill or cross country. Work contemplated by this classification includes, but is not limited to, parking attendants, operation of artificial snow making machines, ski tows and lifts, ski patrols, ski instruction, conducting excursions, trail grooming, and snow compacting when performed by employees of an employer subject to this classification. This classification also applies to establishments that operate facilities for other similar recreational activities such as snow tubing, windboard sailing, and snowmobiling.

This classification excludes ski rental and sales operations which are to be reported separately in classification ((6309)) 6406; overnight lodging facilities which are to be reported separately in classification 4905; food and beverage services which are to be reported separately in classification 3905; ski instructors who are to be reported separately in classification 6705-04 and ticket sales and collection personnel who work exclusively in an office environment or ticket sales booth and have no other duties in or about the employer's premises who may be reported separately in classification 4904.

6705-03 Excursions - Outdoor recreational, N.O.C.

Applies to establishments engaged in providing outdoor recreational excursions and guide services that are not covered by another classification (N.O.C.). Outdoor excursions include, but are not limited to, fishing, hunting, hiking, horseback riding, backpacking, mountain climbing, camping, river rides, white water rafting, and teaching survival skills. Employees of employers subject to this classification will routinely include course instructors and guides who conduct excursions. Work contemplated by this classification may include, but not be limited to, accompanying customers on excursions, teaching first aid, survival skills, hygiene, navigation and other courses in connection with outdoor activities, and maintaining equipment.

This classification excludes snow skiing excursions or wind board sailing instruction which are to be reported separately in classification 6705-04.

6705-04 Ski instructors

Applies to establishments who are engaged in providing instruction only in snow/water skiing, surf boarding, sailing and wind sail boarding. Work contemplated by this classification includes, but is not limited to, providing appropriate equipment (skis, snowboards, canoes, etc.) maintaining the equipment, and teaching the technique. This classification excludes establishments that provide the full scope of ski resort services, with or without ski instructors, which are to be reported separately in classification 6705-00 subject to all appropriate exclusions, and the operation of any other full service resort or campground, with or without instructors, which is to be reported separately as applicable.

6705-05 Ski patrols

Applies to establishments engaged in providing *ski patrolling services only*. Work contemplated by this classification includes, but is not limited to, routine surveillance of a ski facility to ensure safe conditions and sufficient snow cover, encouraging safe use of the facility by patrons, and conducting search and rescue for lost or injured skiers either by contract with a ski resort or on an on-call basis in an emergency. This classification excludes establishments that provide the full scope of ski resort services, with or without a ski patrol, which are to be reported separately in classification 6705-00.

WSR 18-11-115

PERMANENT RULES DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed May 22, 2018, 10:34 a.m., effective July 1, 2018]

Effective Date of Rule: July 1, 2018.

Purpose: The department of labor and industries is adopting amendments to the ground-fault protection requirements in marinas as specified by the 2017 National Electrical Code (NEC) 555.3. The adopted rule extends the 100mA ground-fault level allowance for feeders until September 1, 2019, when the requirements as published in the 2020 NEC will take effect.

The department received a petition for rule making in October 2017, to extend the 100mA ground-fault level allowance for feeders in the existing rule beyond July 1, 2018. The petition and the supporting materials challenged the appropriateness and feasibility of the 2017 NEC standard and the fact that needed experts were not involved in past NEC code development processes. The adopted rule allows the petitioner and other interested parties an opportunity to further engage in discussions at the national level as part of the 2020 code development process.

Citation of Rules Affected by this Order: Amending WAC 296-46B-555 Special occupancies—Marinas, boatyards, and commercial and noncommercial docking facilities.

Statutory Authority for Adoption: RCW 19.28.010 and 19.28.031.

Adopted under notice filed as WSR 18-08-074 on April 3, 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 1, Repealed 0.

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

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

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

Date Adopted: May 22, 2018.

Joel Sacks
Director

AMENDATORY SECTION (Amending WSR 17-12-021, filed 5/30/17, effective 7/1/17)

WAC 296-46B-555 Special occupancies—Marinas, boatyards, and commercial and noncommercial docking facilities. (1) Until (~~July 1, 2018~~) September 1, 2019, the ground-fault protection level specified in 2017 NEC 555.3 is amended to allow a maximum of: 100 mA for overcurrent devices supplying feeder conductors not supplying primary windings of transformers; and 30 mA for overcurrent devices supplying branch circuit conductors (~~and~~) outlets, and feeder conductors supplying primary windings of transformers. On September 1, 2019, ground-fault protection for marinas, boatyards, and commercial and noncommercial docking facilities will be as published in the 2020 NEC.

(2) For the purposes of NEC 555.5, transformer terminations must be located a minimum of 12 inches above the deck of a dock (datum plane requirements do not apply for this section).

(3) For the purposes of NEC 555.7, adjacent means within sight.

(4) For the purposes of NEC 555.9, all electrical connections must be installed a minimum of 12 inches above the deck of a pier unless the connections are approved for wet locations (datum plane requirements do not apply for this section).

(5) For the purposes of NEC 555.10, all enclosures must be corrosion resistant. All gasketed enclosures must be arranged with a weep hole to discharge condensation.

(6) For the purposes of NEC 555.11, gasketed enclosures are only required for wet locations.

(7) For the purposes of NEC 555.13, the following wiring methods are allowed:

(a) All wiring installed in a damp or wet location must be suitable for wet locations.

(b) Extra-hard usage portable power cables rated not less than 75°C, 600 volts, listed for wet locations and sunlight resistance and having an outer jacket rated for the environment are permitted. Portable power cables are permitted as a permanent wiring method under or within docks and piers or where provided with physical protection. The requirements of NEC 555.13 (B)(4)(b) do not apply.

(c) Overhead wiring must be installed at the perimeter of areas where boats are moored, stored, moved, or serviced to avoid possible contact with masts and other parts of boats.

(d) For the purposes of NEC 555.13 (B)(5), the wiring methods of Chapter 3 NEC will be permitted.

(8) For the purposes of NEC 555.19, receptacles must be mounted not less than 12 inches above the deck surface of the pier or dock (datum plane requirements do not apply for this section). Shore power receptacles that provide shore power for boats must be rated not less than 20 amperes and must be single outlet type and must be of the locking and grounding type or pin and sleeve type.

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 6, Repealed 0.

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

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

Date Adopted: May 22, 2018.

Derek I. Sandison
Director

WSR 18-11-116

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed May 22, 2018, 10:49 a.m., effective June 22, 2018]

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

Purpose: This rule-making order amends chapter 16-403 WAC, Standards for apples marketed in the state of Washington, by correcting references to repealed WAC 16-403-155 to refer instead to WAC 16-403-064; removing references to repealed WAC 16-403-175; and removing duplicative incorrect color standards for the Spartan apple variety in WAC 16-403-064.

Citation of Rules Affected by this Order: Amending WAC 16-403-064, 16-403-145, 16-403-150, 16-403-160, 16-403-165, and 16-403-170.

Statutory Authority for Adoption: RCW 15.17.030.

Other Authority: Chapter 34.05 RCW.

Adopted under notice filed as WSR 18-07-113 on March 21, 2018.

AMENDATORY SECTION (Amending WSR 17-03-002, filed 1/4/17, effective 2/4/17)

WAC 16-403-064 Color requirements. (1) Faded brown stripes may not be considered as color.

(2) The color requirements for any variety may not be less than those required under the United States standards for the varieties and the respective variety grades of apples under 7 C.F.R. Sec. 51.305 (effective December 19, 2002), which color standards are incorporated by reference.

(3) Solid red varieties: The color percentage requirement stated below refers to the area of the surface which must be covered with a good shade of solid red characteristic of the variety. However, an apple having color of a lighter shade of solid red or striped red than that considered as a good shade of red characteristic of the variety may be admitted to a grade provided it has sufficient additional area covered so that the apple has as good an appearance as one with the minimum percentage of good red characteristic of the variety required for the grade, subject to the limitations set forth below.

Color shade percentages for solid red varieties.

Variety	Extra Fancy Good Shade Percent	Extra Fancy Lighter Shade Percent	Fancy Good Shade Percent	Fancy Lighter Shade Percent
Beacon	33 1/3	33 1/3	15	15
Empire	50	66	33	40
Idared	66	66	40	40
(Spartan)	50	66	33	40
Jonathan	50	66	33	40
Melrose	66	66	40	40
Red Delicious	66	66	40	40
Red Rome	66	66	40	40
Spartan	((66)) <u>50</u>	66	((40)) <u>33</u>	40
Winesap	66	66	40	40
Other similar varieties	50	66	33	40
Red sport varieties	66	66	40	40

(4) Striped red varieties:

The percentage stated refers to the area of the surface in which stripes of a good shade of red characteristic of the variety predominate over stripes of lighter red, green or yellow. However, an apple having color of a lighter shade than that considered as a good shade of red characteristic of the variety may be admitted to a grade provided it has sufficient additional area covered so that the apple has as good an appearance as one with the minimum percentage of good red characteristic of the variety required for the grade, subject to the limitations set forth below.

Color requirements for striped or partial red varieties.

Variety	Extra Fancy Good Shade Percent	Extra Fancy Lighter Shade Percent	Fancy Good Shade Percent	Fancy Lighter Shade Percent
Akane	33 1/3	33 1/3	15	15
Cameo	33 1/3	33 1/3	15	15
Cortland	50	50	33	33
Delicious	50	50	25	25
Red Fuji	50	50	33	33
Red Gala	50	50	33	33
Honeycrisp	33 1/3	33 1/3	15	15
Jonamac	50	50	33	33
Liberty	33 1/3	33 1/3	15	15
Early McIntosh	33 1/3	33 1/3	15	15
McIntosh	35	50	15	33
Nittany	25	25	10	10
Rome	35	50	15	33
Rome Beauty	50	50	33	33
Starkrimson	33 1/3	33 1/3	15	15
Stayman	50	50	33	33
Tydeman Red	33 1/3	33 1/3	15	15
Winesap	50	50	25	25
York	50	50	33	33
Other similar varieties	50	50	25	25

(5) Red cheeked or blushed varieties.

(a) Blush cheek means at least ten percent of the surface has blush color characteristic of the variety.

(b) Tinge of color means the apples has any amount of the surface area of blush type color which predominates over the background color of the apple.

(c) Color requirements for red cheeked or blushed varieties:

Variety	Extra Fancy Percent	Fancy Percent
Ambrosia	Blush cheek	Tinge of color
Arlet or Swiss Gourmet	Blush cheek	Tinge of color
Braeburn	Blush cheek	Tinge of color
Envy	Blush cheek	Tinge of color
Elstar	Blush cheek	Tinge of color
Fuji	Blush cheek	Tinge of color
Gala	Blush cheek	Tinge of color
Gala Supreme	Blush cheek	Tinge of color

Variety	Extra Fancy Percent	Fancy Percent
Royal Gala	Blush cheek	Tinge of color
Blushing Golden Delicious	Blush cheek	Tinge of color
Jazz	Blush cheek	Tinge of color
Jonagold	Blush cheek	Tinge of color
Lady Alice	Blush cheek	Tinge of color
Molleys Delicious	Blush cheek	Tinge of color
Pacific Rose	Blush cheek	Tinge of color
Pinata	Blush cheek	Tinge of color
Pomona	Blush cheek	Tinge of color
Sonata	Blush cheek	Tinge of color
Sonya	Blush cheek	Tinge of color
Swiss Gourmet or Arlet	Blush cheek	Tinge of color
Other similar varieties	Blush cheek	Tinge of color

AMENDATORY SECTION (Amending WSR 06-12-117, filed 6/7/06, effective 7/8/06)

WAC 16-403-145 Red, partial red or blushed varieties—Washington extra fancy. Washington extra fancy consists of apples of one variety (except when more than one variety is printed on the container) which are mature but not overripe, clean, fairly well formed; free from decay, internal browning, internal breakdown, scald, scab, freezing injury, visible watercore, and broken skins and bruises except those which are slight and incident to proper handling and packing. The apples are also free from injury caused by smooth net-like russetting, sunburn or spray-burn, limb rubs, hail, drought spots, scars, disease, insects, or other means; and free from damage by smooth solid, slightly rough or rough russetting, or stem or calyx cracks, Jonathan spot, bitter pit and free from damage by invisible watercore after January 31st of the year following the year of production: Provided, That smooth net-like russetting and/or invisible watercore shall not be a quality factor of Fuji variety at any time of the year. Each apple of this grade has the amount of color specified in WAC ((46-403-155)) 16-403-064 for the variety.

AMENDATORY SECTION (Amending WSR 06-12-117, filed 6/7/06, effective 7/8/06)

WAC 16-403-150 Red, partial red or blushed varieties—Washington fancy. Washington fancy consists of apples of one variety (except when more than one variety or commodity is printed on the container) which are mature but not overripe, clean, fairly well formed; free from decay, internal browning, internal breakdown, scald, freezing injury, visible watercore, and broken skins and bruises, except those which are incident to proper handling and packing. The apples are also free from damage caused by russetting, sunburn or sprayburn, limb rubs, hail, drought spots, scars, stem or calyx cracks, Jonathan spot, bitter pit, disease, insects, invisible watercore after January 31st of the year following the year of production, or damage by other means: Provided, That smooth net-like russetting and/or invisible watercore shall not be a quality factor of Fuji variety at any time of the year. Each apple of this grade has the amount of color specified in WAC ((16-403-155)) 16-403-064 for the variety.

AMENDATORY SECTION (Amending WSR 06-12-117, filed 6/7/06, effective 7/8/06)

WAC 16-403-160 Green or yellow varieties—Washington extra fancy. Washington extra fancy consists of apples of one variety (except when more than one variety or commodity is printed on the container) which are mature but not overripe, clean, fairly well formed; free from decay, internal browning, internal breakdown, scald, scab, freezing injury, visible watercore, broken skins and bruises except those which are slight and incident to proper handling and packing. The apples are also free from slightly rough or rough russetting, provided, russetting other than rough or bark-like russetting materially affecting the appearance of the apple shall be permitted in the stem cavity or calyx basin if it cannot be seen when the apple is placed stem end or calyx end down on a flat surface. The apples are also free from injury caused

by smooth net-like russetting, smooth solid russetting, sunburn or sprayburn, limb rubs, hail, drought spots, scars, disease, insects, stem or calyx cracks, or other means; and free from damage by Jonathan spot, bitter pit and by invisible watercore after January 31st of the year following the year of production. ((Each apple of this grade has the amount of color specified in WAC 16-403-175 for the variety:))

AMENDATORY SECTION (Amending WSR 06-12-117, filed 6/7/06, effective 7/8/06)

WAC 16-403-165 Green or yellow varieties—Washington fancy. Washington fancy consists of apples of one variety (except when more than one variety or commodity is printed on the container) which are mature but not overripe, clean, fairly well formed; free from decay, internal browning, internal breakdown, scald, freezing injury, visible watercore, and broken skins and bruises except those which are incident to proper handling and packing. The apples are also free from damage caused by russetting, sunburn or sprayburn, limb rubs, hail, drought spots, scars, stem or calyx cracks, Jonathan spot, bitter pit, disease, insects, invisible watercore after January 31st of the year following the year of production, or damage by other means. ((Each apple of this grade has the amount of color specified in WAC 16-403-175 for the variety:))

AMENDATORY SECTION (Amending WSR 06-12-117, filed 6/7/06, effective 7/8/06)

WAC 16-403-170 Green or yellow varieties—Washington C grade. The requirements of this grade are the same as for Washington fancy except for ((color,)) russetting and invisible watercore. Apples of this grade are free from excessive damage caused by russetting which means that apples meet the russetting requirements for Washington fancy as defined under the definitions of "damage by russetting," except the aggregate area of an apple which may be covered by smooth net-like russetting shall not exceed 25 percent; and the aggregate area of an apple which may be covered by smooth solid russetting shall not exceed 10 percent: Provided, That in the case of the Yellow Newtown, Granny Smith or similar varieties the aggregate area of an apple which may be covered with smooth solid russetting shall not exceed 20 percent; and the aggregate area of an apple which may be covered with excessively rough or barklike russetting or limb rubs shall not exceed the area of a circle three-fourths of an inch in diameter. ((Each apple of this grade has the amount of color specified in WAC 16-403-175 for the variety:)) There is no requirement in this grade pertaining to invisible watercore.

WSR 18-11-126

PERMANENT RULES

DEPARTMENT OF REVENUE

[Filed May 23, 2018, 7:55 a.m., effective June 23, 2018]

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

Purpose: The department is amending WAC 458-20-183 to incorporate changes due to legislation passed in 2015 (HB

1550). This legislation became effective on January 1, 2016, and resulted in significant changes to the taxability of these activities and services.

Citation of Rules Affected by this Order: Amending WAC 458-20-183 ~~Amusement, recreation, and physical fitness services~~ Recreational services and activities.

Statutory Authority for Adoption: RCW 82.32.300 and 82.01.060(2).

Adopted under notice filed as WSR 18-08-051 on March 29, 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 1, Repealed 0.

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

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

Date Adopted: May 23, 2018.

Erin T. Lopez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 95-22-100, filed 11/1/95, effective 12/2/95)

WAC 458-20-183 ((Amusement, recreation, and physical fitness services-)) Recreational services and activities. ~~((1) Introduction.~~ This section provides tax reporting instructions for persons who provide amusement, recreation, and physical fitness services, including persons who receive their income in the form of dues and initiation fees. Section 301, chapter 25, Laws of 1993 sp. sess., amended RCW 82.04.050 to include as a retail sale "physical fitness services." This change became effective July 1, 1993. Physical fitness services were previously taxed under the service and other business activities classification. Amusement and recreation services were retail sales prior to the 1993 law amendment and the tax classification remains unchanged for these activities.

~~(a) Local governmental agencies that provide amusement, recreation, and physical fitness services should also refer to WAC 458-20-189 (Sales to and by the state of Washington, counties, cities, school districts, and other municipal subdivisions).~~

~~(b) Persons engaged in operating coin-operated amusement devices should refer to WAC 458-20-187 (Coin-operated vending machines, amusement devices and service machines).~~

~~(c) Persons engaged in providing camping and outdoor living facilities should refer to WAC 458-20-118 (Sale or rental of real estate, license to use real estate) and WAC 458-~~

~~20-166 (Hotels, motels, boarding houses, rooming houses, resorts, summer camps, trailer camps, etc.).~~

~~(2) Definitions.~~ The following definitions apply throughout this section:

~~(a) "Amounts derived" means gross income from whatever source and however designated. It includes "gross proceeds of sales" and "gross income of the business" as those terms are defined by RCW 82.04.070 and 82.04.080, respectively. It shall also include income attributable to bona fide "initiation fees" and bona fide "dues."~~

~~(b) "Amusement and recreation services" include, but are not limited to: Golf, pool, billiards, skating, bowling, swimming, bungee jumping, ski lifts and tows, basketball, racquet ball, handball, squash, tennis, and all batting cages. "Amusement and recreation services" also include the provision of related facilities such as basketball courts, tennis courts, handball courts, swimming pools, and charges made for providing the opportunity to dance. The term "amusement and recreation services" does not include instructional lessons to learn a particular activity such as tennis lessons, swimming lessons, or archery lessons.~~

~~(c) "Any additional charge" means a price or payment other than bona fide initiation fees or dues, paid by persons for particular goods and services received. The additional charge must be reasonable and any business and/or sales taxes must be paid upon such charges in order to qualify other income denominated as "bona fide dues" or "fees" to be deductible. The reasonableness of any additional charge will be based on one of the following two criteria:~~

~~(i) It must cover all costs reasonably related to furnishing the goods or services; or~~

~~(ii) It must be comparable with charges made for similar goods or services by other comparable businesses.~~

~~(d) "Direct overhead costs" include all items of expense immediately associated with the specific goods or services for which the costs of production method is used. For example, the salary of a swimming pool lifeguard or the salary of a golf club's greenskeeper are both direct overhead costs in providing swimming and golfing respectively.~~

~~(e) "Dues" are those amounts periodically paid by members solely for the purpose of entitling those persons to continued membership in the club or similar organization. It shall not include any amounts paid for goods or services rendered to the member by the club or similar organization.~~

~~(f) "Entry fees" means those amounts paid solely to allow a person the privilege of entering a tournament or other type of competition. The term does not include any amounts charged for the underlying activity.~~

~~(g) "Goods or services rendered" shall include those amusement, recreation, and physical fitness services defined to be retail sales in (m) of this subsection. Also see, WAC 458-20-166 (Hotels, motels, boarding houses, rooming houses, resorts, summer camps, trailer camps, etc.) and WAC 458-20-244 (Food products). The term shall include the total or aggregate of goods or services available to members. It is not determinative that some members actually receive more goods or actually enjoy more services than others so long as the totality of the goods or services offered are made available to members in general.~~

(h) "~~Indirect overhead costs~~" means overhead costs incurred by the service provider that are not immediately associated with the specific goods and services. These costs include a pro rata share of total operating costs, including all executive salaries and employee salaries that are not "~~direct overhead costs~~" as that term is defined in (d) of this subsection, as well as a pro rata share of administrative expenses and the cost of depreciable capital assets.

(i) "~~Initiation fees~~" means those amounts paid solely to initially admit a person as a member to a club or organization. "~~Bona fide initiation fees~~" within the context of this rule shall include only those one-time amounts paid which genuinely represent the value of membership in a club or similar organization. It shall not include any amount paid for or attributable to the privilege of receiving any goods or services other than mere nominal membership.

(j) "~~League fees~~" means those amounts paid solely for the privilege of allowing a person or a person's team to join an association of sports teams or clubs that compete chiefly amongst themselves. The term does not include any amounts charged for the underlying activity.

(k) "~~Nonprofit youth organization~~" means a nonprofit organization engaged in character building of youth which is exempt from property tax under RCW 84.36.030.

(l) "~~Physical fitness services~~" include, but are not limited to: All exercise classes, whether aerobic, dance, water, jazzercise, etc., providing running tracks, weight lifting, weight training, use of exercise equipment, such as treadmills, bicycles, stair masters and rowing machines, and providing personal trainers (i.e., a person who assesses an individual's workout needs and tailors a physical fitness workout program to meet those individual needs). "~~Physical fitness services~~" do not include instructional lessons such as those for self-defense, martial arts, yoga, and stress management. Nor do these services include instructional lessons for activities such as tennis, golf, swimming, etc. "~~Instructional lessons~~" can be distinguished from "~~exercise classes~~" in that instruction in the activity is the primary focus in the former and exercise is the primary focus in the latter.

(m) "~~Sale at retail~~" or "~~retail sale~~" include the sale or charge made by persons engaged in providing "~~amusement and recreation services~~" and "~~physical fitness services~~" as those terms are defined in (b) and (l) of this subsection. The term "~~sale at retail~~" or "~~retail sale~~" does not include: The sale of or charge made for providing facilities where a person is merely a spectator, such as movies, concerts, sporting events, and the like; the sale of or charge made for instructional lessons, or league fees and/or entry fees; charges made for carnival rides where the customer purchases tickets at a central ticket distribution point and then the customer is subsequently able to use the purchased tickets to gain admission to an assortment of rides or attractions; or, the charge made for entry to an amusement park or theme park where the predominant activities in the area are similar to those found at carnivals.

(n) "~~Significant amount~~" relates to the quantity or degree of goods or services rendered and made available to members by the organization. "~~Significant~~" is defined as having great value or the state of being important.

(o) "~~Value of such goods or services~~" means the market value of similar goods or services or computed value based on costs of production.

(3) ~~Business and occupation tax.~~

(a) ~~Retailing classification.~~ Gross receipts from the kind of amusement, recreation, and physical fitness services defined to be retail sales in subsection (2)(m) of this section are taxable under the retailing classification. Persons engaged in providing these activities are also taxable under the retailing classification upon gross receipts from sales of meals, drinks, articles of clothing, or other property sold by them.

(b) ~~Service and other activities classification.~~ Gross receipts from activities not defined to be retail sales, such as tennis lessons, golf lessons, and other types of instructional lessons, are taxable under the service and other activities classification. Persons providing licenses to use real estate, such as separately itemized billings for locker rentals, are also taxable under this classification. See WAC 458-20-118 (Sale or rental of real estate, license to use real estate).

(4) ~~Receiving income in the form of dues and/or initiation fees.~~

(a) ~~General principles.~~ For the purposes of the business and occupation tax, all amounts derived from initiation fees and dues must be reported as gross income which then must be apportioned between taxable and deductible income. The following general principles apply to providing amusement, recreation, and physical fitness services when income is received in the form of dues and/or initiation fees:

(i) RCW 82.04.4282 provides for a business and occupation tax deduction for amounts derived from activities and charges of essentially a nonbusiness nature. The scope of this statutory deduction is limited to situations where no business or proprietary activity (including the rendering of goods or services) is engaged in which directly generates the income claimed for deduction. Many for-profit or nonprofit entities may receive "amounts derived," as defined in this section, which consist of a mixture of tax deductible amounts (bona fide initiation fees and dues) and taxable amounts (payment for significant goods and services rendered). To distinguish between these kinds of income, the law requires that tax exemption provisions be strictly construed against the person claiming exemption. Also, RCW 82.32.070 requires the maintenance of suitable records as may be necessary to determine the amount of any tax due. The result of these statutory requirements is that all persons must keep adequate records sufficient to establish their entitlement to any claimed tax exemption or deduction.

(ii) The law does not contemplate that the deduction provided for by RCW 82.04.4282 should be granted merely because the payments required to be made by members or customers are designated as "initiation fees" or "dues." The statutory deduction is not available for outright sales of tangible personal property or for providing facilities or services for a specific charge. Neither is it available if dues are in exchange for any significant amounts of goods or services rendered by the recipient thereof to members without any additional charge to the member, or if the dues are graduated upon the amount of goods or services rendered. Thus, it is only those initiation fees and dues which are paid solely and

exclusively for the express privilege of belonging as a member of a club, organization, or society, which are deductible.

(iii) In applying RCW 82.04.4282, no distinction is made between the kinds of clubs, organizations, associations, or other entities which may be eligible for this deduction. They may be operated for profit or nonprofit. They may be owned by the members, incorporated, or operating as a partnership, limited liability company, joint venture, sole proprietorship, or cooperative group. They may be of a charitable, fraternal, social, political, benevolent, commercial, or other nature. The availability of the deduction is determined solely by the nature of the activity or charge which generates the "amounts derived" as that term is defined in subsection (2)(a) of this section.

(iv) Nonprofit youth organizations, as defined in subsection (2)(k) of this section, may deduct fees or dues received from members even though the members are entitled to use the organization's facilities, including camping and recreational facilities, in return for such payments. (See RCW 82.04.4271.)

(b) Allocation of income. Persons who derive income from initiation fees and dues may find that they have incurred business and occupation tax liability under both the retailing and service and other activities classifications. For example, an organization may furnish exercise equipment as well as provide lessons in martial arts to its members in return for payment of dues. The former is a retailing taxable activity while the latter is taxable under the service business tax. These taxes are at different rates. Once the income has been allocated between taxable and deductible amounts, the parts of taxable income attributable to either retailing activities or service activities must be reported on the combined excise tax return under the appropriate classification and under the prevailing tax rates. In addition, state and local retail sales taxes measured by the retailing portions must be separately collected from dues paying members, reported, and remitted with the same excise tax return.

(c) Alternative methods of reporting. Persons who receive any "amounts derived" from initiations fees and/or dues may report their tax liabilities and determine the amount of tax reportable under different classifications (retailing or service) by use of two alternative allocation methods. The taxpayer may only change its selected allocation method annually and all changes are prospective only. These mutually exclusive methods are:

(i) Actual records of facilities usage.

(A) Persons may allocate their income based upon such actual records of facilities usage as are maintained. This method is accomplished by either: The allocation of a reasonable charge for the specific goods or services rendered; or, the average comparable charges for such goods or services made by other comparable businesses. In no case shall any charges under either method be calculated to be less than the actual cost of providing the respective good or service. When using the average comparable charges method the term "comparable businesses" shall not include subsidized public facilities when used by a private facility.

(B) The actual records of facilities usage method must reflect the nature of the goods or services and the frequency of use by the membership, either from an actual tally of times

used or a periodic study of the average membership use of facilities. Actual usage reporting may also be based upon a graduated or sliding fees and dues structure. For example, an organization may charge different initiation fees or dues rates for a social membership than for a playing membership. The difference between such rates is attributable to the value of the goods or services rendered. It constitutes the taxable portion of the "amounts derived" allocable to that particular activity. Because of the broad diversification of methods by which "amounts derived" may be assessed or charged to members, the actual records of usage method of reporting may vary from organization to organization.

(C) Organizations which provide more than one kind of "goods or services" as defined in subsection (2)(g) of this section, may provide such actual records for each separate kind of goods or services rendered. Based upon this method, the total of apportioned "taxable" income may be subtracted from total gross income to derive the amount of gross income which is entitled to deduction as "bona fide initiation fees and dues" under RCW 82.04.4282; or

(ii) Cost of production method.

(A) The cost of production allocation method is based upon the cost of production of goods or services rendered. Persons using this method are advised to seek the department's review of the cost accounting methods applied, in order to avoid possible tax deficiency assessment if records are audited. In such cases, the cost of production shall include all items of expense attributable to the particular facility (goods or services) made available to members, including direct and indirect overhead costs.

(B) No portion of assets which have been fully depreciated will be included in computing overhead costs, nor will there be included any costs attributable to membership recruitment and advertising, or providing members with the indicia of membership (membership cards, certificates, contracts of rights, etc.).

(C) The cost of production method is performed by multiplying gross income (all "amounts derived") by a fraction, the numerator of which is the direct and indirect costs associated with providing any specific goods or service, and the denominator of which is the organization's total operating costs. The result is the portion of "amounts derived" that is allocable to the taxable facility (goods or services rendered). If more than one kind of facility (goods or services) is made available to members, this formula must be applied for each facility in order to determine the total of taxable and deductible amounts and to determine the amount of taxable income to report as either retailing taxable or service taxable. The balance of gross amounts derived is deductible as bona fide initiation fees or dues.

(D) Under very unique circumstances and only upon advance written request and approval, the department will consider variations of the foregoing accounting methods as well as unique factors.

(E) Unless income accounting and reporting are accomplished by one or a combination of methods outlined in this section, or under a unique reporting method authorized in advance by the department, it will be presumed that all "amounts derived" by any person who provides "goods or

services" as defined herein, constitute taxable, nondeductible amounts.

(5) Retail sales tax.

(a) The retail sales tax must be collected upon charges for admissions, the use of facilities, equipment, and exercise classes by all persons engaged in the amusement, recreation, and physical fitness services that are defined to be retail sales in subsection (2)(m) of this section. The retail sales tax must also be collected upon sales of food, drinks and other merchandise by persons engaging in such businesses. See WAC 458-20-244 (Food products). In the case of persons who receive their income in the form of dues and/or initiation fees, the amount of gross receipts determined to be taxable under the retailing business and occupation classification shall be used to determine the person's retail sales tax liability under this subsection.

(b) When the charge for merchandise is included within a charge for admission which is not a "sale at retail" as defined herein, the retail sales tax applies to the charge made for both merchandise and admission, unless a proper segregation of such charge is made in the billing to the customer and upon the books of account of the seller.

(c) The retail sales tax applies upon the purchase or rental of all equipment and supplies by persons providing amusement, recreation, and physical fitness services, other than merchandise that is actually resold by them. For example, the retail sales tax applies to purchases of such things as soap or shampoo provided at no additional charge to members of a health club.

(6) Transitory provisions for nonprofit youth organizations. The 1993 amendment of RCW 82.04.050 resulted in "physical fitness services" provided by nonprofit youth organizations being classified as retail sales. However, section 1, chapter 85, Laws of 1994, amended RCW 82.08.0291 and thereby exempted from the definition of retail sale, the sale of such services by a nonprofit youth organization to members of the organization. This change became effective July 1, 1994. Therefore, nonprofit youth organizations are only liable for retail sales tax on the sale or charge made for "physical fitness services" from July 1, 1993, to June 30, 1994. Nonprofit youth organizations were previously exempt from the collection of retail sales tax on "amusement and recreation services" (RCW 82.08.0291) and were previously not subject to retailing business and occupation tax on both the provision of "physical fitness services" and "amusement and recreation services" (RCW 82.04.4271). Nonprofit youth organizations, however, may have tax liabilities for other types of activities, such as retail sales of food, retail sales of tangible personal property, or the license to use real estate, as discussed above.) **(1) Introduction.** This rule explains the tax reporting instructions for persons who provide the services and activities described in RCW 82.04.050(15). This rule refers to these services and activities as "recreational services and activities." This rule does not address charges for:

(a) Operating an "athletic or fitness facility" (refer to RCW 82.04.050(3) for information about the taxability of operating an athletic or fitness facility); or

(b) Day camps offered by a nonprofit organization or a state or local government entity that provides youth not older than age eighteen, or that are focused on providing individu-

als with disabilities or mental illness, the opportunity to participate in a variety of supervised activities.

(2) Other rules that may apply. Readers may want to refer to other rules for additional information, including:

(a) WAC 458-20-118 Sale or rental of real estate, license to use real estate.

(b) WAC 458-20-166 Hotels, motels, boarding houses, rooming houses, resorts, hostels, trailer camps, and similar lodging businesses.

(c) WAC 458-20-167 Educational institutions, school districts, student organizations, and private schools.

(d) WAC 458-20-187 Tax responsibility of vending machine owners and operators.

(e) WAC 458-20-189 Sales to and by the state of Washington and municipal corporations including, counties, cities, towns, school districts, and fire districts.

(f) WAC 458-20-211 Leases or rentals of tangible personal property, bailments.

(g) WAC 458-20-244 Food and food ingredients.

(3) Examples. This rule includes examples that identify a number of facts and then state a conclusion. These examples should only be used as a general guide. The tax results of other situations must be determined after a review of all the facts and circumstances.

(4) Taxability of recreational services and activities.

(a) Charges, however labeled, to consumers for engaging or participating in the recreational services and activities listed in subsection (6) of this rule are retail sales subject to retailing business and occupation (B&O) tax and retail sales tax. Unless otherwise specified in this rule or in RCW 82.04.050, charges to engage or participate in a recreational service or activity include the furnishing of any related equipment and charges for instructional lessons in the service or activity.

(b) When there is a sale of two or more distinct and identifiable products that includes a charge for a product subject to retail sales tax and a charge for a product not subject to retail sales tax, then retail sales tax applies to the entire selling price, unless prices are separately identified by product on binding sales or other supporting sale-related documentation made available to the customer. For additional information about bundled transactions, see RCW 82.08.190 and 82.08.195.

(c) Separate charges for the sale or rental of tangible personal property, including equipment, gear, and supplies used to engage or participate in recreational services and activities are subject to retailing B&O and retail sales tax. Refer to WAC 458-20-211 for more information about these charges.

(d) A person who provides recreational services and activities must pay retail sales or use tax on the purchase or rental of tangible personal property the person uses as a consumer to provide such services and activities, including equipment and supplies. Retail sales or use tax need not be paid if a person purchases tangible personal property for resale without intervening use. For additional information on sales for resale, refer to WAC 458-20-102 Reseller permits.

(5) Exclusions and exemptions.

(a) Educational institutions. Charges made by an educational institution, as defined in RCW 82.04.170, to its students and staff for recreational services and activities listed in subsection (6) of this rule, are not retail sales and therefore

are not subject to retailing B&O and retail sales tax. However, charges made by an educational institution to its alumni or to other members of the public for these same services and activities are retail sales subject to retailing B&O and retail sales tax.

(b) Nonprofit youth organizations. RCW 82.08.0291 exempts the sale of recreational services and activities by a nonprofit youth organization to its members from retail sales tax, but does not exempt the sale of these services and activities from retailing B&O tax. For purposes of this rule, a nonprofit youth organization is a nonprofit organization engaged in character building of youth that qualifies for an exemption from property tax under RCW 84.36.030(3).

(c) Fairs, carnivals, and festivals. Charges for admission to, and rides or attractions at, fairs, carnivals, and festivals are not retail sales and therefore not subject to retailing B&O and retail sales tax. For purposes of this rule, fairs, carnivals, and festivals are events that do not exceed twenty-one consecutive days and a majority of the amusement rides, if any, are not affixed to real property.

(d) Diver training. Charges made by a vocational school for commercial diver training that is licensed by the workforce training and education coordinating board under chapter 28C.10 RCW, are not retail sales and therefore not subject to retailing B&O and retail sales tax.

(6) Retail recreational services and activities. Gross income received from providing the following exclusive list of recreational services and activities is subject to retailing B&O tax and retail sales tax:

(a) Air sports. Charges for ballooning, hang gliding, indoor or outdoor sky diving, paragliding, parasailing, and similar activities.

(b) Amusement park, theme park, and water park facilities. Charges for admission to an amusement park, theme park, or water park, and locker or cabana rentals at such facilities. For purposes of this rule, an amusement park or theme park is a location that provides permanently affixed amusement rides, games, and other entertainment, but does not include parks or zoos where the primary purpose is the exhibition of wildlife, or fairs, carnivals, and festivals as described in subsection (5)(c) of this rule. Separate charges for rides, attractions, or other entertainment that are in addition to the admission charge are not retail sales under this subsection.

Example 1. Adventure Land is an amusement park that has an admission charge of ten dollars per person per day. The admission charge grants guest access to most of the park's rides and attractions. In addition, Adventure Land has a wooden roller coaster that guests must pay a separate charge of two dollars per person to ride. The charge for admission is subject to retailing B&O tax and retail sales tax. The charge for the wooden roller coaster is subject to service and other activities B&O tax.

(c) Bowling. Charges for:

(i) Bowling;

(ii) Rental of bowling shoes;

(iii) Bowling lessons; and

(iv) The opportunity to participate in competitive bowling events or tournaments when a participant pays a fee to the bowling facility operator. This includes amounts paid by

event organizers to the bowling facility operator if the amounts vary based on the number of participants.

Example 2. A high school is sponsoring and organizing a bowling tournament that will be held at Bowling Alley Z to raise money for new band uniforms. To enter the tournament, participants pay a fee of twenty dollars per person to the local high school. The local high school contracts with Bowling Alley Z to use its facilities for five hundred dollars regardless of the number of participants. The fee does not vary based on the number of participants. On the day of the tournament, the high school submits full payment to Bowling Alley Z. If participants need to rent bowling shoes, they pay Bowling Alley Z directly on the day of the tournament. The amount the high school pays to Bowling Alley Z is subject to service and other activities B&O tax because the high school is paying Bowling Alley Z on behalf of the participants and the fee is not based on the number of participants. Any fee to rent bowling shoes is subject to retailing B&O tax and retail sales tax.

(d) Climbing activities. Charges for climbing on artificial climbing structures, whether indoors or outdoors.

(e) Day trips for sightseeing purposes. Charges for sightseeing trips, whether for educational, instructional, or recreational purposes, that last less than twenty-four hours. Examples of day trips for sightseeing purposes include wine tours, scenic tours, culinary tours, educational or nature-related tours, or cultural tours. For information on multiday sightseeing tours, refer to WAC 458-20-258 Travel agents and tour operators.

(f) Fishing. Charges to fish, access to private fishing areas, and charges for chartered or guided fishing tours.

(g) Golf. Charges for golfing activities where golf balls or golf clubs are used including charges for:

(i) Playing golf or miniature golf;

(ii) Golfing lessons, if the charge for the lesson is not stated separately from other golf facility charges;

(iii) Hitting golf balls at a driving range;

(iv) Using a golf simulator;

(v) Renting a golf cart;

(vi) Players to use their own golf cart; and

(vii) Players to participate in competitive golf events or tournaments where the participant pays a fee to the golf facility operator. This includes amounts paid by event organizers to the golf facility operator if the amounts vary based on the number of participants.

Example 3. A charity is sponsoring and organizing a golf tournament to raise funds to renovate a neighborhood playground. To participate, players must pay fifty dollars per person to the golf course facility on the day of the tournament. This charge does not include the rental of a golf cart, which some participants elect to rent for twenty dollars per golf cart. The amounts paid to the golf course facility by the participants are subject to retailing B&O tax and retail sales tax. Amounts paid to rent a golf cart are also subject to retailing B&O and retail sales tax.

Example 4. A local golf course offers footgolf, a sport that combines components of soccer and golf using a soccer ball, every Tuesday and charges ten dollars per person to play one round. Amounts paid by participants to play footgolf are subject to the service and other activities B&O tax because footgolf is not considered a golfing activity, as described in

(g) of this subsection, in which golf balls or golf clubs are used.

(h) **Horseback riding.** Charges for individual or group rides, guided or unguided, offered to the public if the seller furnishes the horse to the rider and the primary focus of the ride is not instructional.

(i) **Hunting.** Charges for guided hunting and hunting at game farms and shooting preserves.

(j) **Motorized activities.** Charges for go-karting, bumper cars, snowmobiles, all-terrain vehicles, and other motorized activities where the seller provides both the vehicle and the premises where the buyer will operate the vehicle. If the seller provides the vehicle, but not the premises to operate the vehicle, then the charge is considered a rental of tangible personal property and is subject to retailing B&O and retail sales tax.

Example 5. For an hourly fee, City D racetrack provides customers the opportunity to use its racetrack to ride all-terrain vehicles and dirt bikes. Customers are required to provide their own all-terrain vehicles and dirt bikes to ride on the racetrack. Because City D only provides the premises on which customers ride their vehicles and bikes, the hourly fee to use the racetrack is subject to service and other activities B&O tax.

(k) **Playground activities.** Charges for indoor or outdoor playground activities such as: Inflatable bounce structures and other inflatables, mazes, trampolines, slides, ball pits, games of tag, including laser tag and soft-dart tag, and human gyroscope rides, regardless of whether the activities occur at the seller's place of business.

Example 6. Kidz Learning for Life is an enrichment and physical development center for children under eight years old. The center offers physical coordination classes for infants and toddlers, and dance, music, and art classes for older children. The center also provides an outdoor trampoline for children ages four to eight years old. Parents are required to stay at the center during classes, and depending on the class, may be required to participate with their child. Parents can either pay a monthly membership charge that allows for unlimited classes or may pay on a per class basis. Both charges are subject to the service and other activities B&O tax because the types of classes offered by Kidz Learning for Life are not considered playground activities for the purposes of (k) of this subsection.

Example 7. Fun Zone Extreme is an indoor playground facility that offers multiple unstructured play activities for children seventeen and under. Some of the activities include laser tag, inflatable bounce structures, ball pits, and climbing structures, such as a rock wall. To participate in all of the activities Fun Zone Extreme offers, customers pay an admission fee based on their age and the fee allows the participant unlimited use of the facility for the entire day. The admission fee charged to customers is subject to retailing B&O and retail sales tax because the activities at Fun Zone Extreme are considered playground activities for the purposes of (k) of this subsection.

Example 8. Each autumn, a local farmer opens his property to the public to use for various family-related activities. The property is open to visitors, free of charge, from September 15th through October 31st. Activities available on the

property include a corn maze, inflatable bounce structures for children, and a petting zoo. Although general admission is free, the owner charges a fee of five dollars per person to go through the corn maze. The fee charged to customers to use the corn maze is subject to retailing B&O and retail sales tax.

(l) **Shooting sports and activities.** Charges to the public to engage in shooting sports and activities, such as target shooting, skeet, sporting clays, "5" stand, and archery.

(m) **Skating.** Charges to the public to participate in skating, including ice skating, roller skating, and inline skating.

(n) **Snow sports and activities (nonmotorized).** Charges to the public for the use of land or facilities to engage in the following nonmotorized snow sports and activities: Downhill and cross-country skiing, snowboarding, ski jumping, sledding, snow tubing, snowshoeing, and similar snow sports and activities. This includes charges for the use of ski lifts and tows for snow sports and activities and daily or season passes for access to trails or other areas where nonmotorized snow sports and activities are conducted.

The snow sports and activities listed in (n) of this subsection may occur at an outdoor facility in natural or artificial snow, or at an indoor facility with no snow or artificial snow.

Example 9. During the summer months, Flurry Mountain lodge allows the public access to its land for hiking. Flurry Mountain charges a daily fee to hike on the land and a fee to use the ski lift to obtain access to elevated hiking areas. Because the fees for hiking and using the ski lift are not considered snow sports and activities, both fees are subject to service and other activities B&O tax.

(o) **Swimming.** Charges for recreational or fitness swimming that is open to the public, such as open swim, lap swim, and special events like kids night out and pool parties during open swim time, and pool parties for private events, such as birthdays, family gatherings, and employee outings. Charges for swimming lessons or participating in swim meets or swim competitions are not retail sales unless provided by an athletic or fitness facility as defined in RCW 82.04.050.

Example 10. Swim Center, Inc. is an aquatics center that provides swimming lessons and water fitness classes. All swimming lessons and water fitness classes are subject to separate monthly fees. Swim Center, Inc. is not considered an "athletic or fitness facility" as that term is defined in RCW 82.04.050. Accordingly, charges for swimming lessons are subject to service and other activities B&O tax. However, fees charged for water fitness classes are subject to retailing B&O and retail sales tax.

(p) **Table games.** Charges to play air hockey, billiards, pool, foosball, shuffleboard, ping-pong, and similar games.

(q) **Water sports and activities.** Charges for scuba diving, snorkeling, river rafting, surfing, kiteboarding, flyboarding, water slides, water trampolines, water pillows, water rollers, and similar water sports and activities such as canoeing and kayaking.

Example 11. Main Street Marina charges separately for kayak and canoe rentals and private lessons on how to operate the watercraft. The charge to rent a kayak or canoe is considered the rental of tangible personal property and is subject to retailing B&O and retail sales tax. Charges for kayaking and canoeing lessons are also subject to retailing B&O and retail sales tax.

(r) Miscellaneous recreational services and activities. Charges for bungee jumping, zip lining, activities involving riding inside a ball, such as zorbing or water walking, paint-ball activities, airsoft activities, batting cage activities, and darts, both electronic and nonelectronic.

WSR 18-11-133
PERMANENT RULES
CASCADIA COLLEGE

[Filed May 23, 2018, 9:52 a.m., effective June 23, 2018]

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

Purpose: To update, clarify, and streamline rules and procedures governing access to public records of Cascadia College, as well as to incorporate recent amendments to the Public Records Act, chapter 42.56 RCW.

Citation of Rules Affected by this Order: Repealing WAC 132Z-276-100, 132Z-276-130 and 132Z-276-140; and amending WAC 132Z-276-010, 132Z-276-020, 132Z-276-030, 132Z-276-040, 132Z-276-050, 132Z-276-060, 132Z-276-070, 132Z-276-080, 132Z-276-090, 132Z-276-110, and 132Z-276-120.

Statutory Authority for Adoption: RCW 28B.50.140 and Administrative Procedure Act, chapter 34.05 RCW.

Adopted under notice filed as WSR 18-07-070 on March 16, 2018.

Changes Other than Editing from Proposed to Adopted Version: Modified proposed WAC 132Z-276-090(7) relating to payment for copying charges to include acceptance of payment by credit or debit card, check or money order, or cash payments made in the exact amount.

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 11, Repealed 3.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 11, Repealed 3.

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

Date Adopted: May 16, 2018.

Vicki L. Newton
Rules Coordinator

AMENDATORY SECTION (Amending WSR 15-07-091, filed 3/17/15, effective 4/17/15)

WAC 132Z-276-010 Purpose. The purpose of this chapter is to ((ensure that)) provide for public access to existing, identifiable, nonexempt public records of Cascadia College ((complies with the provisions of chapter 42.56 RCW

and in particular with those sections of that chapter dealing with public records)) in accordance with the Public Records Act, chapter 42.56 RCW.

AMENDATORY SECTION (Amending WSR 15-07-091, filed 3/17/15, effective 4/17/15)

WAC 132Z-276-020 Definitions. (1) **Public record.** The term "public record" ((includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics)) and other terms defined in the Public Records Act shall have the same meaning in this chapter that they have under the Public Records Act.

(2) ("Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds or symbols, combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, disks, flash drives, drums and other documents.

(3) "Cascadia College" is an agency organized by statute pursuant to RCW 28B.50.040. Cascadia College shall hereafter be referred to as the "district." Where appropriate, the term "district" also refers to the staff and employees of the district.) **Public Records Act.** References in this chapter to the "Public Records Act" are to chapter 42.56 RCW.

(3) **Requestor.** A "requestor" is any person or entity requesting public records of the college pursuant to the Public Records Act.

(4) **College.** The term "college" means Cascadia College District No. 30.

AMENDATORY SECTION (Amending WSR 15-07-091, filed 3/17/15, effective 4/17/15)

WAC 132Z-276-030 Description of ((central and field organization of Cascadia)) the college ((District No. 30)). (1) **Mission - Governance.** Cascadia College is a ((state agency)) public institution of higher education established ((and organized)) under ((the authority of)) chapter 28B.50 RCW ((for the purpose of implementing the educational goals established by the legislature in RCW 28B.50-020. The administrative office of the district is located on the college campus within the county of King, Washington. The college campus likewise comprises the central headquarters for all operations of the district.

(2) The district is operated under the supervision and control of a board of trustees. The board of trustees consists of five members appointed by the governor. The board of trustees normally meets at least once each month, as provided in WAC 132Z-104-010. The board of trustees employs a president, an administrative staff, instructors, and other employees. The board of trustees takes such actions and promulgates such rules, and policies in harmony with the rules established by the state board for community and technical colleges, as are necessary to the administration and operation of the district.

(3) The president of the district is responsible to the board of trustees for the operation and administration of the district) as a community college offering academic and professional programs leading to the associate and applied baccalaureate degrees. The college is governed by a board of trustees appointed by the governor. The board appoints a president who serves as the chief executive officer responsible for the administration of the college.

(2) **College campus.** The campus of Cascadia College is located at 18345 Campus Way N.E., Bothell, Washington 98011. The college is collocated with the Bothell campus of the University of Washington. Cascadia College District No. 30 encompasses the boundaries of the common school districts of Lake Washington and Riverview in King county and Northshore in King and Snohomish counties.

(3) **Policies and procedures.** College policies meeting the definition of a "rule" under the Administrative Procedure Act, chapter 34.05 RCW, are adopted by the board of trustees and published in Title 132Z of the Washington Administrative Code (WAC). Other college policies approved by the administration are published in college policies and procedures manuals.

(4) **Documents index.** As an institution of higher education, the college generally does not have occasion to issue nonexempt "final orders," "declaratory orders," "interpretive statements," or "policy statements" as those terms are defined and used in the Public Records Act. The secretary of the college's board of trustees does maintain and publish on the college web site a documents index of the board's approved meeting agendas and minutes. Inquiries may be directed to the secretary of the board in the office of the president.

(5) **College web site.** The college's official web site, available at www.cascadia.edu, provides general information about the college and its governing board, administration, educational programs, and policies and procedures. Persons seeking public records of the college are encouraged to view the records available on the web site prior to submitting a records request.

AMENDATORY SECTION (Amending WSR 96-14-098, filed 7/2/96, effective 8/2/96)

WAC 132Z-276-040 (~~Operations and procedures.~~) **Public records officer.** ((Formal decision-making procedures are established by the board of trustees through rules promulgated in accordance with the requirements of chapter 34.05 RCW, the Administrative Procedure Act.)) (1) **Designation.** A public records officer designated by the college shall be responsible for responding to public records requests in accordance with the provisions of this chapter and applicable provisions of the Public Records Act, chapter 42.56 RCW. The duties of the public records officer under this chapter may be delegated to one or more public records assistants designated by the college.

(2) **Duties.** The public records officer shall oversee the college's compliance with the Public Records Act. The records officer (or designee) and the college are responsible for providing the fullest assistance to requestors of public records, for ensuring that public records are protected from damage or disorganization, and for preventing records

requests from excessively interfering with essential institutional functions or unreasonably disrupting the operations of the college. The college may take reasonable precautions to prevent a requestor from being unreasonably disruptive or disrespectful to college staff.

(3) **Records office.** Inquiries regarding public records of the college may be addressed to the public records officer at the following office address:

Public Records Officer
Cascadia College
18345 Campus Way N.E.
Bothell, WA 98011
425-352-8810
publicrecords@cascadia.edu

(4) **Office hours.** The regular office hours of the public records office are from 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

AMENDATORY SECTION (Amending WSR 15-07-091, filed 3/17/15, effective 4/17/15)

WAC 132Z-276-050 **Requests for public records** ((**available**)). ((All public records of the district, as defined in this chapter, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by chapter 42.56 RCW or other statutes.)) (1) **Written requests preferred.** Requests for public records of the college may be addressed to the public records officer at the address given in WAC 132Z-276-040. The college encourages, but does not require, requestors to use the public records request form made available by the public records office on the college web site (www.cascadia.edu/publicrecords). Requests made orally, whether by phone or in person, may be confirmed in writing by the public records officer.

(2) **Contents of records requests.** A request for public records must include the following information:

(a) The name and contact information of the person requesting the records;

(b) The requestor's mailing address, which may be an electronic mail address;

(c) The date and time of the request;

(d) A description of the requested records that is sufficiently detailed to enable the public records officer to identify and locate the records; and

(e) A statement indicating whether the requestor wishes to inspect the records or to receive copies of the records in paper or electronic form.

(3) **Lists of individuals for commercial purposes.** State agencies and institutions are not permitted to provide lists of individuals for commercial purposes. A request for lists of individuals must be accompanied by the requestor's signed declaration that the list will not be used for commercial purposes. The public records officer may inquire as to the requestor's intended use of the list and may deny the request if it is evident from the request that the list will be used for a commercial purpose.

(4) Assistance in identifying records. The public records officer may assist requestors in identifying the specific records sought by the requestor. With limited exceptions, a requestor may not be required to state the purpose of the request. However, the records officer may ask the purpose of the request if such inquiry will assist in identifying the records requested.

AMENDATORY SECTION (Amending WSR 15-07-091, filed 3/17/15, effective 4/17/15)

WAC 132Z-276-060 ((Public)) Processing of records ((officer)) requests. ((The district's public records shall be in the charge of the public records officer designated by the chief administrative officer of the district. The person so designated shall be located in the district administrative office. The public records officer shall be responsible for the following: Implementation of the district's rules regarding release of public records, coordinating district employees in this regard, and generally ensuring compliance by district employees with the public records disclosure requirements in chapter 42.56 RCW.)) (1) Applicable law. Requests for public records will be processed in accordance with these rules and applicable provisions of the Public Records Act, chapter 42.56 RCW. Guidance concerning the application of these rules may be found in the advisory model rules adopted by the attorney general under chapter 44-14 WAC.

(2) Prioritizing of requests. Public records requests generally will be processed in the order in which they are received by the records office and within the staffing limitations of the office. However, the records office may expedite requests for a single record or for only a few records, if such records are easily identifiable and can be readily retrieved. The records office may ask, but not require, a requestor to prioritize the records the requestor is seeking.

(3) Clarification of requests. The public records officer may request clarification of a records request in accordance with applicable provisions of the Public Records Act. The requestor must respond to the request for clarification within thirty days of the request.

(4) Providing records by installment. If a requestor submits multiple records requests, or if a requestor seeks a large number of records or many different types of records, the public records officer may provide access to the records in installments in accordance with applicable provisions of the Public Records Act.

(5) Denial of bot requests. The public records officer may deny a bot request as defined under the Public Records Act, RCW 42.56.080(3), if responding to the multiple requests would cause excessive interference with other essential functions of the college and the records officer reasonably believes the request was automatically generated by a computer program or script.

(6) Closure of requests. When the requestor either withdraws the request, or fails to clarify an entirely unclear request, or fails to fulfill the requestor's obligations to inspect records, pay the deposit, pay the required fees for an installment, or make final payment for the requested copies, the public records officer will close the request and notify the requestor that the request has been closed.

AMENDATORY SECTION (Amending WSR 05-06-003, filed 2/17/05, effective 3/20/05)

WAC 132Z-276-070 ((Office hours.)) Records exempt from inspection or copying. ((Public records shall be available for inspection and copying during the customary office hours of the district. For purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays and holidays established by the college calendar.)) (1) Public Records Act exemptions. The Public Records Act, chapter 42.56 RCW, exempts from inspection or copying certain categories of records as set forth in the Public Records Act or under other statutes. The public records officer will disclose the existence of exempt records as required by law, but will deny the inspection or copying of such records to the extent that the records are exempt from inspection or copying under the Public Records Act or other applicable law.

(2) Commonly applied exemptions. The public records office maintains a list explaining the exemptions most commonly applied by the college in processing requests for public records. A copy of the list can be requested from the public records officer and will typically be provided by the records officer in responding to a request for records that are determined in whole or in part to be exempt from inspection or copying.

(3) Determining applicable exemptions. The public records officer may seek information from the requestor sufficient to determine whether another statute prohibits disclosure of the requested records. For example, student education records generally may not be disclosed to third parties without the student's written consent.

AMENDATORY SECTION (Amending WSR 15-07-091, filed 3/17/15, effective 4/17/15)

WAC 132Z-276-080 ((Requests for)) Public records available for inspection. ((In accordance with the requirements of chapter 42.56 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are only obtainable by members of the public when those members of the public comply with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the district which shall be available at the district administrative office. The form shall be presented to the public records officer or, if the public records officer is not available, to any member of the district's staff at the district administrative office during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the public records officer, a reference to the requested record as it is described in such current index;

(e) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer, or person to whom the request is made, to assist the member of the public in succinctly identifying the public record requested.)) (1) **Scheduling of appointments.** Public records identified as responsive to a public records request may be made available for inspection and copying during regular office hours by scheduling an appointment with the public records officer. The requestor must review the assembled records, or installment of records, within thirty days of being notified that the records are available for review. The records officer will notify the requestor in writing of this requirement and will ask the requestor to contact the records office to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the college may close the request.

(2) **Protection of records.** The public records officer will be responsible for providing full access to public records made available for inspection, for protecting the records from damage or disorganization, and for preventing excessive interference with essential college functions. Public records made available for inspection may not be removed from the office without the permission of the records officer.

(3) **Copying of records.** The public records officer will arrange for copying of any records designated by the requestor and will charge such copying fees as may apply under WAC 132Z-276-090.

AMENDATORY SECTION (Amending WSR 96-14-098, filed 7/2/96, effective 8/2/96)

WAC 132Z-276-090 Copying fees—Payments. ((No fee shall be charged for the inspection of public records. The district may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records and such charges shall not exceed the amount necessary to reimburse the district for its actual costs incident to such copying. No person shall be released a record so copied until and unless the person requesting the copied public record has tendered payment for such copying to the appropriate district official. All charges must be paid by money order, cashier's check, or cash in advance.)) (1) **Fees and payment procedures.** The following copying fees and payment procedures apply to requests to the college under chapter 42.56 RCW received on or after the effective date of this section.

(2) **Inspection of records.** There is no fee for inspecting public records made available for inspection by the public records officer under WAC 132Z-276-080.

(3) **Actual costs not calculated.** Pursuant to RCW 42.56.120 (2)(b), the college is not calculating all actual costs for copying records because to do so would be unduly burdensome for the following reasons: (a) The institution does not have the resources to conduct a study to determine all its actual copying costs; (b) to conduct such a study would interfere with other essential college functions; and (c) through

the 2017 legislative process, the public and requestors have commented on and been informed of authorized fees and costs, including for electronic records, provided in RCW 42.56.120 (2)(b) and (c), (3), and (4).

(4) **Default fees adopted.** The college will charge for copies of records pursuant to the default fees in RCW 42.56.120 (2)(b) and (c). The college will charge for customized services pursuant to RCW 42.56.120(3). Under RCW 42.56.130, the college may charge other copy fees authorized by statutes outside of chapter 42.56 RCW. The college may enter into an alternative fee agreement with a requestor under RCW 42.56.120(4). The charges for copying methods used by the college are summarized in the fee schedule available on the college's web site at www.cascadia.edu.

(5) **Advanced payment required - Fee waivers.** Requestors are required to pay for copies in advance of receiving records or an installment of records. The records officer will notify the requestor when payment is due. Fee waivers are an exception and are available for some small requests under the following conditions.

(a) It is within the discretion of the public records officer to waive copying fees when: (i) All of the records responsive to an entire request are paper copies only and consist of twenty-five or fewer pages; or (ii) all of the records responsive to an entire request are electronic and can be provided in a single email with attachments of a size totaling no more than the equivalent of one hundred printed pages. If that email for any reason is not deliverable, records will be provided through another means of delivery, and the requestor will be charged in accordance with this rule.

(b) Fee waivers are not applicable to records provided in installments.

(6) **Copying fee deposits.** The public records officer may require an advance deposit of ten percent of the estimated fees when the copying fees for an installment or an entire request, or customized service charge, exceed twenty-five dollars.

(7) **Payment method.** Payment should be made by credit or debit card or by check or money order payable to Cascadia College. The college prefers not to receive cash. Cash payments will be accepted if made in the exact amount.

(8) **Closure of request for nonpayment.** The college will close a request when a requestor fails by the payment date to pay in the manner prescribed for records, an installment of records, or a required deposit.

AMENDATORY SECTION (Amending WSR 15-07-091, filed 3/17/15, effective 4/17/15)

WAC 132Z-276-110 Review of denials of ((public)) records requests. (1) ((Any person)) **Petition for internal administrative review.** A requestor who objects to the denial, or partial denial, of a records request ((for a public record)) may petition ((for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement which constituted or accompanied the denial.

(2) The written request by a person demanding prompt review of a decision denying a public record shall be submitted to the president or designee.

(3) Within two business days after receiving the written request by a person petitioning for a prompt review of a decision denying a public record, the president or designee, shall complete such review.

(4) During the course of the review the president or designee shall consider the obligations of the district to comply with the intent of chapter 42.56 RCW insofar as it requires providing full public access to official records, but shall also consider the exemptions provided in chapter 42.56 RCW or other pertinent statutes, and the provisions of the statute which require the district to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and prevent any unreasonable invasion of personal privacy by deleting identifying details)) in writing to the public records officer for a review of that decision. The public records officer will promptly refer the petition to the office of the president. A senior administrator designated by the president will consider the petition and will render a decision within two business days following the initial receipt of the petition by the public records officer. The time for considering the petition may be extended by mutual agreement of the college and the requestor.

(2) Review by attorney general's office. A requestor who objects to the denial, or partial denial, of a records request may request the office of the attorney general to review the matter as provided in RCW 42.56.530 and WAC 44-06-160. Requests for attorney general review must be directed to Public Records Review, Office of the Attorney General, P.O. Box 40100, Olympia, WA 98504-0100.

(3) Judicial review. A requestor may obtain judicial review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative review.

AMENDATORY SECTION (Amending WSR 15-07-091, filed 3/17/15, effective 4/17/15)

WAC 132Z-276-120 Court protection of public records. ((Requests for public records shall be made at the administrative office of the district at Caseadia College, 18345 Campus Way N.E., Bothell, WA 98011. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated. Copies of such records may be arranged according to the provisions of WAC 132Z-276-090-)) (1) **Notifying interested persons.** The college, as required or permitted by law or contract, including any collective bargaining agreement, and in other appropriate circumstances, may notify persons named in a public record, or to whom the record specifically pertains, that release of the record has been requested and that such persons may apply to the superior court for a protective order under RCW 42.56-540.

(2) **Applying for court protection.** The college in appropriate circumstances may apply to the superior court for a protective order enjoining the examination of any specific public record in accordance with the procedures under RCW 42.56.540. Nothing in this chapter shall be construed as either

requiring or prohibiting the college's application to the court for such an order.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 132Z-276-100 Determination regarding exempt records.
- WAC 132Z-276-130 Records index.
- WAC 132Z-276-140 Adoption of form.

WSR 18-11-134 PERMANENT RULES DEPARTMENT OF HEALTH

(Board of Optometry)

[Filed May 23, 2018, 10:04 a.m., effective June 23, 2018]

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

Purpose: WAC 246-851-505 Temporary practice permit—Military spouse eligibility and issuance, the board of optometry (board) adopts this rule for temporary practice permits to be issued to military spouses or state-registered domestic partners who hold out-of-state credentials as optometrists. The rule adopts by reference rules in chapter 246-12 WAC and implements chapter 18.340 RCW. The applicant must be credentialed in another state with substantially equivalent standards and they must also meet specific requirements under RCW 18.340.020.

The rule is needed to establish the process and criteria for issuing a temporary practice permit to an optometrist license[d] in another state who is applying for licensure in Washington as a result of a spouse being transferred into Washington for military duty. The temporary practice permit will allow applicants to practice in the full scope of their profession for up to one hundred eighty days pending issuance of a permanent credential.

Citation of Rules Affected by this Order: New WAC 246-851-505.

Statutory Authority for Adoption: RCW 18.54.070(2).

Other Authority: RCW 18.340.020.

Adopted under notice filed as WSR 18-03-153 on January 23, 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 1, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making:

New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

Date Adopted: May 23, 2018.

Dr. Dale Heaston, OD, Chair
Board of Optometry

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.

Katherine I. Vasquez
Rules Coordinator

NEW SECTION

WAC 246-851-505 Temporary practice permit—Military spouse. A military spouse or state registered domestic partner of a military person may receive a temporary practice permit while completing any specific additional requirements that are not related to training or practice standards for the profession. The board adopts the procedural rules as adopted by the department of health in WAC 246-12-051.

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 18-12 issue of the Register.

WSR 18-11-138

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Children's Administration)

[Filed May 23, 2018, 11:16 a.m., effective June 23, 2018]

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

Purpose: The purpose of these WAC amendments is to provide foster parents, child placing agencies, and group care facilities further instructions and additional clarity regarding the minimum licensing standards. The division of licensed resources WAC were overhauled in 2015, and since that time both internal and external stakeholders have provided feedback to improve and increase the understandability of the WAC.

Citation of Rules Affected by this Order: Amending WAC 388-145-1305, 388-145-1330, 388-145-1355, 388-145-1400, 388-145-1405, 388-145-1430, 388-145-1460, 388-145-1475, 388-145-1560, 388-145-1565, 388-145-1610, 388-145-1835, 388-145-1855, 388-147-1305, 388-147-1425, 388-147-1450, 388-147-1565, 388-148-1305, 388-148-1365, 388-148-1530, and 388-148-1645.

Statutory Authority for Adoption: RCW 74.15.010, 74.15.030, 74.15.040, 74.15.090, 74.13.031, 74.39A.056, 43.43.832.

Adopted under notice filed as WSR 18-07-096 on March 20, 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 21, Repealed 0.

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