

WSR 24-13-019

PERMANENT RULES

DEPARTMENT OF HEALTH

(Washington Medical Commission)

[Filed June 6, 2024, 2:33 p.m., effective July 7, 2024]

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

Purpose: Post medical training for physicians; the Washington medical commission (commission) has adopted amendments to WAC 246-919-330 to eliminate the outdated requirement for consecutive years of training in no more than two programs. This change will remove a barrier for qualified applicants to obtain licensure.

When effective, this permanent rule will supersede the emergency rule filed on March 8, 2024, as WSR 24-07-019.

Citation of Rules Affected by this Order: Amending WAC 246-919-330.

Statutory Authority for Adoption: RCW 18.71.017 and 18.130.050.

Adopted under notice filed as WSR 24-07-107 on March 20, 2024.

A final cost-benefit analysis is available by contacting Amelia Boyd, Program Manager, P.O. Box 47866, Olympia, WA 98540-7866, phone 360-918-6336, TTY 711, email amelia.boyd@wmc.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: April 26, 2024.

Kyle Karinen
Executive Director

OTS-4663.1

AMENDATORY SECTION (Amending WSR 20-22-003, filed 10/21/20, effective 11/21/20)

WAC 246-919-330 Postgraduate medical training. (1) Postgraduate medical training means clinical training approved by the commission in general medicine or surgery, or a specialty or subspecialty in the field of medicine or surgery as recognized by the American Board of Medical Specialties listed in the 2017-2018 ABMS Board Certification Report and new specialties or subspecialties approved by the commission.

(2) The commission approves only the following postgraduate clinical training courses:

(a) Programs accredited by the Accreditation Council for Graduate Medical Education (ACGME) at the time of residency.

(b) Programs accredited by the Royal College of Physicians and Surgeons of Canada (RCPSC) or the College of Family Physicians of Canada (CFPC), or programs accredited by the RCPSC or CFPC at the time of residency.

(3) Postgraduate medical training includes, but is not limited to, internships, residencies and medical or surgical fellowships.

(4) A physician must complete two (~~consecutive~~) years of postgraduate medical training (~~in no more than two programs~~). The physician must acquire this training after completion of a formal course of undergraduate medical instruction outlined in RCW 18.71.055. The commission will accept only satisfactory clinical performance evaluations.

WSR 24-13-020
PERMANENT RULES
DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed June 6, 2024, 3:51 p.m., effective July 7, 2024]

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

Purpose: The department of social and health services is adopting amendments to WAC 388-416-0005 How long can I get basic food?, 388-418-0011 What is a mid-certification review, and do I have to complete one in order to keep receiving benefits?, and 388-450-0200 Will the medical expenses of elderly persons or individuals with disabilities in my assistance unit be used as an income deduction for basic food?

These amendments are necessary to comply with the approved federal waiver for the elderly simplified application project, extending the basic food certification period from 12 months to 36 months for households where all members are age 60 or older and/or disabled adults with no earned income.

Related emergency rules are currently in place. When effective, this permanent filing supersedes the emergency rule filed under WSR 24-10-045.

Citation of Rules Affected by this Order: Amending WAC 388-416-0005, 388-418-0011, and 388-450-0200.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, and 74.08A.902.

Adopted under notice filed as WSR 24-09-023 on April 9, 2024.

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

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

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

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Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

Date Adopted: June 6, 2024.

Katherine I. Vasquez
Rules Coordinator

SHS-5012.5

AMENDATORY SECTION (Amending WSR 11-16-030 and 11-18-012, filed 7/27/11 and 8/26/11, effective 10/16/11)

WAC 388-416-0005 How long can I get Basic Food? (1) The length of time the department determines your assistance unit (AU) is eligi-

ble to get Basic Food is called a certification period. The department may certify your AU for up to ~~((twelve))~~ 12 months, unless:

(a) You receive food assistance under the Washington state combined application project (WASHCAP). ~~((7))~~ We set your WASHCAP certification period as described under WAC 388-492-0090.

~~((b))~~ (b) You receive food assistance under the elderly simplified application project (ESAP). ESAP households are certified for 36 months.

~~((b))~~ (c) You receive transitional food assistance ~~((7))~~ (TFA). We set your TFA certification period as described under WAC 388-489-0015.

(2) We terminate your Basic Food benefits before the end of your certification period in subsection (1) of this section if:

(a) You fail to complete a mid-certification review as described under WAC 388-418-0011;

(b) We get proof of a change that makes your AU ineligible; or

(c) We get information that your AU is ineligible and you do not provide needed information to verify your AU's circumstances.

AMENDATORY SECTION (Amending WSR 22-17-080, filed 8/17/22, effective 9/17/22)

WAC 388-418-0011 What is a mid-certification review, and do I have to complete one in order to keep receiving benefits? (1) A **mid-certification review** (MCR) is a form we send you to ask about your current circumstances during your certification period. We use the answers you give us to decide if you are still eligible for benefits and to calculate your monthly benefits.

(2) If you receive cash assistance or basic food benefits, you must complete a mid-certification review unless you meet one of the exceptions below:

(a) You **do not** have to complete a mid-certification review for cash assistance if you:

(i) Receive refugee cash assistance as described under WAC 388-400-0030;

(ii) Receive aged, blind, or disabled (ABD) program assistance as described under WAC 388-400-0060;

(iii) Receive a referral to the housing and essential needs (HEN) program as described under WAC 388-400-0070; or

(iv) Have a review period of six months or less.

(b) You **do not** have to complete a mid-certification review for basic food if:

(i) Your assistance unit has a certification period of six months or less; or

(ii) ~~((All adults in your))~~ Your assistance unit ((are)) consists only of elderly or disabled adults, or qualifies for the elderly simplified application project (ESAP), and does not have ((no)) earned income.

(3) **When we send the review form:**

| If you must complete a MCR ... | We send your review form ... |
|---|--|
| (a) For one program such as basic food. | In the fifth month of your certification or review period. You must complete your review by the 10th day of month six. |

| If you must complete a MCR ... | We send your review form ... |
|---|---|
| <u>(b) If you are no longer eligible for ESAP but remain eligible for basic food for the remainder of a 36-month certification period converted from an ESAP certification.</u> | <u>In the 11th and 23rd months of your certification period when your certification period has more than 13 months remaining of the 36-month certification period. You must complete your review by the 10th day of the 12th month or the 24th month or both of the certification period.</u> |
| (((b))) (c) For two or more programs, and all programs have a 12-month certification or review period. | In the fifth month of your certification or review period. You must complete your review by the 10th day of month six. |
| (((e))) (d) For basic food and another program when either program has a certification or review period between six and 12 months. | In the fifth month of your basic food certification period when you receive basic food and another program. You must complete your review by the 10th day of month six of your basic food certification. |

(4) If you must complete a mid-certification review, we send you the review form with questions about your current circumstances. You can choose to complete the review form online, or in one of the following ways:

(a) **Complete the form and return it to us.** For us to count your mid-certification review as complete, you must take all of the steps below:

(i) Complete the review form, telling us about changes in your circumstances we ask about;

(ii) Sign and date the form;

(iii) Give us proof of any changes you report. If you report a change that will increase your benefits without giving proof of this change, we will not increase your benefits;

(iv) If you receive temporary assistance for needy families and you are working or self-employed, you must give us proof of your income even if it has not changed; and

(v) Mail or turn in the completed form and any required proof to us by the due date on the review.

(b) **Complete the mid-certification review over the phone.** For us to count your mid-certification review as complete, you must take all of the steps below:

(i) Contact us at the phone number on the review form, telling us about changes in your circumstances we ask about;

(ii) Give us proof of any changes you report. We may be able to verify some information over the phone. If you report a change that will increase your benefits without giving proof of this change, we will not increase your benefits;

(iii) If you receive temporary assistance for needy families and you are working or self-employed, you must give us proof of your income even if it has not changed; and

(iv) Mail or turn in any required proof to us by the due date on the review.

(c) **Complete the application process for another program.** If we approve an application for another program in the month you must complete your mid-certification review, we use the application to com-

plete your review when the same person is head of household for the application and the mid-certification review.

(5) If your benefits change because of what we learned in your mid-certification review, the change takes effect the next month even if this does not give you 10 days' notice before we change your benefits.

(6) If you do not complete your required mid-certification review, we stop your benefits at the end of the month the review was due.

(7) **Late reviews.** If you complete the mid-certification review after the last day of the month the review was due, we process the review as described below based on when we receive the review:

(a) **Mid-certification reviews you complete by the last day of the month after the month the review was due:** We determine your eligibility for ongoing benefits. If you are eligible, we reinstate your benefits based on the information in the review.

(b) **Mid-certification reviews you complete after the last day of the month after the month the review was due:** We treat this review as a request to send you an application. For us to determine if you are eligible for benefits, you must complete the application process as described in chapter 388-406 WAC.

AMENDATORY SECTION (Amending WSR 24-05-032, filed 2/13/24, effective 4/1/24)

WAC 388-450-0200 Will the medical expenses of elderly persons or individuals with disabilities in my assistance unit be used as an income deduction for basic food? (1) If your basic food assistance unit (AU) includes an elderly person or individual with a disability as defined in WAC 388-400-0040, your AU may be eligible for an income deduction for that person's out-of-pocket medical expenses. We allow the deduction for medical expenses over \$35.00 each month.

(2) You can use an out-of-pocket medical expense toward this deduction if the expense covers services, supplies, medication, or other medically needed items prescribed by a state-licensed practitioner or other state-certified, qualified, health professional. Examples of expenses you can use for this deduction include those for:

(a) Medical, psychiatric, naturopathic physician, dental, or chiropractic care;

(b) Prescribed alternative therapy such as massage or acupuncture;

(c) Prescription drugs except medical marijuana;

(d) Over the counter drugs;

(e) Eye glasses;

(f) Medical supplies other than special diets;

(g) Medical equipment or medically needed changes to your home;

(h) Shipping and handling charges for an allowable medical item.

This includes shipping and handling charges for items purchased through mail order or the internet;

(i) Long distance calls to a medical provider;

(j) Hospital and outpatient treatment including:

(i) Nursing care; or

(ii) Nursing home care including payments made for a person who was an (~~assistance unit~~) AU member at the time of placement.

(k) Health insurance premiums paid by the person including:

- (i) Medicare premiums; and
- (ii) Insurance deductibles and copayments.

(l) Out-of-pocket expenses used to meet a spenddown as defined in WAC 182-519-0100. We do not allow your entire spenddown obligation as a deduction. We allow the expense as a deduction as it is estimated to occur or as the expense becomes due;

- (m) Dentures, hearing aids, and prosthetics;

(n) Cost to obtain and care for a seeing eye, hearing, or other specially trained service animal. This includes the cost of food and veterinarian bills. We do not allow the expense of food or veterinary bills for a service animal as a deduction if you receive ongoing additional requirements under WAC 388-473-0040 to pay for this need;

(o) Reasonable costs of transportation and lodging to obtain medical treatment or services; and

(p) Attendant care necessary due to age, infirmity, or illness. If your AU provides most of the attendant's meals, we allow an additional deduction equal to a one-person allotment.

- (3) There are two types of deductions for out-of-pocket expenses:

(a) One-time expenses are expenses that cannot be estimated to occur on a regular basis. You can choose to have us:

(i) Allow the one-time expense as a deduction when it is billed or due;

(ii) Average the expense through the remainder of your certification period; or

(iii) If your AU has a ((24)) 36-month certification period, you can choose to use the expense as a one-time deduction, average the expense for the first 12 months of your certification period, or average it for the remainder of ((~~our~~)) your certification period.

(b) Recurring expenses are expenses that happen on a regular basis. We estimate your monthly expenses for the certification period.

- (4) We do not allow a medical expense as an income deduction if:

(a) The expense was paid before you applied for benefits or in a previous certification period;

- (b) The expense was paid or will be paid by someone else;

(c) The expense was paid or will be paid by the department or another agency;

- (d) The expense is covered by health care insurance;

(e) We previously allowed the expense, and you did not pay it. We do not allow the expense again even if it is part of a repayment agreement;

(f) You included the expense in a repayment agreement after failing to meet a previous agreement for the same expense; or

(g) You claim the expense after you have been denied for presumptive SSI; and you are not considered disabled by any other criteria.

WSR 24-13-025

PERMANENT RULES

MILITARY DEPARTMENT

(Emergency Management Division)

[Filed June 7, 2024, 10:51 a.m., effective July 8, 2024]

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

Purpose: Update chapters 118-66, 118-67, and 118-68 WAC to be in alignment with associated RCW that have already undergone revision and been implemented. The purpose of these changes is to remove redundant language, update verbiage to reflect current technologies, and remove obsolete references.

Citation of Rules Affected by this Order: Amending chapters 118-66, 118-67, and 118-68 WAC.

Statutory Authority for Adoption: RCW 38.52.520.

Adopted under notice filed as WSR 24-09-008 on April 4, 2024.

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.

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Date Adopted: June 7, 2024.

Adam R. Wasserman
Assistant Director of Emergency Communications

OTS-5305.1

Chapter 118-66 WAC
((ENHANCED 9-1-1)) 911 FUNDING

AMENDATORY SECTION (Amending WSR 11-03-004, filed 1/5/11, effective 2/5/11)

WAC 118-66-020 Purpose and priorities. (1) These rules define the purposes for which available state ((enhanced 9-1-1)) 911 account moneys may be expended, consistent with the eligibility requirements, criteria, and priorities of RCW 38.52.540 and 38.52.545.

(2) RCW 38.52.540 authorizes the establishment of a state ((enhanced 9-1-1)) 911 account in the state treasury to be used only for the following purposes:

(a) ((To support the statewide coordination and management of the enhanced 9-1-1 system;

- ~~(b) For the implementation of wireless enhanced 9-1-1 statewide;~~
~~(c) For the modernization of enhanced 9-1-1 communications systems statewide; and~~
~~(d) To help supplement, within available funds, the operational costs of the statewide enhanced 9-1-1 emergency communications system, including:~~
- ~~(i) Adequate funding of counties to enable implementation of wireless enhanced 9-1-1 service; and~~
 - ~~(ii) Reimbursement of radio communications service companies for costs incurred in providing wireless enhanced 9-1-1 service pursuant to negotiated contracts between the counties or their agents and the radio communications service companies.)~~ To procure, fund, and manage the statewide 911 emergency communications system network; and
 - (b) To purchase goods and services that support the counties and Washington state patrol public safety answering points in providing 911 baseline level of service statewide; and
 - (c) To assist the counties and Washington state patrol public safety answering points to provide 911 emergency communications systems and associated administrative, and operational costs; and
 - (d) To acquire 911 hardware, software, and technology appropriate to support a 911 emergency communications system, 911 emergency communications training, and public education; and
 - (e) To support the statewide coordination and management of the 911 emergency communications system; and
 - (f) For modernization needs of the 911 emergency communications system as defined in RCW 38.52.010.
- (3) RCW 38.52.545 (~~provides that the~~) specifies rules defining the purposes for which available state ((enhanced 9-1-1 funds)) 911 moneys may be expended in which the state 911 coordinator, with the advice and assistance of the 911 advisory committee, must consider ((the base needs of individual counties for specific assistance, and establishes the following expenditure priorities for such funds)) needs necessary to provide a baseline level of service by individual counties and their designated Washington state patrol public safety answering points. Priorities are available for 911 emergency communications system funding are as follows:
- (a) To procure, fund, and manage the statewide network and supporting services, and assure that ((9-1-1)) 911 dialing is operational statewide; and
 - (b) To assist counties and Washington state patrol public safety answering points to provide 911 emergency communications systems and associated administrative and operational costs as necessary to assure they can achieve a ((basic)) baseline level of service ((level for 9-1-1)) for 911 operations; and
 - (c) To assist counties ((as practicable to acquire items of a capital nature appropriate to modernize 9-1-1 systems and increase 9-1-1 effectiveness)) and their designated Washington state patrol public safety answering points to acquire 911 hardware, software, and technology to support a 911 emergency communications system baseline level of service.
- (4) The state ((enhanced 9-1-1)) 911 coordinator, with the advice and assistance of the ((enhanced 9-1-1)) 911 advisory committee, is authorized to enter into statewide agreements to improve the efficiency of ((enhanced 9-1-1)) 911 services for all counties and to specify by rule the additional purposes for which moneys, if available, may be expended from the state ((enhanced 9-1-1)) 911 account.

AMENDATORY SECTION (Amending WSR 11-03-004, filed 1/5/11, effective 2/5/11)

WAC 118-66-030 Definitions. (1) "~~((9-1-1)) 911 call(s)~~" ((shall mean voice or data that is routed to a public safety answering point (PSAP) by dialing or accessing 9-1-1 in emergency situations.

(2) "~~9-1-1 demarcation point~~" shall mean the point at which the 9-1-1 network begins and provides the ingress from the telecommunications providers' network.

(3) "~~9-1-1 network~~" shall mean the system of circuits, networks and/or equipment managed and maintained by the Washington state E9-1-1 office to provide 9-1-1 communications from the 9-1-1 demarcation point to the PSAP demarcation point, including the information technology system known as emergency services internet protocol network (ESInet).

(4) "~~9-1-1~~)" is a generic term referring to any request for public safety assistance, regardless of the media used to make that request. This term may appear in conjunction with specific media, such as "voice call," "video call," "text call," or "data-only call" when the specific media is of importance. The term "noninteractive call" refers to an emergency call that is initiated automatically, carries data, does not establish a two-way interactive media session, and typically does not involve a human at the "initiating" end.

(2) "911 coordinator electronic mobile device" shall mean equipment capable of receiving and delivering text, data, graphics, or other electronic media via a private computer network or the internet.

(3) "911 emergency communications system" has the same meaning as defined in RCW 38.52.010.

(4) "911 information technology services" shall mean the technical support and maintenance of eligible 911 equipment.

(5) "911 mapping administration" shall mean personnel, hardware, and software necessary to create and maintain geographical information system (GIS) data necessary for geospatial routing, location, interpretation, and to display the data on a PSAP call answering position.

(6) "911 management information system (MIS)" shall mean equipment that collects, stores, and collates ((9-1-1)) 911 call ((data)) information into reports and statistics.

((5) "~~Address~~" shall mean the identification of a unique physical location by street name, number, postal community (and when available, zip code), latitude, longitude (and, when available, altitude). When applicable, the address may contain the identification of separately occupied subunits, such as apartment or suite numbers, and where appropriate, other information such as building name or floor number which defines a unique physical location.

((6)) (7) "911 network" also referred to as the next generation 911 emergency services internet protocol network. This network shall meet the service level standards adopted by the state 911 coordination office.

(8) "911 public education coordination" shall mean the development and delivery of 911 public education.

(9) "911 training coordination" shall mean the development and delivery of a 911 call receiver training program.

(10) "Advisory committee" shall mean the ((enhanced 9-1-1)) 911 advisory committee as established by RCW 38.52.530.

((7)) (11) "Alternate routing" shall mean ((a method)) the capability of routing ((9-1-1)) 911 calls to a designated alternate ((PSAP)) location(s) ((when all 9-1-1 lines are busy at the primary

PSAP location)) if all 911 connections are busy, unavailable, or out of service. May be activated upon request or automatically, if detectable, when 911 equipment fails or the PSAP itself is unavailable. This includes default routing which is a predetermined routing path coordinated between a carrier and a PSAP.

~~((8) "ANI/ALI controllers" shall mean the equipment that processes the 9-1-1 calls and/or data and provides control functions for retrieving and interpreting information in the ANI and ALI databases.~~

~~(9) "ANI/ALI display equipment" shall mean the equipment at the PSAP call answering position necessary for the display of automatic number identification and automatic location identification.~~

~~(10)) (12) "Automatic location identification (ALI)" ((shall mean a feature of the enhanced 9-1-1 emergency communications system by which the name and address associated with the calling party's telephone number (identified by ANI feature) is forwarded to the PSAP for display)) has the same meaning as defined in RCW 38.52.010.~~

~~((11)) (13) "Automatic location identification (ALI) database service" shall mean the set of ((ALI)) records residing on ((a)) computer systems ((at an E9-1-1 service provider)) and the associated process, procedures, and programs used to create, store, and update the data for presentation to the public safety telecommunicator when a customer accesses the 911 emergency communications system.~~

~~((12) "Automatic location identification/data management system (ALI/DMS)" shall mean a system of manual procedures and computer programs used to create, store, and update the data required for automatic location identification in support of enhanced 9-1-1.~~

~~(13) "Automatic number identification (ANI)" shall mean a feature of the enhanced 9-1-1 emergency communications system that allows for the automatic display of the telephone number used to access 9-1-1.)~~

~~(14) ("B.01/P.01 grade of service" shall mean a level of service where the probability that one call out of one hundred (one percent) will be blocked during the average busy hour.~~

~~(15) "Call detail recorder" shall mean equipment used to store, record or print ANI/ALI information for 9-1-1 calls.) "Baseline level of 911 service" has the same meaning as defined in RCW 38.52.010.~~

~~(15) "Call handling equipment (CHE)" shall mean equipment and/or systems utilized by the PSAP to receive and process 911 communications. Sometimes this is referred to as customer premise equipment (CPE).~~

~~(16) "Computer aided dispatch (CAD)" shall mean equipment capable of receiving and disseminating detailed information related to ((emergency)) call taking and dispatching.~~

~~(17) "Coordinator professional development (CPD)" shall mean a defined group of support elements provided to all counties and Washington state patrol.~~

~~(18) ("Customer premise equipment (CPE)" shall mean equipment utilized by the PSAP to receive and process 9-1-1 communications.~~

~~(19) "Department" shall mean the Military Department as referred to in RCW 38.52.010.~~

~~(20) "Electronic mail" shall mean a means of delivering text, data, graphics and other electronic media via a private computer network or the internet.~~

~~(21)) "Eligible entities" shall mean the counties and Washington state patrol determined to be eligible for reimbursement of costs for a specified item.~~

~~((22)) (19) "Emergency services communication system" ((shall mean a multicounty or county-wide communications network, including an~~

enhanced 9-1-1 system, which provides rapid public access for coordinated dispatching of services, personnel, equipment, and facilities for police, fire, medical, or other emergency services)) has the same meaning as defined in RCW 38.52.010 and 82.14B.020.

~~((23) "Emergency service zone (ESZ)" shall mean a geographical area with a combination of designated police, fire, and emergency medical service providers.~~

~~(24) "Enhanced 9-1-1 (E9-1-1) mapping administration" shall mean personnel, hardware, and software necessary to create and maintain geographical information system (GIS) data necessary to interpret Phase II E9-1-1 latitude and longitude (and, when available, altitude), and to display the data on a PSAP call answering position.~~

~~(25) "Enhanced 9-1-1 emergency communications system" shall mean a public communications system consisting of a network, database, and on-premises equipment that is accessed by dialing or accessing 9-1-1 and that enables reporting police, fire, medical, or other emergency situations to a public safety answering point. The system includes the capability to selectively route incoming 9-1-1 voice or data to the appropriate public safety answering point that operates in a defined 9-1-1 service area and capability to automatically display the name, address, and telephone number of incoming 9-1-1 voice or data at the appropriate public safety answering point. Enhanced 9-1-1 emergency communications system includes the modernization to next generation 9-1-1 systems.~~

~~(26) "Enhanced 9-1-1 information technology services" shall mean the technical support and maintenance of eligible E9-1-1 equipment.~~

~~(27) "Enhanced 9-1-1 public education services" shall mean the development and delivery of 9-1-1 public education.~~

~~(28) "Enhanced 9-1-1 training coordination" shall mean the development and delivery of a 9-1-1 call receiver in-house training program.~~

~~(29)) (20) "Geographical information system (GIS)" shall mean an integrated system of hardware and software for capturing, managing, analyzing, and displaying geographically referenced information.~~

~~((30) "Instant call check" shall mean equipment which records 9-1-1 call conversations for immediate playback on demand.~~

~~(31) "Interconnected voice over internet protocol service (VoIP)" has the same meaning as established under RCW 82.14B.020.~~

~~(32) "Interconnected voice over internet protocol service line" has the same meaning as established under RCW 82.14B.020.~~

~~(33)) (21) "Language interpreter services" shall mean language translation services for ((9-1-1)) 911 calls.~~

~~((34) "Location determination technology (LDT)" shall mean the technology used exclusively to determine position or geographic location using latitude and longitude (and, when available, altitude) of a wireless 9-1-1 caller when the mobile switching center (MSC) starts a call or while the MSC is engaged in a call, or of a VoIP 9-1-1 caller when the VoIP switch starts a call or while the VoIP switch is engaged in a call.~~

~~(35)) (22) "Location" shall mean a civic location or geodetic location that contains enough detail for accurately routing a call to a PSAP serving the location.~~

~~(23) "Logging recorder" shall mean a device that is capable of time stamping, recording, and replaying ((9-1-1)) 911 voice and data.~~

~~((36)) (24) "Mapping display" shall mean equipment capable of displaying ((9-1-1)) 911 call locations on a map.~~

~~((37) "Master street address guide (MSAG)" shall mean a database of street names and address ranges within their associated postal communities defining emergency service zones for 9-1-1 purposes.~~

~~(38) "Mobile positioning center (MPC)" shall mean a point of interface to a wireless network for the emergency service network. The gateway mobile location center (GMLC) serves as the point of interface to the global system for mobile communications (GSM) wireless network. The MPC and GMLC serve as the entity that retrieves, forwards, stores and controls position data within the location network. The MPC/GMLC entity receives position information from the wireless network, forwards it to the emergency services network upon request and coordinates requests for position update.~~

~~(39) "Mobile switching center (MSC)" shall mean the wireless equivalent of a switching office that provides switching functions for wireless calls.~~

~~(40) "MSC Phase I software capabilities" shall mean software at an MSC that is necessary for the provision of Phase I E9-1-1 service and is used exclusively for this purpose.~~

~~(41) "MSC Phase II software capabilities" shall mean software at the MSC that is necessary for the provision of Phase II E9-1-1 service, and is exclusively used for this purpose.~~

~~(42) "Multicounty region" shall mean two or more counties served by a regional PSAP.~~

~~(43)) (25) "Next generation ((9-1-1 (NG9-1-1) network)) 911 emergency communications system" ((shall mean the next evolutionary step in the development of the 9-1-1 emergency communications system known as E9-1-1 since the 1970s. NG9-1-1 is a system comprised of managed IP based networks and elements that augment present-day E9-1-1 features and functions and add new capabilities. NG9-1-1 will eventually replace the present E9-1-1 system. NG9-1-1 is designed to provide access to emergency services from all sources, and to provide multimedia data capabilities for PSAPs and other emergency service organizations) has the same meaning as defined in RCW 38.52.010 and 82.14B.020.~~

~~(26) "Next generation 911 demarcation point" has the same meaning as defined in RCW 38.52.010.~~

~~((44) "Night service" shall mean a feature that forwards all 9-1-1 calls routed to a designated PSAP to an alternate directory number preassigned for that PSAP. The alternate directory number may be associated with another PSAP or other alternate destination.~~

~~(45) "Phase I address" shall mean the identification of a cell site and cell sector from which a 9-1-1 call originates, and includes identification of a cell site address, cell sector orientation, and/or a text description of the area.~~

~~(46) "Phase I ALI database" shall mean a computer database used to update the mobile directory number (MDN) information of wireless end user and cell site and cell sector information.~~

~~(47) "Phase I ALI data circuit" shall mean a dedicated 9-1-1 data circuit between an MSC and a service control point (SCP), and between an SCP and an ALI database.~~

~~(48) "Phase I (ALI)" shall mean the MDN information of wireless end users and the cell site and cell sector information.~~

~~(49) "Phase I E9-1-1 service" shall mean service that facilitates the selective routing of wireless 9-1-1 calls and the display of Phase I ALI at the PSAPs.~~

~~(50) "Phase I implementation plan" shall mean a plan of an RCSC or county for implementation of Phase I E9-1-1 service in a county or~~

counties in Washington state, including, but not limited to: Phase I E9-1-1 service activation date; network flowchart (including the company's relevant MSCs); specification of the technology used for interface to the selective router and the ALI/data management system (ALI/DMS) and a 9-1-1 call flow description; procedures for updating cell site and cell sector information; default and diverse routing plans; and an outline of Phase I E9-1-1 service testing procedures.

(51) **"Phase I interface to ALI database"** shall mean the physical connection of Phase I ALI data circuits from a service control point (SCP) or selective router to the ALI database, and the ALI feature enabling of the circuits.

(52) **"Phase I interface to selective router"** shall mean the physical connection of the Phase I 9-1-1 voice network from an MSC of an RCSC to a selective router, and the selective router feature enabling of the 9-1-1 trunks.

(53) **"Phase I master street address guide (MSAG)"** shall mean records in a master street address guide associated with each cell sector that provide cell site and cell sector identification, address, coverage information, service provider name, and PSAP of the cell sector for automatic display at the PSAP when a wireless 9-1-1 call is processed by that cell sector.

(54) **"Phase I testing"** shall mean testing conducted by an RCSC when Phase I E9-1-1 service is implemented to ensure the service is working correctly and testing after a company makes Phase I E9-1-1 service affecting additions or changes to their networks.

(55) **"Phase II address"** shall mean the latitude and longitude (and, when available, altitude) of the wireless end user.

(56) **"Phase II ALI"** shall mean the latitude and longitude (and, when available, altitude) of the wireless end user, in addition to the mobile directory number information. When the latitude and longitude are not available the Phase II ALI defaults to Phase I ALI as defined in this chapter.

(57) **"Phase II computer aided dispatch (CAD) system upgrades"** shall mean upgrades to the PSAP CAD system necessary to interpret the Phase II ALI data stream or to provide output to display Phase II location.

(58) **"Phase II E9-1-1 service"** shall mean service provided by an RCSC that delivers Phase I E9-1-1 service and latitude and longitude (and, when available, altitude) of the wireless end user.

(59) **"Phase II implementation plan"** shall mean a plan of an RCSC or county for implementation of Phase II E9-1-1 service in a county or counties in Washington state, including, but not limited to: Phase II E9-1-1 service activation date; network flowchart (including specification of the technology used for Phase II); and an outline of Phase II E9-1-1 service testing procedures.

(60) **"Phase II testing"** shall mean testing conducted by an RCSC when Phase II E9-1-1 service is implemented to ensure the service is working correctly, and periodic testing necessary for the maintenance of the service.

(61)) (27) **"Place of primary use ((,))"** ((as defined in RCW 82.04.065, shall mean the street address representative of where the subscriber's use of the mobile telecommunications service primarily occurs, which must be:

(a) The residential street address or the primary business street address of the subscriber; and

(b) Within the licensed service area of the home service provider.

~~(62) "PSAP demarcation point" shall mean the point at which the 9-1-1 network accesses the PSAP's CPE.~~

~~(63) "PSAP mapping" shall mean a system capable of converting latitude and longitude (and, when available, altitude) to a map display at the 9-1-1 call answering positions at the PSAPs.~~

~~(64) "Pseudo-ANI (P-ANI)" shall mean a nondialable telephone number used to support routing of wireless 9-1-1 calls that may identify a wireless cell, cell sector, or PSAP to which the call should be routed; or a nondialable telephone number used to support routing of VoIP 9-1-1 calls that identifies the PSAP to which the call should be routed) has the same meaning as defined in RCW 38.52.010 and 82.14B.020.~~

~~((65)) (28) "Public safety answering point (PSAP)" ((shall mean the public safety answering location for 9-1-1 calls originating in a given area. PSAPs are designated as primary or secondary, which refers to the order in which calls are directed for answering)) has the same meaning as defined in RCW 38.52.010.~~

~~((66)) (29) "Radio communications service company (RCSC)" ((shall mean every corporation, company, association, joint stock association, partnership, and person, their lessees, trustees, or receivers appointed by any court, and every city or town making available facilities to provide commercial mobile radio communications services, or cellular communications service for hire, sale, and both facilities-based and nonfacilities-based resellers, and does not include radio-paging providers)) has the same meaning as defined in RCW 38.52.010 and 82.14B.020.~~

~~((67) "Reverse ALI search" shall mean the ability to electronically query the ALI database to obtain an address associated with a known telephone number.~~

~~(68) "Route diversity" shall mean a method of assuring continuity of service by using multiple transmission routes to deliver a particular service between two points on a network.~~

~~(69) "Selective router" shall mean a device that provides the switching of 9-1-1 calls and controls delivery of a voice call with ANI to the PSAP and provides selective routing, speed calling, selective transfer, fixed transfer, and certain maintenance functions for each PSAP.~~

~~(70) "Selective routing" shall mean a feature that permits a 9-1-1 call to be routed to a predesignated PSAP based upon the address and/or location associated with the originating 9-1-1 access point.~~

~~(71) "Service control point (SCP)" (also referred to as "signal control point") shall mean a remote database within the signaling system 7 (SS7) signaling network that supplies the translation and routing data needed to deliver advanced network services.~~

~~(72) (a) "Service control point (SCP) Phase I capabilities" shall mean database and routing translations necessary for interpretation of data provided by the MSC on wireless 9-1-1 calls to allow 9-1-1 calls to be routed to the correct PSAP and display the correct MDN of the wireless phone and the correct cell site and cell sector information.~~

~~(b) "Service control point (SCP) Phase II capabilities" shall mean specific functions and features necessary for interpretation of Phase II data provided by the MPC on wireless 9-1-1 calls to allow 9-1-1 calls to be routed to the correct PSAP and display the latitude and longitude (and, when available, altitude) of the caller.~~

~~(73) "Signaling system 7 (SS7)" shall mean an out of band signaling system used to provide basic routing information, call set-up and~~

other call termination functions in which signaling is removed from the voice channel itself and put on a separate data network.

~~(74))~~ (30) "Statewide services" shall mean services which benefit all counties and the Washington state patrol and ~~((de))~~ does not require local 911 excise tax revenue to be used prior to state reimbursement. Some are paid directly by the state ~~((E9-1-1))~~ 911 office and some are reimbursed through county contracts.

~~((75) "Switching office"~~ shall mean a telecommunications provider facility that houses the switching and trunking equipment serving telephones in a defined area.

~~(76) "Switching office enabling"~~ shall mean the technology that allows the public network telephone switching office to recognize and accept the digits ~~9-1-1~~.

~~(77))~~ (31) "Telecommunications provider" ~~((shall mean a telecommunications company as defined in RCW 80.04.010, a RCSC as defined herein, and a commercial mobile radio service provider as defined in 47 C.F.R., section 20.3, and providers of VoIP as defined herein and/or data service))~~ has the same meaning as defined in RCW 38.52.010.

~~((78))~~ (32) "Telecommunications services priority (TSP)" shall mean a service that assigns a priority to telecommunications lines for service restoration.

~~((79))~~ (33) "Teletype (TTY)" shall mean a telecommunications device that permits typed telephone conversations with or between deaf, hard of hearing, or speech impaired people with a machine at their location.

~~((80))~~ (34) "Traffic studies" shall mean ~~((9-1-1))~~ 911 call studies performed by a telecommunications provider.

~~((81))~~ (35) "Uninterruptible power supply (UPS)" shall mean a system designed to provide power, without delay or electrical transients, during a period when the normal power supply is incapable of performing acceptably and before generator or other auxiliary power is made available.

~~((82))~~ (36) "Voice over internet protocol (VoIP) service" shall mean as defined by the Federal Communications Commission (FCC) in 47 C.F.R. Sec. 9.3.

~~((83) "VoIP ALI"~~ shall mean a feature by which the name and registered address associated with the calling party's VoIP telephone number is forwarded to the PSAP for display.

~~(84) "VoIP ALI database"~~ shall mean a set of VoIP ALI records residing on a computer system at an ~~E9-1-1~~ service provider or VoIP positioning center.

~~(85) "VoIP interface to ALI database"~~ shall mean the data connection between the VoIP positioning center (VPC) and the ALI database that serves the PSAP.

~~(86) "VoIP positioning center (VPC)"~~ shall mean the entity that retrieves, forwards, stores and controls position data within the location network.

~~(87) "VoIP service provider"~~ shall mean a provider of VoIP service as defined by the Federal Communications Commission (FCC) in 47 C.F.R. Sec. 9.3.

~~(88) "VoIP service provider soft switch"~~ shall mean the VoIP equivalent of a switching office that provides switching functions for VoIP calls.

~~(89) "VoIP testing"~~ shall mean testing conducted by a VoIP service provider when ~~E9-1-1~~ service is implemented to ensure the service

is working correctly, and testing after a company makes E9-1-1 service affecting additions or changes to their networks.)

AMENDATORY SECTION (Amending WSR 11-03-004, filed 1/5/11, effective 2/5/11)

WAC 118-66-040 County eligibility for funding. (1) As required by RCW 38.52.510, each county must provide funding for the ((enhanced 9-1-1)) 911 emergency communications system in the county in an amount equal to the amount the maximum taxes under RCW 82.14B.030(1) would generate in the county or the amount necessary to provide full funding of the system in the county.

(2) A county in the state of Washington may be eligible to receive available funds from the state ((enhanced 9-1-1)) 911 account for certain eligible ((enhanced 9-1-1)) 911 emergency communications system expenses as described in this chapter only if the county has imposed the maximum county ((enhanced 9-1-1)) 911 tax allowed under RCW 82.14B.030 (1) and (2).

AMENDATORY SECTION (Amending WSR 03-10-014, filed 4/25/03, effective 7/1/03)

WAC 118-66-042 Radio communications service company (RCSC) ((eligibility for wireless funding)) agreements. ((-1)) The state ((enhanced E9-1-1)) 911 coordinator is authorized to enter into statewide agreements to improve the efficiency of ((enhanced 9-1-1 services)) 911 emergency communications system for all counties, and may do so through execution of statewide agreements with RCSC(s).

((2) Funds for wireless enhanced 9-1-1 service shall not be distributed to any radio communications service company that has not negotiated or in good faith attempted to negotiate a wireless enhanced 9-1-1 Phase I or Phase II service agreement with the applicable county(ies).))

AMENDATORY SECTION (Amending WSR 11-03-004, filed 1/5/11, effective 2/5/11)

WAC 118-66-045 Washington state patrol (WSP) eligible expenses. Upon designation by a county as a primary PSAP for wireless ((9-1-1)) 911 calls, a Washington state patrol communications center may be eligible to receive available wireless funds from the state ((enhanced 9-1-1)) 911 account for the following eligible ((components)) categories, components of which are not listed in order of priority:

- (1) Statewide dialing items:
 - (a) Coordinator professional development (CPD);
 - (b) ((Wireless Phase I E9-1-1 service components:
 - (i) Phase I automatic location identification (ALI);
 - (ii) Phase I address;
 - (iii) Service control point Phase I capabilities;
 - (iv) Phase I ALI database;
 - (v) Phase I interface to selective router;

- ~~(vi) Phase I interface to ALI database;~~
- ~~(vii) Phase I testing;~~
- ~~(viii) Phase I implementation plans;~~
- ~~(ix) Phase I implementation agreements;~~
- ~~(x) Pseudo-ANI (P-ANI);~~
- ~~(xi) MSC Phase I software capabilities;~~
- ~~(xii) Traffic studies between the MSC and selective router;~~
- ~~(xiii) Phase I ALI data circuits;~~
- ~~(c) Wireless E9-1-1 Phase II service components (including all Phase I components):~~
 - ~~(i) Location determination technology;~~
 - ~~(ii) Phase II implementation plan;~~
 - ~~(iii) Phase II testing;~~
 - ~~(iv) MSC Phase II software capabilities;~~
 - ~~(v) Service control point Phase II capabilities; and~~
 - ~~(vi) Mobile positioning center;~~
- ~~(d) NG9-1-1 network;~~
- ~~(e) 9-1-1 network equivalent (B.01/P.01 grade of service level required);~~
- ~~(f) Selective routing;~~
- ~~(g) Automatic location identification (ALI) database;~~
- ~~(h) Traffic studies between selective router and PSAP;~~
- ~~(i) Telecommunications service priority;~~
- ~~(j) Language interpretive service;~~
- ~~(k) Alternate routing and/or night service;~~
- ~~(l) Customer premise equipment (CPE)/telephone system and maintenance;~~
- ~~(m) TTY required for compliance with the Americans with Disabilities Act (ADA);~~
- ~~(n) ANI/ALI controllers and necessary interfaces to send data to other PSAP equipment;~~
- ~~(o) ANI/ALI display equipment for primary PSAPs;~~
- ~~(p) PSAP mapping and maintenance;~~
- ~~(q) 9-1-1 coordinator duties;)) Next generation 911 emergency communications system;~~
- (c) Automatic location identification (ALI) database service;
- (d) Traffic studies;
- (e) Telecommunications services priority (TSP);
- (f) Language interpretive service;
- (g) Alternate routing;
- (h) Call handling equipment (CHE) telephone system and maintenance;
- (i) TTY required for compliance with the Americans with Disabilities Act (ADA);
- (j) Call handling equipment (CHE) display equipment for PSAPs;
- (k) 911 coordinator duties;
- (l) 911 coordinator electronic mobile device; and
- (m) Associated administrative costs;
- (2) ((Basic)) Baseline service items:
- (a) Uninterruptible power supply (UPS) for PSAP ((enhanced 9-1-1)) 911 equipment and maintenance;
- (b) ((Route diversity between selective router and PSAP;
- (c) E9-1-1) 911 mapping administration;
- ((d) Instant call check equipment and maintenance;
- (e)) (c) Mapping display for call answering positions ((that are ANI/ALI equipped));
- ((f) 9-1-1) (d) 911 Management information system;

- ~~((g) Call detail recorder or printer and maintenance;~~
~~(h)) (e) Headsets for ((9-1-1)) 911 call receivers; and~~
(f) Associated administrative costs;
 (3) Capital items:
 (a) Logging recorder for ((9-1-1)) 911 calls and maintenance;
 (b) Computer aided dispatch (CAD) system hardware ~~((and)),~~ software, and maintenance;
 (c) Auxiliary generator and generator maintenance to provide ((9-1-1)) 911 eligible equipment/telephone services backup power;
 (d) Clock synchronizer and maintenance; ~~((and))~~
 (e) Console furniture for ((9-1-1)) 911 call receiving equipment and maintenance; and
(f) Associated administrative costs.

AMENDATORY SECTION (Amending WSR 11-03-004, filed 1/5/11, effective 2/5/11)

WAC 118-66-050 State eligible expenses. ~~((Enhanced 9-1-1)) (1)~~
 A 911 emergency communications system ~~((s-are))~~ is comprised of multiple ~~((components.))~~ features, functions, and services whose costs may be eligible, subject to available funds, ~~((expenses for implementation, operation, and maintenance costs of these components may be eligible))~~ for reimbursement ~~((if incurred))~~ by eligible entities. The components and services listed below may ~~((be eligible))~~ qualify for reimbursement to eligible entities from the state ~~((enhanced 9-1-1))~~ 911 account based on a reasonable prioritization by the state ~~((E9-1-1))~~ 911 coordinator, with the advice and assistance of the ~~((enhanced 9-1-1))~~ 911 advisory committee and in accordance with the purposes and priorities established by statute and regulation ~~((, including WAC 118-66-020)).~~ The state ~~((E9-1-1))~~ 911 coordinator will adopt policies defining specific details related to reimbursement eligibility.

~~((1)) (2)~~ Expenses for the ~~((following wireline service components may be eligible for reimbursement))~~ items listed below may be eligible for reimbursement from the state ~~((enhanced 9-1-1))~~ 911 account from funds generated under the ~~((state wireline/VoIP enhanced 9-1-1 account (RCW 82.14B.030 (5) and (7)) as statewide dialing items:~~

- ~~(a) Switching office enabling;~~
- ~~(b) Automatic number identification (ANI);~~
- ~~(c) Traffic studies between switching offices and the selective router;~~
- ~~(d) ALI/DMS service;~~
- ~~(e) Reverse ALI search capability.~~

~~(2) Expenses for the following wireless components may be eligible for reimbursement from state enhanced 9-1-1 account funds generated under the state wireless enhanced 9-1-1 excise tax (RCW 82.14B.030(6)) as statewide dialing items:~~

- ~~(a) Wireless Phase I E9-1-1 service components:~~
 - ~~(i) Phase I automatic location identification (ALI);~~
 - ~~(ii) Phase I address;~~
 - ~~(iii) Service control point Phase I capabilities;~~
 - ~~(iv) Phase I ALI database;~~
 - ~~(v) Phase I interface to selective router;~~
 - ~~(vi) Phase I interface to ALI database;~~
 - ~~(vii) Phase I testing;~~

- ~~(viii) Phase I implementation plans;~~
- ~~(ix) Phase I implementation agreements;~~
- ~~(x) Pseudo-ANI (P-ANI);~~
- ~~(xi) MSC Phase I software capabilities;~~
- ~~(xii) Traffic studies between the MSC and selective router;~~
- ~~(xiii) Phase I ALI data circuits;~~
- ~~(b) Wireless E9-1-1 Phase II service components (including all Phase I components):~~
 - ~~(i) Location determination technology;~~
 - ~~(ii) Phase II implementation plan;~~
 - ~~(iii) Phase II testing;~~
 - ~~(iv) MSC Phase II software capabilities;~~
 - ~~(v) Service control point Phase II capabilities; and~~
 - ~~(vi) Mobile positioning center.~~
- ~~(3) Expenses for the following components are shared with wire-line/VoIP and wireless enhanced 9-1-1 services and may be eligible for reimbursement from state enhanced 9-1-1 account funds generated under the state wireline/VoIP enhanced 9-1-1 excise tax (RCW 82.14B.030 (5) and (7)) and from state enhanced 9-1-1 account funds generated under the statewide wireless enhanced 9-1-1 excise tax (RCW 82.14B.030(6)).) authority derived from RCW 82.14B.030 (5), (6), (7), and (8).~~
 - (a) Statewide dialing items:
 - (i) Coordinator professional development (CPD);
 - (ii) (NG9-1-1 network;
 - ~~(iii) 9-1-1 network equivalent (B.01/P.01 grade of service level required);~~
 - ~~(iv) Selective routing;~~
 - ~~(v)) Next generation 911 emergency communications system;~~
 - (iii) Automatic location identification (ALI) database service;
 - ~~((vi)) (iv) Traffic studies ((between selective router and PSAP));~~
 - ~~((vii) Telecommunications service priority;~~
 - ~~(viii)) (v) Telecommunications service priority (TSP);~~
 - (vi) Language interpretive service;
 - ~~((ix)) (vii) Alternate routing ((and/or night service));~~
 - ~~((x) Customer premise)) (viii) Call handling equipment ((CPE)/telephone system) (CHE) and maintenance;~~
 - ~~((xi)) (ix) TTY required for compliance with the Americans with Disabilities Act (ADA);~~
 - ~~((xii) ANI/ALI controllers and necessary interfaces to send data to other PSAP equipment;~~
 - ~~(xiii) ANI/ALI display equipment for primary PSAPs;~~
 - ~~(xiv) PSAP mapping and maintenance;~~
 - ~~(xv) County 9-1-1)) (x) CHE display equipment for PSAPs;~~
 - (xi) PSAP mapping and maintenance;
 - (xii) 911 coordinator duties;
 - ~~((xvi) MSAG coordination and maintenance;~~
 - ~~(xvii) Mapping/GIS coordination and maintenance;~~
 - ~~(xviii) 9-1-1)) (xiii) 911 information technology services;~~
 - ~~((xix) 9-1-1)) (xiv) 911 call receiver salaries and benefits;~~
 - ~~((xx) 9-1-1)) (xv) 911 public education coordination;~~
 - ~~((xxi) 9-1-1)) (xvi) 911 training coordination;~~
 - (xvii) 911 coordinator electronic mobile device; and
 - (xviii) Associated administrative costs.
 - (b) ~~((Basic)) Baseline service items:~~

(i) Uninterruptible power supply (UPS) for PSAP (~~enhanced 9-1-1~~) 911 equipment and maintenance;

(ii) (~~Route diversity between selective router and PSAP;~~) ~~(iii) 9-1-1~~) 911 Coordinator training;

(~~(iv) MSAG training;~~) ~~(v)~~) (iii) Mapping/GIS training;

(~~(vi)~~) (iv) Information technology (IT) training;

(~~(vii)~~) (v) Call receiver training;

(~~(viii) E9-1-1~~) (vi) 911 mapping administration;

(~~(ix) Instant call check equipment and maintenance;~~) ~~(x)~~) (vii) Mapping display for call answering positions (~~that are ANI/ALI equipped~~);

(~~(xi) 9-1-1~~) (viii) 911 Management information system;

(~~(xii) Call detail recorder or printer and maintenance;~~) ~~(xiii)~~) (ix) Headsets for (~~9-1-1~~) 911 call receivers;

(~~(xiv) Enhanced 9-1-1~~) (x) 911 document destruction; and

(~~(xv) 9-1-1 coordinator electronic mail~~) (xi) Associated administrative costs.

(c) Capital:

(i) Logging recorder for (~~9-1-1~~) 911 calls and maintenance;

(ii) Computer aided dispatch (CAD) system hardware (~~and~~) software, and maintenance;

(iii) Auxiliary generator and generator maintenance to provide (~~9-1-1~~) 911 eligible equipment/telephone services backup power;

(iv) Clock synchronizer and maintenance; (~~and~~)

(v) Console furniture for (~~9-1-1~~) 911 call receiving equipment and maintenance; and

(vi) Associated administrative costs.

(~~(4) Within available funds and consistent with statutory and regulatory purposes and priorities, the state enhanced 9-1-1 coordinator (with the advice and assistance of the enhanced 9-1-1 advisory committee) has the discretion to allocate state enhanced 9-1-1 account funds to eligible entities as reimbursement for wireline/VoIP and wireless enhanced 9-1-1 eligible expenses.~~)

(~~5) Eligible expenses for wireline/VoIP components established in WAC 118-66-050(1) may only be eligible for reimbursement from state enhanced 9-1-1 account funds generated under the state wireline/VoIP enhanced 9-1-1 excise tax (RCW 82.14B.030 (5) and (7)). Such funds shall be allocated based on statutory and regulatory purposes and priorities and WAC 118-66-020.~~)

(~~6) Eligible expenses for wireless components established in WAC 118-66-050(2) may only be eligible for reimbursement from enhanced 9-1-1 account funds generated under the state wireless enhanced 9-1-1 excise tax (RCW 82.14B.030(6)). Such funds shall be allocated based on statutory and regulatory purposes and priorities and WAC 118-66-020.~~)

(~~7) Eligible expenses for components established in WAC 118-66-050(3) may be eligible for reimbursement from state enhanced 9-1-1 account funds generated under the state wireline/VoIP enhanced 9-1-1 excise tax (RCW 82.14B.030 (5) and (7)) and state enhanced 9-1-1 account funds generated under the state wireless enhanced 9-1-1 excise tax (RCW 82.14B.030(6)). (All shared components.) The amount allocated from each tax source will be based on an equitable distribution determined by the state E9-1-1 coordinator with the advice and assistance of the enhanced 9-1-1 advisory committee. Such funds shall be allocated based on statutory and regulatory purposes and priorities and WAC 118-66-020.)~~)

AMENDATORY SECTION (Amending WSR 11-03-004, filed 1/5/11, effective 2/5/11)

WAC 118-66-060 County eligible expenses. (1) In addition to the state reimbursement eligible items listed in WAC ((118-66-050)) 118-66-020 (1) through (3), PSAP and ((9-1-1)) 911 administration cost items are eligible county ((9-1-1)) 911 expenses, including the following items, which are not listed in order of priority:

- (a) Management services;
- (b) Human resources services;
- (c) Legal costs;
- (d) Financial services;
- (e) PSAP and ((9-1-1)) 911 administration lease/purchase costs;
- (f) ((E9-1-1)) 911 building repair and maintenance, and major systems replacement/repair;
- (g) ((E9-1-1)) 911 property and liability insurance;
- (h) PSAP and ((9-1-1)) 911 administrative telephone system; and
- (i) ((E9-1-1/NG9-1-1)) 911/NG911 reserve accounts(;; and
- ~~(j) Radio communications services companies wireless enhanced 9-1-1 recovery expenses).~~

(2) The items listed ((in subsection (1) of this section)) above are not eligible for funding from the state ((enhanced 9-1-1)) 911 account nor shall such items be used in the determination of eligibility in receiving state assistance from the state ((enhanced 9-1-1)) 911 account.

(3) When the items listed ((in subsection (1) of this section)) above are used with other PSAP operations such as dispatching, the county ((9-1-1)) 911 eligible amount shall be determined by percentage of use.

AMENDATORY SECTION (Amending WSR 03-10-014, filed 4/25/03, effective 7/1/03)

WAC 118-66-081 Funding applications. Requests for funding shall be submitted in accordance with application formats developed by the state ((E9-1-1)) 911 coordinator and shall include plans and budget information justifying the funding request, an annual schedule of eligible items, funding levels, and funding priority. The state ((E9-1-1)) 911 coordinator will establish a schedule of annual application dates.

AMENDATORY SECTION (Amending WSR 11-03-004, filed 1/5/11, effective 2/5/11)

WAC 118-66-090 Other rules. Through other governmental agencies, such as the Federal Communications Commission and the Washington utilities and transportation commission, rules have and will be adopted which will impact the statewide operation of ((enhanced 9-1-1)) 911. By this reference, this rule is intended to be consistent with and complementary to these other rules.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 118-66-085 Reporting requirements for radio communications service companies (RCSCs).

OTS-5306.1**Chapter 118-67 WAC****WIRELESS ((ENHANCED 9-1-1)) 911 CALLS FROM RADIO COMMUNICATIONS SERVICE COMPANIES—TECHNICAL AND OPERATIONAL STANDARDS**

AMENDATORY SECTION (Amending WSR 04-01-066, filed 12/12/03, effective 1/12/04)

WAC 118-67-020 Purpose. (1) RCW 38.52.561 authorizes the state ((enhanced 9-1-1)) 911 coordinator, with the advice and assistance of the ((enhanced 9-1-1)) 911 advisory committee, to set nondiscriminatory, uniform technical and operational standards consistent with the rules of the Federal Communication Commission (FCC) for the transmission of ((9-1-1)) 911 calls from radio communications service companies to ((enhanced 9-1-1)) 911 emergency communications systems. These standards must not exceed the requirements set by the FCC.

(2) ((The FCC, in its orders may refer to or approve standards adopted by the following standards bodies:

- (a) Alliance for Telecommunications Industry Solutions (ATIS);
- (b) Emergency Services Interconnection Forum (ESIF);
- (c) National Emergency Number Association (NENA).

(3)) This chapter is based upon and does not exceed FCC requirements contained in 47 C.F.R. ((§ 20.18)) Chapter 1.

AMENDATORY SECTION (Amending WSR 04-01-066, filed 12/12/03, effective 1/12/04)

WAC 118-67-030 Definitions. (1) ((**"Alliance for Telecommunications Industry Solutions (ATIS)"** shall mean the membership organization that provides the tools necessary for the industry to identify standards, guidelines and operating procedures that make the interoperability of existing and emerging telecommunications products and services possible.

(2) **"Emergency Services Interconnection Forum (ESIF)"** shall mean the working group of ATIS that provides a venue for the telecommunications industry, public safety and other stakeholders to develop and refine technical and operational interconnection issues that will ensure E9-1-1 service will be available for everyone.

~~(3-))~~ "911 only devices" shall mean a nonservice initialized device that is manufactured with the capability of dialing 911 only and that cannot receive incoming calls.

(2) "Device" shall mean a piece of technology equipment designed to perform specific functions and with the capability to access the 911 emergency communications system.

(3) "Dispatchable location" means a location delivered to the PSAP with a 911 call that consists of the validated street address of the calling party, plus additional information such as suite, apartment, or similar information necessary to adequately identify the location of the calling party.

(4) "Electronic serial number (ESN)" shall mean the unique 11-digit serial number assigned to the device by the manufacturer.

(5) "Federal Communications Commission (FCC)" shall mean the agency of the federal government established under the Communications Act of 1934, as revised, for the purpose of regulating interstate communication by wire and radio.

~~((4) "Electronic serial number (ESN)" shall mean the unique 11-digit serial number assigned to the handset by the manufacturer.~~

~~(5-))~~ (6) "International Mobile Equipment Identifier (IMEI)" shall mean the unique 15-digit serial number assigned to a global system for mobile communication (GSM) handset used on a GSM wireless network.

~~((6) "National Emergency Number Association (NENA)" shall mean the group established to foster the technological advancement, availability, and implementation of a universal emergency telephone number system.))~~

(7) "Nonservice initialized ((handsets)) devices" shall mean a ((handset)) device for which there is no valid service contract with an RCSC.

~~(8) ("Phase I enhanced 9-1-1 service" shall mean wireless 9-1-1 service where the RCSC is required to provide the telephone number of the originator of a 9-1-1 call and the location of the cell site or base station receiving a 9-1-1 call from any mobile handset accessing their systems to the designated PSAP through the use of ANI and Pseudo-ANI (see WAC 118-66-030).~~

~~(9) "Phase II enhanced 9-1-1 service" shall mean wireless 9-1-1 service where the RCSC is required to provide the telephone number of the originator of a 9-1-1 call and the location by latitude and longitude to the designated PSAP.~~

~~(10-)) "Radio communications service company (RCSC)" ((shall mean every corporation, company, association, joint stock association, partnership, and person, their lessees, trustees, or receivers appointed by any court, and every city or town making available facilities to provide commercial mobile radio communications services, or cellular communications service for hire, sale, and both facilities-based and nonfacilities-based resellers, and does not include radio-paging providers.~~

~~(11) "9-1-1 Only Handsets" shall mean a nonservice initialized handset that is manufactured with the capability of dialing 9-1-1 only and that cannot receive incoming calls)) has the same meaning as defined in RCW 38.52.010 and 82.14B.020.~~

(9) "Real-time text (RTT)" is text that is transmitted instantly as it is typed or created.

(10) "Text-to-911" is a service typically provided by mobile carriers, which allows for the sending of short messages to a PSAP from any text enabled device.

AMENDATORY SECTION (Amending WSR 04-01-066, filed 12/12/03, effective 1/12/04)

WAC 118-67-040 Introduction. (1) Radio communications service companies (RCSCs) shall comply with the technical and operational standards established by the Federal Communications Commission for the transmission of 9-1-1 calls in section 47 C.F.R. Chapter I (~~(, § 20.18)~~) of the FCC Rules.

(2) The authority given to the state (~~(enhanced 9-1-1)~~) 911 coordinator by RCW 38.52.561 is limited to setting standards as set forth in that section and does not constitute authority to regulate radio communications service companies.

AMENDATORY SECTION (Amending WSR 04-01-066, filed 12/12/03, effective 1/12/04)

WAC 118-67-050 ((Phase II accuracy.)) 911 location accuracy requirements. (~~(1)~~) RCSCs shall meet or exceed the location accuracy standards (~~for Phase II enhanced 9-1-1:~~

(a) ~~For network-based technologies: 100 meters for 67 percent of calls, 300 meters for 95 percent of calls;~~

(b) ~~For handset-based technologies: 50 meters for 67 percent of calls, 150 meters for 95 percent of calls.~~

(c) ~~For the remaining 5 percent of calls, location attempts must be made and a location estimate for each call must be provided to the appropriate PSAP.~~

(2) ~~Adhere to schedules for implementation of Phase I and Phase II enhanced 9-1-1 service (see paragraphs 20.18 (d) through (g) of the FCC Rules and subsequent modifications of the FCC's Richardson Order and Phase II Compliance Deadlines in CC Docket 94-102):~~) set forth by the FCC.

AMENDATORY SECTION (Amending WSR 04-01-066, filed 12/12/03, effective 1/12/04)

WAC 118-67-060 ((Phase I enhanced 9-1-1 service.)) 911 location information. (~~(1)~~ Within six months of a request by the designated public safety answering point as set forth in WAC 118-67-100, RCSCs must provide the telephone number of the originator of a 9-1-1 call and the location of the cell site or base station receiving a 9-1-1 call from any mobile handset accessing their systems to the designated public safety answering point through the use of ANI and pseudo-ANI.

(2) ~~When the directory number of the handset used to originate a 9-1-1 call is not available to the serving carrier, such carrier's obligations under paragraph (1) of this section extend only to delivering 9-1-1 calls and available call party information, including that prescribed in WAC 118-67-120 to the designated public safety answering point.~~

(3) ~~With respect to 9-1-1 calls accessing their systems through the use of TTYs, RCSCs must comply with the requirements in paragraphs (1) and (2) of this section, as to calls made using a digital wireless system.)~~

RCSCs, using any and all industry adopted standards, must deliver one of the following to the PSAP:

- (1) Dispatchable location; or
- (2) Device latitude and longitude with callback number.

AMENDATORY SECTION (Amending WSR 04-01-066, filed 12/12/03, effective 1/12/04)

WAC 118-67-090 ((Handset)) Device-based location technologies.

~~((RCSCs that employ a handset-based location technology may phase in deployment of Phase II enhanced 9-1-1 service, subject to the following requirements:~~

- ~~(1) Without respect to any PSAP request for deployment of Phase II 9-1-1 enhanced service, the RCSC shall:

 - ~~(a) Ensure that 100 percent of all new digital handsets activated are location-capable.~~
 - ~~(b) By December 31, 2005, achieve 95 percent penetration of location-capable handsets among its subscribers.~~~~
- ~~(2) Once a PSAP request is received, the RCSC shall, in the area served by the PSAP, within six months:

 - ~~(a) Install any hardware and/or software in the CMRS network and/or other fixed infrastructure, as needed, to enable the provision of Phase II enhanced 9-1-1 service; and~~
 - ~~(b) Begin delivering Phase II enhanced 9-1-1 service to the PSAP.~~~~
- ~~(3) For all 9-1-1 calls from portable or mobile phones that do not contain the hardware and/or software needed to enable the RCSC to provide Phase II enhanced 9-1-1 service, the RCSC shall, after a PSAP request is received, support, in the area served by the PSAP, Phase I location for 9-1-1 calls or other available best practice method of providing the location of the portable or mobile phone to the PSAP.~~
- ~~(4)) RCSCs employing ((handset)) device-based location technologies shall ensure that location-capable ((portable or mobile phones)) devices shall conform to industry interoperability standards designed to enable the location of such ((phones)) devices by multiple RCSCs.~~

AMENDATORY SECTION (Amending WSR 04-01-066, filed 12/12/03, effective 1/12/04)

WAC 118-67-110 TTY access to ((9-1-1)) 911 services. RCSCs subject to this section must be capable of transmitting ((9-1-1)) 911 calls from individuals with speech or hearing disabilities through means other than mobile radio ((handsets)) devices, e.g., through the use of text telephone devices (TTY), text-to-911, and real-time text (RTT). Operators of digital wireless systems must comply with the provisions of this paragraph.

AMENDATORY SECTION (Amending WSR 04-01-066, filed 12/12/03, effective 1/12/04)

WAC 118-67-120 Nonservice initialized ((handset)) devices.

RCSCs that donate a nonservice initialized ((handset)) device for purposes of providing access to ((9-1-1)) 911 services are required to:

(1) Program each ((handset)) device with ((9-1-1)) 911 plus the decimal representation of the seven least significant digits of the electronic serial number, international mobile equipment identifier or any other identifier unique to that ((handset)) device;

(2) Affix to each handset a label that is designed to withstand the length of service expected for a nonservice initialized ((phone)) device, and that notifies the user that the ((handset)) device can only be used to dial ((9-1-1)) 911, that the ((9-1-1)) 911 operator will not be able to call the user back, and that the user should convey the exact location of the emergency as soon as possible; and

(3) Institute a public education program to provide the users of such ((handsets)) devices with information regarding the limitations of nonservice initialized ((handsets)) devices.

AMENDATORY SECTION (Amending WSR 04-01-066, filed 12/12/03, effective 1/12/04)

WAC 118-67-130 Manufacturers of ((9-1-1-only handsets)) 911 only devices. Manufacturers of ((9-1-1-only handsets)) 911 only devices that are manufactured after May 3, 2004, are required to:

(1) Program each ((handset)) device with ((9-1-1)) 911 plus the decimal representation of the seven least significant digits of the electronic serial number, International Mobile Equipment Identifier or any other identifier unique to that ((handset)) device;

(2) Affix to each ((handset)) device a label that is designed to withstand the length of service expected for a nonservice initialized phone, and which notifies the user that the ((handset)) device can only be used to dial ((9-1-1)) 911, that the ((9-1-1)) 911 operator will not be able to call the user back, and that the user should convey the exact location of the emergency as soon as possible; and

(3) Institute a public education program to provide the users of such ((handsets)) devices with information regarding the limitations of ((9-1-1-only handsets)) 911 only devices.

REPEALER

The following sections of the Washington Administrative Code are repealed:

| | |
|----------------|--------------------------------------|
| WAC 118-67-070 | Phase II enhanced 9-1-1 service. |
| WAC 118-67-080 | Network-based location technologies. |
| WAC 118-67-100 | Requirements for PSAPs. |

OTS-5307.1

AMENDATORY SECTION (Amending WSR 01-09-045, filed 4/13/01, effective 5/14/01)

WAC 118-68-010 Purpose. The purpose of chapter 118-68 WAC is to adopt standards for the protection of life through assuring that telephone systems provide adequate location information through ~~((en-~~hanced)) 911 emergency communications systems pursuant to RCW 38.52.505.

AMENDATORY SECTION (Amending WSR 01-09-045, filed 4/13/01, effective 5/14/01)

WAC 118-68-020 Definitions. The following definitions shall apply when used in chapter 118-68 WAC:

(1) The "**authority having jurisdiction**" is defined as the fire chief for municipal corporations, or the county fire marshal or designee as appointed by the governing body for unincorporated areas.

(2) "**Building unit identifier**" means room number or equivalent designation of a specific portion of a structure, or an apartment number in multifamily residences.

(3) "**Call back telephone number**" means a phone number which can be called from ~~((the public switched network))~~ voice and data networks to be used by the public safety answering point to recontact the location from which the 911 call was placed. The number may or may not be the number of the ~~((station))~~ device used to originate the 911 call.

(4) "**Determination of noncompliance**" means written notification that a system is not in compliance with this regulation. Information contained therein shall include, but not be limited to, system deficiencies requiring correction to bring the system into compliance and a date by which noted corrections shall be made.

(5) ~~((**Director of fire protection** means the state fire marshal or his/her designee.~~

~~((6) "**Emergency location identification number (ELIN)**" means a valid North American Numbering Plan format telephone number assigned to the MLTS operator by the appropriate authority that is used to route the call to a PSAP and is used to retrieve the ALI for the PSAP. The ELIN may be the same number as the ANI. The North American Numbering Plan number may in some cases not be a dialable number.~~

~~((7) "**Emergency response location**" means a location to which a 911 emergency response team may be dispatched. The location should be specific enough to provide a reasonable opportunity for the emergency response team to quickly locate a caller anywhere within it.~~

~~((8) "**Fire official**" means the person or his/her designee appointed by the city, town or county for the administration and enforcement of the Uniform Fire Code. Adopted by reference in the State Building Code, chapter 19.27 RCW and energy related building standards, chapter 19.27A RCW.~~

~~((9) "**MLTS**" means a multiline telephone system comprised of common control units, telephones and control hardware and software. This includes network and premises based systems and includes systems owned or leased by governmental agencies and nonprofit entities, as well as for profit businesses.~~

~~(10) "On-site notification" means a system capability whereby a call to 911 is directed through the 911 network to a public safety answering point and simultaneously to a display unit collocated with the fire alarm annunciator panel for the building which will display the caller's location to a minimum of the building unit identifier.~~

~~(11)) "Dispatchable location" has the same meaning as defined in WAC 118-67-030.~~

~~(6) "Public safety answering point (PSAP)" ((means a facility equipped and staffed to receive 911 calls)) has the same meaning as defined in RCW 38.52.010.~~

AMENDATORY SECTION (Amending WSR 01-09-045, filed 4/13/01, effective 5/14/01)

WAC 118-68-040 Compliance. All facilities covered by this regulation shall comply with its provisions by May 1, 2001. Additionally, all facilities shall comply with FCC regulation 34 FCC Rcd 6607 (8) by August 1, 2019.

AMENDATORY SECTION (Amending WSR 01-09-045, filed 4/13/01, effective 5/14/01)

WAC 118-68-050 Inspection. (1) For the purpose of directing emergency response, the authority having jurisdiction is authorized to approve the adequacy of automatic location information displayed on the ((enhanced)) 911 equipment serving its jurisdiction, when 911 calls are made. Such authority shall issue a determination of noncompliance to the telephone system owner when an automation location information display is not in compliance. For systems which are in compliance the testing authority shall issue a notice of compliance noting the date of inspection and test circumstances.

(2) The authority having jurisdiction shall ensure that the telecommunications system is connected to the public switched network such that calls to 911 result in automatic location information displays as herein defined:

(a) For the 1994 Uniform Building Code Occupancy Group Classification R-1 except congregate residences, hotels, and motels, the minimum information requirements are:

- 2.a.1 Customer name
- 2.a.2 Street address and city
- 2.a.3 Building unit identifier
- 2.a.4 Call back telephone number

(b) For congregate residences, hotels, and motels as defined in the 1994 Uniform Building Code Group Classification R-1 the minimum information requirements as in (a) above or:

- 2.b.1 Customer name
- 2.b.2 Street address and city

2.b.3 Building unit identifier, or additional information supplied by automatic simultaneous connection of the caller, the PSAP and a knowledgeable designated individual(s) who will be able to supplement the ALI record with specific location information by effectively communicating with the PSAP

(c) For multiple unaffiliated business users as defined in chapter 80.36 RCW, the minimum information requirements are:

2.c.1 Business name

2.c.2 Street address and city

2.c.3 Building unit identifier (or more specific location information)

2.c.4 Call back telephone number

(d) For common and public schools, as defined in RCW 28A.150.010 and 28A.150.020, the minimum information requirements for any school district having a private telecommunications system acquired after January 1, 1997, that allows connection to the public switched network:

2.d.1 Individual school name

2.d.2 Street address and city

2.d.3 Building unit identifier

2.d.4 Call back telephone number

(e) For schools with phone systems installed prior to January 1, 1997, at any time the facility is occupied, it shall provide direct access to telephones that are connected to the public switched network, such that calls to 911 result in automatic location information.

(f) For certification of voluntary compliance for uses not defined above, the minimum information requirements are:

2.f.1 Business or agency name

2.f.2 Street address and city

2.f.3 Building unit identifier (or more specific location information)

2.f.4 Call back telephone number

(3) Additionally, the above entities shall comply with FCC rules related to section 506 of the Ray Baum's Act pertaining to dispatchable location regardless of the technological platform used.

AMENDATORY SECTION (Amending WSR 01-09-045, filed 4/13/01, effective 5/14/01)

WAC 118-68-070 Right of review. (1) The authority having jurisdiction shall promulgate procedures through which a facility may seek review of initial decisions. Such procedures shall conform to the Administrative Procedure Act, chapter 34.05 RCW, to the extent that act is applicable, and shall be pursuant to brief adjudicative procedures, RCW 34.05.482 through 34.05.485.

(2) At a minimum, such procedures shall provide that a facility aggrieved by an initial order of the authority having jurisdiction or (~~his/her~~) their designee may petition for review, in writing, stating why the initial order is in error, to the designated agency head within (~~ten~~) 10 days of the initial order. If no petition is made within (~~ten~~) 10 days, the initial order becomes final. In any event, the decision of the designated agency head shall be deemed the final decision of the agency.

AMENDATORY SECTION (Amending WSR 01-09-045, filed 4/13/01, effective 5/14/01)

WAC 118-68-090 ((~~Separability~~)) Severability. If any provision of this regulation or its application to any person or circumstance is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances shall not be affected.

WSR 24-13-026
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed June 7, 2024, 12:00 p.m., effective July 8, 2024]

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

Purpose: Medical insurance premium reimbursements: Providing further clarification regarding reimbursement of medical premiums for law enforcement officers' and firefighters' Plan 2 members who are catastrophically disabled in the line of duty.

Citation of Rules Affected by this Order: Amending WAC 415-104-4801.

Statutory Authority for Adoption: RCW 41.50.050.

Adopted under notice filed as WSR 24-10-105 on May 1, 2024.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: June 7, 2024

Tracy Guerin
Director

OTS-5181.2

AMENDATORY SECTION (Amending WSR 23-17-019, filed 8/7/23, effective 9/7/23)

WAC 415-104-4801 Medical reimbursement for LEOFF 2 catastrophically disabled members. (1) What type of medical premiums are available for reimbursement for a LEOFF Plan 2 member who is catastrophically disabled in the line of duty?

(a) LEOFF Plan 2 members who are catastrophically disabled in the line of duty are eligible for reimbursement of medical premiums ~~((of:))~~.

(i) For members who are not eligible for medicare, DRS will pay for the member, spouse, state-registered domestic partner, and eligible dependents:

(A) Employer-provided medical insurance((:));

~~((:ii))~~ (B) Medical insurance offered under the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA)((:)); or

~~((:iii))~~ (C) Other medical premiums, which could include vision and dental, not to exceed the COBRA amount. DRS will not pay for separate supplemental plans for vision, dental, and prescriptions.

~~((iv))~~ (ii) For members who are eligible for medicare, DRS will pay medicare Part A and B.

(b) LEOFF Plan 2 members who are catastrophically disabled are eligible for reimbursement for medical insurance premiums paid after June 30, 2013. ~~((DRS will not reimburse for any supplemental health plans.))~~

(2) **What if I am eligible for medicare coverage?** If you or your spouse become eligible for medicare coverage, you must notify DRS when you become eligible. To remain eligible for the reimbursement payment, you must enroll in and maintain enrollment in medicare Part B. At that point, DRS will only reimburse for medicare Part A and B ~~((and vision and dental coverage for that individual))~~. DRS will not reimburse for any medicare supplemental or prescription plans.

(3) **How do I apply for medical premium reimbursements?** To receive medical premium reimbursements, you must first complete a request for medical reimbursement form and provide proof of medical insurance coverage and premium payment to DRS.

(4) **What is acceptable as proof of insurance coverage?** DRS will accept these documents as proof of insurance coverage:

- (a) Invoice from insurance provider.
- (b) Certificate from insurance provider.
- (c) Invoice from medicare.
- (d) Social Security Form SSA-1099.

(5) **What is acceptable as proof of premium payment?** DRS will accept these documents as proof of payment:

- (a) Letter from the Social Security Administration showing your medicare deduction from your monthly benefit;
- (b) Bank or credit card statement showing insurance payment that is supported by other documentation showing this is for medical insurance;
- (c) Receipt from insurance provider; or
- (d) Copies of both sides of cashed checks ~~((~~or~~~~
- ~~((Letter from the Social Security Administration showing deduction amount))~~.

(6) **What if my premiums are deducted from my DRS benefit or my spouse's payroll checks?** DRS will accept these documents as proof of both insurance coverage and premium payment:

- (a) Premium deduction authorization from your insurance provider, if premium payments are being paid directly from DRS.
- (b) Copy of spouse's or partner's pay stub showing insurance deduction amount.

(7) **When is documentation required?**

(a) You must provide proof of insurance coverage and premium payments at the time you apply for reimbursement. After you are enrolled in the reimbursement program, you must submit this form each ~~((June and December))~~ time DRS requests, at a minimum twice a year, along with requested documentation.

(b) DRS will reach out to each retiree receiving medical reimbursement payments, and retirees will have 90 days from the date of the letter to provide proof of premium payment. DRS will provide notifications of the 90-day window to ensure that retirees are aware of the requirement to reapply and supply proof.

(c) After 90 days, DRS will suspend reimbursement until ~~((receiving))~~ proof of insurance coverage and premium payments have been received for each missed period. After DRS receives ~~((this))~~ supporting information, DRS will reinstate reimbursement payments for the month(s) that documentation supports were paid.

(d) Any adjustment in or cancellation of medical premiums paid by retirees may result in an overpayment of the reimbursement paid to the retiree, so changes should be reported to DRS when they occur.

WSR 24-13-029
PERMANENT RULES
DEPARTMENT OF
NATURAL RESOURCES

[Filed June 7, 2024, 4:18 p.m., effective July 8, 2024]

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

Purpose: The scheduled days for the regular meetings of the board of natural resources will be changed to better accommodate nonlocal members. Rule will also be updated to reflect current technology for hybrid meeting capabilities.

Citation of Rules Affected by this Order: Amending WAC 332-10-041.

Statutory Authority for Adoption: RCW 43.30.225.

Adopted under notice filed as WSR 24-07-006 on March 6, 2024.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: June 5, 2024.

Todd Welker
Deputy Supervisor for State Uplands

OTS-5082.1

AMENDATORY SECTION (Amending WSR 02-19-058, filed 9/12/02, effective 10/13/02)

WAC 332-10-041 Meetings of board of natural resources. (1) Regular meetings of the board of natural resources shall be held on the first Tuesday of every month except August. If a regular meeting falls on a holiday or the day after a holiday, such regular meeting shall be held on the next business day. A schedule of meetings will be published in the Washington State Register in January of each year. Changes to the schedule will be published in the Washington State Register pursuant to RCW 42.30.075. Special meetings may be held pursuant to RCW 42.30.080. Any person may obtain information about locations and meeting times by contacting the Department of Natural Resources, P.O. Box 47001, Olympia, Washington 98504-7001. The public is invited to attend and comment at all meetings.

(2) Members of the board of natural resources may participate by telephone or other means of remote access in any regular or special meeting so long as a ~~((speaker phone is available at the public meeting location. To assure that all discussions comply with RCW~~

~~42.30.030,))~~ board discussion can be heard by those attending the public meeting and the members can hear what is stated in the meeting. If more than one board member is participating by telephone or other means of remote access, then each such board member shall ((use a separate telephone line or a separate telephone. If other electronic means of attending meetings from remote locations are available, board members may employ these means so long as board discussion can be heard by those attending the public meeting consistent with the Open Public Meetings Act RCW 42.30)) join the meeting separately, such as by a separate telephone or electronic meeting link. Board members participating by telephone or other ((electronic)) means of remote access may vote on any matter and shall be considered as part of the quorum.

WSR 24-13-033

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed June 10, 2024, 8:53 a.m., effective July 11, 2024]

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

Purpose: The department of licensing is updating language in WAC 308-409-080 to include requirements from RCW 18.310.150 Disciplinary actions—Grounds.

Citation of Rules Affected by this Order: Amending WAC 308-409-080 Prohibitions.

Statutory Authority for Adoption: RCW 18.310.020 Powers and duties of director.

Adopted under notice filed as WSR 24-10-103 on May 1, 2024.

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 1.

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

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

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

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

Date Adopted: June 10, 2024.

Ellis Starrett
Rules and Policy Manager

OTS-5183.1

AMENDATORY SECTION (Amending WSR 11-24-067, filed 12/6/11, effective 1/6/12)

WAC 308-409-080 Prohibitions. (1) In addition to the unprofessional conduct described in RCW 18.235.130, and the actions described in RCW 18.310.150, the director may take disciplinary action for the following conduct, actions or conditions:

(a) Prohibiting or refusing to allow, or attempting to prohibit or refuse to allow the professional appraisal assistance of registered real estate appraiser trainees in appraisal services unless such action is required by the appraisal management company's client;

(b) The appraisal management company shall not permit any employee, agent, third party, or controlling principal to engage in any of the following activities:

(i) Require the appraiser to collect the appraisal fee from a borrower, homeowner, or third party or to accept a credit card payment;

(ii) Require the appraiser to provide the appraisal management company with the appraiser's digital signature or seal; or

(iii) Compensate an unlicensed appraisal management company for referrals of appraisal services.

(2) This section does not prohibit an appraisal management company or an individual with an interest in a real estate transaction from requesting an appraiser to:

(a) Consider additional appropriate property information including relevant sales comparables not considered in the initial appraisal report;

(b) Provide further detail, substantiation or explanation of the appraiser's value conclusion; or

(c) Correct errors in the appraisal report.

WSR 24-13-047
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed June 12, 2024, 1:39 p.m., effective June 13, 2024]

Effective Date of Rule: Effective one business day after filing.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The laws that this rule implements are already in effect, so the department of retirement systems is putting the rule into effect one business day after filing.

Purpose: Making changes to implement the in-service distribution provision from the SECURE Act of 2019 and the required minimum distribution provision from the SECURE Act of 2022.

Citation of Rules Affected by this Order: Amending WAC 415-111-310 and 415-501-485.

Statutory Authority for Adoption: RCW 41.50.050; the SECURE Act of 2019 (P.L. 116-94), and the SECURE Act of 2022 (P.L. 117-328).

Adopted under notice filed as WSR 24-10-055 on April 25, 2024.

Number of Sections Adopted in Order to Comply with Federal Statute: New 2 [0], Amended 0 [2], 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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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

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

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 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: June 12, 2024.

Tracy Guerin
Director

OTS-5255.2

AMENDATORY SECTION (Amending WSR 22-17-049, filed 8/11/22, effective 9/11/22)

WAC 415-111-310 Defined contribution account distribution (withdrawal). (1) **What are the requirements to request a distribution (withdrawal) of funds from my defined contribution account?**

(a) You must separate from all eligible employment;
(b) The department must receive the notice of separation from your employer(s); and

(c) The department's recordkeeper must receive a completed request for a defined contribution distribution from your account. See WAC 415-111-110.

(2) **Can I receive a special exception distribution?**

(a) If you are terminally ill and eligible, the department's recordkeeper will arrange for payment to you within 10 workdays. To be eligible for a special exception payment:

- (i) You must separate from all eligible employment;
- (ii) The department must receive the notice of separation from your employer(s);
- (iii) The department's recordkeeper must receive documentation verifying your terminal illness; and
- (iv) The department's recordkeeper must receive a completed request for a defined contribution distribution from your account (see WAC 415-111-110).

(b) If you have an unforeseeable emergency, the department's recordkeeper will consider your request for a special exception payment and arrange for payment to you whenever possible. To be eligible for consideration:

- (i) You must separate from all eligible employment;
- (ii) The department must receive the notice of separation from your employer(s);
- (iii) The department's recordkeeper must receive documentation verifying and explaining your unforeseeable emergency. The recordkeeper will consider only unforeseeable emergencies. An unforeseeable emergency is defined as a severe financial hardship resulting from:
 - (A) An accident or serious illness of you or an immediate family member;
 - (B) The need to pay for medical expenses for you or a dependent;
 - (C) Imminent foreclosure or eviction from your primary residence;
 - (D) The need to pay for funeral expenses of a spouse or immediate family member; or
 - (E) Loss of property due to casualty.

(iv) The department's recordkeeper must receive a completed request for a defined contribution distribution from your account (see WAC 415-111-110).

(c) Depending on which program you are invested in, self-directed or WSIB Total Allocation Portfolio (TAP), the recordkeeper will distribute your special exception payment as specified in the table below, less any applicable tax withholding.

| | Terminal Illness | Unforeseeable Emergency |
|----------------------|--|--|
| Self-Directed | Up to 100% of the balance in the account within 10 days after approvals are completed. | Up to 100% of the balance in the account within 10 days after approvals are completed. |

| | Terminal Illness | Unforeseeable Emergency |
|--|---|--|
| WSIB Total Allocation Portfolio (TAP) | Up to 100% of the balance in the account based on the most recent valuation within 10 days after approvals are completed. | Up to 80% of the balance in the account distributed as a lump sum payment through the normal month-end distribution process. If 100% liquidation is requested, the remaining balance in the account will be disbursed after the final valuation has been made. |

(3) **Can I still receive my defined contribution distribution if I have returned to work before receiving my funds?** If all the criteria in subsection (1) of this section are met prior to DRS being notified of you being rehired, you may receive distribution from your defined contribution account.

(4) **What are my options for distributing my defined contribution funds?** You have the following options for distributions from your Plan 3 defined contribution account. Options for both the WSIB and the self-directed investment programs are combined where applicable.

(a) **Lump sum cash distribution. In either program,** you may request the entire amount of your funds in a single lump-sum payment.

(b) **Direct rollover. In either program,** you may have some or all of your funds rolled over to an eligible retirement plan or individual retirement account (IRA). If you choose a partial rollover, the remaining funds that were not rolled over will be distributed to you as a lump sum, unless you create a personal payment schedule under (d) of this subsection.

(c) **Scheduled payments. In either program,** subject to the distribution requirements of IRC Section 401(a)(9), you may request that your funds be distributed in equal payments over a specified period of time, or that a specific dollar amount be paid on a monthly basis until the account is exhausted. You may also request equal payments over your lifetime or the lifetimes of you and your beneficiary. Scheduled payments for the WSIB program are made monthly only. Scheduled payments for the self-directed program may be made monthly, quarterly, semiannually or annually.

(d) **Personalized payment plan. In either program,** you may create a personalized payment plan using any part of one or more of the distribution options provided in (a), (b), and (c) of this subsection (see examples below).

(e) **Annuity purchase.** You may purchase an annuity that pays a benefit for your lifetime or the lifetimes of you and your joint annuitant. See WAC 415-111-320 for information about purchasing an annuity.

EXAMPLE (WSIB - Partial rollover with payments until account exhausted) :

Pat has \$10,000 in the WSIB investment program. Pat wants to rollover \$2,000 of the total to an IRA, but does not want to receive

the remainder of the account in a lump sum payment as provided by the partial direct rollover option. Pat selects the personalized payment schedule option and requests to do a partial rollover of \$2,000 and receive the remaining \$8,000 in equal monthly payments of \$125 until the account is exhausted (approximately 64 months).

EXAMPLE (Self - Partial rollover with payments for fixed period):

Chris has \$10,000 in the self-directed investment program. Chris wants to rollover \$3,000 of the total to an IRA, but does not want to receive the remainder of the account in a lump sum payment as provided by the partial direct rollover option. Chris selects the personalized payment schedule option and requests to do a partial rollover of \$3,000 and receive the remaining \$7,000 in quarterly payments of \$250 over the next 7 years (28 quarters).

| Summary of Distribution Options | |
|---|--|
| SELF | WSIB |
| Lump Sum Cash Distribution or Direct Rollover | Lump Sum Cash Distribution or Direct Rollover |
| <ul style="list-style-type: none"> - Entire account - Partial amount - Remaining funds can be distributed in a lump-sum payment or by a personalized payment schedule (see below). | <ul style="list-style-type: none"> - Entire account - Partial amount - Remaining funds can be distributed in a lump-sum payment or by a personalized payment schedule (see below). |
| Scheduled Payments | Scheduled Payments |
| <ul style="list-style-type: none"> - Equal payments - Monthly, quarterly, semiannual or annual - Specified period of time, or - Until the account is exhausted - Payments can be combined life expectancy of you and a beneficiary. | <ul style="list-style-type: none"> - Equal payments - Monthly payments only - Specified period of time, or - Until the account is exhausted - Payments can be combined life expectancy of you and a beneficiary. |
| | Annuity Purchase |
| | <ul style="list-style-type: none"> - Purchase an annuity, administered by the state of Washington - Set up to pay benefits for - Your lifetime, or - Lifetimes of you and your joint annuitant. |
| In addition to the above, you may set up: | In addition to the above, you may set up: |
| Personalized Payment Plan | Personalized Payment Plan |
| <ul style="list-style-type: none"> - Customized for your needs - Available from options above. | <ul style="list-style-type: none"> - Customized for your needs - Available from options above. |

(5) **Market fluctuations.** Your defined contribution account is subject to actual investment earnings (both gains and losses). These gains or losses impact the value of your account. The defined contri-

bution payment plans are subject to the same market fluctuations. As a result, the funding of your selected payment plan may last longer than anticipated due to market gains, or end earlier than anticipated due to market losses.

(6) **Minimum required distribution.** No later than April 1st of the calendar year following the year in which you turn ~~((age 72))~~ the age designated in Internal Revenue Code (IRC) Section 401(a)(9), you are required to withdraw a minimum amount from your defined contributions annually. ~~((Prior to January 2020, required minimum distributions began at age 70.5.))~~ Subsequent withdrawals must be taken by December 31st of each year. If you are still working at ~~((age 72))~~ the designated age for a required minimum distribution, distribution is required to begin by April 1st the year following separation.

Calculation. Your required distribution is calculated each year based on your account balance as of December 31st of the prior year.

(7) See RCW 41.34.070 for additional information.

OTS-5256.1

AMENDATORY SECTION (Amending WSR 23-18-025, filed 8/25/23, effective 9/25/23)

WAC 415-501-485 How do I obtain a distribution? Distribution from the plan is governed by Internal Revenue Code Sections 401(a)(9) and 457(d); the treasury regulations interpreting these sections; and these rules to the extent they are not inconsistent with the Internal Revenue Code. The options for distribution are available from the department's recordkeeper.

(1) **Date of distribution.** You may choose the date on which to begin distribution from your deferred compensation account, subject to the requirements in (a) through (c) of this subsection; however, in order for earnings on Roth contributions to be tax-free at time of distribution, the requirements for a qualified distribution must be satisfied.

(a) **Earliest date.** You may not begin distribution prior to your termination of employment, with the following exceptions:

(i) A distribution for an unforeseeable emergency under WAC 415-501-510;

(ii) A voluntary in-service distribution under subsection (4) of this section;

(iii) A distribution from funds that were rolled into the deferred compensation account (may be subject to tax penalties); or

(iv) An in-service distribution in any calendar year in which you will reach age ~~((70.5))~~ 59.5 or more.

(b) **Latest date.** You must begin distribution on or before April 1st of the calendar year following the latter of:

(i) The calendar year in which you ~~((reach age 72))~~ attain the required minimum distribution age as designated in Internal Revenue Code Section 401(a)(9); or

(ii) The calendar year in which you retire.

(c) If you do not choose a distribution date, the department will begin distribution according to the minimum distribution requirements in IRC Section 401(a)(9).

(2) **Method of distribution.** Payment options include a lump sum payment, partial lump sum payment, or installment payments.

Beginning at ((age-72)) the age in which you must receive a required minimum distribution as designated in Internal Revenue Code Section 401(a)(9) or when you terminate employment, whichever comes later, payment must be in an amount to satisfy minimum distribution requirements in IRC Section 401(a)(9).

(3) **Voluntary in-service distribution at any age.** You may choose to withdraw the total amount payable to you under the plan while you are employed if the following three requirements are met:

(a) Your entire account value does not exceed \$5,000;

(b) You have not previously received an in-service distribution;
and

(c) You have made no deferrals during the two-year period ending on the date of the in-service distribution.

(4) **Unforeseeable emergencies.** See WAC 415-501-510.

(5) **Rehire.** If you submit an immediate lump sum or partial distribution request and the request is received in good order prior to being rehired, your distribution will be processed even if you become rehired with a DCP employer. If you are receiving installment payments or have requested to receive installment payments and then return to employment with a DCP employer, your payments from your DCP account will cease. You may request a distribution when you are again eligible consistent with these rules.

WSR 24-13-052
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE

[order 24-04—Filed June 13, 2024, 9:45 a.m., effective July 14, 2024]

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

Purpose: The purpose of this rule making is to regulate the commercial salmon fisheries in Willapa Bay and Grays Harbor. These rules are part of a comprehensive suite of rule-making packages to implement the new 2024-2025 salmon seasons for Washington state, developed through the broader North of Falcon process pursuant to the fish and wildlife commission's (FWC) North of Falcon Policy C-3608 for 2024-2028.

The North of Falcon process typically begins in January with the filing of the preproposal statement of inquiry (CR-101) and consists of government-to-government meetings involving the National Marine Fisheries Service (NMFS), treaty tribes, and the Washington department of fish and wildlife (WDFW) representatives. Separate public meetings are held with stakeholders, both at a statewide and regional level, to review preseason run size forecasts, NMFS guidance relative to allowable impacts for species listed under the Endangered Species Act, which includes salmon, but other protected species as well, such as southern resident killer whales.

Three stakeholder public meetings specific to the Willapa Bay and Grays Harbor fisheries were held in February, March, and April. Additional public comment was accepted subsequent to the proposed rule making (CR-102) for the 2024 coastal commercial salmon fishery, filed on April 30, 2024 (WSR 24-10-099), which included the public hearing on the proposed rules held on June 4, 2024. The comprehensive North of Falcon meeting schedule and the meeting agendas, handouts, and audio recordings of the public meetings are available on WDFW's website at <https://wdfw.wa.gov/fishing/management/north-falcon/public-meetings>.

While these rules regulate only commercial fisheries, the seasons specified in these rules are an integral part of implementing commercial and recreational fisheries in a coordinated manner pursuant to the Willapa Bay Salmon Management Policy C-3622 and Grays Harbor Basin Salmon Management Policy C-3621. As such, the commercial fisheries for 2024-2025 are structured in a manner intended to consider and provide both commercial and recreational fishing opportunities in Willapa Bay and Grays Harbor, while ensuring conservation requirements and management objectives in federal and state laws and regulations, state/tribal harvest management agreements, and FWC policies are met.

Though drafted as amendments to preceding rules, these new amendments function as a coordinated and unitary fishery rule-making package for the 2024-2025 salmon fishery season, and thus substantively replace prior years' fisheries in Willapa Bay and Grays Harbor. Specifically, these rules replace and supersede the language in WAC 220-354-250 for the Willapa Bay salmon fall fishery and WAC 220-354-290 for the Grays Harbor salmon fall fishery in their entirety.

Included in FWC's North of Falcon Policy C-3608 for 2024-2028 is a delegation of authority to the director of WDFW to adopt the implementing regulations, including this rule making, resulting from the North of Falcon process.

Citation of Rules Affected by this Order: Amending WAC 220-354-250 Willapa Bay salmon fall fishery and 220-354-290 Grays Harbor salmon fall fishery.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.04.055, and 77.12.047.

Adopted under notice filed as WSR 24-10-099 on April 30, 2024.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 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: June 12, 2024.

Kelly Susewind
Director

OTS-5392.1

AMENDATORY SECTION (Amending WSR 23-13-070, filed 6/14/23, effective 7/15/23)

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 for the dates listed in the table below:

| Area | Time | Date(s) | Maximum Mesh Size |
|-------------------------------------|---|---|----------------------------------|
| 2N, 2M , 2R | 6:00 a.m. through 6:00 p.m. | ((8/20)) <u>8/17, 8/24, 8/31</u> | 4.25" |
| ((2M)) <u>2N</u> , 2R | 6:00 a.m. through 6:00 p.m. | ((8/25)) <u>8/21, 8/28</u> | 4.25" |
| 2N, 2R | 6:00 a.m. through 6:00 p.m. | ((8/27)) <u>9/9</u> | 4.25" |
| <u>2N</u> , 2M, 2R | 6:00 a.m. through 6:00 p.m. | ((8/31)) <u>9/12</u> | 4.25" |
| 2N, 2R, <u>2T</u> | ((6:00)) <u>7:00</u> a.m. through ((6:00)) <u>7:00</u> p.m. | ((9/10, 9/13)) <u>9/15</u> | ((4.25")) <u>6.5"</u> |
| 2N, 2M, 2R, 2T((-2U))) | ((6:00)) <u>7:00</u> a.m. through ((6:00)) <u>7:00</u> p.m. | 9/16, <u>9/17, 9/18, 9/19</u> | ((4.25")) <u>6.5"</u> |
| 2N, ((2M, 2R,)) 2T | 7:00 a.m. through 7:00 p.m. | ((9/17)) <u>9/20</u> | ((4.25")) <u>6.5"</u> |
| <u>2U</u> | <u>7:00 a.m. through 7:00 p.m.</u> | <u>9/15, 9/18, 9/20</u> | <u>4.25"</u> |
| 2N, 2M, 2R, 2T((-2U))) | 7:00 a.m. through 7:00 p.m. | ((9/18)) <u>9/22, 9/23, 9/24, 9/25</u> | ((4.25")) <u>6.5"</u> |

| Area | Time | Date(s) | Maximum Mesh Size |
|---|--|---|-------------------------------------|
| 2N, ((2M,)) 2R, ((2U)) <u>2T</u> | 7:00 a.m. through 7:00 p.m. | ((9/19, 9/20)) <u>9/26</u> | ((4.25")) <u>6.5"</u> |
| 2N, ((2M,)) 2T ((,2U)) | 7:00 a.m. through 7:00 p.m. | ((9/21, 9/22)) <u>9/27</u> | ((4.25")) <u>6.5"</u> |
| ((2M | 7:00 a.m. through 7:00 p.m. | 9/23 | 4.25")) |
| 2U | 7:00 a.m. through 7:00 p.m. | ((9/24)) <u>9/23, 9/25, ((9/26,)) 9/27((,9/28))</u> | ((4.25")) <u>6.5"</u> |
| 2N, 2M, 2R, <u>2T</u> | 7:00 a.m. through 7:00 p.m. | ((9/24)) <u>9/29, 9/30, 10/1, 10/4, 10/5</u> | 6.5" |
| ((2N, 2M, 2R, 2T | 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. | 9/30 | 6.5")) |
| 2U | 7:00 a.m. through 7:00 p.m. | ((10/1)) <u>9/30, 10/2, 10/3, ((10/4,)) 10/5((, 10/6))</u> | ((4.25")) <u>6.5"</u> |
| 2N, 2M, ((2R,)) 2T, <u>2U</u> | 7:00 a.m. through 7:00 p.m. | ((10/1, 10/2, 10/3)) <u>10/7</u> | 6.5" |
| 2N, 2M, 2R, <u>2T</u> | 7:00 a.m. through 7:00 p.m. | ((10/4)) <u>10/9</u> | 6.5" |
| 2N, 2M, 2R, 2T, <u>2U</u> | 7:00 a.m. through 7:00 p.m. | ((10/5, 10/6)) <u>10/11</u> | 6.5" |
| <u>2N</u> , 2M, <u>2R</u> , 2T | 7:00 a.m. through 7:00 p.m. | ((10/7)) <u>10/14</u> | 6.5" |
| ((2U | 7:00 a.m. through 7:00 p.m. | 10/9, 10/10, 10/11, 10/12, 10/13 | 4.25")) |
| 2N, 2M, 2R, 2T, <u>2U</u> | 7:00 a.m. through 7:00 p.m. | ((10/9, 10/10, 10/11, 10/12, 10/13)) <u>10/16</u> | 6.5" |
| 2N, ((2R,)) 2T ((,2U)) | 7:00 a.m. through 7:00 p.m. | ((11/2)) <u>10/18</u> | 6.5" |
| ((2N, 2U | 7:00 a.m. through 7:00 p.m. | 11/3 | 6.5")) |
| 2N, 2M, 2R, 2T, 2U | 7:00 a.m. through 7:00 p.m. | ((11/6)) <u>10/20, 10/23</u> | 6.5" |
| 2N, 2T ((,2U)) | 7:00 a.m. through 7:00 p.m. | ((11/9)) <u>10/25</u> | 6.5" |
| 2N, 2M, 2R, 2T ((,2U)) | 7:00 a.m. through 7:00 p.m. | ((11/13)) <u>10/28</u> | 6.5" |
| ((2T, 2U)) <u>2N, 2R</u> | 7:00 a.m. through 7:00 p.m. | ((11/16)) <u>10/29</u> | 6.5" |
| 2N, 2M, 2R, 2T ((,2U)) | 7:00 a.m. through 7:00 p.m. | ((11/20)) <u>11/3, 11/10</u> | 6.5" |
| ((2T, 2U | 7:00 a.m. through 7:00 p.m. | 11/21 | 6.5")) |
| <u>2N</u> , 2M, ((2T, 2U)) <u>2R</u> | 7:00 a.m. through 7:00 p.m. | ((11/27)) <u>11/6</u> | 6.5" |
| <u>2N</u> , 2M, 2R, 2T, 2U | <u>7:00 a.m. through 7:00 p.m.</u> | <u>11/17, 11/24</u> | <u>6.5"</u> |
| <u>2N</u> , 2M, 2R, 2U | <u>7:00 a.m. through 7:00 p.m.</u> | <u>11/20</u> | <u>6.5"</u> |

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~~) 1,500 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~~) 10 revolutions of rope that is 3/8 (0.375) inches or greater.

(e) From (~~12:01~~) 6:00 a.m. August (~~20 through 11:59~~) 17 through 7:00 p.m. November (~~27, 2023~~) 24, 2024: 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 2N and 2R on Au-

~~gust ((20, 27, September 10, 13, 16, 17, 18, 19, 20, 21, and 22)) 17, 21, 24, 28, 31, September 9 and 12, Area 2M on August ((25, 31, September 16, 17, 18, 19, 20, 21, 22, and 23, Area 2R on August 25, 31, September 16, 17, 18, 19, and 20, Area 2T on September 16, 17, 18, 21, and 22)) 17, 24, 31, and September 12, and Area 2U on September ((16, 18, 19, 20, 21, 22, September 24 through September 28, October 1 through October 6, and October 9 through October 13, 2023)) 15, 18, 20, 2024.~~

Other:

(3) Recovery boxes and soak time limits described in this section are required from ((12:01)) 6:00 a.m. August ((20 through 11:59)) 17 through 7:00 p.m. November ((27, 2023)) 24, 2024:

(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) From ((12:01)) 6:00 a.m. August ((20 through 11:59)) 17 through 7:00 p.m. November ((27, 2023)) 24, 2024, all steelhead and all 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.

(c) All fish placed in recovery boxes must remain until they are not lethargic and/or 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 "limited fish seller endorsement." According to WAC 220-352-320, reports must be submitted by 10:00 a.m. on the day after the purchase date, unless otherwise specified in a vol-

untary 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, Chinook, or chum salmon is prohibited.

(c) From ~~((12:01))~~ 6:00 a.m. August ~~((20 through 11:59))~~ 17 through 7:00 p.m. November ~~((27, 2023))~~ 24, 2024, retention of any species other than coho salmon, hatchery Chinook salmon marked by a healed scar at the site of the adipose fin, or chum salmon is prohibited.

(6) Report all encounters of green sturgeon, white sturgeon, and steelhead, (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 12:01 a.m. September ~~((16, 2023))~~ 15, 2024, through 11:59 p.m., September 30, ~~((2023))~~ 2024.

(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 while fishing 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, listed in subsection (6) of this section. Notice of intent must be given prior to 5:00 p.m. on August ~~((11, 2023))~~ 9, 2024.

AMENDATORY SECTION (Amending WSR 23-13-070, filed 6/14/23, effective 7/15/23)

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 tables below.

| Area | Time | Date(s) | Maximum Mesh Size |
|---------------|--|--------------------------|--------------------------------------|
| 2A, 2D | ((12:01 p.m. through 7:00 p.m.)) <u>9:00 a.m. through 4:00 p.m.</u> | October ((3)) <u>2</u> | 4.25" |
| 2A, 2D | ((7:00 a.m. through 7:00 p.m.)) <u>9:00 a.m. through 4:00 p.m.</u> | October ((4)) <u>3</u> | 4.25" |
| 2A, 2D | ((12:01 p.m. through 7:00 p.m.)) <u>8:00 a.m. through 8:00 p.m.</u> | October ((18)) <u>21</u> | ((4.25")) <u>6.50"</u> |
| 2A, 2D | 7:00 a.m. through ((7:00)) <u>3:00 p.m.</u> | October ((26)) <u>22</u> | 6.50" |
| 2A, 2D | ((7:00 a.m. through 7:00 p.m.)) <u>12:01 p.m. through 8:00 p.m.</u> | October 30 | 6.50" |
| 2A, 2D | ((7:00 a.m. through 7:00 p.m.)) <u>8:00 a.m. through 8:00 p.m.</u> | October 31 | 6.50" |
| 2A, 2D | ((7:00 a.m. through 7:00 p.m.)) <u>8:00 a.m. through 8:00 p.m.</u> | November ((1)) <u>4</u> | 6.50" |
| <u>2A, 2D</u> | <u>7:00 a.m. through 3:00 p.m.</u> | <u>November 5</u> | <u>6.50"</u> |

| Area | Time and Date | Maximum Mesh Size |
|------|---|-------------------|
| 2C | 7:00 a.m. October 23 through 7:00 p.m. October 24 | 9.00" |
| 2C | 7:00 a.m. through 7:00 p.m. ((November 2)) <u>October 28</u> | 9.00" |

Gear :

(2) Gillnet gear restrictions - All areas:

(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 1,500 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 10 revolutions of rope that is 3/8 (0.375) inches in diameter or greater.

(b) Areas 2A and 2D from October 3 through November 30: Gillnet gear only.

(i) Drift gillnet gear only. 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, except mesh size must not exceed four and one-quarter inches stretched in Areas 2A and 2D on October ~~((3-4, and October 18, 2023))~~ 2-3, 2024.

(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. 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) Drift gillnet gear only. 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. 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 ((3)) 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 220-352-320, reports must be made by 10:00 a.m. the day follow-

ing 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 5:00 p.m. on September (~~26~~) 20, 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.

(11) Those waters of Area 2D commonly known as the South Channel, shoreward of a line projected from a point on the southwest side of Hwy 105 bridge (46°53.925'N, 123°59.986'W) then northwest to a point on an unnamed projection of land (46°54.060'N, 124°0.239'W) then northerly to Channel Marker 8 (46°55.369'N, 124°00.576'W) and to Channel Marker 27 (46°56.487'N, 124°0.394'W), then easterly to North Pipeline Beacon (46°57.329'N, 123°50.957'W) and south easterly in a straight line through the South Pipeline Beacon (46°57.303'N, 123°50.932'W) to the south shore are closed from 12:01 a.m. October (~~3, 2023~~) 1, 2024, through 11:59 p.m., October (~~21, 2023~~) 13, 2024.

WSR 24-13-053
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-02—Filed June 13, 2024, 9:49 a.m., effective July 14, 2024]

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

Purpose: The purpose of this rule making is to regulate the commercial salmon fisheries in Puget Sound. These rules are part of a comprehensive suite of rule-making packages to implement the new 2024-2025 salmon seasons for Washington state developed through the broader North of Falcon process pursuant to the fish and wildlife commission's (FWC) North of Falcon Policy C-3608 for 2024-2028 and the Administrative Procedure Act (APA), chapter 34.05 RCW.

The North of Falcon process typically begins in January with the filing of the preproposal statement of inquiry (CR-101) and consists of government-to-government meetings involving the National Marine Fisheries Service (NMFS), treaty tribes, and the Washington department of fish and wildlife (WDFW) representatives. Separate public meetings are held with stakeholders, both at a statewide and regional level, to review preseason run size forecasts, NMFS guidance relative to allowable impacts for species listed under the Endangered Species Act, which includes salmon, but other protected species as well, such as southern resident killer whales.

Stakeholder meetings specific to the Puget Sound fisheries were held in March and April 2024. Additional public comment was accepted subsequent to the proposed rule making (CR-102) for the 2024 Puget Sound commercial salmon fishery filed on April 30, 2024 (WSR 24-10-101), including during the public hearing on the proposed rules held on June 4, 2024. The comprehensive North of Falcon meeting schedule and the meeting agendas, handouts, and audio recordings of the public meetings are available on WDFW's website at <https://wdfw.wa.gov/fishing/management/north-falcon/public-meetings>.

While these rules regulate only commercial fisheries, the seasons specified in these rules are structured in a coordinated manner intended to provide commercial and recreational fishing opportunities in Puget Sound while ensuring conservation requirements and management objectives in federal and state laws and regulations, state/tribal harvest management agreements, and FWC policies are met.

Though drafted as amendments to preceding rules, these new amendments function as a coordinated and unitary fishery rule-making package for the 2024-2025 fishery season, and thus substantively replace prior years' fisheries in Puget Sound. Specifically, these rules replace and supersede the language in these WAC in their entirety: WAC 220-354-080 Puget Sound salmon—Closed areas, 220-354-120 Puget Sound salmon—Purse seine—Open periods, 220-354-160 Puget Sound salmon—Gillnet—Open periods, 220-354-180 Puget Sound salmon—Reef net—Open periods, 220-354-210 Puget Sound salmon—Beach seine—Open periods, and 220-354-200 Puget Sound salmon—Beach seine—Emerging commercial fishery—Eligibility—Lawful gear.

Included in FWC's North of Falcon Policy C-3608 for 2024-2028 is a delegation of authority to the director of the WDFW to adopt the implementing regulations, including this rule making, resulting from the North of Falcon process.

Citation of Rules Affected by this Order: Amending WAC 220-354-080 Puget Sound salmon—Closed areas, 220-354-120 Puget Sound salmon—Purse seine—Open periods, 220-354-160 Puget Sound salmon—

Gillnet—Open periods, 220-354-180 Puget Sound salmon—Reef net—Open periods, 220-354-210 Puget Sound salmon—Beach seine—Open periods, and 220-354-200 Puget Sound salmon—Beach seine—Emerging commercial fishery—Eligibility—Lawful gear.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.04.045 [77.12.045], and 77.12.047.

Adopted under notice filed as WSR 24-10-101 on April 30, 2024.

Changes Other than Editing from Proposed to Adopted Version: WAC 220-354-180 (3)(b) added language regarding the reef net logbook.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 6, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 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: June 12, 2024.

Kelly Susewind
Director

OTS-5371.3

AMENDATORY SECTION (Amending WSR 23-13-071, filed 6/14/23, effective 7/15/23)

WAC 220-354-080 Puget Sound salmon—Closed areas. It is unlawful at any time, unless otherwise provided, to take, fish for, or possess salmon taken for commercial purposes with any type of gear from the following portions of Puget Sound Salmon Management and Catch Reporting Areas, except that closures listed in this section do not apply to reef net fishing areas listed in RCW 77.50.050:

Areas 4B, 5, 6, 6B, and 6C - The Strait of Juan de Fuca Preserve as defined in WAC 220-354-330.

Area 6D - Waters within 1/4 nautical mile of the Dungeness River mouth (48°9'16"N, 123°7'48"W, east to waters within 500 feet of Meadowbrook Creek mouth (48°9'7"N, 123°7'19"W).

Area 7 -

(1) The San Juan Island Preserve as defined in WAC 220-354-320.

(2) Those waters within 1,500 feet of shore on Orcas Island from Deer Point (48°36'5.1"N, 122°47'59.7"W) northeasterly to Lawrence Point (48°39'38.1"N, 122°44'31"W), thence west to a point intercepting a line projected from the northernmost point of Jones Island (48°37'17"N, 123°2'11.4"W), thence 90 degrees true to Orcas Island.

(3) Those waters within 1,500 feet of the shore of Cypress Island from Cypress Head (48°34'3.1"N, 122°40'5.5"W) to the northernmost point of Cypress Island (48°36'31.5"N, 122°42'42.2"W).

(4) Those waters easterly of a line projected from Iceberg Point (48°25'20.2"N, 122°53'41.1"W) to Iceberg Island (48°25'20.2"N, 122°53'41.1"W), to the easternmost point of Charles Island (48°26'25.8"N, 122°54'18.5"W), then true north from the northernmost point of Charles Island (48°26'41.1"N, 122°54'34.3"W) to the shore of Lopez Island (48°26'47.1"N, 122°54'34.2"W).

(5) Those waters northerly of a line projected from the southernmost point of land at Aleck Bay (48°25'25.6"N, 122°51'8.2"W) to the westernmost point of Colville Island (48°24'56"N, 122°49'31.9"W), thence from the easternmost point of Colville Island (48°24'53.5"N, 122°49'10.7"W) to Point Colville (48°25'17.1"N, 122°48'50.7"W).

(6) Those waters easterly of a line projected from Biz Point on Fidalgo Island (48°26'33.1"N, 122°40'42.3"W) to the Williamson Rocks Lighted Buoy 4 (Light List No. 19335 F1R4s4M"4"RED, 48°26'51"N, 122°42'27.8"W), thence to the Dennis Shoal Buoy 6 (Light List No. 19345 Red Nun, 48°27'27"W, 122°42'57"N), thence to Burrows Island Light (Light List No. 19350 F1W6s57ft7MHorn(B1(2)30s, 48°27'27.6"N, 122°42'59.3"W) on the westernmost point of Burrows Island, thence to the southwesternmost point of Fidalgo Head (48°29'31.2"N, 122°42'10.6"W), and including those waters within 1,500 feet of the western shore of Allan Island, those waters within 1,500 feet of the western shore of Burrows Island, and those waters within 1,500 feet of the shore of Fidalgo Island from the southwesternmost point of Fidalgo Head (48°29'31.2"N, 122°42'10.6"W) northerly to Shannon Point (48°30'32.8"N, 122°41'2.5"W).

(7) Additional Fraser sockeye and pink seasonal closure: Those waters within 1,500 feet of the shore of Fidalgo Island from the Initiative 77 marker (48°25'14.2"N, 122°40'04.5"W) northerly to Biz Point (48°26'33.1"N, 122°40'42.3"W).

(8) Those waters within 1,500 feet of the eastern shore of Lopez Island from Point Colville (48°25'17.1"N, 122°48'50.7"W) northerly to Lopez Pass (48°28'42.1"N, 122°49'10.7"W), and those waters within 1,500 feet of the eastern shore of Decatur Island from the southernmost point of land (48°28'52"N, 122°49'5"W) northerly to Fauntleroy Point (48°31'28.4"N, 122°47'18.8"W), and including those waters within 1,500 feet of the shore of James Island.

Area 7A - The Drayton Harbor Preserve as defined in WAC 220-354-310.

Area 7B -

(1) That portion south and east of a line from William Point on Samish Island (48°34'55.2"N, 122°33'38.2"W) to Saddlebag Island (48°32'7.2"W, 122°33'32.6"N) to Casperson Point on Guemes Island to landfall on March Point (48°29'58.4"N, 122°33'55.9"W), and that portion northerly of the railroad trestle in Chuckanut Bay.

(2) That portion of Bellingham Bay and Portage Bay adjacent to Lummi Indian Reservation is closed north and west of a line from the intersection of Marine Drive and Hoff Road (48°46'59"N, 122°34'25"W) projected 180 degrees true for 1.80 nautical miles (nm) to a point at 48°45'11"N, 122°34'25"W, then 250 degrees true for 0.92 nm to a point at 48°44'50"N, 122°35'42"W, then 270 degrees true for 0.95 nm to 48°44'50"N, 122°37'08"W, then 228 degrees true for 0.65 nm to 48°44'24"N, 122°37'52"W, then 200 degrees true for 0.69 nm to 48°43'45"N, 122°38'12"W, then 90 degrees true for 0.64 nm to a point just northeast of Portage Island (48°43'45"N, 122°37'14"W), then 155 degrees true for 0.97 nm to a point just east of Portage Island (48°42'52"N, 122°36'37"W), then 247 degrees true for 80 yards to landfall on Portage Island (48°42'51.1"N, 122°36'40.3"W).

(3) *Section reserved* Additional coho seasonal closure: Hale Pass - Not in place for ((2021)) 2024.

(4) Additional chum seasonal closure: That portion of Bellingham Bay referred to as the Whatcom Creek Zone (~~(is closed)~~) east of a line projected 180 degrees true from the Bellingham Breakwater north entrance light 4 (Light List No. 19280 Fl(1)R6s17m5M, 48°45'26.3"N, 122°30'41.5"W) at the west entrance to Squalicum Harbor, to landfall east of Post Point (48°43'18.2"N, 122°30'41.5"W) - Closure not in place for 2024.

Area 7C - That portion southeasterly of a line projected from the mouth of Oyster Creek (48°36'51.6"N, 122°26'27.8"W) 237 degrees true to the fishing boundary marker on Samish Island (48°34'33.1"N, 122°31'49.3"W).

Area 8 -

(1) That portion of Skagit Bay easterly of a line projected from Brown Point on Camano Island (48°16'12.6"N, 122°27'52.8"W) to a white monument on the easterly point of Ika Island (48°21'40.1"N, 122°29'52.8"W), thence across the Skagit River to the terminus of the jetty with McGlinn Island (48°22'18.3"N, 122°30'18.3"W).

(2) Those waters within 1,500 feet of the western shore of Camano Island south of a line projected true west from Rocky Point (48°15'1.3"N, 122°31'47.2"W).

Area 8A -

(1) Those waters easterly of a line projected from Mission Beach (48°3'19.3"N, 122°17'23.1"W) to Gedney Island Light 1 (Light List No. 18480 FlG25s15ft4M"1, 48°0'15.5"N, 122°17'49.7"W), excluding the waters of Area 8D, thence through the Snohomish River Light 5 (Light List No. 18535 FlG4s16ft5M, 47°59'16.3"N, 122°13'47.4"W) and across the mouth of the Snohomish River to landfall on the eastern shore (47°59'13.3"N, 122°13'35"W), and those waters northerly of a line from Camano Head (48°3'23.2"N, 122°21'24.6"W) to the northern boundary of Area 8D, except when open for pink fisheries.

(2) Additional coho seasonal closure prior to October 3: Those waters southerly of a line projected from the Washington state ferry Clinton terminal (47°58'28.8"N, 122°21'5.2"W) to landfall on the eastern shore (47°56'57"N, 122°18'15.7"W).

Area 8D - Those waters easterly of a line projected from the northerly most point of Mission Beach (48°3'19.3"N, 122°17'23.1"W) to Hermosa Point (48°3'42.7"N, 122°17'36.4"W).

Area 9 - Those waters lying inside and westerly of a line projected from the Point No Point Light (Light List No. 16550 Fl(3)W10s27ft14M, 47°54'43.9"N, 122°31'36.3"W) to the traffic separation lane Lighted Buoy SE (Light List No. 16540 FlY2.5s5MY"SE, 47°55'26.8"N, 122°29'30.7"W), thence to landfall at (47°55'4.2"N, 122°32'46"W) on Norwegian Point.

Area 9A -

(1) Those waters north of a line projected from the southern edge of the old mill site (47°51'05.5"N, 122°34'59"W) to the fallen tree on the opposite shore (47°51'6.6"N, 122°34'15.9"W).

(2) Those waters within 1000 feet of Port Gamble Creek and Martha John Creek.

Area 10 -

(1) Those waters easterly of a line projected from Meadow Point (47°41'35.9"N, 122°24'21.6"W) to West Point (47°39'43.6"N, 122°26'8.5"W).

(2) Those waters of Port Madison westerly of a line projected from Point Jefferson (47°44'51.7"N, 122°28'25.6"W) to the northernmost portion of Point Monroe (47°42'32"N, 122°30'43.5"W).

(3) Additional pink seasonal closure: The area east inside of the line projected from West Point (47°39'43.6"N, 122°26'8.5"W) and extending west to the traffic separation lane Lighted Buoy SG (Light List No. 16815 FLY2.5s5MY"SG," 47°39'41.6"N, 122°27'52.6"W), thence 20 degrees true until reaching latitude 47°44'30.0"N, thence extending directly east to the shoreline (47°44'30"N, 122°22'40.5"W).

(4) Additional purse seine pink seasonal closure: The area within 500 feet of the eastern shore in Area 10 is closed to purse seines north of latitude 47°44'30.0"N.

(5) Additional chum seasonal closure: Those waters of Elliott Bay east of a line from Alki Point (Light List No. 16915 Fl5s39ft16M, 47°34'34.5"N, 122°25'14"W) to the Fourmile Rock Light 1 (Light List No. 16810 FlG6s15ft6M"1," 47°38'20.4"N, 122°24'48.7"W), and those waters northerly of a line projected from Point Wells to traffic separation lane Lighted Buoy SF (Light List No. 16745 FLY2.5s5MY"SF," 47°45'53"N, 122°26'15.7"W), then west to President's Point (47°45'57.2"N, 122°28'20.1"W).

(6) Those waters of Rich Passage, easterly of a line projected from Orchard Point (47°33'55"N, 122°31'56"W) to Beans Point (47°34'29"N, 122°31'20"W) on Bainbridge Island, and westerly of a line projected from Restoration Point (47°35'1"N, 122°28'46"W) to landfall at Colchester (47°32'41"N, 122°32'22.6"W) true west from the northwest point of Blake Island.

Area 10E - Those waters of Liberty Bay north of a line projected true east from 47°41'56.4"N, 122°36'53.5"W to 47°41'56.4"N, 122°36'17.4"W, those waters of Dyes Inlet north of the Manette Bridge, and those waters of Sinclair Inlet southwest of a line projected true east from the Washington state ferry Bremerton terminal (47°33'43.9"N, 122°37'31.1"W) to landfall at Port Orchard (47°33'43.9"N, 122°35'31.1"W).

Area 11 -

(1) The waters of Gig Harbor, northerly of a line projected true west from the Gig Harbor Light (Light List No. 17221 FlR4s13ft3MPriv., 47°19'35.7"N, 122°34'29.2"W). The waters of Commencement Bay, south of a line from Browns Point (47°18'20.3"N, 122°26'39.4"W) to the northernmost point of land on Point Defiance (47°19'7.7"N, 122°32'23.9"W).

(2) Additional chum seasonal closure: Those waters south of a line projected from the Gig Harbor Light (Light List No. 17221 FlR4s13ft3MPriv., 47°19'35.7"N, 122°34'29.2"W) to the Washington state ferry Tahlequah terminal (47°19'58.3"N, 122°30'25.5"W), south of a line projected from Neill Point (47°19'53"N, 122°29'33"W) to Piner Point (47°20'37"N, 122°27'17"W), west of a line projected from Piner Point (47°20'37"N, 122°27'17"W) to Dash Point (47°19'10"N, 122°25'47"W), and north of Area 11/11A line.

Areas 12, 12B, and 12C - Those waters within 1,000 feet of the eastern shore.

Area 12 - Those waters inside and easterly of a line projected from Lone Rock (47°39'46"N, 122°46'11"W) to Hood Canal Light 13 (Light List No. 17855 FlG2.5s20ft4M"13," 47°39'45.5"N, 122°47'14.4"W) off Big Beef Creek, thence southerly to the outermost northern headland of Little Beef Creek (47°39'24.4"N, 122°47'23.4"W).

Area 12 - Additional chum seasonal closures: Those waters of Area 12 south and west of a line projected 94 degrees true from south Hazel Point (47°41'29.1"N, 122°46'22.6"W) to the Hood Canal Light 11 on the

opposite shore (Light List No. 17845 FLG4s15ft5M"11," 47°41'24.6"N, 122°44'50.4"W), bounded on the west by the Area 12/12B boundary line ((are closed to purse seine weeks 43, 44, and 45. Open to gillnets weeks 43 and 44)).

Area 12A -

(1) Those waters north of a line projected due east from Broad Spit (47°48'37.8"N, 122°48'59.3"W) to landfall on the Toandos Peninsula (47°48'37.8"N, 122°47'42.5"W).

(2) Those waters within 1,000 feet of the mouth of the Quilcene River.

Area 12B -

(1) Those waters within 1/4-mile of the mouths of the Dosewallips, Duckabush, and Hamma Hamma rivers and Anderson Creek.

(2) Additional Chinook seasonal closure: Those waters north and east of a line projected from Tekiu Point (47°35'6.6"N, 122°57'52.8"W) to Triton Head (47°36'10.9"N, 122°59'0.5"W).

Area 12C -

(1) Those waters within 2,000 feet of the western shore between the dock at Glen Ayr R.V. Park (47°25'14.1"W, 23°7'50.7"N) and the Port of Hoodspport marina dock (47°24'12.6"N, 123°8'29.5"W). This area is also referred to as the Hoodspport Hatchery Zone.

(2) Those waters south of a line projected 107 degrees true from the Cushman Powerhouse (47°22'11.2"N, 123°09'35.9"W) to the Union boat launch (47°21'27.5"N, 123°6'1.9"W).

(3) Those waters within 1/4-mile of the mouth of the Dewatto River.

Area 13A - Those waters of Burley Lagoon north of State Route 302; those waters within 1,000 feet of the outer oyster stakes off Minter Creek Bay from 47°21'47.5"N, 122°41'10.1"W to 47°21'9.8"N, 122°41'57.7"W, including all waters of Minter Creek Bay; those waters westerly of a line drawn due north from Thompson Spit (47°19'58.6"N, 122°43'42.7"W) at the mouth of Glen Cove; and those waters within 1/4-mile of Green Point.

AMENDATORY SECTION (Amending WSR 23-13-071, filed 6/14/23, effective 7/15/23)

WAC 220-354-120 Puget Sound salmon—Purse seine—Open periods.

(1) It is unlawful to take, fish for, or possess salmon taken with purse seine gear for commercial purposes from Puget Sound, except in the following designated Puget Sound Salmon Management and Catch Reporting Areas and during the periods provided for in each respective Management and Catch Reporting Area:

| AREA | TIME | DATE |
|--------|-----------|---|
| 7, 7A: | 7AM - 6PM | - 10/11, 10/12, 10/14, 10/15, 10/18, 10/19, 10/20, 10/21, 10/22, 10/23, 10/24, 10/25, 10/26, 10/27, 10/28, 10/29, 10/30, 10/31, 11/1, 11/2, 11/3, 11/4, 11/5, 11/6, 11/7, 11/8, 11/9(11/10, 11/11) |

Note: In Areas 7 and 7A, it is unlawful to fail to brail when fishing with purse seine gear. Any time brailing is required, purse seine fishers must also use a recovery box in compliance with WAC 220-354-100 (7)(a) through (f).

| AREA | TIME | DATE |
|------|------------------|---|
| 7B: | 6AM - 8PM | - ((8/16, 8/23, 8/30, 8/31, 9/6)) 8/14, 8/21, 8/28, 8/29, 9/4 |
| | 7AM - 7PM | - 9/9, 9/11, 9/13((-9/15)) |
| 7B: | 7AM - 7PM | - 9/16, 9/18, 9/20((; 9/22)) |
| | ((7AM-9/24 | - 6PM--10/28)) |
| | <u>7AM - 6PM</u> | = 9/22 - 10/19 |
| | 7AM - 6PM | - ((10/30--11/3)) 10/28 - 11/1 |
| | 7AM - 5PM | - ((11/6--11/10)) 11/4 - 11/8 |
| | 7AM - 5PM | - ((11/13--11/17)) 11/11 - 11/15 |
| | 7AM - 5PM | - ((11/20--11/24)) 11/18 - 11/22 |
| | 7AM - 5PM | - ((11/27--12/1)) 11/25 - 11/29 |
| | 7AM - 5PM | - ((12/4--12/8)) 12/2 - 12/6 |
| 7C: | 6AM - 8PM | - ((8/16, 8/23, 8/30, 8/31, 9/6)) 8/14, 8/21, 8/28, 8/29, 9/4 |
| | 7AM - 7PM | - 9/9, 9/11, 9/13((-9/15)) |

Note: The Whatcom Creek Zone: That portion of Area 7B east of a North - South line from the flashing red light at the west entrance to Squilicum Harbor to land fall east of Post Point may close per in-season management needs.

| | | |
|----------|-----------|--|
| 8: | Closed | |
| 8A: | Closed | |
| 8D: | Closed | |
| 10, 11: | 6AM - 8PM | - ((8/22, 8/23, 8/24, 8/29, 8/30, 9/5, 9/6)) |
| | 7AM - 6PM | - ((10/20, 10/26, 11/2)) 10/17, 10/21, 10/28 |
| | 7AM - 5PM | - ((11/3, 11/9)) 11/4, 11/7 |
| | | Additional October dates (determined per agreement with tribal co-managers in-season if harvestable surplus of salmon increase). |
| 12, 12B: | 7AM - 6PM | - ((10/20, 10/26, 11/2, 11/3)) 10/17, 10/21, 10/28 |
| | 7AM - 5PM | - ((11/9, 11/16, 11/23)) 11/4, 11/7, 11/11, 11/19 |
| 12C: | Closed | |

Note: Areas 10 pink directed purse seine fisheries, adjusted hours 7AM-7PM, limited participation to 5 purse seine and 5 gillnet, observers required, use of recovery box required. Purse seines must brail. Retention of Chinook, coho, and chum is prohibited for all gears. It is unlawful to fail to brail or use a brailing bunt when fishing with purse seine gear. Any time brailing is required, purse seine fishers must also use a recovery box in compliance with WAC 220-354-100 (7)(a) through (f).

Note: Areas 10 and 11 chum directed fisheries may be subject to limited participation with daily per vessel catch limits. The number of purse seine vessels and daily per vessel catch limits will be determined by in-season management. Observers are required for all participating purse seine vessels. This may also include requiring observers aboard tender vessels during offloads.

(2) It is unlawful to retain the following salmon species taken with purse seine gear within the following areas during the following periods:

(a) Chinook salmon - At all times in Areas 7, 7A, 8, 8A, 8D, 10, 11, 12, 12B, and 12C, and after October 20 in Area 7B.

(b) Coho salmon - At all times in Areas 7, 7A, 10, 11, 12, 12B, and 12C, and prior to September 1 in Area 7B.

(c) Chum salmon - Prior to October 1 in Areas 7 ~~((and))~~, 7A, 7B, and 7C, and at all times in 8A.

(d) Sockeye - At all times in Areas 7, 7A, 7B, 7C, 8, 8A, 8D, 10, 11, 12, 12B, and 12C. Sockeye retention may be allowed in Areas 7 and 7A if authorized under the Fraser Panel.

(e) All other saltwater and freshwater areas - Closed.

(3) Fishers must take department observers, if requested by department staff, when participating in these openings under RCW 77.12.071.

AMENDATORY SECTION (Amending WSR 23-13-071, filed 6/14/23, effective 7/15/23)

WAC 220-354-160 Puget Sound salmon—Gillnet—Open periods. (1)

It is unlawful to take, fish for, or possess salmon taken with gillnet gear for commercial purposes from Puget Sound, except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided for in each respective fishing area:

| AREA | TIME | DATE(S) | MINIMUM MESH |
|---|-----------|--|--------------|
| 6D: Skiff gillnet only, definition WAC 220-350-170 and lawful gear description WAC 220-354-140. | 7AM - 7PM | ((9/21-9/22)) 9/23, 9/24, 9/25, 9/26, 9/27, ((9/28-9/29)) 9/30, 10/1, 10/2, 10/3, 10/4, ((10/5-10/6)) 10/7, 10/8, 10/9, 10/10, 10/11, ((10/12-10/13)) 10/14, 10/15, 10/16, 10/17, 10/18, ((10/19-10/20)) 10/21, 10/22, 10/23, 10/24, 10/25, ((10/26-10/27)) 10/28, 10/29, 10/30, 10/31, 11/1, ((11/2-11/3)) 11/4, 11/5, 11/6, 11/7, 11/8, 11/9 ((11/10)) | 5" |

Note: In Area 6D, it is unlawful to use other than 5-inch minimum mesh in the skiff gillnet fishery. It is unlawful to retain Chinook taken in Area 6D at any time, or any chum salmon taken in Area 6D prior to October 15 per Table 3.34 of the SCSCI Base Conservation Regime. In Area 6D, any Chinook or chum salmon required to be released must be removed from the net by cutting the meshes ensnaring the fish.

| | | | |
|--------|----------------|---|--------|
| 7, 7A: | 7AM - Midnight | 10/11, 10/12, 10/14, 10/15, 10/18, 10/19, 10/20, 10/21, 10/22, 10/23, 10/24, 10/25, 10/26, 10/27, 10/28, 10/29, 10/30, 10/31, 11/1, 11/2, 11/3, 11/4, 11/5, 11/6, 11/7, 11/8, 11/9 ((11/10-11/11)) | 6 1/4" |
|--------|----------------|---|--------|

Note: In Areas 7 and 7A after October 9 and prior to October 18, coho and Chinook salmon must be released, and it is unlawful to use a net soak time of more than 45 minutes. Net soak time is defined as the time elapsed from when the first of the gillnet web enters the water, until the gillnet is fully retrieved from the water. Fishers must also use a recovery box in compliance with WAC 220-354-140 (5)(a) through (f) when coho and Chinook release is required.

| | | | |
|-----|--|--|--------|
| 7B: | 7PM - 8AM | NIGHTLY ((8/13-8/14-8/15)) 8/11, 8/12, 8/13, 8/18, 8/19, 8/20, 8/21, ((8/22-8/23)) 8/25, 8/26, 8/27, 8/28 ((8/29-8/30)) | 7" |
| | 7AM ((9/3)) 9/1 - 7AM ((9/7)) 9/5 | | 5" |
| | 7AM ((9/10)) 9/8 - 7AM ((9/14)) 9/12 | | 5" |
| | 7AM ((9/17)) 9/15 - 7AM ((9/21)) 9/19 | | 5" |
| | 7AM ((9/24)) 9/22 - Midnight ((10/28)) 10/26 | | 5" |
| | 7AM ((10/30)) 10/28 - 4PM ((11/3)) 11/1 | | 6 1/4" |
| | 7AM ((11/6)) 11/4 - 4PM ((11/10)) 11/8 | | |
| | 7AM ((11/13)) 11/11 - 4PM ((11/17)) 11/15 | | |

| AREA | TIME | DATE(S) | MINIMUM MESH | |
|------|---|--|---|----|
| 7C: | 7AM ((11/20)) <u>11/18</u> | - 4PM ((11/24)) <u>11/22</u> | | |
| | 7AM ((11/27)) <u>11/25</u> | - 4PM ((12/4)) <u>11/29</u> | | |
| | 7AM ((12/4)) <u>12/2</u> | - 4PM ((12/8)) <u>12/6</u> | | |
| | 7PM | - 8AM | NIGHTLY ((8/13, 8/14, 8/15, 8/20, 8/21, 8/22, 8/23, 8/27, 8/28, 8/29, 8/30)) <u>8/11, 8/12, 8/13, 8/18, 8/19, 8/20, 8/21, 8/25, 8/26, 8/27, 8/28</u> | 7" |
| | 7AM ((9/3)) <u>9/1</u> | - 7AM ((9/7)) <u>9/5</u> | | 7" |
| | 7AM ((9/10)) <u>9/8</u> | - 7AM ((9/14)) <u>9/12</u> | | 7" |

Note: In Area 7C the minimum mesh size is 7" through ~~((9/14))~~ 9/12.

Note: The Whatcom Creek Zone: That portion of Area 7B east of a North - South line from the flashing red light at the west entrance to Squalicum Harbor to land fall east of Post Point may close per in-season management needs.

| | | | | |
|----|-----|--------|--------|----|
| 8: | 5AM | - 11PM | Closed | 5" |
|----|-----|--------|--------|----|

Note: In Area 8 it is unlawful to take or fish for pink salmon with drift gillnets greater than 60-mesh maximum depth. Fishers must also use minimum 5" and maximum 5 1/2" mesh during pink salmon management periods.

| | | | | |
|-----|-----|-------|--------|----|
| 8A: | 6PM | - 8AM | Closed | 5" |
| | 6PM | - 8AM | Closed | 5" |

Note: In Area 8A fishers must use minimum 5" and maximum 5 1/2" mesh during pink salmon management periods.

| | | | | |
|-----|--|--|---|--------|
| 8D: | 6PM | - 8AM | NIGHTLY ((9/17, 9/21, 9/24, 9/28, 10/1, 10/5, 10/8, 10/12)) <u>9/15, 9/19, 9/22, 9/26, 9/29, 10/3, 10/6, 10/10</u> | 5" |
| | 6PM ((9/18)) <u>9/16</u> | - 8AM ((9/21)) <u>9/19</u> | | 5" |
| | 6PM ((9/25)) <u>9/23</u> | - 8AM ((9/28)) <u>9/26</u> | | 5" |
| | 6PM ((10/2)) <u>9/30</u> | - 8AM ((10/5)) <u>10/3</u> | | 5" |
| | 6PM ((10/9)) <u>10/7</u> | - 8AM ((10/12)) <u>10/10</u> | | 5" |
| | 5PM | - 9AM | NIGHTLY ((10/15, 10/19, 10/22, 10/26)) <u>10/13, 10/17, 10/20, 10/24</u> | 5" |
| | 5PM ((10/16)) <u>10/14</u> | - 9AM ((10/19)) <u>10/17</u> | | 5" |
| | 5PM ((10/23)) <u>10/21</u> | - 9AM ((10/26)) <u>10/24</u> | | 5" |
| | 5PM | - 9AM | Closed | 5" |
| | 4PM | - 8AM | Closed | 5" |
| | 4PM | - 8AM | Closed | 5" |
| | 6AM | - 6PM | Closed | 6 1/4" |
| | 7AM | - 6PM | Closed | 6 1/4" |

9A: Skiff gillnet only, definition WAC 220-350-170 and lawful gear description WAC 220-354-140.

Note: It is unlawful to retain chum salmon taken in Area 9A prior to October 1, and it is unlawful to retain Chinook salmon at any time. Any salmon required to be released must be removed from the net by cutting the meshes ensnaring the fish.

| | | | | |
|---------|--------------------|-------|---|--------|
| 10, 11: | ((7PM)) | - 8AM | <u>8/22, 8/23, 8/24, 8/29, 8/30, 9/5, 9/6)</u> | |
| | 5PM | - 9AM | ((10/18, 10/22, 10/24)) <u>10/16, 10/20, 10/22, 10/29, 10/31</u> | 6 1/4" |
| | 4PM | - 8AM | ((11/5, 11/7)) <u>11/3, 11/5</u> | |

Note: Areas 10 pink directed gillnet fisheries, adjusted hours 7AM-7PM, limited participation to 5 purse seine and 5 gillnet, observers required, use of recovery box required in compliance with WAC 220-354-140 (5)(a) through (f). For gillnets it is unlawful to use a net soak time of more than 90 minutes. Net soak time is defined as the time elapsed from when the first of the gillnet web enters the water, until the gillnet is fully retrieved from the water. Retention of Chinook, coho, and chum is prohibited for all gears.

Note: Areas 10 and 11 chum directed fisheries may be subject to limited participation with daily per vessel catch limits. The number of vessels per gear type and daily per vessel catch limits will be determined by in-season management. Observers may be required for gillnets, including observers aboard tender vessels during offloads.

| AREA | TIME | DATE(S) | MINIMUM MESH |
|--|-----------|--|--------------|
| 12A: Skiff gillnet only, definition WAC 220-350-170 and lawful gear description WAC 220-354-140. | 7AM - 7PM | Closed. | 5" |
| Note: In Area 12A, it is unlawful to use other than 5-inch minimum mesh in the skiff gillnet fishery. It is unlawful to retain Chinook or chum salmon taken in Area 12A at any time, and any salmon required to be released must be removed from the net by cutting the meshes ensnaring the fish. | | | |
| 12, 12B: | 7AM - 8PM | ((10/23, 10/25, 10/30, 11/1, 11/3)) <u>10/15, 10/20, 10/22, 10/29, 10/31</u> | 6 1/4" |
| | 7AM - 7PM | ((11/6, 11/8)) <u>11/3, 11/5</u> | 6 1/4" |
| | 6AM - 6PM | ((11/13, 11/16, 11/21)) <u>11/12, 11/14, 11/18, 11/20</u> | 6 1/4" |
| 12C: | 6AM - 6PM | Closed | 6 1/4" |

All other saltwater and freshwater areas - Closed.

Nightly openings refer to the start date.

Within an area or areas, a mesh size restriction remains in effect from the first date indicated until a mesh size change is shown, and the new mesh size restriction remains in effect until changed.

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

AMENDATORY SECTION (Amending WSR 23-13-071, filed 6/14/23, effective 7/15/23)

WAC 220-354-180 Puget Sound salmon—Reef net open periods. (1)

It is unlawful to take, fish for, or possess salmon taken with reef net gear for commercial purposes in Puget Sound, except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the periods provided for in each respective area:

| AREA | TIME | DATE(S) |
|------|-----------------|---|
| 7 | 5AM - 9PM Daily | ((9/17-11/1)) <u>9/15 - 11/9</u> |

(2) It is unlawful at all times to retain unmarked Chinook salmon taken with reef net gear, and it is unlawful to retain chum salmon taken with reef net gear prior to October 1.

(3) It is unlawful to retain marked Chinook after September 30.

(a) It is unlawful to retain marked Chinook with reef net gear if the fisher does not have in his or her immediate possession a department-issued Puget Sound Reef Net Logbook with all retained Chinook accounted for in the logbook. Marked Chinook are those with a clipped adipose fin and a healed scar at the site of the clipped fin.

(b) It is unlawful to retain unmarked coho with reef net gear if the fisher does not have in his or her immediate possession a department-issued Puget Sound Reef Net Logbook with all retained unmarked coho accounted for in the logbook. Unmarked coho are those with an intact adipose fin.

(c) Completed logs must be submitted and received within six working days to: Puget Sound Commercial Salmon Manager, Department of Fish & Wildlife, P.O. Box 43200, Olympia, WA 98504.

(4) All other saltwater and freshwater areas - Closed.

AMENDATORY SECTION (Amending WSR 23-13-071, filed 6/14/23, effective 7/15/23)

WAC 220-354-210 Puget Sound salmon—Beach seine—Open periods.

(1) It is unlawful to take, fish for, or possess salmon taken with

beach seine gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided hereinafter in each respective Management and Catch Reporting Area:

All areas:

| AREA | TIME | DATE(S) |
|--|-----------|--|
| 12A: | 7AM - 7PM | 8/26, 8/27, 8/28, 8/29, 8/30, ((8/31, 9/4)) 9/2, 9/3, 9/4, 9/5, 9/6, ((9/7, 9/8)) 9/9, 9/10, 9/11, 9/12, 9/13, ((9/14, 9/15)) 9/16, 9/17, 9/18, 9/19, 9/20, ((9/21, 9/22)) 9/23, 9/24, 9/25, 9/26, 9/27, ((9/28, 9/29)) 9/30, 10/1, 10/2, 10/3, 10/4((,10/5,10/6)) |
| 12C, Hoodsport Hatchery Zone: | 7AM - 7PM | ((7/27, 8/3, 8/10, 8/17, 8/24, 8/31, 9/7, 9/14)) 7/29, 8/5, 8/12, 8/19, 8/26, 9/3 Additional July and August dates (determined per agreement with tribal co-managers in-season if harvestable surplus of salmon increase). November (dates determined per agreement with tribal co-managers in-season if harvestable surplus of salmon remain). |

(2) It is unlawful to retain the following salmon species taken with beach seine gear within the following areas during the following periods:

- (a) Chinook salmon - At all times in Area 12A.
- (b) Chum salmon - In all areas prior to October 10.
- (c) Sockeye salmon - At all times in Areas 12, 12A, 12B, and 12C.

OTS-5370.1

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

WAC 220-354-200 Puget Sound salmon—Beach seine—Emerging commercial fishery—Eligibility—Lawful gear. (1) The Puget Sound beach seine salmon fishery is designated as an emerging commercial fishery for which a vessel is required. An emerging commercial fishery license and an experimental fishery permit are required to participate in this fishery.

(2) The department will issue (~~four~~) six salmon beach seine experimental fishery permits.

(3) The following is the selection process the department will use to offer a salmon beach seine experimental permit.

(a) Persons who held a salmon beach seine experimental fishery permit in the previous management year will be eligible for a permit in the current management year.

(b) The department will work with the advisory board, per RCW 77.70.160(1), to establish criteria by which applicants will qualify to enter the pool. The pool established by this drawing will be maintained to replace any permit(s) which are voided.

(4) Permit holders are required to participate in the salmon beach seine experimental fishery.

(a) For purposes of this section, "participation" means the holder of the salmon beach seine experimental permit is aboard the designated vessel in the open fishery.

(b) If the salmon beach seine experimental permit holder fails to participate, the salmon beach seine experimental permit issued to that fisher will be voided, and a new salmon beach seine experimental permit will be issued through a random drawing from the applicant pool.

(c) The department may require permit holders to show proof of participation by maintaining a department approved log book or registering with state officials each day the salmon beach seine experimental permit holder participates.

(d) Persons who participate in the fishery but violate conditions of a salmon beach seine experimental permit will have their permit voided, and a new salmon beach seine experimental permit will be reissued through a random drawing from the pool of the voided permit holder.

(5) In Quilcene Bay, chum salmon may not be retained by a salmon beach seine experimental permit holder. Chum salmon in Quilcene Bay must be released alive.

(6) Any person who fails to purchase the license, fails to participate, or violates the conditions of a salmon beach seine experimental permit will have his or her name permanently withdrawn from the pools.

(7) It is unlawful to take salmon with beach seine gear that does not meet the requirements of this subsection.

(a) Beach seine salmon nets in Puget Sound shall not exceed 990 feet in length or 200 meshes in depth, or contain meshes of a size less than 3 inches or greater than 4 inches.

(b) Mesh webbing must be constructed with a twine size no smaller than 210/30d nylon, 12 thread cotton, or the equivalent diameter in any other material.

WSR 24-13-054
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-03—Filed June 14, 2024, 9:54 a.m., effective July 15, 2024]

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

Purpose: The purpose of this rule making is to regulate the recreational salmon fisheries statewide. These rules are part of a comprehensive suite of rule-making packages to implement the new 2024-2025 salmon seasons for Washington state developed through the broader North of Falcon process pursuant to the fish and wildlife commission's (FWC) North of Falcon Policy C-3608 for 2024-2028 and the Administrative Procedure Act (APA), chapter 34.05 RCW.

The North of Falcon process typically begins in January with the filing of the preproposal statement of inquiry (CR-101) and consists of government-to-government meetings involving the National Marine Fisheries Service (NMFS), treaty tribes, and Washington department of fish and wildlife (WDFW) representatives. Separate public meetings are held with stakeholders, both at a statewide and regional level, to review preseason run size forecasts, NMFS guidance relative to allowable impacts for species listed under the Endangered Species Act, which includes salmon, but other protected species as well, such as southern resident killer whales.

Stakeholder meetings specific to the Puget Sound fisheries were held in March and early April 2024. Additional public comment was accepted subsequent to the proposed rule making (CR-102) for the 2024 recreational salmon fishery filed on April 30, 2024 (WSR 24-10-098), including during the public hearing on the proposed rules held on June 4, 2024. The comprehensive North of Falcon meeting schedule and the meeting agendas, handouts, and audio recordings of the public meetings are available on WDFW's website at <https://wdfw.wa.gov/fishing/management/north-falcon/public-meetings>.

While these rules regulate only recreational fisheries, the seasons specified in these proposed rules are structured in a coordinated manner intended to provide commercial and recreational fishing opportunities while ensuring conservation requirements and management objectives in federal and state laws and regulations, state/tribal harvest management agreements, and FWC policies are met.

Though drafted as amendments to preceding rules, these new amendments function as a coordinated and unitary fishery package for the 2024-2025 fishery season, and thus substantively replace prior years' recreational salmon fisheries. Specifically, these rules replace and supersede the language in these WAC in their entirety: WAC 220-312-020 Freshwater exceptions to statewide rules—Coast, 220-312-030 Freshwater exceptions to statewide rules—Southwest, 220-312-040 Freshwater exceptions to statewide rules—Puget Sound, 220-312-050 Freshwater exceptions to statewide rules—Eastside, 220-312-060 Freshwater exceptions to statewide rules—Columbia River, 220-313-060 Puget Sound salmon—Saltwater seasons and daily limits, 220-311-020 Puget Sound public fishing piers—Restricted fishing areas, and 220-300-220 Geographical definitions—River mouth definitions.

Included in FWC's North of Falcon Policy C-3608 for 2024-2028 is a delegation of authority to the director of WDFW to adopt the implementing regulations, including this rule making, resulting from the North of Falcon process.

Citation of Rules Affected by this Order: Amending WAC 220-312-020 Freshwater exceptions to statewide rules—Coast, 220-312-030 Freshwater exceptions to statewide rules—Southwest, 220-312-040 Freshwater exceptions to statewide rules—Puget Sound, 220-312-050 Freshwater exceptions to statewide rules—Eastside, 220-312-060 Freshwater exceptions to statewide rules—Columbia River, 220-313-060 Puget Sound salmon—Saltwater seasons and daily limits, 220-311-020 Puget Sound public fishing piers—Restricted fishing areas, and 220-300-220 Geographical definitions—River mouth definitions.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.04.055, and 77.12.047.

Adopted under notice filed as WSR 24-10-098 on April 30, 2024.

Changes Other than Editing from Proposed to Adopted Version: Listed are the changes made to the rules between CR-102 and CR-103:

- WAC 220-312-020 (29) (d) (i), closure date changed from March 31 to April 30.
- WAC 220-312-040 (221) (a) (i), changed season from September 13 to September 30.
- WAC 220-312-040 (221) (b) (i), changed season from September 13 to September 30.
- WAC 220-312-040 (53) (b), changed season.
- WAC 220-312-040 (221) (a) (i), changed season from September 13 to September 30.
- WAC 220-312-040 (221) (b) (i), changed season from September 13 to September 30.
- WAC 220-313-060 (8) (c), closure date changed from July 31 to July 20.
- WAC 220-313-060 (8) (c) (i), removed day restriction.
- WAC 220-313-060 (8) (c) (ii), removed day restriction.
- WAC 220-313-060 (8) (d), added closure date.
- WAC 220-313-060 (8) (e), opening date change.
- WAC 220-313-060 (8) (j) (v), closing date change.
- WAC 220-313-060 (8) (j) (vi), opening date change.
- WAC 220-313-060 (8) (k) (vii), closing date change.
- WAC 220-313-060 (8) (k) (viii), opening date change.
- WAC 220-313-060 (8) (o), restriction date change.
- WAC 220-313-060 (9) (d), closure date change and day restriction removed.
- WAC 220-313-060 (9) (e), added a closed season.
- WAC 220-313-060 (9) (f), opening date changed from September 1 to August 1.
- WAC 220-313-060 (9) (j) (A), removed daily limit of one hatchery Chinook.
- WAC 220-313-060 (11) (d), removed date of closure.
- WAC 220-300-220, Minter Creek latitude and longitude locations corrected.

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

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

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 8, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 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: June 14, 2024.

Kelly Susewind
Director

OTS-5378.2

AMENDATORY SECTION (Amending WSR 17-16-109, filed 7/28/17, effective 8/28/17)

WAC 220-300-220 Geographical definitions—River mouth definitions. When pertaining to angling, unless otherwise defined, any reference to the mouths of rivers or streams includes those waters of any river or stream, including sloughs and tributaries, upstream and inside of a line projected between the outermost uplands at the mouth. The term "outermost upland" means those lands not covered by water during an ordinary high tide. The following river mouths are hereby otherwise defined:

- Abernathy Creek - Highway 4 Bridge.
- Bear River - Highway 101 Bridge.
- Bone River - Highway 101 Bridge.
- California Creek - Drayton Harbor Road Bridge.
- Chambers Creek - Burlington Northern Railroad Bridge.
- Chehalis River - Highway 101 Bridge in Aberdeen.
- Chelan River - Railroad Bridge.
- Cispus River - Posted markers at the Lewis County P.U.D. kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus rivers.
- Cowlitz River - A line projected across the river between two fishing boundary markers set on each bank of the river approximately one-half mile downstream from the lowermost railroad bridge crossing the Cowlitz River.
- Dakota Creek - A line from the outermost headland of the south bank to a house at 1285 Runge Avenue, Blaine, Washington, approximately one-quarter mile downstream from the Blaine Road Bridge.
- Deschutes River - A line projected across the river 400 feet below the lower Tumwater Falls fish ladder.
- Drano Lake - Highway 14 Bridge.
- Duwamish River - An east-west line extending through the southernmost tip of Harbor Island.
- Elk River - Highway 105 Bridge.
- Entiat River - Railroad Bridge.

Hawk Creek (Lincoln County) - Falls at the Hawk Creek campground.

Hoquiam River - Highway 101 Bridge.

Humtulpis River - Mouth of Jessie Slough.

Johns River - Highway 105 Bridge.

Kalama River - Boundary markers at mouth.

Kennedy Creek - An arc 500 yards east of the midpoint of the northbound Highway 101 Bridge.

Kettle River - Barstow Bridge.

Klickitat River - Burlington Northern Railroad Bridge.

Lake Washington Ship Canal - A line 400 feet west of the fish ladder at the Chittenden Locks.

Lewis River - A straight line running from a fishing boundary marker or from the outermost upland at the north shore of the Lewis River mouth, southerly across the Lewis River to a fishing boundary marker near the south shore.

McLane Creek - A line 100 feet upstream of and parallel to the southernmost Highway 101 Bridge.

Minter Creek - A line from a point on the eastern most spit at the mouth of Minter Bay (47°21.49'N, -122°41.53'W) north to the opposite shore.

Methow River - Highway 97 Bridge.

Naselle River - Highway 101 Bridge.

North Nemah River - Highway 101 Bridge.

Niawiakum River - Highway 101 Bridge.

Nisqually River - At the upstream end of Alder Lake, the mouth of the Nisqually River is the Highway 7 Bridge at Elbe.

North River - Highway 105 Bridge.

Palix River - Highway 101 Bridge.

Puyallup River - 11th Street Bridge.

Samish River - The Samish Island Bridge (Bayview-Edison Road).

Sammamish River - 68th Avenue NE Bridge.

Skagit River - A line projected from the terminus of the jetty with McGlenn Island to the white monument on the easterly end of Ika Island, then to a white monument on the westerly end of Craft Island, then to a white monument near the corner of the levee on the westerly side of Dry Slough, and then to a white monument on the easterly side of Tom Moore Slough.

Skamokawa Creek - Highway 4 Bridge.

Skookum Creek - A line 400 yards below the old railroad bridge.

Snake River - Railroad bridge between Burbank and Pasco.

Snohomish River - Burlington Northern Railway Bridges crossing main river and sloughs.

South Nemah River - Lynn Point 117 degrees true to the opposite shore.

Spokane River - State Route 25 Bridge.

Tahuya River - North Shore Rd. Bridge.

Tucannon River - The water south of a line of sight from a sign with an orange triangle along the shoulder of Highway 261 (the northwest of the Tucannon River), southeast across to the eastern, unsubmerged shoreline of the Tucannon River. (The embayment between the eastern shoreline of the Tucannon River and the rock bluff to the east that has an affixed orange channel navigation marker, along the south shore of the Snake River, is considered part of the Snake River.)

Wallace River - The furthest downstream railroad bridge.

Washougal River - A straight line from the Crown Zellerbach pumphouse southeasterly across the Washougal River to the east end of the Highway 14 Bridge near the upper end of Lady Island.

Whatcom Creek - A line projected approximately 14 degrees true from the flashing light at the southwesterly end of the Port of Bellingham North Terminal to the southernmost point of the dike surrounding the Georgia Pacific treatment pond.

Little White Salmon River - At boundary markers on river bank downstream from the Little White Salmon National Fish Hatchery.

White Salmon River - Burlington Northern Railroad Bridge.

Willapa River - City of South Bend boat launch.

Wind River - Boundary line markers at mouth.

Yakima River - Highway 240 Bridge.

OTS-5379.1

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

WAC 220-311-020 Puget Sound public fishing piers—Restricted fishing areas. (1) (~~Dash Point Dock public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Dash Point Dock public fishing pier, except while fishing from the Dash Point Dock public fishing pier.~~

~~(2))~~ Des Moines public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Des Moines public fishing pier, except while fishing from the Des Moines public fishing pier.

~~((3))~~ (2) Edmonds public fishing pier:

(a) It is unlawful to take, fish for or possess food fish or shellfish taken from the following waters, except while fishing from the Edmonds public fishing pier: Waters inside a line from a boundary marker on the north breakwater to the southernmost marker buoy, then to the north end of the city of Edmonds public beach.

(b) It is unlawful to take, fish for or possess food fish or shellfish taken by any means from within the boundaries of the underwater artificial reef surrounding the Edmonds public fishing pier as defined in this subsection, except while fishing from the Edmonds pub-

lic fishing pier. The underwater artificial reef area is defined as waters lying northerly and easterly of the north breakwater of the port of Edmonds marina inside of a line from a boundary marker on the north breakwater, northwesterly 275 feet to a marker buoy, thence northeasterly 1350 feet to a marker buoy, thence southeasterly to the northeastern end of the city of Edmonds public beach.

((+4)) (3) Elliot Bay public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Elliot Bay public fishing pier, except while fishing from the Elliot Bay public fishing pier.

((+5)) (4) Les Davis public fishing pier: It is unlawful to take, fish for or possess food fish or shellfish taken within 100 yards of the Les Davis public fishing pier, except while fishing from the Les Davis public fishing pier.

((+6)) (5) A violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested fish. If the person has harvested fish, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

OTS-5381.4

AMENDATORY SECTION (Amending WSR 23-13-072, filed 6/14/23, effective 7/15/23)

WAC 220-312-020 Freshwater exceptions to statewide rules—Coast.

(1) **Aberdeen Lake (Grays Harbor County)**: Open the fourth Saturday in April through October 31.

(2) **Bear Creek (Clallam County) (Bogachiel River tributary)**:

(a) It is unlawful to use anything other than one single-point barbless hook.

(b) It is unlawful to use bait.

(c) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow trout.

(3) **Bear Creek (Clallam County) (Sol Duc River tributary)**:

(a) It is unlawful to use anything other than one single-point barbless hook.

(b) It is unlawful to use bait.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(4) **Bear River (Pacific County)**:

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

(b) From August 16 through November 30: Night closure.

(c) From the mouth (Highway 101 Bridge) to Lime Quarry Road (approximately 2 river miles):

(i) August 16 through November 30:

(ii) Barbless hooks required.

(iii) Anti-snagging rule.

(iv) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

- (v) Salmon: Open September 1 through January 31:
- (A) Daily limit 6; up to 2 may be adults; of which 1 may be a wild coho.
- (B) Release wild Chinook.
- (d) From the Lime Quarry Road upstream to the Longview Fiber Bridge:
 - (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (5) **Beaver Creek (Clallam County) (Sol Duc River tributary):**
 - (a) From the mouth upstream to Beaver Falls:
 - (b) It is unlawful to use anything other than one single-point barbless hook.
 - (c) It is unlawful to use bait.
 - (d) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (6) **Beaver Lake (Clallam County):** Selective gear rules.
- (7) **Big River (Clallam County), outside of Olympic National Park:**
 - (a) Open the Saturday before Memorial Day through October 15, and January 1 through the last day of February.
 - (b) Selective gear rules.
 - (c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (8) **Big River tributaries (Clallam County), outside of Olympic National Park:** Open the Saturday before Memorial Day through October 15.
- (9) **Black River (Grays Harbor/Thurston counties):** From the mouth to the bridge on 128th Ave. S.W.:
 - (a) Anti-snagging rule.
 - (b) Night closure.
 - (c) Barbless hooks required.
 - (d) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (e) Salmon:
 - (i) Open October 1 through November 30:
 - (A) Daily limit 6; up to 2 may be adults.
 - (B) Release adult Chinook.
 - (ii) Open December 1 through December 31:
 - (A) Daily limit 6; up to 1 may be an adult.
 - (B) Release Chinook.
- (10) **Bogachiel Hatchery Pond, South (Clallam County):** Closed waters.
- (11) **Bogachiel River (Clallam County):**
 - (a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (b) It is unlawful to use anything other than one single-point barbless hook.
 - (c) From the mouth to Highway 101 Bridge:
 - (i) Open the Saturday before Memorial Day through April 30.
 - (ii) It is unlawful to use bait the Saturday before Memorial Day through August 31 and February 16 through April 30.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Release wild rainbow trout.
 - (B) Cutthroat trout: Minimum length 14 inches.
 - (C) November 1 through last day in February: Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iv) Salmon:

- (A) Open July 1 through August 31:
- (I) Daily limit 4; up to 2 may be adults.
- (II) Release wild adult Chinook and wild adult coho.
- (B) Open September 1 through ~~((September))~~ December 15:
- (I) Daily limit 3; up to ~~((2))~~ 1 may be an adult~~((s, of which 1 may be a wild Chinook))~~.
- (II) Release wild adult coho and sockeye.
- ~~((C) Open September 16 through December 15:~~
- ~~(I) Daily limit 3; up to 2 may be adults, of which 1 may be a wild Chinook.~~
- ~~(II) Release sockeye.)~~
- (d) From Highway 101 Bridge to Olympic National Park boundary:
- (i) Open the Saturday before Memorial Day through April 30.
- (ii) It is unlawful to use bait.
- (iii) Game fish: Statewide minimum length/daily limit, except:
- (A) Release wild rainbow trout.
- (B) Cutthroat trout: Minimum length 14 inches.
- (12) Calawah River (Clallam County):**
- (a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (b) It is unlawful to use anything other than one single-point barbless hook.
- (c) From the mouth to the Highway 101 Bridge:
- (i) Open the Saturday before Memorial Day through April 30.
- (ii) It is unlawful to use bait the Saturday before Memorial Day through August 31 and February 16 through April 30.
- (iii) Game fish: Statewide minimum length/daily limit, except:
- (A) Release wild rainbow trout.
- (B) Cutthroat trout: Minimum length 14 inches.
- (C) November 1 through the last day in February: Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (iv) Salmon:
- (A) Open July 1 through August 31:
- (I) Daily limit 4; up to 2 may be adults.
- (II) Release wild adult Chinook and wild adult coho.
- (B) Open September 1 through ~~((September))~~ December 15:
- (I) Daily limit 3; up to ~~((2))~~ 1 may be an adult~~((s, of which 1 may be a wild Chinook))~~.
- (II) Release wild adult coho and sockeye.
- ~~((C) Open September 16 through December 15:~~
- ~~(I) Daily limit 3; up to 2 may be adults, of which 1 may be a wild Chinook.~~
- ~~(II) Release sockeye.)~~
- (d) From the Highway 101 Bridge to the forks:
- (i) Open the Saturday before Memorial Day through April 30.
- (ii) It is unlawful to use bait.
- (iii) Game fish: Statewide minimum length/daily limit, except:
- (A) Release wild rainbow trout.
- (B) Cutthroat trout: Minimum length 14 inches.
- (13) Calawah River, North Fork (Clallam County):**
- (a) It is unlawful to use anything other than one single-point barbless hook.
- (b) It is unlawful to use bait.
- (c) Game fish: Statewide minimum length/daily limit, except:
- (i) Release wild rainbow trout.
- (ii) Cutthroat trout: Minimum length 14 inches.
- (14) Calawah River, South Fork (Clallam County):**

- (a) From the mouth to the Olympic National Park boundary:
- (b) Open the Saturday before Memorial Day through the last day in February.
- (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (d) It is unlawful to use anything other than one single-point barbless hook.
- (e) It is unlawful to use bait.
- (f) Game fish: Statewide minimum length/daily limit, except:
- (i) Release wild rainbow trout.
- (ii) Cutthroat trout: Minimum length 14 inches.
- (15) **Canyon River (Grays Harbor County):** Closed waters.
- (16) **Cases Pond (Pacific County):** Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (17) **Cedar Creek (Jefferson County), outside Olympic National Park:**
 - (a) Open the Saturday before Memorial Day through the last day in February.
 - (b) Selective gear rules.
 - (c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (18) **Chehalis River (Grays Harbor County), including all channels, sloughs, and interconnected waterways:**
 - (a) From the mouth (Highway 101 Bridge in Aberdeen) to Fuller Bridge (Keys Road) including all channels, sloughs, and interconnected waterways:
 - (i) August 1 through November 30: Single-point barbless hooks are required.
 - (ii) Open the Saturday before Memorial Day through April 15:
 - (iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iv) Salmon:
 - (A) Open August 1 through September 15.
 - (I) Daily limit 6.
 - (II) Release adult salmon.
 - (B) Open September 16 through November 30.
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Release adult Chinook.
 - (C) Open December 1 through December 31.
 - (I) Daily limit 6; up to 1 may be an adult.
 - (II) Release Chinook.
 - (b) From Fuller Bridge (Keys Road) to South Elma Bridge (Wakefield Road) including all channels, sloughs, and interconnected waterways:
 - (i) August 1 through November 30: Single-point barbless hooks are required.
 - (ii) It is unlawful to use bait August 1 through September 15.
 - (iii) Open the Saturday before Memorial Day through April 15.
 - (~~(iii)~~) (iv) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (~~(iv)~~) (v) Salmon:
 - (A) Open August 1 through September 15:
 - (I) Daily limit 6.
 - (II) Release adult salmon.
 - (B) September 16 through September 30: Closed.

- (C) Open October 1 through November 30.
- (I) Daily limit 6; up to 2 may be adults.
- (II) Release adult Chinook.
- (D) Open December 1 through December 31.
- (I) Daily limit 6; up to 1 may be an adult.
- (II) Release Chinook.

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

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

(ii) Open the Saturday before Memorial Day through April 15.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon:

- (A) Open October 1 through November 30.
- (I) Daily limit 6; up to 2 may be adults.
- (II) Release adult Chinook.
- (B) Open December 1 through December 31.
- (I) Daily limit 6; up to 1 may be an adult.
- (II) Release Chinook.

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

(i) Open the Saturday before Memorial Day through April 15.

(ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

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

(iv) Salmon:

- (A) Open October 1 through November 30.
- (I) Daily limit 6; up to 2 may be adults.
- (II) Release adult Chinook.
- (B) Open December 1 through December 31.
- (I) Daily limit 6; up to 1 may be an adult.
- (II) Release Chinook.

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

(i) Open the Saturday before Memorial Day through April 15.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(19) **Chehalis River, South Fork (Lewis County)**: From the mouth to County Highway Bridge near Boistfort School:

(a) Open the Saturday before Memorial Day through April 15.

(b) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(20) **Chimacum Creek (Jefferson County)**:

(a) From the mouth to Ness's Corner Road:

(i) Open the Saturday before Memorial Day through August 31.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(b) From Ness's Corner Road upstream:

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

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(21) **Clallam River (Clallam County):**

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

(i) Selective gear rules.

(ii) Release all fish.

(b) Open from November 1 through January 31:

(i) Game fish: Statewide minimum length/daily limit, except:

(ii) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(22) **Clearwater River (Jefferson County):**

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

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

(c) From the mouth to Snahapish River:

(i) Open the Saturday before Memorial Day through April 15.

(ii) Bait is allowed September 1 through February 15.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Release wild rainbow trout.

(B) Cutthroat trout: Minimum length 14 inches.

(iv) Salmon:

(A) Open September 1 through November 30:

(B) Daily limit 3; up to 2 may be adults (~~(, of which up to 1 may be a Chinook)~~).

(C) Release Chinook.

(d) From the Snahapish River upstream:

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

(ii) It is unlawful to use bait.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Release wild rainbow trout.

(B) Cutthroat trout: Minimum length 14 inches.

(23) **Cloquallum Creek (Grays Harbor County):** From the mouth to the outlet at Stump Lake:

(a) Open the Saturday before Memorial Day through the last day in February.

(b) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(24) **Copalis River (Grays Harbor County):**

(a) From the mouth to Carlisle Bridge:

(i) Open the Saturday before Memorial Day through last day in February.

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

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Single-point barbless hooks required August 16 through November 30.

(v) Salmon:

(A) Open September 1 through November 30:

(I) Daily limit 6; up to 2 may be adults.

(II) Release adult Chinook.

(B) Open December 1 through December 31:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release Chinook.

(b) From Carlisle Bridge upstream:

- (i) Open the Saturday before Memorial Day through the last day in February.
- (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (25) **Crim Creek (Lewis County) (Chehalis River tributary):** Closed waters.
- (26) **Damon Lake (Grays Harbor County):** Game fish: Statewide minimum length/daily limit, except:
- (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
- (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
- (c) Channel catfish: Daily limit 10; no size restriction.
- (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (27) **Deep Creek (Clallam County) (tributary to the straits):**
- (a) Open December 1 through January 31.
- (b) Selective gear rules.
- (c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (28) **Dickey Lake (Clallam County):** Game fish: Statewide minimum length/daily limit, except:
- (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
- (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
- (c) Channel catfish: Daily limit 10; no size restriction.
- (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (29) **Dickey River (Clallam County):**
- (a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (b) It is unlawful to use anything other than one single-point barbless hook.
- (c) From Olympic National Park boundary upstream to the confluence of the East and West forks:
- (i) Open the Saturday before Memorial Day through April 30.
- (ii) It is unlawful to use bait the Saturday before Memorial Day through August 31 and February 16 through April 30.
- (iii) Game fish: Statewide minimum length/daily limit, except:
- (A) Release wild rainbow trout.
- (B) Cutthroat trout: Minimum length 14 inches.
- (iv) Salmon:
- (A) Open July 1 through August 31:
- (I) Daily limit 4; up to 2 may be adults.
- (II) Release wild adult Chinook and wild adult coho.
- (B) Open September 1 through ~~(September)~~ December 15:
- (I) Daily limit 3; up to 1 may be an adult.
- (II) Release wild adult coho and sockeye.
- ~~((C) Open September 16 through December 15:~~
- ~~(I) Daily limit 3; up to 1 may be an adult.~~
- ~~(II) Release sockeye.)~~
- (d) From the confluence of the East and West forks upstream (for both forks):
- (i) Open the Saturday before Memorial Day through March 31.

- (ii) It is unlawful to use bait.
- (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Release wild rainbow trout.
 - (B) Cutthroat trout: Minimum length 14 inches.
- (30) **Duck Lake (Grays Harbor County):**
 - (a) Game fish: Statewide minimum length/daily limit, except:
Crappie: No limit and no minimum length.
 - (b) Grass carp: No limit for anglers and bow and arrow fishing.
- (31) **Dungeness River (Clallam County):** From the mouth to the forks at Dungeness Forks Campground:
 - (a) Open October 16 through January 31.
 - (b) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (c) Salmon:
 - (i) Open October 16 through November 30.
 - (ii) Daily limit 4 coho only.
 - (iii) Release wild coho.
- (32) **East Twin River (Clallam County):**
 - (a) Selective gear rules.
 - (b) Release all fish.
- (33) **Elk Creek (Lewis County) (Chehalis River tributary):** Open the Saturday before Memorial Day through September 30 and January 1 through March 31.
- (34) **Elk Lake (Clallam County):**
 - (a) Open the Saturday before Memorial Day through October 15.
 - (b) Selective gear rules.
 - (c) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Release kokanee.
- (35) **Elk River (Grays Harbor County):**
 - (a) From the mouth (Highway 105 Bridge) to the confluence of the middle branch:
 - (i) Open the Saturday before Memorial Day through the last day in February.
 - (ii) August 16 through November 30: Single-point barbless hooks are required.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iv) Salmon:
 - (A) Open October 1 through November 30:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Release adult Chinook.
 - (B) Open December 1 through December 31:
 - (I) Daily limit 6; up to 1 may be an adult.
 - (II) Release Chinook.
 - (b) From confluence of the middle branch upstream:
 - (i) Open the Saturday before Memorial Day through the last day in February.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (36) **Elwha River and all tributaries (Clallam County):** Closed waters.
- (37) **Failor Lake (Grays Harbor County):** Open the fourth Saturday in April through September 15.
- (38) **Fork Creek (Pacific County) (Willapa River tributary):** Closed waters.

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

(a) Open the Saturday before Memorial Day through the last day in February.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(40) **Gray Wolf River (Clallam County):**

(a) From the confluence with the Dungeness to the bridge at river mile 1.0: Closed waters.

(b) From the bridge at river mile 1.0, upstream:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(41) **Hoh River (Jefferson County):**

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

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

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

(i) It is unlawful to use bait from February 16 through April 15 and June 1 through August 31.

(ii) Open June 1 through August 31 and September 16 through April 15:

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Release wild rainbow trout.

(B) Cutthroat trout: Minimum length 14 inches.

(C) November 1 through February 15: Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iv) Salmon:

(A) Open September 16 through November 30: Daily limit ((4)) 2; up to ((2)) 1 may be an adult(~~(s, of which 1 may be a Chinook)~~).

(B) Open December 1 through December 15: Daily limit 1 coho only.

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

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

(ii) It is unlawful to use bait June 1 through October 15 and December 1 through April 15.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Release wild rainbow trout.

(B) Cutthroat trout: Minimum length 14 inches.

(iv) Salmon:

(A) Open October 16 through November 30: Daily limit ((4)) 2; up to ((2)) 1 may be an adult(~~(s, of which 1 may be a Chinook)~~).

(B) Open December 1 through December 15: Daily limit 1 coho only.

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

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

(ii) It is unlawful to use bait.

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

(iv) Game fish: Statewide minimum length/daily limit, except:

(A) Release wild rainbow trout.

(B) Cutthroat trout: Minimum length 14 inches.

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

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

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

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

(d) It is unlawful to use bait.

(e) Game fish: Statewide minimum length/daily limit, except:

(i) Release wild rainbow trout.

(ii) Cutthroat trout: Minimum length 14 inches.

(43) Hoko River (Clallam County):

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

(i) From the hatchery ladder downstream 100 feet: Closed waters.

(ii) Open the Saturday before Memorial Day through March 15.

(iii) September 1 through October 31: Open to fly fishing only.

(iv) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

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

(i) Open the Saturday before Memorial Day through March 31 to fly fishing only.

(ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

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

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

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

(ii) Open the Saturday before Memorial Day through the last day of February:

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon:

(A) Open October 1 through November 30:

(I) Daily limit 6; up to 2 may be adults.

(II) Release adult Chinook.

(B) Open December 1 through December 31:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release Chinook.

(b) From Dekay Road Bridge upstream:

(i) Open the Saturday before Memorial Day through the last day of February.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

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

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

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

(ii) Open the Saturday before Memorial Day through the last day of February.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon:

(A) Open October 1 through November 30:

- (I) Daily limit 6; up to 2 may be adults.
- (II) Release adult Chinook.
- (B) Open December 1 through December 31:
 - (I) Daily limit 6; up to 1 may be an adult.
 - (II) Release Chinook.
- (b) From the confluence of Berryman Creek upstream:
 - (i) Open the Saturday before Memorial Day through the last day of February.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iii) Selective gear rules.
- (46) **Humptulips River (Grays Harbor County):**
 - (a) From the mouth (Jessie Slough) to the Highway 101 Bridge, including all channels, sloughs, and interconnected waterways:
 - (i) August 16 through November 30:
 - (A) Night closure.
 - (B) Single-point barbless hooks are required.
 - (ii) Open the Saturday before Memorial Day through March 31.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iv) Salmon:
 - (A) Open September 1 through ~~((September 30))~~ October 24:
 - (I) Daily limit 6; up to ~~((2))~~ 1 may be an adult~~((s))~~.
 - (II) Release wild coho and wild Chinook.
 - (B) Open October ~~((1))~~ 25 through ~~((October))~~ December 31:
 - (I) Daily limit 6; up to ~~((2))~~ 1 may be an adult~~((s, of which 1 may be a Chinook))~~.
 - (II) Release ~~((wild))~~ Chinook and wild coho.
 - ~~((C) Open November 1 through December 31:~~
 - ~~((I) Daily limit 6; up to 1 may be an adult.~~
 - ~~((II) Release Chinook and wild coho.))~~
 - (b) From the Highway 101 Bridge to the confluence of the East and West forks:
 - (i) From December 1 through March 31: It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (ii) August 16 through November 30:
 - (A) Night closure.
 - (B) Single-point barbless hooks are required.
 - (iii) March 1 through March 31: Selective gear rule.
 - (iv) Game fish:
 - (A) Open the Saturday before Memorial Day through the last day in February: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (B) Open March 1 through March 31: Release all fish, except: Anglers may retain up to 2 hatchery steelhead.
 - (v) Salmon:
 - (A) Open September 1 through ~~((September 30))~~ October 24:
 - (I) Daily limit 6; up to ~~((2))~~ 1 may be an adult~~((s))~~.
 - (II) Release wild coho and wild Chinook.
 - (B) Open October ~~((1))~~ 25 through ~~((October))~~ December 31:
 - (I) Daily limit 6; up to ~~((2))~~ 1 may be an adult~~((s, of which 1 may be a Chinook))~~.
 - (II) Release ~~((wild))~~ Chinook and wild coho.
 - ~~((C) Open November 1 through December 31:~~
 - ~~((I) Daily limit 6; up to 1 may be an adult.~~
 - ~~((II) Release Chinook and wild coho.))~~

- (47) **Humptulips River, East Fork (Grays Harbor County)**: August 16 through October 31:
- (a) Anti-snagging rule.
 - (b) Night closure.
- (48) **Humptulips River, West Fork (Grays Harbor County)**: From the mouth to Donkey Creek:
- (a) August 16 through November 30:
 - (i) Anti-snagging rule.
 - (ii) Night closure.
 - (b) March 1 through March 31: Selective gear rule.
 - (c) Game fish:
 - (i) Open the Saturday before Memorial Day through the last day in February: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (ii) Open March 1 through March 31: Release all fish, except: Anglers may retain up to 2 hatchery steelhead.
- (49) **Joe Creek (Grays Harbor County)**: From the mouth to Ocean Beach Road Bridge:
- (a) August 16 through November 30: Single-point barbless hooks are required.
 - (b) Open the Saturday before Memorial Day through December 31.
 - (c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (d) Salmon:
 - (i) Open September 1 through November 30:
 - (A) Daily limit 6; up to 2 may be adults.
 - (B) Release adult Chinook.
 - (ii) Open December 1 through December 31:
 - (A) Daily limit 6; up to 1 may be an adult.
 - (B) Release Chinook.
- (50) **Johns River (Grays Harbor County)**: From the mouth (Highway 105 Bridge) to Ballon Creek:
- (a) August 16 through November 30: Single-point barbless hooks are required.
 - (b) Open the Saturday before Memorial Day through the last day in February.
 - (c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (d) Salmon:
 - (i) Open October 1 through November 30:
 - (A) Daily limit 6; up to 2 may be adults.
 - (B) Release adult Chinook.
 - (ii) Open December 1 through December 31:
 - (A) Daily limit 6; up to 1 may be an adult.
 - (B) Release Chinook.
- (51) **Kalaloch Creek (Jefferson County), outside Olympic National Park**:
- (a) Open the Saturday before Memorial Day through the last day in February:
 - (b) Selective gear rules.
 - (c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (52) **Lena Lake, Lower (Jefferson County)**: The inlet stream from the mouth upstream to the footbridge (about 100 feet): Closed waters.
- (53) **Lincoln Pond (Clallam County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

- (54) **Little Hoko River (Clallam County):**
 (a) Selective gear rules.
 (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (55) **Loomis Lake (Pacific County):** Open the fourth Saturday in April through October 31.
- (56) **Lyre River (Clallam County):**
 (a) From the mouth to falls near river mile 3:
 (i) Open the Saturday before Memorial Day through January 31.
 (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 (b) From the falls to the Olympic National Park boundary:
 (i) Selective gear rules.
 (ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (57) **Matheny Creek (Jefferson County) (Queets River tributary), outside the Olympic National Park:**
 (a) Open the Saturday before Memorial Day through October 31.
 (b) It is unlawful to use bait.
 (c) It is unlawful to use anything other than one barbless hook.
 (d) Game fish: Statewide minimum length/daily limit, except:
 (i) Release wild rainbow trout.
 (ii) Cutthroat trout: Minimum length 14 inches.
- (58) **McDonald Creek (Clallam County):**
 (a) Selective gear rules.
 (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (59) **Moclips River (Grays Harbor County):**
 (a) From the mouth to the Quinault Indian Reservation boundary.
 (b) Open the Saturday before Memorial Day through the last day in February.
 (c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 (d) It is permissible to retain steelhead with a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.
 (e) August 16 through November 30: Single-point barbless hooks are required.
 (f) Salmon:
 (i) Open September 1 through November 30:
 (A) Daily limit 6; up to 2 may be adults.
 (B) Release adult Chinook.
 (ii) Open December 1 through December 31:
 (A) Daily limit 6; up to 1 may be an adult.
 (B) Release Chinook.
- (60) **Morse Creek (Clallam County):** From the mouth to Port Angeles Dam:
 (a) Open from December 1 through January 31.
 (b) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (61) **Mosquito Creek (Jefferson County):** From outside Olympic National Park upstream to the Goodman 3000 Mainline Bridge:
 (a) Open the Saturday before Memorial Day through the last day in February.
 (b) Selective gear rules.
 (c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(62) **Naselle River (Pacific/Wahkiakum counties):**

(a) From the Highway 101 Bridge to the South Fork:

(i) August 1 through November 15:

(A) Night closure.

(B) Anti-snagging rule.

(C) Barbless hooks are required.

(ii) Open the Saturday before Memorial Day through April 15.

(iii) Game fish: Statewide minimum length/daily limit, except:

Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon:

(A) Open August 1 through January 31:

(B) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).(C) Release wild Chinook and wild coho.

(b) From the confluence of the South Fork upstream to the Highway 4 Bridge:

(i) February 1 through April 15: Selective gear rules.

(ii) August 1 through November 15:

(A) Night closure.

(B) Anti-snagging rule.

(C) Barbless hooks are required.

(D) Stationary gear restriction.

(iii) Open the Saturday before Memorial Day through April 15.

(iv) Game fish: Statewide minimum length/daily limit, except:

Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(v) Salmon:

(A) Open August 1 through January 31:

(B) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).(C) Release wild Chinook and wild coho.

(c) From the Highway 4 Bridge to 300 feet below the upstream entrance of the Naselle Hatchery attraction channel:

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

(ii) February 1 through April 15: Selective gear rules.

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

(iv) October 16 through November 15:

(A) Night closure.

(B) Anti-snagging rule.

(C) Barbless hooks are required.

(D) Stationary gear restrictions.

(v) Open the Saturday before Memorial Day through July 31 and October 16 through April 15.

(vi) Game fish: Statewide minimum length/daily limit, except:

Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(vii) Salmon:

(A) Open October 16 through January 31:

(B) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).(C) Release wild Chinook and wild coho.

(d) From 300 feet below the upstream entrance of the Naselle Hatchery attraction channel to the upstream entrance of the Naselle Hatchery attraction channel: Closed waters.

(e) From the upstream entrance of the Naselle Hatchery attraction channel to the full spanning concrete diversion structure at the Naselle Hatchery:

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

(ii) August 1 through October 15: Closed waters.

(iii) October 16 through November 15:

(A) Night closure.

(B) Anti-snagging rule.

(C) Barbless hooks are required.

(D) Stationary gear rules.

(iv) February 1 through April 15: Selective gear rules.

(v) Open the Saturday before Memorial Day through April 15.

(vi) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(vii) Salmon:

(A) Open October 16 through January 31:

(B) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).

(C) Release wild Chinook and wild coho.

(f) From the full spanning concrete diversion structure at the Naselle Hatchery to 400 feet downstream of the falls in Sec. 6 T10N R8W:

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

(ii) August 1 through November 15:

(A) Night closure.

(B) Anti-snagging rule.

(C) Barbless hooks are required.

(D) Stationary gear rules.

(iii) Open the Saturday before Memorial Day through April 15.

(iv) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(v) Salmon:

(A) Open October 16 through January 31:

(B) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).

(C) Release wild Chinook and wild coho.

(g) From 400 feet downstream of the falls in Sec. 6, T10N, R8W to the falls in (Wahkiakum County): Closed waters.

(h) From the falls in Sec. 6, T10N, R8W to the Crown Mainline (Salme) Bridge:

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

(ii) August 1 through November 15:

(A) Night closure.

(B) Anti-snagging rule.

(C) Barbless hooks are required.

(D) Stationary gear rules.

(iii) Open the Saturday before Memorial Day through April 15.

(iv) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(v) Salmon:

(A) Open October 16 through January 31:

(B) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).

(C) Release wild Chinook and wild coho.

(i) From the Crown Mainline (Salme) Bridge to the mouth of the North Fork:

(i) February 1 through April 15; selective gear rules.

- (ii) Open the Saturday before Memorial Day through April 15.
- (iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (iv) August 16 through November 30:
 - (A) Night closure.
 - (B) Anti-snagging rule.
- (j) Upstream from the mouth of the North Fork.
- (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (63) **Naselle River, South (Pacific County):**
 - (a) From the mouth to Bean Creek: Open the Saturday before Memorial Day through the last day in February.
 - (b) The Saturday before Memorial Day through August 15: Selective gear rules.
 - (c) August 16 through November 30:
 - (i) Anti-snagging rule.
 - (ii) Night closure.
 - (d) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (64) **Nemah River, Middle (Pacific County):**
 - (a) From the mouth upstream to the department of natural resources decommissioned bridge on the Middle Nemah A-Line Road:
 - (i) Open the Saturday before Memorial Day through March 31.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iii) August 1 through November 30:
 - (A) Night closure.
 - (B) Single-point barbless hooks are required.
 - (iv) Salmon:
 - (A) Open September 1 through January 31:
 - (B) Daily limit 6; up to 2 may be adults.
 - (C) Release wild Chinook and wild coho.
 - (b) From the department of natural resources decommissioned bridge on the Middle Nemah A-Line Road upstream:
 - (i) Open the Saturday before Memorial Day through March 31:
 - (ii) Selective gear rules.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iv) August 16 through November 30: Night closure.
- (65) **Nemah River, North (Pacific County):**
 - (a) From Highway 101 Bridge upstream to the bridge on Nemah Valley Road:
 - (i) Open the Saturday before Memorial Day through March 31.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iii) August 1 through November 30:
 - (A) Night closure.
 - (B) Stationary gear restriction.
 - (C) Single-point barbless hooks are required.
 - (iv) Salmon:
 - (A) Open August 1 through January 31:
 - (B) Daily limit 6; up to 2 may be adults, of which 1 may be a wild coho.
 - (C) Release wild Chinook.
 - (b) From the bridge on Nemah Valley Road upstream to approximately 1.66 miles to the Hancock property line:

- (i) Open the Saturday before Memorial Day through July 31 and November 16 through March 31.
- (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (iii) August 16 through November 30:
 - (A) Anti-snagging rule.
 - (B) Night closure.
- (iv) December 1 through March 31: Selective gear rules.
- (c) From the Hancock property line upstream to the fishing boundary sign (approximately 210 feet above the Nemah Hatchery Bridge):
 - (i) Open only for salmon for anglers that possess a senior's license from August 1 through September 15:
 - (A) Salmon: Daily limit 6; up to 2 may be adults, of which 1 may be a wild coho.
 - (B) Release wild Chinook.
 - (ii) Open the Saturday before Memorial Day through July 31 and November 16 through March 31.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iv) August 16 through November 30:
 - (A) Anti-snagging rule.
 - (B) Night closure.
 - (v) December 1 through March 31: Selective gear rules.
- (d) From the fishing boundary sign (approximately 210 feet above the Nemah Hatchery Bridge) upstream to the Nemah Hatchery Dam: Closed waters.
 - (e) From the Nemah Hatchery Dam upstream to N-700 Road (46°28.58N, 123°48.54W):
 - (i) Open the Saturday before Memorial Day through March 31.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iii) August 16 through November 30:
 - (A) Night closure.
 - (B) Anti-snagging rule.
 - (iv) December 1 through March 31: Selective gear rules.
 - (v) Salmon: Open October 1 through January 31:
 - (A) Daily limit 6; up to 2 may be adults, of which 1 may be a wild coho.
 - (B) Release wild Chinook.
 - (f) From the N-700 Road (46°28.58N, 123°48.54W) to Cruiser Creek:
 - (i) Open the Saturday before Memorial Day through March 31.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iii) August 16 through November 30:
 - (A) Night closure.
 - (B) Anti-snagging rule.
 - (iv) December 1 through March 31: Selective gear rules.
- (66) **Nemah River, South (Pacific County):**
 - (a) September 1 through November 30:
 - (i) Night closure.
 - (ii) Single-point barbless hooks are required.
 - (b) Open the Saturday before Memorial Day through March 31:
 - (c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (d) Salmon:
 - (i) Open September 1 through January 31.
 - (ii) Daily limit 6; up to 2 may be adults.

(iii) Release wild Chinook and wild coho.

(67) **Newaukum River, including South Fork (Lewis County):**

(a) From the mouth to Leonard Road near Onalaska:

(i) Open the Saturday before Memorial Day through March 31:

(ii) Game fish: Statewide minimum length/daily limit, except:

Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iii) August 16 through November 30:

(A) Night closure.

(B) Single-point barbless hooks are required.

(iv) Salmon:

(A) Open October 16 through November 30:

(I) Daily limit 6; up to 2 may be adults.

(II) Release adult Chinook.

(B) Open December 1 through December 31:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release Chinook.

(b) From Leonard Road near Onalaska to Highway 508 Bridge near Kearny Creek:

(i) Open the Saturday before Memorial Day through March 31:

(ii) Game fish: Statewide minimum length/daily limit, except:

Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iii) August 16 through November 30:

(A) Night closure.

(B) Single-point barbless hooks are required.

(68) **Newaukum River, Middle Fork (Lewis County), from the mouth to Tauscher Road Bridge:**

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

(b) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(69) **Newaukum River, North Fork (Lewis County), from the mouth to 400 feet below the Chehalis city water intake:**

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

(b) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

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

(a) August 16 through November 30:

(i) Night closure.

(ii) Single-point barbless hooks are required.

(b) Open the Saturday before Memorial Day through November 30.

(71) **North River (Grays Harbor/Pacific counties):**

(a) From the Highway 105 Bridge to Fall River:

(i) August 16 through November 30:

(A) Night closure.

(B) Single-point barbless hooks are required.

(C) Anti-snagging rule.

(ii) Open the Saturday before Memorial Day through the last day in February.

(iii) Game fish: Statewide minimum length/daily limit, except:

Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon: Open October 1 through January 31:

(A) Daily limit 6; up to 2 may be adults, of which 1 may be a wild coho.

(B) Release wild Chinook.

(b) From Fall River upstream to Raimie Creek:

(i) Selective gear rules.

(ii) Open the Saturday before Memorial Day through the last day in February.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(72) **Ozette Lake tributaries and their tributaries except Big River (Clallam County)**: Outside of Olympic National Park. Open the Saturday before Memorial Day through October 15.

(73) **Palix River, including all forks (Pacific County)**:

(a) From the Highway 101 Bridge to the mouth of the Middle Fork:

(i) August 16 through November 30:

(A) Night closure.

(B) Single-point barbless hooks are required.

(ii) Open the Saturday before Memorial Day through March 31.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon: Open September 1 through January 31:

(A) Daily limit 6; up to 2 may be adults.

(B) Release wild Chinook and wild coho.

(b) From the confluence with the Middle Fork upstream and all forks, including South Fork Palix and Canon rivers:

(i) August 16 through October 15:

(A) Anti-snagging rule.

(B) Night closure.

(ii) The Saturday before Memorial Day through August 15, and December 16 through March 31: Selective gear rules.

(iii) Open the Saturday before Memorial Day through October 15, and December 16 through March 31.

(iv) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(74) **Peabody Creek (Clallam County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(75) **Pleasant Lake (Clallam County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Kokanee: Daily limit 5; minimum length 8 inches, maximum length 18 inches.

(b) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(c) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(d) Channel catfish: Daily limit 10; no size restriction.

(e) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(76) **Pysht River (Clallam County)**:

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

(b) Selective gear rules.

(c) The Saturday before Memorial Day through October 31.

(i) Game fish: Statewide minimum length/daily limit, except:

(ii) Release cutthroat trout and wild rainbow trout.

(d) Open November 1 through January 31:

(i) Game fish: Statewide minimum length/daily limit, except:

(ii) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(77) **Quigg Lake (Grays Harbor County)**:

(a) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(b) Salmon:

(i) Open October 1 through January 31.

(ii) Daily limit 6 hatchery coho salmon; up to 4 may be adult hatchery coho.

(78) Quillayute River (Clallam County), outside of Olympic National Park:

(a) Open year-round, except closed Mondays and Tuesdays September ((4)) 2 through October ((17. Also closed September 27, October 4, and October 11)) 15.

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

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

(i) Game fish: Statewide minimum length/daily limit, except:

(A) Release wild rainbow trout.

(B) Cutthroat trout: Minimum length 14 inches.

(ii) November 1 through the last day in February: Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(d) Salmon:

(i) Open February 1 through August 31:

(A) Daily limit 4; up to 2 may be adults.

(B) Release sockeye, wild adult Chinook, and wild adult coho.

(ii) Open September 1 through ((September)) December 15:

(A) Daily limit 6; up to ((4)) 3 may be adults, of which only 1 may be a wild Chinook.

(B) Release sockeye and wild adult coho.

~~((iii) Open September 16 through December 15:~~

~~(A) Daily limit 6; up to 4 may be adults, of which only 1 may be a wild Chinook and only 1 may be a wild coho.~~

~~(B) Release sockeye.)~~

(79) Quinault River (Grays Harbor County): From the mouth at the upper end of Quinault Lake upstream to the Olympic National Park boundary:

(a) Open the Saturday before Memorial Day through April 15.

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

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

(d) It is unlawful to use bait the Saturday before Memorial Day through September 30 and February 16 through April 15.

(e) Game fish: Statewide minimum length/daily limit, except:

(i) Release wild rainbow trout.

(ii) Cutthroat trout: Minimum length 14 inches.

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

(g) Salmon:

(i) Open July 1 through September 30: Daily limit 6 jack salmon only.

(ii) Open October 1 through November 30:

(A) Daily limit 6; up to 2 may be adults.

(B) Release sockeye and chum.

(80) Rocky Brook (Jefferson County) (Dosewallips River tributary): From the mouth upstream: Closed waters.

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

(a) Open the Saturday before Memorial Day through the last day in February.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

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

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

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

(c) It is unlawful to use bait the Saturday before Memorial Day through August 31.

(d) Open the Saturday before Memorial Day through September 30 and December 1 through the last day in February.

(e) Game fish: Statewide minimum length/daily limit, except:

(i) Release wild rainbow trout.

(ii) Cutthroat trout: Minimum length 14 inches.

(iii) Saturday before Memorial Day through September 30: It is permissible to retain steelhead with a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.

(iv) December 1 through the last day in February: Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(f) Salmon:

(i) Open September 1 through November 30:

(ii) Daily limit 6; up to 2 may be adults (~~(, of which up to 1 may be a Chinook)~~).

(iii) Release Chinook.

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

(a) Selective gear rules.

(b) Open the Saturday before Memorial Day through January 31:

(i) Game fish: Statewide minimum length/daily limit, except:

(ii) Release cutthroat trout and wild rainbow trout.

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

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

(i) August 16 through November 30:

(A) Night closure.

(B) Single-point barbless hooks are required.

(ii) August 1 through September 30: Selective gear rules.

(iii) Open the Saturday before Memorial Day through March 31:

(A) Game fish: Statewide minimum length/daily limit, except:

(B) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon:

(A) Open October 1 through November 30:

(I) Daily limit 6; up to 2 may be adults.

(II) Release adult Chinook.

(B) Open December 1 through December 31:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release Chinook.

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

(i) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(ii) August 16 through October 31:

(A) Night closure.

(B) Single-point barbless hooks are required.

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

- (i) Open within posted markers to anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card.
- (ii) Night closure.
- (iii) August 16 through November 30: Single-point barbless hooks are required.
- (iv) Open the Saturday before Memorial Day through March 31:
 - (A) Game fish: Statewide minimum length/daily limit, except:
 - (B) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (v) Salmon:
 - (A) Open October 1 through November 30:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Release adult Chinook.
 - (B) Open December 1 through December 31:
 - (I) Daily limit 6; up to 1 may be an adult.
 - (II) Release Chinook.
- (85) **Satsop River, Middle Fork (Turnow Branch) (Grays Harbor County):**
 - (a) August 16 through November 30:
 - (i) Anti-snagging rule.
 - (ii) Night closure.
 - (b) Open the Saturday before Memorial Day through the last day in February:
 - (i) Game fish: Statewide minimum length/daily limit, except:
 - (ii) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (86) **Satsop River, West Fork (Grays Harbor County):**
 - (a) August 16 through November 30:
 - (i) Anti-snagging rule.
 - (ii) Night closure.
 - (b) Open the Saturday before Memorial Day through the last day in February:
 - (i) Game fish: Statewide minimum length/daily limit, except:
 - (ii) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (87) **Sekiu River (Clallam County):** From mouth to forks:
 - (a) Open the Saturday before Memorial Day through January 31.
 - (b) Selective gear rules.
 - (c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (88) **Siebert Creek (Clallam County):**
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (89) **Sitkum River (Clallam County) (Calawah River tributary):**
 - (a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (b) It is unlawful to use anything other than one single-point barbless hook.
 - (c) It is unlawful to use bait.
 - (d) Game fish: Statewide minimum length/daily limit, except:
 - (i) Release wild rainbow trout.
 - (ii) Cutthroat trout: Minimum length 14 inches.
- (90) **Skookumchuck River (Thurston County):** From the mouth to 100 feet below the outlet of the TransAlta/WDFW steelhead rearing pond located at the base of the Skookumchuck Dam:

- (a) August 16 through November 30:
 - (i) Night closure.
 - (ii) Single-point barbless hooks are required.
- (b) Open the Saturday before Memorial Day through April 30:
 - (i) Game fish: Statewide minimum length/daily limit, except:
 - (ii) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (c) Salmon:
 - (i) Open October 16 through November 30:
 - (A) Daily limit 6; up to 2 may be adults.
 - (B) Release adult Chinook.
 - (ii) Open December 1 through December 31:
 - (A) Daily limit 6; up to 1 may be an adult.
 - (B) Release Chinook.
- (91) **Smith Creek (near North River) (Pacific County):**
 - (a) From the mouth to the Highway 101 Bridge:
 - (i) August 16 through November 30:
 - (A) Night closure.
 - (B) Single-point barbless hooks are required.
 - (ii) Open the Saturday before Memorial Day through the last day in February.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iv) Salmon: Open October 1 through December 31:
 - (A) Daily limit 6; up to 2 may be adults, of which 1 may be a wild coho.
 - (B) Release wild Chinook.
 - (b) From the Highway 101 Bridge upstream:
 - (i) Selective gear rules.
 - (ii) Open the Saturday before Memorial Day through the last day in February.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (iv) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (92) **Snahapish River (Jefferson County) (Clearwater River tributary):**
 - (a) Open the Saturday before Memorial Day through October 31.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) It is unlawful to use anything other than one barbless hook.
 - (d) It is unlawful to use bait.
 - (e) Game fish: Statewide minimum length/daily limit, except:
 - (i) Release wild rainbow trout.
 - (ii) Cutthroat trout: Minimum length 14 inches.
- (93) **Snow Creek and all tributaries (Jefferson County):** Closed waters.
- (94) **Sol Duc River (Clallam County):**
 - (a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (b) It is unlawful to use anything other than one single-point barbless hook.
 - (c) From the mouth to the concrete pump station at the Sol Duc Hatchery:
 - (i) It is unlawful to use bait July 16 through August 31 and February 16 through April 30.
 - (ii) Game fish: Open year-round: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(iii) Salmon:

(A) Open February 1 through August 31:

(I) Daily limit 4; up to 2 may be adults.

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

(B) Open September 1 through ~~(September)~~ December 15:

(I) Daily limit 6; up to ~~((4))~~ 3 may be adults, of which only 1 may be a wild Chinook.

(II) Release sockeye and wild adult coho.

~~((C) Open September 16 through December 15:~~

~~(I) Daily limit 6; up to 4 may be adults, of which only 1 may be a wild Chinook and only 1 may be a wild coho.~~

~~(II) Release sockeye.)~~

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

(i) Open the Saturday before Memorial Day through April 30.

(ii) It is unlawful to use bait.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

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

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

(ii) It is unlawful to use bait.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(95) Sol Duc River tributaries unless otherwise listed (Clallam County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

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

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

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

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

(d) It is unlawful to use bait.

(e) Game fish: Statewide minimum length/daily limit, except:

(i) Release wild rainbow trout.

(ii) Cutthroat trout: Minimum length 14 inches.

(97) Sooes River (Tsoo-Yess River) (Clallam County), outside of Makah Indian Reservation: Open the Saturday before Memorial Day through the last day in February.

(98) Soules Pond (Pacific County): Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(99) South Bend Mill Pond (Pacific County): Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(100) Stevens Creek (Grays Harbor County): From the mouth to the Highway 101 Bridge:

- (a) From the WDFW hatchery outlet downstream to the cable crossing: Closed waters.
- (b) Open the Saturday before Memorial Day through September 30 and December 1 through the last day in February.
- (c) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (101) Sutherland Lake (Clallam County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Game fish: Statewide minimum length/daily limit, except: Kokanee: Daily limit 5; minimum length 8 inches and maximum length 18 inches.
- (102) Thrash Creek (Pacific/Lewis County):** Closed waters.
- (103) Thunder Creek (Clallam County) (Tributary to East Fork Dickey River):**
- (a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (b) It is unlawful to use anything other than one single-point barbless hook.
- (c) It is unlawful to use bait.
- (d) Game fish: Statewide minimum length/daily limit, except:
- (i) Release wild rainbow trout.
- (ii) Cutthroat trout: Minimum length 14 inches.
- (e) From mouth to D2400 Road: Open the Saturday before Memorial Day through April 30.
- (f) From D2400 Road upstream: Open the Saturday before Memorial Day through October 31.
- (104) Thunder Lake (Clallam County):** Game fish: Statewide minimum length/daily limit, except:
- (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
- (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
- (c) Channel catfish: Daily limit 10; no size restriction.
- (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (105) Valley Creek (Clallam County):** Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (106) Vance Creek/Elma Ponds (Grays Harbor County), Pond One (Bowers Lake) and Pond Two (Lake Ines):** Pond One/Bowers Lake is open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (107) Van Winkle Creek (Grays Harbor County):**
- (a) August 16 through November 30:
- (i) Night closure.
- (ii) Anti-snagging rule.
- (b) From the mouth to 400 feet below the outlet of Lake Aberdeen Hatchery:
- (i) Open the Saturday before Memorial Day through January 31.
- (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (iii) Salmon:
- (A) Open October 1 through November 30:
- (I) Daily limit 6; up to 2 may be adults.
- (II) Release adult Chinook.
- (B) Open December 1 through December 31:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release Chinook.

(108) **West Twin River (Clallam County):**

(a) Selective gear rules.

(b) Release all fish.

(109) **Willapa River (Pacific County):**

(a) From the mouth (city of South Bend boat launch) to the WDFW access site at the mouth of Ward/Wilson creeks:

(i) August 1 through November 30:

(A) Night closure.

(B) Single-point barbless hooks are required.

(ii) Open December 1 through January 31.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon: Open August 1 through January 31:

(A) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).

(B) Release wild Chinook and wild coho.

(b) From the WDFW access site at the mouth of Ward/Wilson creeks to the second bridge on Camp One Road:

(i) August 1 through November 30:

(A) Night closure.

(B) Single-point barbless hooks are required.

(C) Stationary gear restriction.

(ii) Open the Saturday before Memorial Day through March 31.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon: Open August 1 through January 31:

(A) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).

(B) Release wild Chinook and wild coho.

(c) From the second bridge on Camp One Road upstream to the mouth of Mill Creek (approximately 0.5 miles):

(i) August 1 through November 30:

(A) Night closure.

(B) Single-point barbless hooks are required.

(C) Stationary gear restriction.

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

(ii) Open the Saturday before Memorial Day through March 31.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon: Open August 1 through January 31:

(A) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).

(B) Release wild Chinook and wild coho.

(d) From the mouth of Mill Creek to the Highway 6 bridge (approximately 2 miles below the mouth of Trap Creek):

(i) August 1 through November 30:

(A) Night closure.

(B) Single-point barbless hooks are required.

(C) Stationary gear restriction.

(ii) Open the Saturday before Memorial Day through March 31.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon: Open August 1 through January 31:

(A) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).

(B) Release wild Chinook and wild coho.

(e) From Highway 6 Bridge (approximately 2 miles below the mouth of Trap Creek) to Fork Creek:

(i) August 16 through November 30:

(A) Night closure.

(B) Single-point barbless hooks are required.

(C) Stationary gear restriction.

(ii) Open the Saturday before Memorial Day through March 31:

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon: Open August 16 through January 31:

(A) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).

(B) Release wild Chinook and wild coho.

(f) From Fork Creek upstream to the Highway 6 Bridge near the town of Lebam:

(i) August 16 through October 31:

(A) Night closure.

(B) Single-point barbless hooks are required.

(C) Stationary gear restriction.

(ii) Open the Saturday before Memorial Day through March 31:

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon: Open October 1 through January 31:

(A) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).

(B) Release wild Chinook and wild coho.

(g) From the Highway 6 Bridge near the town of Lebam upstream:

(i) August 16 through October 31:

(A) Night closure.

(B) Single-point barbless hooks are required.

(ii) Game fish: Statewide minimum length/daily limit, except:

Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(110) Willapa River, South Fork (Pacific County):

(a) From the mouth to the Pehl Road bridge:

(i) From the falls/fish ladder downstream 400 feet in Section 6, Township 13 North, and Range 8 West: Closed waters.

(ii) The Saturday before Memorial Day through July 31: Selective gear rules.

(iii) August 1 through November 30:

(A) Night closure.

(B) Anti-snagging rule.

(C) Barbless hooks are required.

(b) Open the Saturday before Memorial Day through the last day in February:

(i) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(ii) Salmon: Open August 1 through January 31:

(A) Daily limit 6; up to 2 may be adults (~~(, of which 1 may be a wild coho)~~).

(B) Release wild Chinook and wild coho.

(c) From Pehl Road bridge upstream:

(i) Open the Saturday before Memorial Day through the last day in February.

(ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(111) **Wirkkala Pond 1 (Pacific County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(112) **Wishkah River (Grays Harbor County)**:

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

(b) From the mouth to 200 feet below the weir at the Wishkah Rearing Ponds:

(i) Open the Saturday before Memorial Day through the last day in February.

(ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iii) Salmon:

(A) Open October 1 through November 30:

(I) Daily limit 6; up to 2 may be adults.

(II) Release adult Chinook.

(B) Open December 1 through December 31:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release Chinook.

(iv) From 150 feet upstream to 150 feet downstream of the Wishkah adult attraction channel/outfall structure (within the posted fishing boundary): Open only to anglers with disabilities who permanently use a wheelchair and have a designated harvester companion card.

(113) **Wynoochee River (Grays Harbor County)**:

(a) From the mouth to the WDFW White Bridge Access Site:

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

(ii) August 1 through September 30: Selective gear rules.

(iii) Open the Saturday before Memorial Day through March 31:

(iv) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(v) Salmon:

(A) Open October 1 through November 30:

(I) Daily limit 6; up to 2 may be adults.

(II) Release adult Chinook.

(B) Open December 1 through December 31:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release Chinook.

(b) From the WDFW White Bridge Access Site to the 7400 line bridge:

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

(ii) From September 16 through November 30: It is unlawful to use bait.

(iii) Open the Saturday before Memorial Day through March 31:

(iv) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(c) From the 7400 line bridge to 400 feet below Wynoochee Dam:

- (i) From 400 feet downstream of Wynoochee Dam to the Wynoochee dam and from the barrier dam near Grisdale to the barrier dam: Closed waters.
- (ii) Open the Saturday before Memorial Day through March 31:
- (iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (iv) Selective gear rules.
- (d) From the confluence of the Wynoochee Reservoir upstream to Wynoochee Falls:
 - (i) Open the Saturday before Memorial Day through March 31:
 - (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (114) **Wynoochee Reservoir (Grays Harbor County):**
 - (a) Open the fourth Saturday in April through October 31.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (iii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (iv) Channel catfish: Daily limit 10; no size restriction.
 - (v) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

AMENDATORY SECTION (Amending WSR 23-13-072, filed 6/14/23, effective 7/15/23)

- WAC 220-312-030 Freshwater exceptions to statewide rules—Southwest.**
- (1) **Abernathy Creek and tributaries (Cowlitz County):**
 - (a) From 200 feet above Abernathy Falls to posted markers 500 feet downstream from the Abernathy Fish Technology Center: Closed waters.
 - (b) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.
 - (c) Selective gear rules, except: Use of barbed hooks is allowed.
 - (d) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (e) Salmon:
 - (i) Open November 1 through December 31.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery Chinook and hatchery coho may be retained.
 - (2) **Beaver Creek (Wahkiakum County):** Closed waters.
 - (3) **Blue Creek (Lewis County), from the mouth to Spencer Road:**
 - (a) From posted sign above rearing pond outlet to Spencer Road: Closed waters.
 - (b) Anti-snagging rule.
 - (c) Night closure.
 - (d) Open Saturday before Memorial Day through April 15.
 - (e) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 5; minimum length 8 inches.

- (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (f) Salmon:
 - (i) Open August 1 through December 31.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery Chinook and hatchery coho may be retained.
- (4) **Blue Lake (Cowlitz County):**
 - (a) Open the fourth Saturday in April through October 31.
 - (b) Selective gear rules.
 - (c) Release all fish.
- (5) **Blue Lake Creek (Lewis County):** Selective gear rules.
- (6) **Butter Creek (Lewis County):** Selective gear rules.
- (7) **Canyon Creek (Clark County):** Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 5.
- (8) **Carlisle Lake (Lewis County):**
 - (a) Open year-round.
 - (b) Landlocked salmon rules.
- (9) **Cedar Creek and tributaries (tributary of N.F. Lewis) (Clark County):**
 - (a) From the Grist Mill Bridge to 100 feet upstream of the falls: Closed waters.
 - (b) Selective gear rules, except: Use of barbed hooks is allowed.
 - (c) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.
 - (d) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (e) Salmon:
 - (i) Open November 1 through December 31.
 - (ii) Daily limit 6; up to 3 adults, of which 2 may be Chinook.
 - (iii) Release all salmon except hatchery Chinook and hatchery coho.
- (10) **Chinook River (Pacific County):** From the Highway 101 Bridge upstream:
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (11) **Cispus River (Lewis County):** From the mouth to the falls, not including the North Fork:
 - (a) Open year-round, except closed to all angling within posted "Closed Waters" signs around the adult fish release site.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.
 - (c) Salmon:
 - (i) Daily limit 6; up to 2 may be adults.
 - (ii) Only hatchery Chinook and hatchery coho may be retained.
- (12) **Cispus River, North Fork (Lewis County):** Selective gear rules.
- (13) **Coal Creek (Cowlitz County):**
 - (a) From the mouth to 400 feet below the falls:
 - (i) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.
 - (ii) Selective gear rules, except: Use of barbed hooks is allowed.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iv) Salmon:

(A) Open November 1 through December 31.

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

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

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

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

(a) The Coldwater Lake inlet and outlet streams: Closed waters.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(15) **Cougar Creek (tributary to Yale Reservoir) (Cowlitz County):**

(a) Selective gear rules.

(b) Open the Saturday before Memorial Day through August 31.

(16) **Coweeman River and tributaries (Cowlitz County):**

(a) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(c) Salmon:

(i) Open November 1 through December 31.

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

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

(17) **Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County):**

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

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

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Release wild rainbow and wild cutthroat trout.

(ii) Trout: Daily limit 10; minimum length 8 inches.

(iii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(iv) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(v) Channel catfish: Daily limit 10; no size restriction.

(vi) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(d) Salmon:

(i) Daily limit 6; minimum length 12 inches.

(ii) Up to 2 may be adults.

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

(18) **Cowlitz River (Lewis/Cowlitz counties):**

(a) From the boundary markers at the mouth to Lexington Bridge:

(i) Game fish:

(A) Trout:

(I) Open the Saturday before Memorial Day through March 31: Daily limit 5; minimum length 8 inches. Release wild rainbow and wild cutthroat trout.

(II) Open April 1 through the Friday before Memorial Day: State-wide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(B) Steelhead: Open year-round: Daily limit 3 hatchery steelhead, minimum length 20 inches.

(C) Other game fish: Open year-round, statewide minimum size/daily limit.

(ii) Salmon:

(A) Open January 1 through July 31.

(I) Daily limit 6; up to 2 may be adults.

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

(B) Open August 1 through December 31.

(I) Daily limit 6; up to 3 may be adults.

(II) Release all salmon other than hatchery coho.

(b) From the Lexington Bridge to the mouth of Mill Creek:

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

(ii) Game fish:

(A) Trout:

(I) Open the Saturday before Memorial Day through March 31: Daily limit 5; minimum length 8 inches. Release wild rainbow and wild cutthroat trout.

(II) Open April 1 through the Friday before Memorial Day: State-wide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(B) Steelhead: Open year-round; daily limit 3 hatchery steelhead; minimum length 20 inches.

(C) Other game fish: Open year-round, statewide minimum size/daily limit.

(iii) Salmon:

(A) Open January 1 through July 31.

(I) Daily limit 6; up to 2 may be adults.

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

(B) Open August 1 through December 31.

(I) Daily limit 6; up to 3 may be adults.

(II) Release all salmon other than hatchery coho.

(c) From the mouth of Mill Creek to 1,700 feet upstream of the Cowlitz Salmon Hatchery barrier dam:

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

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

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

(iv) April 1 through November 30:

(A) Anti-snagging rule.

(B) Night closure.

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

(vi) Game fish:

(A) Trout:

(I) Open the Saturday before Memorial Day through March 31: Daily limit 5; minimum length 8 inches. Release wild rainbow and wild cutthroat trout.

(II) Open April 1 through the Friday before Memorial Day: State-wide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(B) Steelhead: Open year-round; daily limit 3 hatchery steelhead; minimum length 20 inches.

(C) Other game fish: Open year-round, statewide minimum size/daily limit.

(vii) Salmon:

(A) Open January 1 through July 31.

(I) Daily limit 6; up to 2 may be adults.

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

(B) Open August 1 through December 31.

(I) Daily limit 6; up to 3 may be adults.

(II) Release all salmon other than hatchery coho.

(d) From 1,700 feet upstream of the Cowlitz Salmon Hatchery barrier dam to Mayfield Dam.

(i) From 400 feet below the Mayfield powerhouse upstream to Mayfield Dam: Closed waters.

(ii) Game fish:

(A) Trout:

(I) Open the Saturday before Memorial Day through March 31: Daily limit 5; minimum length 8 inches. Release wild rainbow and wild cutthroat trout.

(II) Open April 1 through the Friday before Memorial Day: State-wide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(B) Steelhead: Open year-round; daily limit 3 hatchery steelhead; minimum length 20 inches.

(C) Other game fish: Open year-round, statewide minimum size/daily limit.

(iii) Salmon:

(A) Open January 1 through July 31.

(I) Daily limit 6; up to 2 may be adults.

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

(B) Open August 1 through December 31.

(I) Daily limit 6; up to 3 may be adults.

(II) Release all salmon other than hatchery coho.

(e) From the posted PUD sign on Peters Road to the Forest Road 1270 (old Jody's Bridge):

(i) Closed to all angling within posted "Closed Waters" signs around the adult fish release site.

(ii) September 1 through October 31: Anti-snagging rule and night closure.

(iii) Open year-round.

(iv) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(v) Salmon:

(A) Open year-round.

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

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

(f) From Forest Road 1270 (old Jody's Bridge) upstream and tributaries.

(i) Selective gear rules.

- (ii) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.
- (19) **Deep River (Wahkiakum County):**
 - (a) Open year-round.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (c) Salmon:
 - (i) Daily limit 6; up to 2 may be adults.
 - (ii) Only hatchery Chinook and hatchery coho may be retained.
- (20) **Delameter Creek (Cowlitz County):**
 - (a) From 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek: Closed waters.
 - (b) Selective gear rules, except: Use of barbed hooks is allowed.
 - (c) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (d) Salmon:
 - (i) Open August 1 through October 31.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery Chinook and hatchery coho may be retained.
- (21) **Drano Lake (Skamania County):** In the waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of the Highway 14 Bridge:
 - (a) Closed on Wednesdays beginning the second Wednesday in April through June 30.
 - (b) Closed from 6 p.m. Tuesdays through 6 p.m. Wednesdays during the month of October.
 - (c) March 16 through October 31: Night closure.
 - (d) August 1 through December 31: Anti-snagging rule.
 - (e) May 1 through June 30 and October 1 through December 31:
 - (i) Each angler aboard a vessel may deploy salmon/steelhead angling gear until the salmon/steelhead limit for all anglers aboard has been achieved.
 - (ii) Two-pole fishing for salmon/steelhead is permissible so long as the angler possesses a two-pole endorsement.
 - (f) April 16 through June 30: The area west of a line projected from the easternmost pillar of the Highway 14 Bridge to a posted marker on the north shore is open only to bank fishing.
 - (g) Open year-round.
 - (i) Game fish: Statewide minimum length/daily limit, except:
 - (A) Bass: No limit and no size restriction.
 - (B) Channel catfish: No limit.
 - (C) Walleye: No limit and no size restriction.
 - (D) Release trout.
 - (E) Steelhead: From January 1 through March 15; daily limit 2 hatchery steelhead; minimum length 20 inches.
 - (ii) Salmon and steelhead: Open March 16 through December 31:
 - (A) March 16 through June 30: Daily limit 2 hatchery steelhead or 2 hatchery Chinook, or one of each. Release all other salmon.
 - (B) July 1 through July 31:
 - (I) Daily limit 2 hatchery Chinook. Closed to fishing for or retaining steelhead.
 - (II) Release all other salmon.

(C) August 1 through October 31: Daily limit 6; no more than 1 adult salmon. Closed to fishing for or retaining steelhead.

(D) November 1 through December 31: Daily limit 6; up to 1 may be an adult salmon or hatchery steelhead.

(22) **Elochoman River (Wahkiakum County):**

(a) From the mouth to Foster (Risk) Road Bridge:

(i) August 1 through October 31:

(A) Anti-snagging rule.

(B) Night closure.

(C) Stationary gear restriction.

(ii) Open the Saturday before Memorial Day through March 15.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iv) Salmon: Open the Saturday before Memorial Day through March 15.

(A) Daily limit 6; up to 2 may be adults.

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

(C) All Chinook must be adipose and/or ventral fin clipped to be retained.

(v) Salmon and steelhead: Open April 16 through the Friday before Memorial Day: Daily limit 6; of which 3 may be adult hatchery Chinook or hatchery steelhead. Release wild Chinook.

(b) From Foster (Risk) Road Bridge upstream to 200 feet above the WDFW temporary weir:

(i) From Foster (Risk) Road Bridge to 200 feet above the WDFW temporary weir while the weir is installed in the river: Closed waters.

(ii) August 1 through October 31:

(A) Anti-snagging rule.

(B) Night closure.

(C) Stationary gear restriction.

(iii) Open the Saturday before Memorial Day through March 15.

(iv) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(v) Salmon: Open the Saturday before Memorial Day through March 15.

(A) Daily limit 6; up to 2 may be adults.

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

(C) All Chinook must be adipose and/or ventral fin clipped to be retained.

(vi) Salmon and steelhead: Open April 16 through the Friday before Memorial Day: Daily limit 6; of which 3 may be adult hatchery Chinook or hatchery steelhead. Release wild Chinook.

(c) From 200 feet above the WDFW temporary weir to the Beaver Creek Road Bridge:

(i) August 1 through October 31:

(A) Anti-snagging rule.

(B) Night closure.

(C) Stationary gear restriction.

(ii) Open the Saturday before Memorial Day through March 15.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

- (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (iv) Salmon: Open the Saturday before Memorial Day through March 15.
- (A) Daily limit 6; up to 2 may be adults.
- (B) Only hatchery Chinook and hatchery coho may be retained.
- (C) All Chinook must be adipose and/or ventral fin clipped to be retained.
- (v) Salmon and steelhead:
- (A) Open April 16 through the Friday before Memorial Day.
- (B) Daily limit 6; up to 3 may be adult hatchery Chinook or hatchery steelhead. Release wild Chinook.
- (d) From the Beaver Creek Road Bridge to the Elochoman Hatchery Bridge:
- (i) August 1 through October 31:
- (A) Anti-snagging rule.
- (B) Night closure.
- (C) Stationary gear restriction.
- (ii) Open the Saturday before Memorial Day through March 15.
- (iii) Game fish: Statewide minimum length/daily limit, except:
- (A) Trout: Daily limit 2; minimum length 14 inches.
- (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (iv) Salmon: Open the Saturday before Memorial Day through March 15.
- (A) Daily limit 6; up to 2 may be adults.
- (B) Only hatchery Chinook and hatchery coho may be retained.
- (C) All Chinook must be adipose and/or ventral fin clipped to be retained.
- (v) Salmon and steelhead:
- (A) Open April 16 through the Friday before Memorial Day.
- (B) Daily limit 6; up to 3 may be adult hatchery Chinook or hatchery steelhead. Release wild Chinook.
- (e) Elochoman Hatchery Bridge to West Fork:
- (i) August 1 through October 31:
- (A) Anti-snagging rule.
- (B) Night closure.
- (C) Stationary gear restriction.
- (ii) Open the Saturday before Memorial Day through March 15.
- (iii) Game fish: Statewide minimum length/daily limit, except:
- (A) Trout: Daily limit 2; minimum length 14 inches.
- (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (iv) Salmon: Open the Saturday before Memorial Day through March 15.
- (A) Daily limit 6; up to 2 may be adults.
- (B) Only hatchery Chinook and hatchery coho may be retained.
- (C) All Chinook must be adipose and/or ventral fin clipped to be retained.
- (f) From West Fork upstream:
- (i) Game fish: Statewide minimum length/daily limit, except:
- Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (ii) Salmon:
- (A) Daily limit 6; up to 2 may be adults.
- (B) Only hatchery Chinook and hatchery coho may be retained.
- (C) All Chinook must be adipose and/or ventral fin clipped to be retained.

(23) **Franz Lake (Skamania County):** Closed waters.

(24) **Germany Creek (Cowlitz County) and all tributaries:**

- (a) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.
- (b) Selective gear rules, except: Use of barbed hooks is allowed.
- (c) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 2; minimum length 14 inches.
- (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (d) Salmon:
- (i) Open November 1 through December 31.
- (ii) Daily limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.
- (25) **Grays River (Wahkiakum County):** From the mouth to South

Fork:

- (a) From mouth to Barr Road Bridge:
- (i) August 1 through November 15:
- (A) Anti-snagging rule.
- (B) Night closure.
- (C) Stationary gear restriction.
- (ii) January 1 through March 15: Selective gear rules, except: Use of barbed hooks is allowed.
- (iii) Open Saturday before Memorial Day through March 15.
- (iv) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (v) Salmon:
- (A) Open Saturday before Memorial Day through July 31:
- (I) Daily limit 6; up to 2 may be adults.
- (II) Only hatchery Chinook may be retained.
- (B) Open August 1 through December 31:
- (I) Daily limit 6; up to 2 may be adults.
- (II) Only hatchery coho and hatchery Chinook may be retained.
- (III) All Chinook must be adipose and/or ventral fin clipped to be retained.
- (b) From Barr Road Bridge to Highway 4 Bridge:
- (i) August 1 through November 15:
- (A) Anti-snagging rule.
- (B) Night closure.
- (C) Stationary gear restriction.
- (ii) January 1 through March 15: Selective gear rules, except: Use of barbed hooks is allowed.
- (iii) Open Saturday before Memorial Day through March 15.
- (iv) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (v) Salmon:
- (A) Open Saturday before Memorial Day through July 31:
- (I) Daily limit 6; up to 2 may be adults.
- (II) Only hatchery Chinook may be retained.
- (B) Open August 1 through December 31:
- (I) Daily limit 6; up to 2 may be adults.
- (II) Only hatchery coho and hatchery Chinook may be retained.
- (III) All Chinook must be adipose and/or ventral fin clipped to be retained.
- (c) From the Highway 4 Bridge to the mouth of South Fork:
- (i) From 400 feet below to 200 feet above the temporary weir while the weir is installed in the river: Closed waters.
- (ii) August 1 through November 15:

- (A) Anti-snagging rule.
- (B) Night closure.
- (C) Stationary gear restriction.
- (iii) January 1 through March 15: Selective gear rules, except: Use of barbed hooks is allowed.
- (iv) Open Saturday before Memorial Day through March 15.
- (v) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (vi) Salmon:
 - (A) Open Saturday before Memorial Day through July 31:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Only hatchery Chinook may be retained.
 - (B) Open August 1 through December 31:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (III) All Chinook must be adipose and/or ventral fin clipped to be retained.
- (d) From South Fork upstream:
 - (i) Selective gear rules, except: Use of barbed hooks is allowed.
 - (ii) Open the Saturday before Memorial Day through March 15.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
 - (iv) Salmon:
 - (A) Open the Saturday before Memorial Day through December 31.
 - (B) Daily limit 6; minimum length 12 inches. Up to 2 adults may be retained.
 - (C) Only hatchery Chinook and hatchery coho may be retained. All Chinook must be adipose and/or ventral fin clipped to be retained.
- (26) **Grays River tributaries (unless otherwise listed) (Wahkiakum County):**
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (27) **Grays River, East Fork (Wahkiakum County):**
 - (a) Selective gear rules, except: Use of barbed hooks is allowed.
 - (b) Open the Saturday before Memorial Day through October 31.
 - (c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
 - (d) Salmon:
 - (i) Open the Saturday before Memorial Day through October 31.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery Chinook and hatchery coho may be retained.
 - (iv) Effective August 1, all Chinook must be adipose and/or ventral fin clipped to be kept.
- (28) **Grays River, East Fork tributaries (unless otherwise listed) (Wahkiakum County):**
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (29) **Grays River, South Fork (Wahkiakum County):**
 - (a) Selective gear rules, except: Use of barbed hooks is allowed.
 - (b) Open the Saturday before Memorial Day through October 31.
 - (c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
 - (d) Salmon:
 - (i) Open the Saturday before Memorial Day through October 31.
 - (ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained; all Chinook must be adipose and/or ventral fin clipped to be kept.

(30) Grays River, South Fork tributaries (unless otherwise listed) (Wahkiakum County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(31) Grays River, West Fork (Wahkiakum County):

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

(b) August 1 through November 15: Anti-snagging rule, night closure and stationary gear restriction.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(d) Salmon: Open the Saturday before Memorial Day through December 31.

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

(ii) Only hatchery Chinook and hatchery coho may be retained; all Chinook must be adipose and/or ventral fin clipped to be kept.

(32) Grays River, West Fork tributaries (unless otherwise listed) (Wahkiakum County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(33) Green River (Cowlitz County):

(a) From the mouth to Miner's Creek:

(i) From 400 feet above and 400 feet below the salmon hatchery rack (or from the posted signs above and below the salmon hatchery rack) when the rack is installed in the river: Closed waters.

(ii) From 400 feet below to 400 feet above the water intake at the upper end of the hatchery grounds from September 1 through November 30: Closed waters.

(iii) September 1 through October 31: Anti-snagging rule applies and night closure in effect from the mouth to 400 feet below the salmon hatchery rack.

(iv) Selective gear rules, except: Use of barbed hooks is allowed from the Saturday before Memorial Day through July 31 and December 1 through March 15.

(v) Open the Saturday before Memorial Day through March 15. Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(vi) Salmon:

(A) From mouth to 400 feet or posted markers below Toutle Hatchery rack site:

(I) Open August 1 through November 30.

(II) Daily limit 6; up to 3 may be adults.

(III) Only hatchery coho may be retained.

(B) From 400 feet or posted markers below Toutle Hatchery rack site to Miner's Creek:

(I) Open August 1 through November 30.

((B)) (II) Daily limit 6; up to 3 may be adults, of which 1 may be a Chinook.

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

(b) From Miner's Creek upstream:

(i) Selective gear rules, except: Use of barbed hooks is allowed.

(ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(34) **Green River tributaries (Cowlitz County):**

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(35) **Grizzly Lake (Skamania County):** Closed waters.(36) **Hamilton Creek (Skamania County):**

(a) Tributaries downstream from the Highway 14 Bridge: Closed waters.

(b) Selective gear rules, except: Use of barbed hooks is allowed.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(d) Salmon:

(i) Open August 1 through October 31.

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

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

(37) **Horsethief Lake (Klickitat County):** Open the fourth Saturday in April through October 31.(38) **Indian Heaven Wilderness Lakes (Skamania County):** Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 8 inches.(39) **Johnson Creek (Lewis County) (Cowlitz River tributary):** Selective gear rules.(40) **Kalama River (Cowlitz County):**

(a) From the mouth to the railroad bridge below Interstate 5:

(i) Game fish: Open year-round.

(A) Statewide minimum length/daily limit, except:

(B) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead:

Open year-round: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iii) Salmon:

(A) Open January 1 through July 31:

(I) Daily limit 6; up to 2 may be adults.

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

(B) Open August 1 through December 31:

(I) Daily limit 6; up to 3 may be adults.

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

(b) From the railroad bridge below Interstate 5 to Modrow Bridge:

(i) From Modrow Bridge downstream to the markers approximately 1,000 feet below the temporary rack when the rack is installed below Modrow Bridge: Closed waters.

(ii) April 1 through October 31:

(A) Night closure.

(B) Anti-snagging rule.

(iii) Game fish: Open year-round.

(A) Statewide minimum length/daily limit, except:

(B) Trout: Daily limit 2; minimum length 14 inches.

(C) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iv) Salmon:

(A) Open January 1 through July 31:

(I) Daily limit 6; up to 2 may be adults.

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

(B) Open August 1 through December 31:

(I) Daily limit 6; up to 3 may be adults.

- (II) Only hatchery Chinook and hatchery coho may be retained.
- (c) From the Modrow Bridge to the natural gas pipeline crossing:
 - (i) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (ii) April 1 through October 31:
 - (A) Night closure.
 - (B) Anti-snagging rule.
 - (iii) Game fish: Open year-round.
 - (A) Statewide minimum length/daily limit, except:
 - (B) Trout: Daily limit 2; minimum length 14 inches.
 - (C) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iv) Salmon:
 - (A) Open January 1 through July 31:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (B) Open August 1 through December 31:
 - (I) Daily limit 6; up to 3 may be adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
- (d) From the natural gas pipeline crossing to the deadline at the intake to the lower salmon hatchery:
 - (i) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (ii) April 1 through October 31:
 - (A) Night closure.
 - (B) Anti-snagging rule.
 - (iii) Open September 1 through October 31 for fly fishing only, except: Use of barbed hooks is allowed.
 - (iv) Game fish: Open year-round.
 - (A) Statewide minimum length/daily limit, except:
 - (B) Trout: Daily limit 2; minimum length 14 inches.
 - (C) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (v) Salmon:
 - (A) Open January 1 through July 31:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (B) Open August 1 through December 31:
 - (I) Daily limit 6; up to 3 may be adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (e) From the Fallert Creek hatchery intake to 1,000 feet below fishway at the Kalama Falls hatchery:
 - (i) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (ii) Game fish: Open year-round.
 - (A) Statewide minimum length/daily limit, except:
 - (B) Trout: Daily limit 2; minimum length 14 inches.
 - (C) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iii) Salmon:
 - (A) Open January 1 through July 31:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (B) Open August 1 through December 31:
 - (I) Daily limit 6; up to 3 may be adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.

- (f) From 1,000 feet below to 1,000 feet above the fishway at the Kalama Falls hatchery: Closed waters.
- (g) From 1,000 feet above the fishway at the Kalama Falls hatchery, upstream to Summers Creek:
 - (i) Open year-round.
 - (ii) Selective gear rules, except: Use of barbed hooks is allowed.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (h) From Summers Creek upstream to the intersection of 6000 and 6420 roads: Open year-round:
 - (i) Fly fishing only, except: Use of barbed hooks is allowed.
 - (ii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (i) From the intersection of 6000 and 6420 roads to the 6600 road bridge immediately downstream of Jacks Creek:
 - (i) Selective gear rules, except: Use of barbed hooks is allowed.
 - (ii) Open the Saturday before Memorial Day through November 30.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (j) From the 6600 road bridge immediately downstream of Jacks Creek to Kalama Falls and tributaries: Closed waters.
- (41) **Klickitat River (Klickitat County):**
 - (a) From the mouth (Burlington Northern Railroad Bridge) to Fisher Hill Bridge:
 - (i) April 1 through the Friday before Memorial Day:
 - (A) Anti-snagging rule.
 - (B) Night closure.
 - (ii) July 1 through July 31: Night closure.
 - (iii) August 1 through January 31:
 - (A) Anti-snagging rule.
 - (B) Night closure.
 - (iv) Game fish:
 - (A) Open Saturday before Memorial Day through January 31.
 - (B) Statewide minimum length/daily limit, except:
 - (C) Trout: Daily limit 2; minimum length 14 inches.
 - (v) Steelhead:
 - (A) Open Saturday before Memorial Day through June 30: Daily limit 3 hatchery steelhead, minimum length 20 inches.
 - (B) July 1 through October 31: Closed.
 - (C) Open November 1 through January 31: Daily limit 3 hatchery steelhead, minimum length 20 inches.
 - (vi) Salmon:
 - (A) Open Saturday before Memorial Day through July 31: Daily limit 6; up to 2 adults may be retained. Release wild Chinook.
 - (B) Open August 1 through January 31: Daily limit 6; up to 2 adults may be retained.
 - (vii) Salmon and steelhead: Open April 1 to the Friday before Memorial Day for salmon and steelhead on Mondays, Wednesdays, and Saturdays only:

(A) Daily limit 2; no more than 2 hatchery steelhead, or 2 salmon, or one of each, may be retained.

(B) Release wild Chinook.

(b) From Fisher Hill Bridge to the boundary markers above Klickitat Salmon Hatchery, the following waters are closed: From Fisher Hill Bridge to 400 feet above #5 fishway (Lyle Falls fishway), tributaries except Bird, Blockhouse, Bowman, Spring, Outlet creeks and the Little Klickitat River, and the waters from the boundary markers above Klickitat Salmon Hatchery to the boundary markers below the hatchery.

(c) From 400 feet above #5 (Lyle Falls fishway) fishway to the boundary markers below Klickitat Salmon Hatchery:

(i) Open the Saturday before Memorial Day through November 30:

(A) Game fish: Statewide minimum length/daily limit, except:

(B) Trout: Daily limit 2; minimum length 14 inches.

(C) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(ii) Whitefish:

(A) Open December 1 through the last day in February for Whitefish only.

(B) Whitefish gear rules.

(iii) Salmon:

(A) Saturday before Memorial Day through July 31:

(I) Daily limit 6 fish; no more than 2 adults may be retained.

(II) Release wild Chinook.

(B) August 1 through November 30: Daily limit 6 fish; no more than 2 may be adults.

(d) From the boundary markers above Klickitat Salmon Hatchery to the Yakama Indian Reservation boundary:

(i) Game fish open the Saturday before Memorial Day through November 30.

(ii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iii) Whitefish:

(A) Open December 1 through the last day in February for whitefish only.

(B) Whitefish gear rules.

(42) **Lacamas Creek (Clark County):**

(a) From the mouth to the footbridge at the lower falls:

(i) Open the Saturday before Memorial Day through August 31.

(ii) Selective gear rules, except: Use of barbed hooks is allowed.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(b) From the footbridge at the lower falls upstream: It is permissible to fish up to the base of Lacamas Lake Dam.

(43) **Lacamas Creek, tributary of Cowlitz River (Lewis County):**

(a) Selective gear rules, except: Use of barbed hooks is allowed.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(c) Salmon:

(i) Open August 1 through October 31.

- (ii) Daily limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.

(44) Lewis River (Clark County):

- (a) From the mouth to the mouth of the East Fork Lewis River:

- (i) Game fish:

- (A) Open year-round.

- (B) Statewide minimum length/daily limit, except:

- (I) Trout: Daily limit 2; minimum length 14 inches.

- (II) Steelhead: Daily limit 3 steelhead; minimum length 20 in-

ches.

- (ii) Salmon:

- (A) Open January 1 through April 30: Daily limit 6 hatchery Chinook; up to 1 may be an adult.

- (B) Open August 1 through September 30:

- (I) Daily limit 6; up to 3 adults.

- (II) Only hatchery Chinook and hatchery coho may be retained.

- (C) Open October 1 through December 31:

- (I) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.

- (II) Only Chinook and hatchery coho may be retained.

- (b) From the mouth of the East Fork Lewis River to Johnson Creek.

- (i) Game fish:

- (A) Open year-round.

- (B) Statewide minimum length/daily limit, except:

- (I) Trout: Daily limit 2; minimum length 14 inches.

- (II) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

- (ii) Salmon:

- (A) Open January 1 through April 30: Daily limit 6 hatchery Chinook; up to 1 may be an adult.

- (B) Open August 1 through September 30:

- (I) Daily limit 6; up to 3 adults.

- (II) Only hatchery Chinook and hatchery coho may be retained.

- (C) Open October 1 through December 31:

- (I) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.

- (II) Only Chinook and hatchery coho may be retained.

- (c) From Johnson Creek to Colvin Creek:

- (i) May 1 through May 31: Closed waters.

- (ii) Those waters shoreward of the cable buoy and corkline at the mouth of the Lewis River Salmon Hatchery fish ladder: Closed waters.

- (iii) June 1 through November 30 and April 1 through April 30: Anti-snagging rule and night closure.

- (iv) Game fish:

- (A) Open June 1 through April 30.

- (B) Statewide minimum length/daily limit, except:

- (I) Trout: Daily limit 2; minimum length 14 inches.

- (II) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

- (v) Salmon:

- (A) Open January 1 through April 30: Daily limit 6 hatchery Chinook; up to 1 may be an adult.

- (B) Open August 1 through September 30:

- (I) Daily limit 6; up to 3 adults.

- (II) Only hatchery Chinook and hatchery coho may be retained.

- (C) Open October 1 through December 31:

- (I) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.

- (II) Only Chinook and hatchery coho may be retained.

- (d) From the mouth of Colvin Creek to the overhead powerlines at Merwin Dam:
- (i) Open June 1 through October 31 and December 16 through April 30.
 - (ii) Anti-snagging rule and night closure April 1 through April 30 and June 1 through October 31.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iv) Salmon:
 - (A) Open January 1 through April 30: Daily limit 6 hatchery Chinook; up to 1 may be an adult.
 - (B) Open August 1 through September 30:
 - (I) Daily limit 6; up to 3 adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (C) Open October 1 through October 31:
 - (I) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.
 - (II) Only Chinook and hatchery coho may be retained.
 - (D) Open December 16 through December 31:
 - (I) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.
 - (II) Only Chinook and hatchery coho may be retained.
 - (e) From the overhead powerlines below Merwin Dam to Merwin Dam: Closed waters.
 - (f) From the cable crossing 1,300 yards below Yale Dam to Yale Dam: Closed waters.
 - (g) From the old Lewis River streambed between Swift No. 1 Powerhouse and Swift No. 2 Powerhouse: Closed waters.
 - (h) Lewis River Power Canal:
 - (i) Open the fourth Saturday in April through October 31.
 - (ii) It is unlawful to fish from a floating device.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (iv) Trout: Daily limit 5; no minimum length.
 - (i) From Eagle Cliff Bridge to Muddy River, including all tributaries except Muddy River:
 - (i) Selective gear rules.
 - (ii) Open the Saturday before Memorial Day through July 15.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 10; minimum length 8 inches.
 - (B) Release wild trout.
 - (j) From the Muddy River to the lower falls and tributaries (including the Muddy River):
 - (i) Selective gear rules.
 - (ii) Release all fish.
- (45) **Lewis River, East Fork (Clark/Skamania counties):**
- (a) From the posted markers at the lower end of Big Eddy to 100 feet above Lucia Falls: Closed waters.
 - (b) From 400 feet below to 400 feet above Moulton Falls: Closed waters.
 - (c) From 400 feet below Horseshoe Falls upstream, including tributaries above Horseshoe Falls: Closed waters.
 - (d) From the mouth to 400 feet below Horseshoe Falls:
 - (i) Open the Saturday before Memorial Day through July 15 and September 16 through March 15.
 - (ii) Selective gear rules, except: Use of barbed hooks is allowed.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(iv) Salmon:

(A) Open September 16 through December 31.

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

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

(e) Tributaries from the mouth to 400 feet below Horseshoe Falls:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(46) **Little Klickitat River (Klickitat County)**: Within Goldendale city limits:

(a) Open the fourth Saturday in April through the Friday before Memorial Day to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(b) Open the Saturday before Memorial Day through October 31 to all anglers.

(c) Game fish: Statewide minimum length/daily limit, except: Trout: Limit 5; no minimum length.

(47) **Little Washougal River (Clark County)**:

(a) Selective gear rules, except: Use of barbed hooks is allowed.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(c) Salmon:

(i) Open August 1 through October 31.

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

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

(48) **Little White Salmon River (Skamania County)**:

(a) From the orange fishing boundary markers at Drano Lake upstream to the intake near the north boundary of the Little White Salmon National Fish Hatchery: Closed waters.

(b) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 5; minimum length 8 inches.

(49) **Love Lake (Clark County)**: Closed waters.

(50) **Mayfield Lake (Reservoir) (Lewis County)**:

(a) Open from the Mayfield Dam to Onion Rock Bridge.

(b) From the Tacoma Power safety signs at Onion Rock Bridge to Mossyrock Dam: Closed waters.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 10; minimum length 8 inches.

(ii) Release wild rainbow trout and wild cutthroat trout.

(iii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(iv) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(v) Channel catfish: Daily limit 10; no size restriction.

(vi) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(d) Salmon:

(i) Open September 1 through December 31:

(ii) Daily limit 6; minimum length 12 inches.

(iii) Up to 2 may be adults.

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

(51) **Merrill Lake (Cowlitz County)**:

(a) Fly fishing only.

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

(c) Release all fish.

(52) **Merwin Lake (Reservoir) (Clark/Cowlitz counties):** Landlocked salmon rules.

(53) **Mill Creek (Cowlitz County):**

(a) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.

(b) Selective gear rules, except: Use of barbed hooks is allowed.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(d) Salmon:

(i) Open November 1 through December 31.

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

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

(54) **Mill Creek (Lewis County):** From the mouth to the hatchery road crossing culvert.

(a) Selective gear rules, except: Use of barbed hooks is allowed.

(b) Open the Saturday before Memorial Day through October 31 and December 1 through December 31.

(c) Anti-snagging rule from December 1 through December 31.

(d) Night closure from December 1 through December 31.

(e) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(f) Salmon:

(i) Open August 1 through October 31 and December 1 through December 31.

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

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

(55) **Mineral Lake (Lewis County):** Open the fourth Saturday in April through September 30.

(56) **Olequa Creek (Lewis/Cowlitz counties):**

(a) From 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek: Closed waters.

(b) Selective gear rules, except: Use of barbed hooks is allowed.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(d) Salmon:

(i) Open August 1 through October 31.

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

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

(57) **Ostrander Creek (Cowlitz County):**

(a) Selective gear rules, except: Use of barbed hooks is allowed.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(58) **Outlet Creek (Silver Lake) (Cowlitz County):**

(a) From the Saturday before Memorial Day through November 30.

(b) Selective gear rules, except: Use of barbed hooks is allowed.

- (c) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (d) Salmon:
- (i) Open August 1 through November 30.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery Chinook and hatchery coho may be retained.
- (59) **Rainey Creek (Lewis County):**
- (a) From mouth to Highway 12.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 5; minimum length 8 inches.
 - (ii) Release wild rainbow and cutthroat trout.
- (60) **Riffe Lake (Reservoir) (Lewis County):**
- (a) Open from Mossyrock Dam to Cowlitz Falls Dam:
 - (b) From Cowlitz Falls Dam downstream to the Lewis County PUD safety signs located approximately 800 feet below the dam: Closed waters.
 - (c) It is permissible to fish up to the base of Swofford Pond Dam.
 - (d) Landlocked salmon rules.
- (61) **Rock Creek (Klickitat County):**
- (a) From Army Corps of Engineers Park upstream to the source: Closed waters.
 - (b) Open year-round from the mouth to the Army Corps of Engineers Park. Limits, size restrictions, and gear restrictions are the same as those in the adjacent portion of the Columbia River.
- (62) **Rock Creek (Skamania County):** From the mouth to the falls at approximately river mile one:
- (a) Open the Saturday before Memorial Day through March 15.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (c) Salmon:
 - (i) Open August 1 through December 31.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery Chinook and hatchery coho may be retained.
- (63) **Rowland Lake, North (Klickitat County):** Open the fourth Saturday in April through March 31.
- (64) **Salmon Creek (Clark County):** From the mouth to 182nd Avenue Bridge:
- (a) Open the Saturday before Memorial Day through March 15.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (c) Salmon:
 - (i) Open August 1 through December 31.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery Chinook and hatchery coho may be retained.
- (65) **Salmon Creek (Lewis County):**
- (a) Selective gear rules, except: Use of barbed hooks is allowed.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

- (c) Salmon:
 - (i) Open August 1 through October 31.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery Chinook or hatchery coho may be retained.
- (66) **Silver Lake (Cowlitz County):** Game fish: Statewide minimum length/daily limit, except:
 - (a) Crappie: Daily limit 10; minimum length 9 inches.
 - (b) Grass carp: No limit and no minimum length.
 - (c) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (d) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (e) Channel catfish: Daily limit 10; no size restriction.
 - (f) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (67) **Silver Creek (tributary to Cowlitz River) (Lewis County):** From the mouth to USFS Road 4778. Selective gear rules.
- (68) **Skamokawa Creek (Wahkiakum County):**
 - (a) Selective gear rules, except: Use of barbed hooks is allowed.
 - (b) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.
 - (c) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (d) Salmon:
 - (i) Open November 1 through December 31.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery Chinook and hatchery coho may be retained.
- (69) **Skate Creek (tributary to Cowlitz River) (Lewis County):** Selective gear rules.
- (70) **Spearfish Lake (Klickitat County):** Open the fourth Saturday in April through March 31.
- (71) **Spirit Lake (Skamania County):** Closed waters.
- (72) **Spring Creek (Klickitat County):** From Hill Road upstream to the Goldendale Hatchery: Game fish: Statewide minimum length/daily limit, except: Trout: Limit 5; minimum length 8 inches.
- (73) **Stillwater Creek (Lewis County):**
 - (a) Selective gear rules, except: Use of barbed hooks is allowed.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (c) Salmon:
 - (i) Open August 1 through October 31.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery Chinook and hatchery coho may be retained.
- (74) **Swift Reservoir (Skamania County):**
 - (a) From dam to posted markers approximately 3/8 mile below Eagle Cliff Bridge:
 - (i) Open the Saturday before Memorial Day through November 30.
 - (ii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 10; minimum length 8 inches.
 - (B) Release wild trout.
 - (C) Release all steelhead.
 - (iii) Salmon:

- (A) Open the Saturday before Memorial Day through November 30.
- (B) Salmon count toward trout daily limit.
- (C) Minimum length 8 inches.
- (D) Maximum length 15 inches.
- (E) No catch record card required.

(b) From the posted markers approximately 3/8 mile below Eagle Cliff Bridge to the bridge:

- (i) Selective gear rules.
- (ii) Open the Saturday before Memorial Day through July 15.
- (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 10; minimum length 8 inches.
 - (B) Release wild trout.
 - (C) Release all steelhead.

(iv) Salmon:

- (A) Open the Saturday before Memorial Day through July 15.
- (B) Landlocked salmon rules.
- (C) Maximum length 15 inches.

(75) **Tilton River (Lewis County)**: From the mouth to the West Fork:

- (a) Within posted "Closed Waters" signs around the adult fish release sites: Closed waters.
- (b) Anti-snagging rule from September 1 through October 31.
- (c) Night closure from September 1 through October 31.
- (d) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout. Open year-round.

(e) Salmon:

- (i) Open year-round.
- (ii) Daily limit 6; up to 2 may be adults.
- (iii) Only hatchery coho may be retained.

(76) **Tilton River, East, North, South and West Forks (Lewis County)**: Selective gear rules.

(77) **Toutle River (Cowlitz County)**: From the mouth to the forks:

- (a) Open the Saturday before Memorial Day through March 15.
- (b) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 2; minimum length 14 inches.

(c) Salmon open August 1 through November 30:

(i) Daily limit 6; up to 3 may be adults, of which 1 may be a Chinook.

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

(78) **Toutle River tributaries (unless otherwise listed) (Cowlitz County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release wild trout.

(79) **Toutle River, North Fork (Cowlitz County)**:

(a) From the mouth to the posted deadline below the fish collection facility:

(i) Open the Saturday before Memorial Day through March 15.

(ii) September 1 through October 15: Anti-snagging rule and night closure on the North Fork from the confluence with the South Fork to the mouth of Green River.

(iii) Selective gear rules, except: Use of barbed hooks is allowed the Saturday before Memorial Day through July 31 and December 1 through March 15.

(iv) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(v) Salmon open August 1 through Nov 30:

- (A) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.
- (B) Only hatchery Chinook and hatchery coho may be retained.
- (b) From the posted deadline downstream of the fish collection facility upstream and tributaries: Closed waters.
- (80) **Toutle River, North Fork tributaries from the mouth to the posted deadline below the fish collection facility (unless otherwise listed) (Cowlitz County):**
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (81) **Toutle River, South Fork (Cowlitz County):**
 - (a) From the mouth to 4700 Road Bridge:
 - (i) Open April 16 through the Friday before Memorial Day:
 - (A) Selective gear rules, except: Use of barbed hooks is allowed.
 - (B) Game fish: Statewide minimum length/daily limit, except:
 - (I) Release trout.
 - (II) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (ii) Open the Saturday before Memorial Day through November 30:
 - Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iii) Open December 1 through March 15:
 - (A) Selective gear rules, except: Use of barbed hooks is allowed.
 - (B) Game fish: Statewide minimum length/daily limit, except:
 - (I) Trout: Daily limit 2; minimum length 14 inches.
 - (II) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (C) Salmon:
 - (I) Open August 1 through November 30.
 - (II) Daily limit 6; up to 2 may be adults.
 - (III) Only hatchery Chinook and hatchery coho may be retained.
 - (b) From 4700 Road Bridge upstream:
 - (i) Open the Saturday before Memorial Day through March 15.
 - (ii) From December 1 through March 15: Selective gear rules, except: Use of barbed hooks is allowed.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iv) Salmon:
 - (A) Open August 1 through November 30.
 - (B) Daily limit 6; up to 2 may be adults.
 - (C) Only hatchery Chinook and hatchery coho may be retained.
 - (82) **Vancouver Lake and all other waters west of Burlington Northern Railroad from the Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County):**
 - (a) Vancouver Lake flushing channel and the lake shoreline 400 feet east and west of the channel exit: Closed April 1 through May 31.
 - (b) Chumming is permissible.
 - (c) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

- (iii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (iv) Channel catfish: Daily limit 10; no size restriction.
 - (v) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (83) **Walupt Lake (Lewis County):** All inlet streams: Closed waters.
- (84) **Washougal River (Clark County):**
- (a) From the mouth to the boat ramp at the WDFW county line access site:
 - (i) From 1,000 feet (or posted markers) below to 200 feet above the temporary weir when the weir is installed in the river: Closed waters.
 - (ii) Night closure.
 - (iii) July 1 through October 31: Anti-snagging rule.
 - (iv) Open April 16 through the Friday before Memorial Day:
 - (A) Selective gear rules, except: Use of barbed hooks is allowed.
 - (B) Game fish: Statewide minimum length/daily limit, except: Release all trout.
 - (v) Open the Saturday before Memorial Day through March 15.
 - (A) Game fish: Statewide minimum length/daily limit, except:
 - (B) Trout: Daily limit 2; minimum length 14 inches.
 - (vi) March 16 through April 15: Closed.
 - (vii) Steelhead:
 - (A) Open April 16 through March 15: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (B) March 16 through April 15: Closed.
 - (viii) Salmon:
 - (A) Open August 1 through December 31.
 - (B) Daily limit 6; up to 3 adults may be retained, of which 2 may be Chinook.
 - (C) Only hatchery Chinook and hatchery coho may be retained.
 - (b) From the boat ramp at the WDFW county line access site to the bridge at Salmon Falls:
 - (i) From 1,000 feet (or posted markers) below to 200 feet above the temporary weir when the weir is installed in the river: Closed waters.
 - (ii) August 1 through October 31:
 - (A) Anti-snagging rule.
 - (B) Night closure.
 - (iii) Game fish:
 - (A) Open from the Saturday before Memorial Day through March 15.
 - (B) Game fish: Statewide minimum length/daily limit, except:
 - (C) Trout: Daily limit 2; minimum length 14 inches.
 - (D) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iv) Salmon:
 - (A) Open August 1 through December 31.
 - (B) Daily limit 6; up to 3 adults may be retained, of which 2 may be Chinook.
 - (C) Only hatchery Chinook and hatchery coho may be retained.
 - (c) From the bridge at Salmon Falls upstream and tributaries: Closed waters.
- (85) **Washougal River, West (North) Fork (Clark/Skamania counties):**
- (a) From the mouth to the water intake at the department hatchery: Closed waters.

- (b) From the intake at the department hatchery upstream:
 - (i) Open the Saturday before Memorial Day through March 15.
 - (ii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iii) Salmon:
 - (A) Open August 1 through December 31.
 - (B) Daily limit 6; up to 2 may be adults.
 - (C) Only hatchery Chinook and hatchery coho may be retained.
- (86) **White Salmon River (Klickitat/Skamania counties):**
 - (a) From the mouth (Burlington Northern Railroad Bridge) to the county road bridge below the former location of the powerhouse:
 - (i) Open year-round.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat.
 - (iii) July 1 through October 31: Night closure for salmon and steelhead.
 - (iv) August 1 through December 31: Anti-snagging rule.
 - (v) Salmon and steelhead:
 - (A) Open April 1 through June 30:
 - (I) Daily limit 2; up to 2 salmon, or 2 hatchery steelhead, or one of each, may be retained.
 - (II) Release wild Chinook.
 - (B) Open July 1 through July 31:
 - (I) Daily limit 2; up to 2 salmon.
 - (II) Release wild Chinook. Closed to fishing for or retaining steelhead.
 - (C) Open August 1 through October 31:
 - (I) Daily limit 6; up to 2 adult salmon. Closed to fishing for or retaining steelhead.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (D) Open November 1 through March 31:
 - (I) Daily limit 6; up to 2 salmon, or 2 hatchery steelhead, or one of each, may be retained.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (b) From the county road bridge below the former location of the powerhouse upstream to Big Brother Falls (river mile 16):
 - (i) From Big Brother Falls downstream 400 feet: Closed waters.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.
 - (iii) Selective gear rules, except: Use of barbed hooks is allowed.
 - (iv) Salmon and steelhead:
 - (A) Open Saturday before Memorial Day through July 31:
 - (I) Daily limit 2 fish, up to 2 salmon, or 2 steelhead, or one of each may be retained.
 - (II) Only hatchery salmon and hatchery steelhead may be retained.
 - (B) Open August 1 through October 31:
 - (I) Daily limit 6; up to 2 adult salmon, or 2 steelhead, or one of each may be retained.
 - (II) Only hatchery salmon and hatchery steelhead may be retained.
 - (87) **Wind River (Skamania County):**
 - (a) From the mouth to the Highway 14 Bridge:
 - (i) Open year-round.
 - (ii) March 16 through June 30: Night closure.

- (iii) March 16 through June 30: Each angler aboard a vessel may deploy salmon/steelhead angling gear until the salmon/steelhead limit for all anglers aboard has been achieved.
- (iv) March 16 through June 30: Two-pole fishing for salmon/steelhead is permissible so long as the angler possesses a two-pole endorsement.
- (v) July 1 through October 31: Night closure for salmon and steelhead fishing.
- (vi) August 1 through October 31: Anti-snagging rule applies.
- (vii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Release cutthroat trout and wild rainbow trout.
 - (B) Steelhead: Open November 1 through March 15; daily limit 3 hatchery steelhead; minimum length 20 inches.
- (viii) Salmon and steelhead:
 - (A) Open March 16 through June 30: Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained. Release wild Chinook and wild coho.
 - (B) Open July 1 through September 30:
 - (I) Daily limit 6; up to 2 adult salmon may be retained. Closed to fishing for or retaining steelhead.
 - (II) Release wild Chinook and wild coho.
 - (C) Open October 1 through October 31:
 - (I) Daily limit 6; up to 2 may be adults. Closed to fishing for or retaining steelhead.
 - (II) Release wild coho.
- (b) From the Highway 14 Bridge to 400 feet below Shipherd Falls:
 - (i) Open year-round.
 - (ii) March 16 through June 30: Night closure.
 - (iii) July 1 through October 31: Night closure for salmon and steelhead fishing.
 - (iv) Anti-snagging rule from May 1 through June 30 and August 1 through October 31.
 - (v) Game fish: Statewide minimum length/daily limit, except:
 - (A) Release cutthroat trout and wild rainbow trout.
 - (B) Steelhead: Open November 1 through March 15; daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (vi) Salmon and steelhead:
 - (A) Open March 16 through June 30: Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained. Release wild Chinook and wild coho.
 - (B) Open July 1 through July 31:
 - (I) Daily limit 6; up to 2 adult salmon may be retained. Closed to fishing for or retaining steelhead.
 - (II) Release wild Chinook and wild coho.
 - (C) Open August 1 through October 31:
 - (I) Daily limit 6; up to 2 adult salmon may be retained. Closed to fishing for or retaining steelhead.
 - (II) Release wild Chinook and wild coho.
 - (c) From 400 feet below to 100 feet above Shipherd Falls fish ladder: Closed waters.
 - (d) From 100 feet above Shipherd Falls fish ladder to 400 feet below the Coffey Dam:
 - (i) Anti-snagging rule.
 - (ii) Night closure.
 - (iii) Open September 16 through November 30:
 - (A) Release all fish.
 - (B) Selective gear rules, except: Use of barbed hooks is allowed.

- (iv) Salmon and steelhead:
 - (A) Open May 1 through June 30.
 - (B) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.
 - (e) From 400 feet below the Coffey Dam to 100 feet above the Coffey Dam: Closed waters.
 - (f) From 100 feet above the Coffey Dam to 800 yards downstream from Carson National Fish Hatchery:
 - (i) Anti-snagging rule.
 - (ii) Night closure.
 - (iii) Open September 16 through November 30:
 - (A) Release all fish.
 - (B) Selective gear rules, except: Use of barbed hooks is allowed.
 - (iv) Salmon and steelhead open May 1 through June 30: Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.
 - (g) From 800 yards downstream from Carson National Fish Hatchery upstream to Moore Bridge:
 - (i) Open September 16 through November 30.
 - (ii) Release all fish.
 - (iii) Selective gear rules, except: Use of barbed hooks is allowed.
 - (h) From Moore Bridge upstream: Closed waters.
 - (88) **Wind River tributaries (Skamania County)**: Closed waters.
 - (89) **Yale Reservoir (Cowlitz County)**: Landlocked salmon rules.
 - (90) **Yellowjacket Creek (tributary to Cispus River) (Lewis County)**: Selective gear rules.

AMENDATORY SECTION (Amending WSR 23-13-072, filed 6/14/23, effective 7/15/23)

- WAC 220-312-040 Freshwater exceptions to statewide rules—Puget Sound.** (1) Beaver ponds located within or adjacent to streams that drain into Puget Sound listed as open to trout and other game fish follow the same rules as the adjacent stream.
- (2) **County-wide freshwater exceptions to statewide rules:**
- (a) Beaver ponds in Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3):
 - (i) Open the fourth Saturday in April through October 31.
 - (ii) Trout: No minimum length.
 - (b) Beaver ponds in Kitsap County and Mason County east of Belfair-Bremerton Highway (S.R. 3):
 - (i) Open the first Saturday in June through October 31.
 - (ii) Trout: No minimum length.
 - (3) **AKL Pond (King County)**: Game fish: Statewide minimum length/daily limit, except:
 - (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (c) Channel catfish: Daily limit 10; no size restriction.
 - (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

- (4) **Aldrich Lake (Mason County)**: Open the fourth Saturday in April through October 31.
- (5) **Alexander Lake (Kitsap County)**: Closed waters.
- (6) **American Lake (Pierce County)**:
- (a) Chumming is permissible.
 - (b) Game fish: Statewide minimum length/daily limit, except: Combined daily limit of trout and kokanee is 5, any length.
- (7) **Anderson Creek (Kitsap County)**:
- (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (8) **Armstrong Lake (Snohomish County)**: Open the fourth Saturday in April through October 31.
- (9) **Bainbridge Island - All streams (Kitsap County)**:
- (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (10) **Baker Lake (Whatcom County)**:
- (a) Closed waters within a 200-foot radius around the pump discharge at the south end of the lake.
 - (b) Chumming is permissible.
 - (c) Open the fourth Saturday in April through October 31.
 - (d) Game fish: Statewide minimum length/daily limit, except: Kokanee: Minimum length 8 inches and maximum length 18 inches.
 - (e) Salmon: Open July (~~15~~) 6 through August 31:
 - (i) Daily limit (~~3~~) 4 sockeye only.
 - (ii) Release all other salmon.
 - (iii) Minimum size 18 inches.
 - (iv) Each angler aboard a vessel may deploy salmon angling gear until the salmon limit for all anglers aboard has been achieved.
- (11) **Baker River (Skagit/Whatcom County)**: From the mouth to the Lower Baker Dam: Closed waters.
- (12) **Ballinger Lake (Snohomish County)**: Game fish: Statewide minimum length/daily limit, except:
- (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (c) Channel catfish: Daily limit 10; no size restriction.
 - (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (13) **Beaver Lake (Skagit County)**: Game fish: Statewide minimum length/daily limit, except:
- (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (c) Channel catfish: Daily limit 10; no size restriction.
 - (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (14) **Beecher, Lake (Snohomish County)**: Game fish: Statewide minimum length/daily limit, except:
- (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(15) **Benson Lake (Mason County)**: Open the fourth Saturday in April through October 31.

(16) **Big Beaver Creek (Whatcom County), from 1/4 mile upstream of the closed water markers on Ross Lake upstream, including tributary streams and beaver ponds:**

(a) Open July 1 through October 31.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(17) **Big Beef Creek (Kitsap County)**:

(a) From Seabeck Highway Bridge to Lake Symington:

(i) Open the Saturday before Memorial Day through August 31.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

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

(v) From August 1 through August 31: Closed waters within 100 feet of the Seabeck Highway N.W. Bridge.

(b) From Lake Symington upstream:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(18) **Big Lake (Skagit County)**:

(a) Game fish: Statewide minimum length/daily limit, except:

(i) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iii) Channel catfish: Daily limit 10; no size restriction.

(iv) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(b) Landlocked salmon rules.

(19) **Big Mission Creek (Mason County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(20) **Big Quilcene River (Jefferson County)**:

(a) From the mouth to the downstream terminus of the Washington department of fish and wildlife public access easement ((~~47.816759~~) 47.81675 lat., (~~-122.8943~~) -122.89056 long.):

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

(ii) Game fish:

(A) Open the Saturday before Memorial Day through August 15.

(B) Selective gear rules.

(C) Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(iii) Salmon:

(A) Open August 16 through August 31.

(B) Daily limit 4 coho only. Release all other salmon.

(C) Night closure.

(D) Anti-snagging rules.

(b) From the downstream terminus of the Washington department of fish and wildlife public access easement (~~((47.816759))~~ 47.81675 lat., (~~(-122.8943))~~ -122.89056 long.) to the Highway 101 Bridge:

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

(ii) Game fish:

(A) Open the Saturday before Memorial Day through August 15.

(B) Selective gear rules.

(C) Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(iii) Salmon:

(A) Open August 16 through October 31.

(B) Daily limit 4 coho only. Release all other salmon.

(C) Night closure.

(D) Anti-snagging rules.

(c) From the Highway 101 Bridge to the weir at Quilcene National Fish Hatchery: Closed waters.

(d) From the weir at Quilcene National Fish Hatchery to the upper boundary of Falls View campground:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(21) **Big Soos Creek (King County)**: From the mouth to the hatchery rack:

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

(b) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(22) **Black Lake (Thurston County)**: Game fish: Statewide minimum length/daily limit, except: Crappie: Daily limit 10; minimum length 9 inches.

(23) **Blackjack Creek (Kitsap County)**:

(a) Open Saturday before Memorial Day through August 31.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(24) **Blacksmith Pond (Mason County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(25) **Boise Creek (King County) (White River tributary)**: From the mouth to the Highway 410 crossing: Closed waters.

(26) **Bosworth Lake (Snohomish County)**:

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

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iii) Channel catfish: Daily limit 10; no size restriction.

(iv) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(27) **Boulder River (Snohomish County) (N.F. Stillaguamish River tributary)**: From the mouth to Boulder Falls:

(a) Open October 16 through October 31.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(28) **Bradley Lake (Pierce County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(29) **Buck Lake (Kitsap County)**: Open the fourth Saturday in April through October 31.

(30) **Buffington Pond (Kitsap County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(31) **Burley Creek (Kitsap County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(32) **Cady Lake (Mason County)**:

(a) Fly fishing only.

(b) Release all fish.

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

(33) **Cain Lake (Whatcom County)**: Open the fourth Saturday in April through October 31.

(34) **Calligan Lake (King County)**: It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(35) **Campbell Creek (Mason County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(36) **Campbell Lake (Skagit County)**: Grass carp: No daily limit for anglers and bow and arrow fishing allowed.

(37) **Canyon Creek (Snohomish County) (S.F. Stillaguamish River)**:

(a) From the mouth to the forks (North Fork and South Fork):

(i) Open October 16 through January 31.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(b) From the forks (North Fork and South Fork) upstream: Closed waters.

(38) **Capitol Lake (Thurston County)**: Closed waters.

(39) **Carbon River (Pierce County)**:

(a) From the mouth to Voight Creek:

(i) From September 1 through October 31:

(A) Night closure.

(B) Anti-snagging rules.

(C) Barbless hooks are required.

(ii) Open September 1 through September 30: Wednesdays through Saturdays only.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout (~~(Minimum length 14 inches)~~).

(iv) Open October 1 through October 31.

(v) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout (~~(Minimum length 14 inches)~~).

~~(vi) Open December 1 through January 15:~~

~~(A) Selective gear rules.~~

~~(B) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.)~~

~~((vii))~~ (vi) Salmon:

(A) Open September 1 through September 30, Wednesdays through Saturdays only.

(I) Daily limit 6; up to 2 may be adults, minimum length 12 inches.

(II) Release wild Chinook and chum.

(B) Open October 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release wild Chinook and chum.

(b) From Voight Creek to the Highway 162 Bridge:

~~((i) Open from December 1 through January 15.~~

~~(ii) Selective gear rules.~~

~~(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.)~~ Closed waters.

(40) **Carney Lake (Pierce County):**

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

(b) Salmon: Landlocked salmon rules.

(41) **Carpenter Lake (Kitsap County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(42) **Cascade Creek (San Juan County):**

(a) From the mouth to Mountain Lake.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(43) **Cascade Lake (San Juan County):** Open the fourth Saturday in April through October 31.

(44) **Cascade River (Skagit County):**

(a) From the mouth to the Rockport-Cascade Road Bridge:

(i) Open July 1 through July 15: Wednesdays through Saturdays only:

(A) Anti-snagging rules and night closure.

(B) Game fish: Statewide minimum length/daily limit, except:

(I) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

- (II) Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.
- (C) Salmon: Daily limit 4 hatchery Chinook; up to 2 may be adults.
- (I) Release all other salmon.
- (II) Minimum length 12 inches.
- (ii) Open September 16 through September 30: Wednesdays through Saturdays only:
- (A) Anti-snagging rules.
- (B) Barbless hooks are required.
- (C) No bait allowed.
- (D) Night closure.
- (E) Salmon: Daily limit 4 coho.
- (F) Release all other salmon.
- (G) Game fish: Statewide length/daily limit, except:
- (I) Cutthroat trout and wild rainbow: Minimum length 14 inches.
- (II) Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.
- (iii) Open October 1 through October 31: Wednesdays through Saturdays only:
- (A) Anti-snagging rules.
- (B) Night closure.
- (C) Salmon: Daily limit 4 coho. Release all other salmon.
- (D) Game fish: Statewide length/daily limit, except:
- (I) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (II) Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.
- (iv) Open December 1 through January 31:
- (A) Game fish: Statewide length/daily limit, except:
- (I) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (II) Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.
- (B) Salmon: Closed.
- (b) From the Rockport-Cascade Road Bridge upstream:
- (i) Open June 1 through January 31.
- (ii) Selective gear rules.
- (iii) Release all fish except hatchery steelhead.
- (45) **Cass Pond (King County)**: Game fish: Statewide minimum length/daily limit, except:
- (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
- (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
- (c) Channel catfish: Daily limit 10; no size restriction.
- (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (46) **Cavanaugh Lake (Skagit County)**: Chumming is permissible.
- (47) **Cedar River (King County)**:
- (a) From the mouth to Landsburg Road:
- (i) Open the Saturday before Memorial Day through August 31.
- (ii) Selective gear rules.
- (iii) Night closure.
- (iv) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

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

(b) From Landsburg Bridge upstream to the falls: Closed waters.

(48) Chain Lake (Snohomish County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(iii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iv) Channel catfish: Daily limit 10; no size restriction.

(v) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(49) Chambers Creek (Pierce County):

(a) From the mouth (Burlington Northern Bridge) to the markers 400 feet below the Boise-Cascade Dam:

(i) Selective gear rules.

(ii) Open the Saturday before Memorial Day through November 15 for game fish.

(iii) Night closure.

(iv) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(v) Salmon: Open July 1 through November 15:

(A) Daily limit 6; up to 4 may be adults; minimum length 12 inches.

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

(b) From Boise-Cascade Dam to Steilacoom Lake:

(i) Selective gear rules.

(ii) Night closure.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(50) Chambers Lake (within Ft. Lewis Military Reservation)

(Pierce County):

(a) Selective gear rules.

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

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Release cutthroat trout and wild rainbow trout.

(ii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(iii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iv) Channel catfish: Daily limit 10; no size restriction.

(v) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(51) **Channel Creek (Whatcom County) (Baker River tributary):** Open the Saturday before Memorial Day through August 31.

(52) **Chaplain Creek (Snohomish County) (Sultan River tributary):** Waters adjacent to the water filtration plant, from the inlet to the beaver pond (Grass Lake) below the water filtration plant gate to the waterfall approximately .4 miles upstream: Closed waters.

(53) **Cherry Creek (King/Snohomish County) (tributary to the Snoqualmie River):** From the mouth to Cherry Creek Falls:

(a) Selective gear rules.

(b) Open the Saturday before Memorial Day through September 30.

(54) **Chico Creek (Kitsap County):**

(a) Open Saturday before Memorial Day through August 31.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(55) **Christine, Lake (Mason County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(56) **Church Creek (Mason County):** From the mouth to the bridge on U.S. Forest Service Road #2361: Closed waters.

(57) **Clarks Creek (Pierce County):** Closed waters.

(58) **Clear Creek (Kitsap County):**

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(59) **Clear Lake (Pierce County):**

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

(b) Chumming is permissible.

(60) **Clear Lake (Skagit County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(61) **Clear Lake (Thurston County):** Open the fourth Saturday in April through October 31.

(62) **Clearwater River (Pierce County):**

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(63) **Clover Creek (Pierce County):** From the mouth upstream to Steilacoom Lake: Closed waters.

(64) **Cottage Creek South Pond (King County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(65) **Cottage Lake (King County):**

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

(b) Game fish: Statewide minimum length/daily limit, except:

- (i) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
- (ii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
- (iii) Channel catfish: Daily limit 10; no size restriction.
- (iv) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (66) **Coulter Creek (Kitsap/Mason counties):**
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (67) **County Line Ponds (Skagit County):** Closed waters.
- (68) **Crabapple Lake (Snohomish County):** Open the fourth Saturday in April through October 31.
- (69) **Cranberry Creek (Mason County):**
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (70) **Cranberry Lake (Mason County):** Game fish: Statewide minimum length/daily limit, except:
 - (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (c) Channel catfish: Daily limit 10; no size restriction.
 - (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (71) **Crescent Creek (Kitsap County):**
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (72) **Crescent Lake (Pierce County):** Open the fourth Saturday in April through October 31.
- (73) **Crocker Lake (Jefferson County):** Game fish: Statewide minimum length/daily limit, except: Closed to trout fishing.
- (74) **Cushman Lake (Mason County):** Game fish: Statewide minimum length/daily limit, except:
 - (a) Kokanee: Minimum length 8 inches and maximum length 18 inches.
 - (b) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (c) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (d) Channel catfish: Daily limit 10; no size restriction.
 - (e) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (75) **Dakota Creek (Whatcom County):** From the mouth to Giles Road Bridge.
 - (a) Open the Saturday before Memorial Day through December 31.
 - (b) Selective gear rules.
- (76) **De Coursey Pond (Pierce County):** Open the fourth Saturday in April through October 31 to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(77) Deer Creek (Mason County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(78) Deer Creek (Snohomish/Skagit counties) (Tributary to the N.F. Stillaguamish) and all tributaries: Closed waters.

(79) **Deer Lake (Island County):** Open the fourth Saturday in April through October 31.

(80) **Deer Lake (Mason County):** Open the fourth Saturday in April through October 31.

(81) **Deschutes River (Thurston County):** From Old Highway 99 Bridge upstream:

(a) Selective gear rules.

(b) Game fish:

(i) Open year-round.

(ii) Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(c) Salmon:

(i) Open year-round.

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

(iii) Release coho.

(82) **Devereaux Lake (Mason County):** Open the fourth Saturday in April through October 31.

(83) Dewatto River (Mason County):

(a) From the mouth to Dewatto-Holly Road Bridge:

(i) Open the Saturday before Memorial Day through August 15.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(b) From Dewatto-Holly Road Bridge upstream:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(84) Dogfish Creek (Kitsap County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(85) **Don Lake (also known as "Clara Lake") (Mason County):** Open the fourth Saturday in April through October 31.

(86) Dosewallips River (Jefferson County):

(a) From the mouth to Highway 101 Bridge:

(i) Open the Saturday before Memorial Day through August 31.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(iv) Salmon:

(A) Open November 1 through December 15.

(B) Limit 2 chum only.

(b) From Highway 101 Bridge to Olympic National Park boundary about three-quarters of a mile downstream of the falls:

(i) Open the Saturday before Memorial Day through August 31.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(87) Duckabush River (Jefferson County):

(a) From the mouth to Mason County PUD #1 overhead distribution line:

- (i) Open the Saturday before Memorial Day through August 31.
- (ii) Selective gear rules.
- (iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (iv) Salmon:
 - (A) Open November 1 through December 15.
 - (B) Daily limit 2 chum only.
- (b) From Mason County PUD #1 overhead distribution line to the Olympic National Park boundary:
 - (i) Open the Saturday before Memorial Day through August 31.
 - (ii) Selective gear rules.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (88) **Echo Lake (Snohomish County)**: Open the fourth Saturday in April through October 31.
- (89) **Eglon Creek (Kitsap County)**:
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (90) **Elson Creek (Thurston County)**: Closed waters.
- (91) **Erdman Lake (Mason County)**: Game fish: Statewide minimum length/daily limit, except:
 - (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (c) Channel catfish: Daily limit 10; no size restriction.
 - (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (92) **Erickson Pond (Kitsap County)**: Game fish: Statewide minimum length/daily limit, except:
 - (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (c) Channel catfish: Daily limit 10; no size restriction.
 - (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (93) **Erickson Reservoir (Kitsap County)**: Game fish: Statewide minimum length/daily limit, except:
 - (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (c) Channel catfish: Daily limit 10; no size restriction.
 - (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (94) **Erie Lake (Skagit County)**: Open the fourth Saturday in April through October 31.
- (95) **Fawn Lake (Upper and Lower) (Mason County)**: Game fish: Statewide minimum length/daily limit, except:
 - (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(96) **Fazon Lake (Whatcom County)**: It is unlawful to fish from any floating device from the first Friday in October through January 27.

(97) **Finch Creek (Mason County)**: Anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card may fish from the ADA accessible site at the Hoodsport Salmon Hatchery, so long as those anglers follow all applicable rules of the adjoining waters of Marine Area 12.

(98) **Finney Creek (Skagit County)**: From the mouth up to the USFS 17 road bridge: Closed waters.

(99) **Fisher Creek Slough (Skagit County)**: From the mouth to the I-5 Bridge: Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(100) **Fortson Mill Pond #1 (Snohomish County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(101) **Fortson Mill Pond #2 (Snohomish County)**:

(a) Open the fourth Saturday in April through October 31 for juvenile anglers only.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iii) Channel catfish: Daily limit 10; no size restriction.

(iv) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(102) **Fulton Creek (Mason County)**: From the mouth to falls at river mile 0.8:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(103) **Geneva Lake (King County)**: Open the fourth Saturday in April through October 31.

(104) **Gibbs Lake (Jefferson County)**:

(a) Selective gear rules.

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

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 1; minimum length 18 inches.

(ii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(iii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iv) Channel catfish: Daily limit 10; no size restriction.

(v) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(105) **Gissberg Pond, North (Snohomish County)**: Open for juvenile anglers only.

(106) **Goat Ranch Pond (Mason County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(107) **Goldsborough Creek and tributaries (Mason County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(108) **Goodwin Lake (Snohomish County)**: Chumming is permissible.

(109) **Goss Lake (Island County)**: Open the fourth Saturday in April through October 31.

(110) **Gorst Creek (Kitsap County)**:

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

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(111) **Grandy Lake (Skagit County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(112) **Granite Lakes (near Marblemount) (Skagit County)**: Game fish: Statewide minimum length/daily limit, except: Release Grayling.

(113) **Grass Lake (Mason County)**: Open the fourth Saturday in April through October 31.

(114) **Green (Duwamish) River (King County)**:

(a) From an east-west line extending through the southernmost tip of Harbor Island to Tukwila International Boulevard/Old Highway 99:

(i) Open for game fish the Saturday before Memorial Day through ((July)) December 31.

(ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iii) (~~In years ending in odd numbers, open for game fish and salmon~~) Salmon: Open August 20 through December 31:

(A) Anti-snagging rules.

(B) Night closure.

(C) Daily limit 6 salmon of which no more than 3 may be any combination of adult coho and adult chum.

(I) Release Chinook.

(II) Salmon minimum length 12 inches.

~~((III) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.~~

~~(iv) In years ending in even numbers, open for game fish and salmon September 1 through December 31:~~

~~(A) Anti-snagging rules.~~

~~(B) Night closure.~~

~~(C) Salmon: Daily limit 6 salmon of which no more than 3 adults may be retained. Release Chinook.~~

~~(D) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.))~~

~~(b) From Tukwila International Boulevard/Old Highway 99 to the South 212th Street Bridge:~~

~~(i) Open for game fish the Saturday before Memorial Day through ((July)) December 31.~~

~~(ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.~~

~~(iii) ((In years ending in odd numbers: Open for salmon and game fish)) Salmon: Open August 20 through December 31:~~

~~(A) Anti-snagging rules.~~

~~(B) Night closure.~~

~~(C) Salmon: Daily limit 6; up to 3 may be any combination of adult coho, chum, or Chinook. Up to 2 of the daily limit may be Chinook, anglers must keep the first 2 Chinook caught.~~

~~((D) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.~~

~~(iv) In years ending in even numbers, open for game fish and salmon September 1 through December 31:~~

~~(A) Anti-snagging rules.~~

~~(B) Night closure.~~

~~(C) Salmon: Daily limit 6; up to 3 may be adults of which up to 2 of the daily limit may be Chinook. Anglers must keep the first 2 adult Chinook caught.~~

~~(D) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.))~~

~~(c) From the South 212th Street Bridge to the Highway 18 East-bound Bridge:~~

~~(i) Open for game fish the Saturday before Memorial Day through ((August 15)) December 31.~~

~~(ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.~~

~~(iii) ((In years ending in odd numbers, open for game fish and)) Salmon: Open September 16 through December 31:~~

~~(A) Anti-snagging rules.~~

~~(B) Night closure.~~

~~(C) Salmon: Daily limit 6; up to 3 may be any combination of adult coho and adult chum. Release Chinook.~~

~~((D) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.~~

~~(iv) In years ending in even numbers, open for game fish and salmon October 1 through December 31:~~

~~(A) Anti-snagging rules.~~

~~(B) Night closure.~~

~~(C) Salmon: Daily limit 6; up to 3 adults may be retained. Release Chinook.~~

~~(D) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.))~~

(d) From Highway 18 Eastbound Bridge to the Auburn-Black Diamond Road Bridge: Closed waters.

(e) From the Auburn-Black Diamond Road Bridge to Tacoma Municipal Watershed Boundary Marker (1.3 miles downstream of Tacoma Headworks Dam):

(i) From 150 feet upstream and 150 feet downstream from a point directly across the river from the mouth of Keta Creek (Crisp) including both banks of the river: Closed waters.

(ii) Open for game fish the Saturday before Memorial Day through ~~((September 15))~~ December 31.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon: Open ~~((for game fish and salmon))~~ November 1 through December 31:

(A) Anti-snagging rules.

(B) Night closure.

(C) Daily limit 6; up to 3 may be adults. Release Chinook.

~~((D) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.))~~

(f) From Tacoma Municipal Watershed Boundary Marker (1.3 miles downstream of Tacoma Headworks Dam) to Friday Creek: Closed waters.

(115) **Greenwater River (King County)**: From the mouth to Greenwater Lakes:

(a) Open December 1 through last day in February for whitefish only.

(b) Whitefish gear rules.

(116) **Grovers Creek (Kitsap County)**:

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

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(117) **Hamma Hamma River (Mason County)**: From the mouth to 400 feet below the falls:

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

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(118) **Hancock Lake (King County)**: It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(119) **Harvey Creek (Snohomish County)**: Closed waters.

(120) **Haven Lake (Mason County)**:

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

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iii) Channel catfish: Daily limit 10; no size restriction.

(iv) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(121) **Heart Lake (near Anacortes) (Skagit County)**: Open the fourth Saturday in April through October 31.

(122) **Heins Lake (Kitsap County)**: Closed waters.

(123) **Hicks Lake (Thurston County)**: Open the fourth Saturday in April through October 31.

(124) **Horseshoe Lake (Jefferson County):**

(a) Selective gear rules.

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

(c) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(125) **Horseshoe Lake (King County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(126) **Horseshoe Lake (Kitsap County):** Open the fourth Saturday in April through October 31.

(127) **Howard Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(128) **Howell Lake (Mason County):** Open the fourth Saturday in April through October 31.

(129) **Hozomeen Lake (Whatcom County):** It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(130) **Illahee Creek (Kitsap County):**

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(131) **Isabella Lake (Mason County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(132) **Issaquah Creek (King County):** Open the Saturday before Memorial Day through August 31.

(133) **Jackson Lake (Pierce County):** Open the fourth Saturday in April through October 31.

(134) **Jennings Park Pond (Snohomish County):** Open for juvenile anglers, senior anglers and anglers with a disability who possess a designated harvester companion card.

(135) **Jimmy-come-lately Creek (Clallam County):** From the mouth to the confluence with East Fork. Open the Saturday before Memorial Day through August 31.

(136) **Johns Creek (Mason County):**

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(137) **Joy, Lake (King County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(138) **Kapowsin, Lake (Pierce County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(139) **Keefe Lake (Whatcom County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(140) **Kendall Creek (Whatcom County) (N.F. Nooksack tributary)**: From the mouth through the hatchery to the hatchery boundary fence: Closed waters.

(141) **Kennedy Creek (Mason County)**:

(a) From the mouth to Highway 101 Bridge:

(i) Open the Saturday before Memorial Day through September 30.

(ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(iii) Salmon: Closed.

(b) From Highway 101 Bridge upstream:

(i) Open the Saturday before Memorial Day through September 30.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(142) **Ki Lake (Snohomish County)**: Open the fourth Saturday in April through October 31.

(143) **Kings Lake Bog (King County)**: Closed waters.

(144) **Kitsap Creek (Kitsap County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(145) **Kitsap Lake (Kitsap County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(146) Koeneman Lake (Fern Lake) (Kitsap County):

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

(b) Selective gear rules.

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

(d) Release all fish.

(147) Langlois Lake (King County): Open the fourth Saturday in April through October 31.

(148) Larsen Lake (King County): Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(149) LeBar Creek (Mason County): From the mouth to the falls at river mile 1: Closed waters.

(150) Lilliwaup River (Mason County): From the mouth to 200 feet below the falls:

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

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(151) Limerick Lake (Mason County):

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

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iii) Channel catfish: Daily limit 10; no size restriction.

(iv) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(152) Little Menzel Lake (Snohomish County): Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(153) Little Quilcene River (Jefferson County): From the mouth to the Little Quilcene River Bridge on Penny Creek Road:

(a) From the mouth to the Highway 101 Bridge: Open the Saturday before Memorial Day through August 31.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(154) Little Scandia Creek (Kitsap County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(155) **Lois Lakes (Thurston County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(156) **Lone Lake (Island County)**:

(a) Selective gear rules.

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

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 1; minimum length 18 inches.

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

(157) **Long Lake (Kitsap County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(158) **Long's Pond (Thurston County)**: Open for juvenile anglers, senior anglers and anglers with a disability who possess a designated harvester companion card only.

(159) **Maggie Lake (Mason County)**: Open the fourth Saturday in April through October 31.

(160) **Malaney Creek (Mason County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(161) **Margaret Lake (King County)**: Open the fourth Saturday in April through October 31.

(162) **Martha Lake (Alderwood Manor) (Snohomish County)**: Open the fourth Saturday in April through October 31.

(163) **Martha Lake (Warm Beach) (Snohomish County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.

(164) **Mashel River (Pierce County)**: Closed waters.

(165) **Mason Lake (Mason County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(166) **McAllister Creek (Thurston County):**

(a) Open the Saturday before Memorial Day through November 15.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

~~((e))~~ (d) Salmon:

(i) Open July 1 through November 15.

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

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

(167) **McLane Creek (Thurston County):**

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(c) Night closure.

(168) **McMurray Lake (Skagit County):**

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

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iii) Channel catfish: Daily limit 10; no size restriction.

(iv) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(c) Landlocked salmon rules.

(169) **Melbourne Lake (Mason County):** Open the fourth Saturday in April through October 31.

(170) **Mill Creek (Mason County):**

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(171) **Mill Pond (Auburn) (King County):** Open for juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(172) **Millers Pond (King County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(173) **Minter Creek (Pierce/Kitsap counties):** From the mouth to the fishing boundary markers approximately 50 feet downstream of the hatchery rack:

(a) September 1 through December 31: All waters within channels created by exposed tidelands are closed to fishing.

(b) Open for salmon September 1 through December 31.

~~((b))~~ (c) Night closure.

~~((e))~~ (d) Anti-snagging rules.

~~((d))~~ (e) Daily limit 6; up to 4 may be adults, of which only 2 may be coho or Chinook. Release wild coho.

((e)) (f) Game fish: Closed.

(174) **Mission Lake (Kitsap County):**

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

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iii) Channel catfish: Daily limit 10; no size restriction.

(iv) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(175) **Mission Lower Pond (Kitsap County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(176) **Monte Cristo Lake (Snohomish County):**

(a) Open June 1 through August 31.

(b) Selective gear rules.

(c) Release all fish except hatchery steelhead.

(177) **Muck Lake (Pierce County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(178) **Mud Lake (Mason County):** Open the fourth Saturday in April through October 31.

(179) **Munn Lake (Thurston County):**

(a) Selective gear rules.

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

(c) Release all fish.

(180) **Nisqually River (Pierce County):**

(a) From the mouth to ((Military Tank Crossing Bridge)) Kalama Creek:

(i) Anti-snagging rules.

(ii) Night closure.

(iii) Barbless hooks are required.

(iv) Open July 1 through November 15. From August ((6)) 11 through ((August)) September 30, Wednesdays through Saturdays only. ((Closed August 31.)) From ((September 3)) October 1 through November 15, Tuesdays through Saturday only.

(v) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(vi) Salmon:

(A) Daily limit 6; up to 2 may be adults.

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

(b) From ~~((Military Tank Crossing Bridge))~~ Kalama Creek to 400 feet below La Grande Powerhouse:

(i) Open July 1 through ~~((October))~~ July 31.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(181) Nisqually River tributaries downstream of Alder Dam not otherwise listed (Pierce County):

(a) Open July 1 through October 31.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(182) Nooksack River (Whatcom County):

(a) From the Lummi Indian Reservation boundary to the ~~((Highway 544 Bridge in Everson))~~ I-5 Bridge (Ferndale):

(i) ~~((Open the Saturday before Memorial Day through January 31.~~

~~(ii) From the Saturday before Memorial Day through December 31:))~~ Open August 1 through January 31.

(A) Anti-snagging rules.

(B) Night closure.

~~((iii))~~ (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

~~((iv))~~ (iii) Steelhead:

~~((A) Open the Saturday before Memorial Day through September 30))~~ Open December 1 through January 31: Statewide minimum size/daily limit.

~~((B) From October 1 through December 31: Closed to retention.~~

~~(C) Open January 1 through January 31: Statewide minimum size/daily limit.~~

~~(v))~~ (iv) Salmon:

(A) Open August 1 through September 30:

(I) Daily limit 4; up to 2 may be wild coho and up to 2 may be hatchery Chinook.

(II) Release chum ~~((pink))~~ and wild Chinook.

(B) Open October 1 through December 31:

(I) Daily limit 4; up to 2 may be wild coho and up to 2 may be Chinook.

(II) Release chum ~~((and pink))~~.

(b) From the ~~((Highway 544 Bridge in Everson))~~ I-5 Bridge (Ferndale) to the yellow marker at the FFA High School barn in Deming:

(i) Open ~~((October))~~ August 1 through January 31.

~~((ii) August 1 through December 31:))~~

(A) Anti-snagging rules.

(B) Night closure.

~~((iii))~~ (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

~~((iv))~~ (iii) Steelhead:

(A) From October 1 through ~~((December 31))~~ November 30: Closed to retention.

(B) Open ~~((January))~~ December 1 through January 31: Statewide minimum size/daily limit.

~~((v))~~ (iv) Salmon:

(A) Open August 1 through September 30:

(I) Daily limit 4; up to 2 may be wild coho and up to 2 may be hatchery Chinook.

(II) Release chum (~~(and pink)~~) and wild Chinook.

(B) Open October 1 through October 31:

(I) Daily limit 4; up to 2 may be wild coho and up to 2 may be Chinook.

(II) Release chum (~~(and pink)~~).

(C) Open November 1 through November 30: Daily limit 4; up to 2 may be wild coho, up to 2 may be Chinook, and up to 1 may be a chum.

(D) Open December 1 through December 31:

(I) Daily limit 4; up to 2 may be wild coho.

(II) Release chum.

(c) From the yellow marker at the FFA High School barn in Deming to the confluence of the forks:

(i) Open (~~(October)~~) August 1 through January 31.

(~~((ii) August 1 through December 31:))~~)

(A) Anti-snagging rules.

(B) Night closure.

(~~((iii))~~) (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(~~((iv))~~) (iii) Steelhead:

(A) From October 1 through (~~(December 31)~~) November 30: Closed to retention.

(B) Open (~~(January)~~) December 1 through January 31: Statewide minimum size/daily limit.

(~~((v))~~) (iv) Salmon:

(A) Open October 1 through October 31:

(I) Daily limit 4; up to 2 may be wild coho.

(II) Release chum (~~(and pink)~~).

(B) Open November 1 through November 30: Daily limit 4; up to 2 may be wild coho and up to 1 may be a chum.

(C) Open December 1 through December 31:

(I) Daily limit 4; up to 2 may be wild coho.

(II) Release chum.

(183) Nooksack River, North Fork (Whatcom County):

(a) From the mouth to the Highway 9 Bridge: Closed waters.

(b) From the Highway 9 Bridge to (~~(the yellow marker at the upstream side of Kendall Hatchery)~~) Maple Creek:

(i) Open (~~(the Saturday before Memorial Day)~~) August 1 through (~~(February 15)~~) January 31.

(~~((ii) The Saturday before Memorial Day through December 31:))~~)

(A) Anti-snagging rules.

(B) Night closure.

(~~((iii))~~) (ii) November 1 through (~~(February 15)~~) January 31: It is unlawful to fish from a floating device equipped with a motor.

(~~((iv))~~) (iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(~~((v))~~) (iv) Steelhead:

(A) From October 1 through November 30: Closed.

(B) Open (~~(the Saturday before Memorial Day)~~) December 1 through (~~(September 30)~~) January 31: Statewide minimum size/daily limit.

(~~((B) From October 1 through December 31: Closed.~~)

(~~(C) Open January 1 through February 15: Statewide minimum size/daily limit.~~)

(~~((vi))~~) (v) Salmon:

- (A) Open October 1 through November 30.
- (B) Daily limit 4; up to 2 may be wild coho.
- (C) Release chum ((and pink)).
- (c) ((From the yellow marker at the upstream side of Kendall Hatchery to Maple Creek:
 - (i) Open the Saturday before Memorial Day through February 15.
 - (ii) From the Saturday before Memorial Day through December 31:
 - (A) Anti-snagging rules.
 - (B) Night closure.
 - (iii) November 1 through February 15: It is unlawful to fish from a floating device equipped with a motor.
 - (iv) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (v) Steelhead:
 - (A) Open the Saturday before Memorial Day through September 30: Statewide minimum size/daily limit.
 - (B) From October 1 through December 31: Closed to retention.
 - (C) Open January 1 through February 15: Statewide minimum size/daily limit.
 - (vi) Salmon:
 - (A) Open October 1 through November 30.
 - (B) Daily limit 4; up to 2 may be wild coho.
 - (C) Release chum and pink.
- (d)) From Maple Creek to Nooksack Falls:
 - (i) Open ((the Saturday before Memorial Day)) August 1 through January 31.
 - (ii) Selective gear rules.
 - (iii) November 1 through January 31: It is unlawful to fish from a floating device equipped with a motor.
 - (iv) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (184) **Nooksack River, Middle Fork (Whatcom County)**: From the mouth to the former city of Bellingham diversion dam:
 - (a) November 1 through January 31: It is unlawful to use motors.
 - (b) Open ((the Saturday before Memorial Day)) August 1 through January 31.
 - (c) Selective gear rules.
 - (d) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (185) **Nooksack River, South Fork (Skagit/Whatcom counties)**:
 - (a) From the mouth to Skookum Creek:
 - (i) Open October 1 through ((January)) December 31.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (iii) Only one single-point hook allowed.
 - (iv) From October 1 through December 31: Night closure.
 - (v) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (vi) Steelhead:
 - (A) From October 1 through ((December 31)) November 30: Closed to retention.
 - (B) Open ((January)) December 1 through ((January)) December 31: Statewide minimum size/daily limit.
 - (vii) Salmon:
 - (A) Open October 1 through October 15:
 - (I) Daily limit 6; of which up to 2 may be wild coho or 2 hatchery Chinook or 1 of each.

(II) Release chum(~~(, pink,)~~) and wild Chinook.

(B) Open October 16 through December 31:

(I) Daily limit 6; of which up to 2 may be wild coho or 2 Chinook or 1 of each.

(II) Release chum.

(b) From Skookum Creek upstream to Wanlick Creek: Closed waters.

(c) Upstream from and including Wanlick Creek, including all tributaries:

(i) Open the Saturday before Memorial Day through October 31 for fly fishing only.

(ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(186) **North Lake (King County)**: Open the fourth Saturday in April through October 31.

(187) **Northern State Hospital Pond (Skagit County)**: Open for juvenile anglers only.

(188) **Ohop Lake (Pierce County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(189) **Olalla Creek (Kitsap County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(190) **Old Fishing Hole Pond (Kent, King County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card.

(191) **Osborne Lake (Mason County)**: Open the fourth Saturday in April through October 31.

(192) **Padden Lake (Whatcom County)**: Open the fourth Saturday in April through October 31.

(193) **Panther Lake (Kitsap/Mason counties)**: Open the fourth Saturday in April through October 31.

(194) **Panther Lake (Snohomish County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(195) **Pass Lake (Skagit County)**:

(a) Fly fishing only.

(b) All motors prohibited.

(c) Game fish: Statewide minimum length/daily limit, except: Release all trout.

(196) **Perry Creek (Thurston County)**: From the mouth to the falls:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(197) **Phillips Lake (Mason County)**: Open the fourth Saturday in April through October 31.

(198) **Pilchuck Creek (Snohomish County)**:

(a) From the mouth to the Highway 9 Bridge:

(i) Open September ((16)) 21 through January 31.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(b) From the Highway 9 Bridge to Pilchuck Falls:

(i) Open the Saturday before Memorial Day through January 31.

(ii) From the Saturday before Memorial Day through November 30; selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(199) **Pilchuck River (Snohomish County)**:

(a) From the mouth to the concrete wall remnant of the Snohomish City diversion dam site:

(i) Open from December 1 through January 31.

(ii) It is unlawful to fish from any floating device.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(b) From the concrete wall remnant of the Snohomish City diversion dam site upstream: Closed waters.

(200) **Pine Lake (King County)**: Open the fourth Saturday in April through October 31.

(201) **Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County)**: Closed waters.

(202) **Pipers Creek (King County) and tributaries**: Closed waters.

(203) **Portage Creek (Snohomish County)**: Closed waters.

(204) **Prices Lake (Mason County)**:

(a) Selective gear rules.

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

(c) Release all fish.

(205) **Puyallup River (Pierce County)**:

(a) From the 11th Street Bridge to 400 feet downstream of Clarks Creek:

(i) From August 16 through September 30 all waters open Wednesdays through Saturdays.

(A) Anti-snagging rules.

(B) Night closure.

(C) Barbless hooks are required.

(ii) Open August 16 through September 30.

(A) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(B) Salmon: Daily limit 6; up to ((4)) 2 may be adults (~~1 of which up to 2 may be hatchery Chinook or coho or 1 of each~~).

(C) Release chum and wild Chinook.

(iii) From October 1 through October 31:

(A) Anti-snagging rules.

(B) Night closure.

(C) Barbless hooks are required.

(iv) Open October 1 through October 31.

(A) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(B) Salmon: Daily limit 6; up to ~~((4))~~ 2 may be adults (~~(; up to 2 may be hatchery Chinook or coho or one of each)~~). Release chum and wild Chinook).

(b) From 400 feet downstream to 400 feet upstream of Clarks Creek: Closed waters.

(c) From 400 feet upstream of Clarks Creek to East Main Bridge:

(i) From August 16 through September 30 all waters open Wednesdays through Saturdays.

(A) Anti-snagging rules.

(B) Night closure.

(C) Barbless hooks are required.

(ii) Open August 16 through September 30:

(A) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(B) Salmon: Daily limit 6; up to 2 may be adults. Release chum and wild Chinook.

(iii) From October 1 through October 31:

(A) Anti-snagging rules.

(B) Night closure.

(C) Barbless hooks are required.

(iv) Open October 1 through October 31.

(A) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(B) Salmon: Daily limit 6; up to ~~((4))~~ 2 may be adults (~~(; up to 2 may be hatchery Chinook or coho or one of each)~~). Release chum and wild Chinook.

(d) From East Main Bridge to Carbon River:

(i) From August 16 through September 30 open Wednesdays through Saturdays:

(A) Anti-snagging rules.

(B) Night closure.

(C) Barbless hooks are required.

(ii) Open August 16 through September 30.

(A) Game fish: Statewide minimum length/daily limit except: Release cutthroat trout and wild rainbow trout.

(B) Salmon: Daily limit 6; up to 2 may be adults. Release chum and wild Chinook.

(iii) From October 1 through October 31:

(A) Anti-snagging rules.

(B) Night closure.

(C) Barbless hooks are required.

(iv) Open October 1 through October 31:

(A) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(B) Salmon: Daily limit 6; up to ~~((4))~~ 2 may be adults (~~(; up to 2 may be hatchery Chinook or coho or one of each)~~). Release chum and wild Chinook.

(e) From Carbon River upstream:

(i) Open the Saturday before Memorial Day through January 15.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(206) **Raging River (King County)**: From the mouth to the Highway 18 Bridge:

(a) Open (~~(the Saturday before Memorial Day)~~) November 1 through January 31.

- (b) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (207) **Rapjohn Lake (Pierce County)**: Open the fourth Saturday in April through October 31.
- (208) **Rattlesnake Lake (King County)**:
- (a) Selective gear rules.
- (b) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (209) **Ravensdale Lake (King County)**:
- (a) Selective gear rules.
- (b) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 2; minimum length 14 inches.
- (ii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
- (iii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
- (iv) Channel catfish: Daily limit 10; no size restriction.
- (v) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (210) **Riley Lake (Snohomish County)**: Open the fourth Saturday in April through October 31.
- (211) **Robbins Lake (Mason County)**: Open the fourth Saturday in April through October 31.
- (212) **Rocky Creek (Mason County)**:
- (a) Selective gear rules.
- (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat and wild rainbow trout.
- (213) **Roesiger Lake (Snohomish County)**: Game fish: statewide minimum length/daily limit, except: Crappie: Daily limit 10; minimum length 9 inches.
- (214) **Ross Lake (Reservoir) (Whatcom County)**:
- (a) Open July 1 through October 31.
- (b) Selective gear rules.
- (c) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout except eastern brook trout: Daily limit 1; minimum length 16 inches.
- (ii) Eastern brook trout: Daily limit 5; no minimum size.
- (215) **Ross Lake tributary streams, and their tributaries, except Big Beaver Creek and Ruby Creek (Whatcom County)**:
- (a) From mouth to one mile upstream: Closed waters.
- (b) From one mile above the mouths to the headwaters: Open July 1 through October 31.
- (216) **Ruby Creek (Whatcom County)**: Closed waters.
- (217) **Ruby Creek tributaries (Whatcom County)**: Open July 1 through October 31.
- (218) **Salmon Creek and all forks (Jefferson/Clallam counties)**: Closed waters.
- (219) **Salmonberry Creek (Kitsap County)**:
- (a) Selective gear rules.
- (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (220) **Samish Lake (Whatcom County)**: Game fish: Statewide minimum length/daily limit, except:
- (a) Cutthroat trout: Daily limit 2; minimum length 14 inches.

(b) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(c) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(d) Channel catfish: Daily limit 10; no size restriction.

(e) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(221) **Samish River (Skagit County):**

(a) From the mouth to the (~~Thomas Road Bridge~~) Yellow Marker at wing wall (approximately 1,000 feet up stream):

(i) Open the Saturday before Memorial Day through September (~~13~~) 30 and November 1 through November 30.

(ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iii) From August 1 through November 30:

(A) Night closure.

(B) It is unlawful to use anything other than one single-point hook.

(iv) Salmon:

(A) Open August 1 through September 13.

(~~(B)~~) (I) Daily limit 2.

(II) Release chum and wild coho.

(III) Bait only.

(IV) Only one single-point hook allowed. Maximum hook gap 1/2 inch point to shank.

(~~(I)~~) (V) Anglers may only retain fish hooked inside the mouth.

(~~(II)~~) (VI) Stationary gear restriction.

(~~(C) Release chum, pink, and wild coho.~~)

(B) September 14 for Active and Veteran Military only.

(I) Daily limit 2.

(II) Release chum and wild coho.

(III) Bait only.

(IV) Only one single-point hook allowed. Maximum hook gap 1/2 inch point to shank.

(V) Anglers may only retain fish hooked inside the mouth.

(VI) Stationary gear rules apply.

(C) Open September 15 through September 30.

(I) Daily limit 2.

(II) Release chum and wild coho.

(III) Bait only.

(IV) Only one single-point hook allowed. Maximum hook gap 1/2 inch point to shank.

(V) Anglers may only retain fish hooked inside the mouth.

(VI) Stationary gear rules apply.

(b) From Yellow Marker at wing wall (approximately 1,000 feet up stream) to the Thomas Road Bridge (~~to the I-5 Bridge~~):

(i) Open the Saturday before Memorial Day through September 30 and November 1 through November 30.

(ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iii) From August 1 through November 30:

(A) Night closure.

(B) It is unlawful to use anything other than one single-point hook.

(iv) Salmon:

(A) Open August 1 through September 30.

(B) Daily limit 2.

(C) Release chum and wild coho.

(D) Only one single-point hook allowed. Maximum hook gap 1/2 inch point to shank.

(E) Anglers may only retain fish hooked inside the mouth.

(F) Stationary gear rules apply.

(c) From Thomas Road Bridge to I-5 Bridge:

(i) Open the Saturday before Memorial Day through July 31 and November 1 through November 30.

(ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iii) November 1 through November 30:

(A) Night closure.

(B) It is unlawful to use anything other than one single-point hook.

~~((e))~~ (d) From the I-5 Bridge to the Old Highway 99 Bridge:

(i) Open the Saturday before Memorial Day through July 31.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

~~((d))~~ (e) From the Old Highway 99 Bridge to the Samish hatchery salmon rack: Closed waters.

~~((e))~~ (f) From upstream of the Samish hatchery rack to Hickson Bridge:

(i) Open the Saturday before Memorial Day through November 30.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(222) Sammamish Lake (King County):

(a) Closed waters within 100 yards of the mouth of Issaquah Creek August 16 through November 30.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Release all kokanee.

(ii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(iii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iv) Channel catfish: Daily limit 10; no size restriction.

(v) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(c) December 1 through June 30: Release all steelhead and rainbow trout over 20 inches in length.

(d) Landlocked salmon rules apply for December 1 through May 31. Hatchery coho only may be retained as part of the trout daily limit under the landlocked salmon rules, minimum length 12 inches.

(e) Salmon: Open October 1 through November 30: Daily limit 4 coho only. Release all other salmon.

(223) Sammamish River (Slough) (King County): From the 68th Avenue N.E. Bridge to Lake Sammamish:

(a) Open from January 1 through August 31.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

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

(225) Sauk River (Skagit/Snohomish counties):

- (a) Selective gear rules.
 - (b) Release all fish except hatchery steelhead.
 - (c) From the mouth to Darrington Bridge:
 - (i) Open June 1 through January 31.
 - (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (d) From Darrington Bridge to the mouth of the White Chuck River: Open June 1 through January 31.
 - (e) From the Whitechuck River to the headwaters, including the North Fork from mouth to North Forks Falls and the South Fork from mouth to Elliot Creek: Open June 1 through October 31.
 - (f) In the South Fork upstream from Elliot Creek: Open June 1 through August 31.
- (226) **Sawyer Lake (King County):**
- (a) Chumming is permissible.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (ii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (iii) Channel catfish: Daily limit 10; no size restriction.
 - (iv) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (227) **Schneider Creek (Thurston County):**
- (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (228) **Serene Lake (Snohomish County):** Open the fourth Saturday in April through October 31.
- (229) **Shady Lake (King County):** Open the fourth Saturday in April through October 31.
- (230) **Shannon, Lake (Skagit County):**
- (a) Open the fourth Saturday in April through October 31.
 - (b) Chumming is permissible.
 - (c) Game fish: Statewide minimum length/daily limit, except: Kookanee: Minimum length 8 inches.
- (231) **Shelton Creek (Mason County):**
- (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (232) **Sherwood Creek (Mason County):**
- (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (233) **Sherwood Creek Mill Pond (Mason County):** Game fish: Statewide minimum length/daily limit, except:
- (a) Trout: Daily limit 2; minimum length 14 inches.
 - (b) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (c) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (d) Channel catfish: Daily limit 10; no size restriction.
 - (e) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

- (234) **Shoe Lake (Mason County)**: Open the fourth Saturday in April through October 31.
- (235) **Silent Lake (Jefferson County)**: Open the fourth Saturday in April through October 31.
- (236) **Silver Lake (Pierce County)**: Open the fourth Saturday in April through October 31.
- (237) **Silver Lake (Whatcom County)**: Open the fourth Saturday in April through October 31.
- (238) **Sixteen Lake (Skagit County)**: Open the fourth Saturday in April through October 31.
- (239) **Skagit River (Skagit/Whatcom counties)**:
- (a) From the mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon):
- (i) Open March 1 through January 31.
- (ii) From March 1 through August 13:
- (A) Selective gear rule except anglers fishing for sturgeon must use bait.
- (B) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank, except anglers fishing for sturgeon may use single-point barbless hooks of any size.
- (iii) From August 14 through October 31: Night closure.
- (iv) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (v) Dolly Varden/Bull Trout: Minimum length of 20 inches as part of the trout limit.
- (vi) Salmon:
- ~~((A) Open August 14 through August 31: Daily limit 2 pink salmon. Release all other salmon.~~
- ~~(B))~~ Open September 1 through October 31: Daily limit 2 salmon. Release Chinook(~~(r)~~) and chum(~~(r and wild coho)~~).
- (b) From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek:
- (i) Open June 1 through January 31.
- (ii) From June 16 through July 15, August 14 through August 31, and September 1 through October 31: Night closure.
- (iii) From June 1 through August 13:
- (A) Selective gear rules except for sturgeon.
- (B) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank, except anglers fishing for sturgeon may use single-point barbless hooks of any size.
- (iv) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (v) Dolly Varden/Bull Trout: Minimum length of 20 inches as part of the trout limit.
- (vi) Salmon:
- (A) Open July 1 through July 15:
- (I) Daily limit (~~(3)~~) 4 sockeye only.
- (II) Release all other salmon.
- ~~(B) ((Open August 14 through August 31:~~
- ~~(I) Daily limit 2 pink only.~~
- ~~(II) Release all other salmon.~~
- ~~(C))~~ Open September 1 through October 31:
- (I) Daily limit 2 salmon.
- (II) Release Chinook(~~(r)~~) and chum(~~(r and wild coho)~~).
- (c) From Gilligan Creek to The Dalles Bridge at Concrete:
- (i) Open June 1 through January 31.
- (ii) From June 1 through August 31:

- (A) Selective gear rules.
- (B) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.
- (iii) From June 1 through October 31: Night closure.
- (iv) From September 1 through September 30:
 - (A) Single-point barbless hooks only.
 - (B) Bait is prohibited.
- (v) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (vi) Dolly Varden/Bull Trout: Minimum length of 20 inches as part of the trout limit.
- (vii) Salmon:
 - (A) Open July 1 through July 15:
 - (I) Daily limit ((3)) 4 sockeye only.
 - (II) Release all other salmon.
 - (B) Open September 1 through October 31:
 - (I) Daily limit 2 salmon.
 - (II) Release Chinook((~~r~~)) and chum((~~r~~ and wild coho)).
- (d) From The Dalles Bridge at Concrete to the Highway 530 Bridge at Rockport:
 - (i) Open June 1 through January 31.
 - (ii) June 1 through September 15: Closed waters between a line projected across the thread of the river 200 feet above the east bank of the Baker River to a line projected across the thread of the river 200 feet below the west bank of the Baker River.
 - (iii) From June 1 through September 15:
 - (A) Selective gear rules.
 - (B) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.
 - (iv) From June 1 through October 31: Night closure.
 - (v) From September 16 through September 30:
 - (I) Single-point barbless hooks are required.
 - (II) Bait is prohibited.
 - (vi) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (vii) Dolly Varden/Bull Trout: Minimum length of 20 inches as part of the trout limit.
 - (viii) Salmon: Open September 16 through October 31: Daily limit 2 salmon. Release Chinook((~~r~~)) and chum((~~r~~ and wild coho)).
- (e) From the Highway 530 Bridge at Rockport to the Cascade River Road (Marblemount Bridge):
 - (i) Open June 1 through January 31.
 - (ii) From June 1 through July 15; anti-snagging rules.
 - (iii) From June 1 through October 31: Night closure.
 - (iv) From July 16 through September 15: Selective gear rules and it is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.
 - (v) From September 16 through September 30:
 - (A) Single-point barbless hooks are required.
 - (B) Bait is prohibited.
 - (vi) Salmon:
 - (A) Open July 1 through July 15: Daily limit 4 hatchery Chinook only; up to 2 may be adults.
 - (B) Open September 16 through October 31: Daily limit 2. Release Chinook((~~r~~)) and chum((~~r~~ and wild coho)).
- (f) From Cascade River Road to the Gorge Powerhouse:
 - (i) Open June 1 through January 31.

(ii) Selective gear rules.

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

(iv) Release all fish except hatchery steelhead.

(240) Skokomish River (Mason County):

(a) From the mouth to the city of Tacoma PUD overhead distribution lines: Closed waters.

(b) From the city of Tacoma PUD overhead distribution lines to the Bonneville Transmission lines west of Highway 101: Closed waters.

(c) From the Bonneville Transmission lines west of Highway 101 to the forks:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Release steelhead, cutthroat trout, and wild rainbow trout.

(241) Skokomish River, North Fork (Mason County):

(a) From the mouth to the lower dam:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Release steelhead, cutthroat trout, and wild rainbow trout.

(b) Above Lake Cushman, from the mouth to Olympic National Park boundary:

(i) Open the Saturday before Memorial Day through August 31.

(ii) Selective gear rules.

(iii) Release all fish.

(242) Skokomish River, South Fork (Mason County):

(a) From the mouth to the mouth of LeBar Creek:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Release steelhead, cutthroat trout, and wild rainbow trout.

(b) From LeBar Creek to Rule Creek: Closed waters.

(243) Skookum Creek (Mason County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(244) Skykomish River (Snohomish County):

(a) Game fish: Statewide minimum length/daily limit, except:

(i) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(ii) Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.

(b) From the mouth to the mouth of Wallace River:

(i) Open (~~(the Saturday before Memorial Day)~~) November 1 through January 31.

(ii) From (~~(August)~~) November 1 through November 30:

(A) Anti-snagging rules.

(B) Night closure.

(iii) From November 1 through January 31: It is unlawful to fish from any floating device from the boat ramp below Lewis Street Bridge at Monroe downstream 2,500 feet.

(c) From the mouth of the Wallace River to High Bridge (Highway 2):

(i) Open November 1 through January 31 for game fish only.

(ii) From November 1 through November 30:

(A) Anti-snagging rules.

(B) Night closure.

(d) From High Bridge (Highway 2) to the forks:

- (i) Open (~~(the Saturday before Memorial Day)~~) June 15 through July 10 and November 1 through February 15.
- (ii) From (~~(August 1 through November 30)~~) June 15 through July 10:
- (A) Anti-snagging rules.
- (B) Night closure.
- (C) (~~(Bait is prohibited)~~) Selective gear rules.
- (iii) From (~~(the Saturday before Memorial Day)~~) June 15 through July 10 and November 1 through February 15: It is unlawful to fish from any floating device in the area 1,500 feet upstream and 1,000 feet downstream of the outlet at Reiter Ponds.
- (245) **Skykomish River, North Fork (Snohomish County):**
- (a) From the mouth to 1,000 feet downstream of Bear Creek Falls:
- (i) Open November 1 through January 31.
- (ii) Selective gear rules.
- (iii) Release all fish except hatchery steelhead.
- (b) From 1000 feet downstream of Bear Creek Falls to Deer Falls and all tributaries: Closed waters.
- (246) **Skykomish River, South Fork (King/Snohomish counties):**
- (a) From the mouth to 600 feet downstream from the Sunset Falls fishway:
- (i) Open (~~(the Saturday before Memorial Day)~~) November 1 through January 31.
- (ii) From (~~(August)~~) November 1 through November 30:
- (A) Anti-snagging rules.
- (B) Night closure.
- (iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (b) From 600 feet downstream of Sunset Falls fishway to Sunset Falls: Closed waters.
- (c) From Sunset Falls to the source:
- (i) Open the Saturday before Memorial Day through July 10 and November 1 through the last day in February.
- (ii) Selective gear rules.
- (iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (d) All tributaries and their tributaries above Sunset Falls:
- (i) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (ii) Selective gear rules.
- (247) **Snohomish River (Snohomish County):**
- (a) From the Burlington-Northern Railroad bridges to (~~(Highway 9 Bridge)~~) Pilchuck River, including all channels, sloughs, and interconnected waterways, but excluding all tributaries:
- (i) Sturgeon catch and release is permissible year-round.
- (ii) From (~~(August 1)~~) September 21 through November 30:
- (A) Anti-snagging rules; except anglers fishing for sturgeon may use single-point barbless hooks of any size.
- (B) Night closure.
- (iii) From September (~~(16)~~) 21 through October (~~(15)~~) 31:
- (A) Single-point barbless hooks are required.
- (B) Bait prohibited.
- (iv) Open (~~(the Saturday before Memorial Day)~~) September 21 through January 31.
- (v) Game fish: Statewide minimum length/daily limit, except:
- (A) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(B) Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.

(vi) Salmon: Open September (~~(16)~~) 21 through October (~~(15)~~) 31:

(A) Daily limit (~~(4; up to 2 may be coho)~~) 2.

(B) Release Chinook and chum.

(b) From (~~the Highway 9 Bridge~~) Pilchuck River to the confluence of the Skykomish and Snoqualmie rivers and all channels:

(i) Open (~~the Saturday before Memorial Day~~) October 1 through January 31.

(ii) From (~~August~~) October 1 through November 30:

(A) Anti-snagging rules.

(B) Night closure.

(iii) From (~~September 16~~) October 1 through October (~~(15)~~) 31:

(A) Single-point barbless hooks are required.

(B) Bait is prohibited.

(iv) Game fish: Statewide minimum length/daily limit, except:

(A) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(B) Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.

(v) Salmon: Open (~~September 16~~) October 1 through October (~~(15)~~) 31:

(A) Daily limit (~~(4; up to 2 may be coho)~~) 2.

(B) Release Chinook and chum.

(248) Snoqualmie River (King County):

(a) From the mouth to Snoqualmie Falls:

(i) From (~~the Saturday before Memorial Day~~) November 1 through November 30: Selective gear rules.

(ii) From (~~September~~) November 1 through November 30: Night closure.

(iii) From the mouth to the boat ramp at the Plum access: Open (~~the Saturday before Memorial Day~~) November 1 through January 31.

(iv) From the boat ramp at the Plum access to the falls: Open (~~the Saturday before Memorial Day~~) November 1 through February 15.

(v) From November 1 through February 15: It is unlawful to fish from any floating device in the waters from the boat ramp at the Plum access to the mouth of Tokul Creek (about 1/4 mile).

(vi) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(b) From Snoqualmie Falls upstream, including the North Fork, South Fork, all tributaries except Middle Fork and tributaries to the Middle Fork:

(i) Selective gear rules.

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

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

(iv) Open November 1 through the Friday before Memorial Day: Release all fish.

(c) Middle Fork from the mouth to the source, including all tributaries:

(i) Open year-round.

(ii) Selective gear rules.

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

(iv) Release all fish.

(249) South Prairie Creek (Pierce County): From the mouth to the city of Buckley diversion dam: Closed waters.

(250) Spada Lake (Reservoir) (Snohomish County):

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

(b) Selective gear rules.

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

(d) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 5; maximum length 12 inches.

(251) Spada Lake (Reservoir) tributaries (Snohomish County):

Closed waters.

(252) Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County): Open year-round.

(253) Sprague Pond (Kitsap County): Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(254) Squalicum Lake (Whatcom County):

(a) Fly fishing only.

(b) All motors prohibited.

(c) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 2; minimum length 14 inches.

(255) Squire Creek (Snohomish County) (N.F. Stillaguamish River tributary):

(a) Open October 16 through October 31.

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(256) Steel Lake (King County): Open the fourth Saturday in April through October 31.

(257) Stetattle Creek (Whatcom County): From the mouth to Bucket Creek: Closed waters.

(258) Stevens, Lake (Snohomish County):

(a) Chumming is permissible.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iii) Channel catfish: Daily limit 10; no size restriction.

(iv) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(259) Steilacoom Lake (Pierce County): Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(260) **Steves Lake (Stevens Lake) (Mason County)**: Open the fourth Saturday in April through October 31.

(261) **Stickney Lake (Snohomish County)**: Open the fourth Saturday in April through October 31.

(262) **Stillaguamish River (Snohomish County)**:

(a) From the mouth to Marine Drive, including all sloughs:

(i) Open year-round.

(ii) Night closure.

(iii) From August 1 through November 30: Anti-snagging rules, except anglers fishing for sturgeon may use single-point barbless hooks of any size.

(iv) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(b) From Marine Drive to the forks:

(i) From the barrier dam (downstream of I-5) downstream 200 feet: Closed waters.

(ii) Open September (~~(16)~~) 21 through October 31:

(A) Selective gear rules.

(B) Night closure.

(C) Release all game fish except hatchery steelhead.

(iii) Open from December 1 through January 31. Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iv) Salmon: Open September (~~(16)~~) 21 through October 31: Daily limit (~~(4; up to 2 may be coho)~~) 2. Release Chinook and chum.

(263) **Stillaguamish River, North Fork (Snohomish County)**:

(a) From the North Fork mouth to Highway 530 Bridge at mile post 28.8 (Cicero Bridge):

(i) It is unlawful to fish from any floating device equipped with a motor downstream from the Highway 530 Bridge.

(ii) Open (~~(the)~~) September 16 through November 30:

(A) Fly fishing only.

(B) Night closure.

(C) Release all fish except hatchery steelhead.

(iv) Open from December 1 through January 31. Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(b) From Highway 530 Bridge at mile post 28.8 (Cicero Bridge) to the mouth of French Creek:

(i) It is unlawful to fish from any floating device upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge).

(ii) From (~~(September)~~) October 16 through November 30:

(A) Night closure.

(B) Anti-snagging rules.

(iii) Open (~~(September)~~) October 16 through November 30:

(A) Fly fishing only.

(B) Release all fish except hatchery steelhead.

(iv) Open from December 1 through February 15. Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(c) From mouth of French Creek to Swede Heaven Bridge:

(i) Open (~~(September)~~) October 16 through November 30.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(d) From Swede Heaven Bridge to North Forks Falls approximately one mile upstream of Cascade Creek:

(i) Open ((September)) October 16 through January 31.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except:

Release cutthroat trout and wild rainbow trout.

(264) **Stillaguamish River, South Fork (Snohomish County):**

(a) From the mouth to 400 feet downstream of the outlet to Granite Falls fishway:

(i) Open October 16 through January 31.

(ii) From October 16 through November 30:

(A) Anti-snagging rules.

(B) Night closure.

(iii) Game fish: Statewide minimum length/daily limit, except:

Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(b) From 400 feet below the Granite Falls Fishway to the Mountain Loop Highway Bridge above Granite Falls: Closed waters.

(c) From the Mountain Loop Highway Bridge above Granite Falls upstream to the source:

(i) Open Saturday before Memorial Day through November 30.

(ii) From August 1 through November 30:

(A) Anti-snagging rules.

(B) Night closure.

(265) **Stitch Lake (Snohomish County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(266) **Storm Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(267) **Suiattle River (Skagit/Snohomish County):**

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Dolly Varden/Bull trout: Minimum length of 20 inches as part of trout limit.

(268) **Sultan River (Snohomish County):** From the mouth to a point 400 feet downstream from the diversion dam at river mile 9.7:

(a) Open ((the Saturday before Memorial Day)) November 1 through January 31.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(ii) Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.

(269) **Sultan River; North Fork (Snohomish County):** Closed waters.

(270) **Sultan River; South Fork (Snohomish County):** Closed waters.

(271) **Summit Lake (Thurston County):** Open the fourth Saturday in April through October 31.

(272) **Sunset Lake (Whatcom County):** Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

- (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
- (c) Channel catfish: Daily limit 10; no size restriction.
- (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (273) **Susan Lake (Thurston County):**
- (a) Selective gear rules.
- (b) Release all fish.
- (274) **Swan's Mill Pond (Stossel Creek) (King County):** Open the Saturday before Memorial Day through October 31.
- (275) **Symington Lake (Kitsap County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Selective gear rules.
- (c) Game fish: Statewide minimum length/daily limit, except:
- (i) Release cutthroat trout and wild rainbow trout.
- (ii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
- (iii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
- (iv) Channel catfish: Daily limit 10; no size restriction.
- (v) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (276) **Tahuya Lake (Kitsap County):** Game fish: Statewide minimum length/daily limit, except:
- (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
- (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
- (c) Channel catfish: Daily limit 10; no size restriction.
- (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (277) **Tahuya River (Mason County):**
- (a) From the mouth to the Belfair Tahuya Road Bridge:
- (i) Open the Saturday before Memorial Day through August 15.
- (ii) Selective gear rules.
- (iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (b) From the Belfair Tahuya Road Bridge upstream:
- (i) Selective gear rules.
- (ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (278) **Tanwax Lake (Pierce County):** Game fish: Statewide minimum length/daily limit, except: Crappie: Daily limit 10; minimum length 9 inches.
- (279) **Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within 400 feet of the screen at Dingle Basin:** Open year-round.
- (280) **Tarboo Creek (Jefferson County):**
- (a) Selective gear rules.
- (b) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (281) **Tarboo Lake (Jefferson County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(282) **Teal Lake (Jefferson County):**

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

(b) Selective gear rules.

(c) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.

(283) **Tenas Lake (Mason County):** Open the fourth Saturday in April through October 31.

(284) **Tennant Lake (Whatcom County):** It is unlawful to fish from any floating device from the first Friday in October through January 27.

(285) **Terrell, Lake (Whatcom County):** It is unlawful to fish from any floating device from the first Saturday after Labor Day through the following Friday and from October 1 through January 31, except fishing from a floating dock is permissible.

(286) **Thornton Creek (Whatcom County):** Game fish: Statewide minimum length/daily limit, except: Cutthroat trout: No daily limit; no minimum length.

(287) **Thornton Lake, lower (Whatcom County):** Game fish: Statewide minimum length/daily limit, except: Cutthroat trout: No daily limit; no minimum length.

(288) **Tiger Lake (Kitsap/Mason counties):** Open the fourth Saturday in April through October 31.

(289) **Toad Lake (Whatcom County):** Open the fourth Saturday in April through October 31.

(290) **Tokul Creek (King County) (Snoqualmie River tributary):**

(a) From the mouth to the Fish Hatchery Road Bridge:

(i) Open December 1 through February 15, except closed waters from 5:00 p.m. to 7:00 a.m.

(ii) Anti-snagging rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(b) From Fish Hatchery Road Bridge to the posted boundary marker located downstream of the diversion dam:

(i) Open January 15 through February 15, except closed waters from 5:00 p.m. to 7:00 a.m.

(ii) Anti-snagging rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(c) From the posted boundary marker downstream of the diversion dam to Tokul Road S.E.: Closed waters.

(291) **Tolt River (King County):**

(a) From the mouth to the USGS trolley cable near the confluence of the North and South Forks:

(i) Open (~~the Saturday before Memorial Day~~) November 1 through January 31.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(b) From the USGS trolley cable just below the confluence of the North Fork and South Forks to the forks: Closed waters.

(292) **Tolt River, North Fork (King County):**

(a) From the mouth upstream to the falls approximately 1/3 miles above the Northeast North Fork Road Bridge (Pipeline Bridge): Closed waters.

(b) From the falls approximately 1/3 mile above the Northeast North Fork Road Bridge (Pipeline Bridge) upstream, including all tributaries:

(i) Selective gear rules.

(ii) Release all fish.

(293) **Tolt River, South Fork (King County)**: From the mouth upstream to the dam: Closed waters.

(294) **U Lake (Mason County)**: Open the fourth Saturday in April through October 31.

(295) **Uncle John Creek (Mason County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(296) **Union River (Mason County)**:

(a) From the mouth to the lower bridge on Old Belfair Highway:

(i) Open the Saturday before Memorial Day through August 15.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(b) From the lower bridge on Old Belfair Highway upstream:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(297) **Vogler Lake (Skagit County)**:

(a) Fly fishing only.

(b) Release all fish.

(298) **Voight Creek (Pierce County)**: From the mouth to the Highway 162 Bridge: Closed waters.

(299) **Wagners Lake (Snohomish County)**: Open the fourth Saturday in April through October 31.

(300) **Walker Lake (King County)**: Open the fourth Saturday in April through October 31.

(301) **Wallace River (Snohomish County)**:

(a) From the mouth to 363rd Ave. S.E./Reece Rd:

(i) Open from (~~the Saturday before Memorial Day~~) October 16 through February 15.

(ii) From (~~the Saturday before Memorial Day~~) October 16 through November 30:

(A) Anti-snagging rules.

(B) Night closure.

(iii) From November 1 through February 15: It is unlawful to fish from any floating device.

(iv) Game fish: Statewide minimum length/daily limit, except:

(A) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(B) Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.

(v) Salmon:

(A) Open October 16 through October 31.

(B) Daily limit 2 (~~hatchery~~) coho (~~only~~).

(C) Release all other salmon.

(b) From 363rd Avenue S.E./Reece Road to 200 feet downstream of the water intake of the Wallace salmon hatchery:

(i) Open October 16 through February 15.

(ii) October 16 through November 30:

(A) Anti-snagging rules.

(B) Night closure.

- (iii) From November 1 through February 15: It is unlawful to fish from any floating device.
- (iv) Game fish: Statewide minimum length/daily limit, except:
 - (A) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (B) Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.
- (v) Salmon:
 - (A) Open October 16 through November 30.
 - (B) Daily limit 2 (~~hatchery~~) coho (~~only~~).
 - (C) Release all other salmon.
 - (c) From 200 feet downstream of the water intake to 200 feet upstream of the water intake: Closed waters when the hatchery weir is in operation.
 - (d) From 200 feet upstream of the water intake of the salmon hatchery to Wallace Falls:
 - (i) Open November 1 through January 31.
 - (ii) It is unlawful to fish from any floating device.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
 - (B) Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.
- (302) **Walsh Lake (King County)**: Game fish: Statewide minimum length/daily limit, except:
 - (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (c) Channel catfish: Daily limit 10; no size restriction.
 - (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (303) **Wapato Lake (Pierce County)**: Open to juvenile anglers, senior anglers and anglers with a disability who possess a designated harvester companion card.
- (304) **Washington Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream and Mercer slough (King County)**:
 - (a) Open year-round.
 - (b) Chumming is permissible.
 - (c) From July 1 through November 30: Game fish: Statewide minimum length/daily limit, except:
 - (i) Kokanee: Daily limit 5; minimum length 8 inches; maximum length 18 inches.
 - (ii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (iii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (iv) Channel catfish: Daily limit 10; no size restriction.
 - (v) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
 - (d) December 1 through the last day in February:
 - (i) Game fish: Statewide minimum length/daily limit, except: Release steelhead and rainbow trout over 20 inches in length.

(ii) Kokanee: Daily limit 5; minimum length 8 inches; maximum length 18 inches.

(iii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(iv) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(v) Channel catfish: Daily limit 10; no size restriction.

(vi) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(e) March 1 through June 30: Game fish: Statewide minimum length/daily limit, except:

(i) Kokanee: Daily limit 5; minimum length 8 inches; maximum length 18 inches.

(ii) Trout: Minimum length 12 inches.

(iii) Release steelhead and rainbow trout over 20 inches in length.

(iv) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(v) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(vi) Channel catfish: Daily limit 10; no size restriction.

(vii) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(f) Salmon: Open September 16 through October 31: North of Highway 520 Bridge and east of Montlake Bridge. Daily limit 4 coho only. Release all other salmon.

(305) Washington Lake, Ship Canal (King County) (waters east of a north-south line 400 feet west of the fish ladder at the Chittenden Locks and west of a north-south line at the eastern ends of the concrete abutments east of the Montlake Bridge):

(a) East of the Fremont Bridge: Chumming is permissible.

(b) From the west boundary to a north-south line 400 feet east of the eastern end of the northern wing wall of Chittenden Locks: Closed waters.

(c) From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary:

(i) From July 1 through November 30: Game fish: Statewide minimum length/daily limit, except:

(A) Kokanee: Daily limit 5; minimum length 8 inches; maximum length 18 inches.

(B) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(C) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(D) Channel catfish: Daily limit 10; no size restriction.

(E) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(ii) From December 1 through the last day in February: Game fish: Statewide minimum length/daily limit, except:

(A) Release steelhead and rainbow trout over 20 inches in length.

(B) Kokanee: Daily limit 5; minimum length 8 inches; maximum length 18 inches.

(C) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(D) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(E) Channel catfish: Daily limit 10; no size restriction.

(F) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(iii) March 1 through June 30: Game fish: Statewide minimum length/daily limit, except:

(A) Kokanee: Daily limit 5; minimum length 8 inches; maximum length 18 inches.

(B) Trout: Minimum length 12 inches.

(C) Release steelhead and rainbow trout over 20 inches in length.

(D) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(E) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(F) Channel catfish: Daily limit 10; no size restriction.

(G) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(306) Whatcom Creek (Whatcom County):

(a) From the mouth to the (~~markers below the~~) footbridge below Dupont Street in Bellingham:

(i) Open the Saturday before Memorial Day through July 31.

(ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

(iii) Anglers fishing lawfully within 50 yards of the Bellingham Technical College Hatchery Collection Tube and on the hatchery side of the creek that hook and land chum salmon may remove those chum salmon from the water and immediately place them unharmed into the Hatchery Collection Tube.

~~((b) From the markers below the footbridge below Dupont Street in Bellingham to the footbridge below Dupont Street: Closed waters.)~~

(iv) From October 1 through October 31: Closed waters.

(v) Salmon: Open August ((4)) 3 through September ((10 Friday,)) 15 Saturdays((7)) and Sundays only.

~~((i))~~ (A) Daily limit ~~((1))~~ 2 hatchery Chinook only.

~~((ii))~~ (B) Release all other salmon.

~~((iii))~~ (C) Anti-snagging rules.

~~((iv))~~ (vi) Night closure.

~~((e))~~ (b) From the footbridge below Dupont Street in Bellingham to the stone bridge at Whatcom Falls Park:

(i) From August 1 through October 31:

(A) Anti-snagging rules.

(B) Night closure.

(ii) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

~~((d))~~ (c) From the stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Open the fourth Saturday in April through October 31 for juvenile anglers only.

~~((e))~~ (d) Game fish: Statewide minimum length/daily limit, except: Trout: No minimum length.

(307) Whatcom, Lake (Whatcom County):

(a) The waters between the Electric Avenue Bridge and the outlet dam: Closed waters.

- (b) Open the fourth Saturday in April through October 31.
- (c) Game fish: Statewide minimum length/daily limit, except: Release all cutthroat trout.
- (308) **Whatcom, Lake, tributaries (Whatcom County)**: Closed waters.
- (309) **White (Stuck) River (Pierce County)**:
 - (a) From October 1 through October 31:
 - (i) Night closure.
 - (ii) Selective gear rules.
 - (b) Release all fish.
 - (c) Cascade Water Alliance canal, including the screen bypass channel above the screen at Dingle Basin: Closed waters.
 - (d) Whitefish: Open December 1 through the last day in February: Whitefish gear rules.
- (310) **White Chuck River (Snohomish County)**:
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Dolly Varden/Bull trout: Minimum length of 20 inches as part of the trout limit.
- (311) **Wildcat Creek (Kitsap County)**:
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (312) **Wildcat Lake (Kitsap County)**: Open the fourth Saturday in April through October 31.
- (313) **Wilderness Lake (King County)**:
 - (a) Open the fourth Saturday in April through October 31.
 - (b) Landlocked salmon rules.
- (314) **Wilkeson Creek (Pierce County) (South Prairie Creek tributary)**: From the mouth to the confluence with Gale Creek: Closed waters.
- (315) **Woodard Creek (Thurston County)**:
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.
- (316) **Wood Lake (Mason County)**: Open the fourth Saturday in April through October 31.
- (317) **Woodland Creek (Thurston County)**:
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (318) **Woodland Farm Reservoir (Snohomish County)**: Game fish: Statewide minimum length/daily limit, except:
 - (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (c) Channel catfish: Daily limit 10; no size restriction.
 - (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (319) **Wooten Lake (Mason County)**: Open the fourth Saturday in April through October 31.

AMENDATORY SECTION (Amending WSR 23-13-072, filed 6/14/23, effective 7/15/23)

WAC 220-312-060 Freshwater exceptions to statewide rules—Columbia. The following exceptions to statewide rules apply to the Columbia River, including impoundments and all connecting sloughs, except Wells Ponds:

(1) **General Columbia River rules:**

(a) In the concurrent waters of the Columbia River between Washington and Oregon, the license of either state is valid when fishing from a vessel.

(i) Anglers must comply with the fishing regulations of the state in which they are fishing.

(ii) This subsection does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington except as otherwise provided by department rule.

(iii) Anglers fishing the Columbia River are restricted to one limit, as defined by the laws of the state in which they are fishing, even if they are licensed by both states.

(b) It is unlawful to possess in the field salmon or steelhead mutilated so that size, species, or fin clip cannot be determined until the angler has reached their automobile or principal means of land transportation and completed his or her daily angling.

(c) Salmon and trout handling rules provided in WAC 220-310-100 apply to the Columbia River, except from February 15 through June 15 in the mainstem Columbia from the Rocky Point/Tongue Point line upstream to the Washington-Oregon border where WAC 220-310-100 applies only to anglers fishing from vessels less than 30 feet in length (as substantiated by Coast Guard documentation or Marine Board registration).

(d) From Buoy 10 to the (~~Washington/Oregon border~~) Highway 395 Bridge in Pasco:

(i) From August 1 through December 31, each angler aboard a vessel may deploy salmon/steelhead angling gear until the salmon/steelhead limit for all anglers aboard has been achieved.

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

(e) Open year-round unless otherwise provided.

(f) Year-round night closure for salmon and steelhead fishing from Buoy 10 to Priest Rapids Dam.

(2) **Rules by river section:**

(a) Fishing from the north jetty is permissible when Marine Area 1 or Buoy 10 areas are open for salmon, and the limit and minimum size restrictions follow the most liberal regulations if both areas are open. Only single point barbless hooks may be used for salmon and steelhead.

(b) **From a true north-south line through Buoy 10 to the Megler Astoria Bridge:**

(i) The Youngs Bay Control Zone is defined as those waters southerly of a line originating on the Oregon shore at the east end of the seawall at the Warrenton Fiber log yard (approximately river mile 10.1) northeasterly through green navigation buoys 29, 31, 33, and 35A to the center of the Astoria-Megler Bridge abutment adjacent to, and north of the ship channel, and continuing southerly in line with the center of the Megler Bridge span to the Oregon shore.

(ii) The Youngs Bay Control Zone is closed to recreational angling from August 1 through September 15.

- (iii) Game fish: Statewide minimum length/daily limit, except: Release trout.
- (iv) Salmon and steelhead:
- (A) April 1 through July 31: Closed.
- (B) Open August 1 through August ~~((20))~~ 29:
- (I) Daily limit 2; of which only 1 may be a Chinook.
- (II) Release all salmon and steelhead except hatchery Chinook and hatchery coho.
- (III) Chinook minimum length 24 inches.
- (IV) Coho minimum length 16 inches.
- ~~(C) ((August 21 through August 23: Closed.~~
- ~~(D) Open August 24 through August 27:~~
- ~~(I) Daily limit 2; of which 1 may be a Chinook.~~
- ~~(II) Release all salmon and steelhead except hatchery Chinook and hatchery coho.~~
- ~~(III) Chinook minimum length 24 inches.~~
- ~~(IV) Coho minimum length 16 inches.~~
- ~~(E) August 28 through August 29: Closed.~~
- ~~(F)) Open August 30 through September ((4)) 3:~~
- (I) Daily limit 2; of which 1 may be a Chinook.
- (II) Release all salmon and steelhead except ((hatchery)) Chinook and hatchery coho.
- (III) Chinook minimum length 24 inches.
- (IV) Coho minimum length 16 inches.
- ~~((G)) (D) Open September ((5)) 4 through September 30:~~
- (I) Daily limit ((3)) 2.
- (II) Release all salmon and steelhead except hatchery coho.
- (III) Coho minimum length 16 inches.
- ~~((H)) (E) Open October 1 through October 31:~~
- (I) Daily limit 6; up to ((3)) 2 may be adults.
- (II) Release all salmon and steelhead except hatchery coho.
- (III) Salmon minimum length 12 inches.
- ~~((I)) (F) Open November 1 through December 31:~~
- (I) Daily limit 6; up to ((3)) 2 adult ~~((s including no more than))~~ salmon, or 2 hatchery steelhead, or 1 of each may be retained.
- (II) Release all salmon except hatchery coho.
- (III) Salmon minimum length 12 inches.
- ~~((J)) (G) Open January 1 through March 31:~~
- (I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or 1 of each, may be retained.
- (II) Release all salmon except hatchery Chinook.
- (v) Shad:
- (A) April 1 through May 15: Closed.
- (B) Open May 16 through March 31.
- (vi) Forage fish and bottomfish: Marine Area 1 general rules apply; eulachon closed.
- (c) From the Megler Astoria Bridge to a projected line from Rocky Point on the Washington bank through Red Buoy 44 to the red navigation marker 2 at Tongue Point on the Oregon bank:**
- (i) Game fish: Statewide minimum length/daily limit, except: Release trout.
- (ii) Salmon and steelhead:
- (A) April 1 through June 15: Closed.
- (B) Open from June 16 through ~~((July 31))~~ June 30:
- (I) Daily limit 6; up to 1 hatchery steelhead may be retained.
- (II) Release all salmon except hatchery jack Chinook.
- ~~((III) Salmon minimum length 12 inches.)~~

(C) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults including no more than 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(D) Open August 1 through August ((20)) 29:

(I) Daily limit 2; of which 1 may be a Chinook.

(II) Release all salmon and steelhead except hatchery coho and hatchery Chinook.

(III) Chinook minimum length 24 inches.

(IV) Coho minimum length 16 inches.

~~((D)) August 21 through August 23: Closed.~~

~~(E) Open August 24 through August 27:~~

~~(I) Daily limit 2; of which 1 may be a Chinook.~~

~~(II) Release all salmon and steelhead except hatchery Chinook and hatchery coho.~~

~~(III) Chinook minimum length 24 inches.~~

~~(IV) Coho minimum length 16 inches.~~

~~(F) August 28 through August 29: Closed.~~

~~(G)) (E) Open August 30 through September ((4)) 3:~~

~~(I) Daily limit 2; of which 1 may be a Chinook.~~

~~(II) Release all salmon and steelhead except ((hatchery)) Chinook and hatchery coho.~~

~~(III) Chinook minimum length 24 inches.~~

~~(IV) Coho minimum length 16 inches.~~

~~((H)) (F) Open September ((5)) 4 through September 30:~~

~~(I) Daily limit ((3)) 2.~~

~~(II) Release all salmon and steelhead except hatchery coho.~~

~~(III) Coho minimum length 16 inches.~~

~~((I)) (G) Open October 1 through October 31:~~

~~(I) Daily limit 6; up to ((3)) 2 may be adults.~~

~~(II) Release all salmon and steelhead except hatchery coho.~~

~~(III) Salmon minimum length 12 inches.~~

~~((J)) (H) Open November 1 through December 31:~~

~~(I) Daily limit 6; up to ((3)) 2 adult((s including no more than)) salmon, or 2 hatchery steelhead, or 1 of each may be retained.~~

~~(II) Release all salmon except hatchery coho.~~

~~(III) Salmon minimum length 12 inches.~~

~~((K)) (I) Open January 1 through March 31:~~

~~(I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead or 1 of each may be retained.~~

~~(II) Release all salmon except hatchery Chinook.~~

~~(iii) Shad:~~

~~(A) April 1 through May 15: Closed.~~

~~(B) Open May 16 through March 31.~~

~~(iv) Forage fish and bottomfish: Marine Area 1 general rules apply; eulachon closed.~~

(d) From a line at Rocky Point on the Washington bank through Red Buoy 44 to red navigation marker 2 at Tongue Point on the Oregon bank upstream to a line at the west end of Puget Island projected from green navigation marker 39 on the Washington bank to green navigation marker 41, then to red navigation marker 42, and terminating at red navigation marker 44A on the Oregon bank includes Blind Slough Select Area and Knappa Slough Select Area:

(i) Blind Slough Select Area and Knappa Slough Select Area:

(A) The Blind Slough Select Area is defined as waters of Blind Slough and Gnat Creek from a north-south line represented by regulatory markers at the mouth of Blind Slough upstream to a regulatory mark-

er in Gnat Creek located approximately 0.5 miles southeasterly (upstream) of the Barendse Road Bridge.

(B) The Knappa Slough Select Area is defined as waters of Knappa Slough, Calendar Slough, and Big Creek Slough bounded to the north (upstream) by a line projecting from a regulatory marker on the eastern shore of Karlson Island to the northernmost regulatory marker at the mouth of Blind Slough and bounded to the west (downstream) by a line projecting southerly from a regulatory marker on the southwestern tip of Karlson Island through regulatory markers on the western tips of Minaker Island to a marker on the Oregon shore.

(C) Game fish: Statewide minimum length/daily limit, except: Release trout.

(D) Salmon: Daily limit is 2 adult salmon or 2 steelhead or 1 of each and 5 jacks. No more than 2 daily jack limits in possession. 12 inches minimum size. Release all salmon other than hatchery Chinook, hatchery coho, and hatchery steelhead. Use of barbed hooks allowed.

(E) Shad: Open year-round.

(ii) Game fish: Statewide minimum size/daily limit, except:

(A) Trout: Open May 16 through March 31:

(B) Daily limit 2 hatchery cutthroat; minimum length 12 inches.

(C) Release all trout except hatchery cutthroat.

(D) Barbless hooks required for cutthroat trout.

(iii) Salmon and steelhead:

(A) April 1 through May 15: Closed.

(B) Open May 16 through June 15:

(I) Daily limit 6; up to 2 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open June 16 through ~~(July 31)~~ June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(D) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults including no more than 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(E) Open August 1 through August ~~((20))~~ 29:

(I) Daily limit 6; up to 2 may be adults of which 1 may be a Chinook.

(II) Release all salmon and steelhead except hatchery Chinook and hatchery coho.

~~((E) August 21 through August 23: Closed.~~

~~(F) Open August 24 through August 27:~~

~~(I) Daily limit 6; up to 2 may be adults of which 1 may be a Chinook.~~

~~(II) Release all salmon and steelhead except hatchery Chinook and hatchery coho.~~

~~(III) Salmon minimum length 12 inches.~~

~~(G) August 28 through August 29: Closed.~~

~~(H))~~ (F) Open August 30 through September ~~((4))~~ 3:

(I) Daily limit 6; up to 2 may be adults of which 1 may be a Chinook.

(II) Release all salmon and steelhead except ~~((hatchery))~~ Chinook and hatchery coho.

(III) Salmon minimum length 12 inches.

~~((I))~~ (G) Open September ~~((5))~~ 4 through October 31:

(I) Daily limit 6; up to ~~((3))~~ 2 may be adults.

(II) Release all salmon and steelhead except hatchery coho.

(III) Coho minimum length 12 inches.

~~((J))~~ (H) Open November 1 through December 31:

(I) Daily limit 6; up to ~~((3))~~ 2 may be adult ~~((s including no more than))~~ salmon, or 2 hatchery steelhead, or 1 of each may be retained.

(II) Release all salmon except hatchery coho.

~~((K))~~ (I) Open January 1 through March 31:

(I) Daily limit 6; up to 2 adult salmon or 2 hatchery steelhead or 1 of each may be retained.

(II) Release all salmon except hatchery Chinook.

(iv) Shad:

(A) April 1 through May 15: Closed.

(B) Open May 16 through March 31.

(e) From a line at the west end of Puget Island projected from green navigation marker 39 on the Washington bank to green navigation marker 41, then to red navigation marker 42, and terminating at red navigation marker 44A on the Oregon bank, upstream to the Longview Bridge:

(i) Game fish: Statewide minimum size/daily limit, except:

(A) Trout: Open May 16 through March 31.

(B) Release all trout except hatchery cutthroat.

(C) Daily limit 2 hatchery cutthroat; minimum length 12 inches.

(D) Barbless hooks are required for cutthroat trout.

(ii) Salmon and steelhead:

(A) April 1 through May 15: Closed.

(B) Open May 16 through June 15:

(I) Daily limit 6; up to 2 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open June 16 through ~~((July 31))~~ June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(D) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adult salmon including no more than 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(E) Open August 1 through September 4:

(I) Daily limit 6; up to 2 may be adults of which 1 may be a Chinook.

(II) Release all salmon and steelhead except Chinook and hatchery coho.

~~((E))~~ (F) September 5 through September 11:

(I) Daily limit 6; up to 2 may be adults of which 1 may be a Chinook.

(II) Release all salmon and steelhead except hatchery Chinook and hatchery coho.

(G) September 12 through September 30: Closed.

~~((F))~~ (H) Open October 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except hatchery coho.

~~((G))~~ (I) Open November 1 through December 31:

(I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead or 1 of each may be retained.

(II) Release all salmon except hatchery coho.

~~((H))~~ (J) Open January 1 through March 31:

(I) Daily limit 6; up to 2 adult salmon or 2 hatchery steelhead or 1 of each may be retained.

(II) Release all salmon except hatchery Chinook.

(iii) Shad:

(A) April 1 through May 15: Closed.

(B) Open May 16 through March 31.

(f) **From the Longview Bridge to a line projected from the Warrior Rock lighthouse through Red Buoy 4 to the marker atop the piling dolphin located at the downstream end of Bachelor Island on the Washington shore (Warrior Rock line):**

(i) Game fish: Statewide minimum size/daily limit, except:

(A) Trout: Open May 16 through March 31.

(B) Release all trout except hatchery cutthroat.

(C) Daily limit 2 hatchery cutthroat; minimum length 12 inches.

(D) Barbless hooks are required for cutthroat trout.

(ii) Salmon and steelhead:

(A) April 1 through May 15: Closed.

(B) Open May 16 through June 15:

(I) Daily limit 6; up to 2 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open June 16 through (~~July 31~~) June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(D) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults including no more than 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(E) Open August 1 through September 4:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.

(II) Release all salmon and steelhead except Chinook and hatchery coho.

~~((E))~~ (F) September 5 through September 11:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.

(II) Release all salmon and steelhead except hatchery Chinook and hatchery coho.

(G) September 12 through September 30: Closed.

~~((F))~~ (H) Open October 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except hatchery coho.

~~((G))~~ (I) Open November 1 through December 31:

(I) Daily limit 6; up to 2 adult salmon, of which 2 hatchery steelhead may be retained.

(II) Release all salmon except hatchery coho.

~~((H))~~ (J) Open January 1 through March 31:

(I) Daily limit 6; up to 2 adult salmon or 2 hatchery steelhead or 1 of each may be retained.

(II) Release all salmon except hatchery Chinook.

(iii) Shad:

(A) April 1 through May 15: Closed.

(B) Open May 16 through March 31.

(g) **From a line projected from the Warrior Rock lighthouse through Red Buoy 4 to the marker atop the piling dolphin located at the downstream end of Bachelor Island on the Washington shore (Warrior Rock line) to the I-5 Bridge:**

(i) Game fish: Statewide minimum size/daily limit, except:

(A) Trout: Open May 16 through March 31.

(B) Release all trout except hatchery cutthroat.

(C) Daily limit 2 hatchery cutthroat; minimum length 12 inches.

(D) Barbless hooks are required for cutthroat trout.

(ii) Salmon and steelhead:

(A) April 1 through May 15: Closed.

(B) Open May 16 through June 15:

(I) Daily limit 6; up to 2 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open June 16 through (~~July 31~~) June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(D) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults including no more than 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(E) Open August 1 through September (~~14~~) 15:

(I) Daily limit 6; up to 2 may be adults of which 1 may be a Chinook.

(II) Release all salmon and steelhead except Chinook and hatchery coho.

~~((E))~~ (F) September (~~15~~) 16 through September 30: Closed.

~~((F))~~ (G) Open October 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except hatchery coho.

~~((G))~~ (H) Open November 1 through December 31:

(I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead or 1 of each may be retained.

(II) Release all salmon except hatchery coho.

~~((H))~~ (I) Open January 1 through March 31:

(I) Daily limit 6; up to 2 adult salmon or 2 hatchery steelhead or 1 of each may be retained.

(II) Release all salmon except hatchery Chinook.

(iii) Shad:

(A) April 1 through May 15: Closed.

(B) Open May 16 through March 31.

(h) From the I-5 Bridge to a line crossing the Columbia from Navigation Marker 82 on the Oregon shore westerly to the boundary marker on the Washington shore upstream of Fir Point 9 miles downstream from Bonneville Dam:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Salmon and steelhead:

(A) April 1 through June 15: Closed.

(B) Open June 16 through (~~July 31~~) June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults including no more than 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(D) Open August 1 through September (~~14~~) 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.

(II) Release all salmon and steelhead except Chinook and hatchery coho.

~~((D))~~ (E) September (~~15~~) 16 through September 30: Closed.

~~((E))~~ (F) Open October 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except hatchery coho.

~~((F))~~ (G) Open November 1 through December 31:

- (I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or 1 of each may be retained.
- (II) Release all salmon except hatchery coho.
- ~~((G))~~ (H) Open January 1 through March 31:
- (I) Daily limit 2 hatchery steelhead.
- (II) Release all salmon.
- (iii) Shad:
- (A) April 1 through May 15: Closed.
- (B) Open May 16 through March 31.
- (i) **Camas Slough:**
- (i) It is permissible for an angler licensed in Oregon or Washington to fish from a floating device.
- (ii) In the waters of the Columbia River downstream from the mouth of the Washougal River, north of Lady Island, and downstream of the Highway 14 Bridge at the upstream end of Lady Island.
- (iii) Additional angling rules for Camas Slough are the same as the special rules or effective emergency rule in the adjacent mainstem Columbia.
- (j) **From a line between the upstream end of Sand Island (near Rooster Rock) on the Columbia River, to the boundary marker on the Oregon shore, downstream to a line between the lower end of Sand Island and the boundary marker on the Oregon shore:**
- (i) January 1 through April 30: Closed waters.
- (ii) Game fish:
- (A) Open May 1 through December 31.
- (B) Statewide minimum size/daily limit, except: Release all trout.
- (iii) Salmon and steelhead:
- (A) May 1 through June 15: Closed.
- (B) Open June 16 through ~~((July 31))~~ June 30:
- (I) Daily limit 6; up to 1 hatchery steelhead may be retained.
- (II) Release all salmon except hatchery jack Chinook.
- (C) Open July 1 through July 31:
- (I) Daily limit 6; up to 2 adults including no more than 1 hatchery steelhead may be retained.
- (II) Release all salmon except hatchery jack Chinook and sockeye.
- (D) Open August 1 through September ~~((14))~~ 15:
- (I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook.
- (II) Release all salmon and steelhead except Chinook and hatchery coho.
- ~~((D))~~ (E) September ~~((15))~~ 16 through September 30: Closed.
- ~~((E))~~ (F) Open October 1 through October 31:
- (I) Daily limit 6; up to 2 may be adults.
- (II) Release all salmon and steelhead except hatchery coho.
- ~~((F))~~ (G) Open November 1 through December 31:
- (I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or 1 of each may be retained.
- (II) Release all salmon except hatchery coho.
- ~~((G))~~ (H) January 1 through April 30: Closed waters.
- (iv) Shad:
- (A) May 1 through May 15: Closed.
- (B) Open May 16 through December 31.
- (k) **From a line crossing the Columbia from Navigation Marker 82 on the Oregon shore westerly to the boundary marker on the Washington shore upstream of Fir Point 9 miles downstream from Bonneville Dam to Beacon Rock:**

- (i) Game fish: Statewide minimum size/daily limit, except: Release all trout.
- (ii) Salmon and steelhead:
- (A) April 1 through June 15: Closed.
- (B) Open June 16 through (~~July 31~~) June 30:
- (I) Daily limit 6; up to 1 hatchery steelhead may be retained.
- (II) Release all salmon except hatchery jack Chinook.
- (C) Open July 1 through July 31:
- (I) Daily limit 6; up to 2 adults including no more than 1 hatchery steelhead may be retained.
- (II) Release all salmon except hatchery jack Chinook and sockeye.
- (D) Open August 1 through September (~~14~~) 15:
- (I) Daily limit 6; up to 2 may be adults of which 1 may be a Chinook.
- (II) Release all salmon and steelhead except Chinook and hatchery coho.
- (~~(D)~~) (E) September (~~15~~) 16 through September 30: Closed.
- (~~(E)~~) (F) Open October 1 through October 31:
- (I) Daily limit 6; up to 2 may be adults.
- (II) Release all salmon and steelhead except hatchery coho.
- (~~(F)~~) (G) Open November 1 through December 31:
- (I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or 1 of each may be retained.
- (II) Release all salmon except hatchery coho.
- (~~(G)~~) (H) Open January 1 through March 31:
- (I) Daily limit 2 hatchery steelhead.
- (II) Release all salmon.
- (iii) Shad:
- (A) April 1 through May 15: Closed.
- (B) Open May 16 through March 31.
- (l) **From Beacon Rock to a line from the Hamilton Island boat ramp to an Oregon boundary marker on the westernmost point of Robins Island to a marker on the Oregon mainland shore:**
- (i) Game fish: Statewide minimum size/daily limit, except: Release all trout.
- (ii) Salmon and steelhead:
- (A) April 1 through June 15: Closed.
- (B) Open June 16 through (~~July 31~~) June 30:
- (I) Daily limit 6; up to 1 hatchery steelhead may be retained.
- (II) Release all salmon except hatchery jack Chinook.
- (C) Open July 1 through July 31:
- (I) Daily limit 6; up to 2 adults including no more than 1 hatchery steelhead may be retained.
- (II) Release all salmon except hatchery jack Chinook and sockeye.
- (D) Open August 1 through September (~~14~~) 15:
- (I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.
- (II) Release all salmon and steelhead except Chinook and hatchery coho.
- (~~(D)~~) (E) September (~~15~~) 16 through September 30: Closed.
- (~~(E)~~) (F) Open October 1 through October 31:
- (I) Daily limit 6; up to 2 may be adults.
- (II) Release all salmon and steelhead except hatchery coho.
- (~~(F)~~) (G) November 1 through December 31: Closed.
- (~~(G)~~) (H) Open January 1 through March 31:
- (I) Daily limit 2 hatchery steelhead.
- (II) Release all salmon.

(iii) Shad:

(A) April 1 through May 15: Closed.

(B) Open May 16 through March 31.

(m) **From a line from the Hamilton Island boat ramp to an Oregon boundary marker on the westernmost point of Robins Island to a marker on the Oregon mainland shore to a line projected from a boundary marker about 4,000 feet downstream from the fish ladder at the new Bonneville Dam Powerhouse south to the downstream end of Cascade Island and across to the Oregon angling boundary on Bradford Island (about 850 feet downstream from the fish ladder):**

(i) It is unlawful to fish from any floating device.

(ii) Closed to any method of angling except hand-casted gear from shore.

(iii) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(iv) Salmon and steelhead:

(A) April 1 through June 15: Closed.

(B) Open June 16 through (~~July 31~~) June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults including no more than 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(D) Open August 1 through September (~~14~~) 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.

(II) Release all salmon and steelhead except Chinook and hatchery coho.

(~~(D)~~) (E) September (~~15~~) 16 through September 30: Closed.

(~~(E)~~) (F) Open October 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except hatchery coho.

(~~(F)~~) (G) Open November 1 through December 31:

(I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or 1 of each may be retained.

(II) Release all salmon except hatchery coho.

(~~(G)~~) (H) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(v) Shad:

(A) April 1 through May 15: Closed.

(B) Open May 16 through March 31.

(n) **Inside the south navigation lock at Bonneville Dam, from a marker on the westernmost point of Robins Island to a marker on the Oregon mainland shore: Closed waters.**

(o) **From a boundary marker about 4,000 feet downstream from the fish ladder at the new Bonneville Dam Powerhouse south to the downstream end of Cascade Island and across to the Oregon angling boundary on Bradford Island (about 850 feet downstream from the fish ladder) to a point 600 feet below the fish ladder at Bonneville Dam powerhouse:**

(i) It is unlawful to fish from any floating device.

(ii) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(iii) Salmon and steelhead:

(A) April 1 through June 15: Closed.

(B) Open June 16 through (~~July 31~~) June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults including no more than 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(D) Open August 1 through September ((14)) 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook.

(II) Release all salmon and steelhead except Chinook and hatchery coho.

~~((D))~~ (E) September ((15)) 16 through September 30: Closed.

~~((E))~~ (F) Open October 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except hatchery coho.

~~((F))~~ (G) Open November 1 through December 31:

(I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or 1 of each may be retained.

(II) Release all salmon except hatchery coho.

~~((G))~~ (H) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(iv) Shad:

(A) April 1 through May 15: Closed.

(B) Open May 16 through March 31.

(p) **From a point 600 feet below the fish ladder at the new Bonneville Dam Powerhouse to the upstream line of Bonneville Dam:** Closed waters.

(q) **From Bonneville Dam to the Hood River Bridge:**

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Salmon and steelhead:

(A) When open from March 16 through June 15: Bank fishing only.

(B) When open from March 16 through June 15: Only hand-cast lines may be used.

(C) When open from March 16 through June 15: It is unlawful to use a floating device to set lines for salmon and steelhead.

(D) When open from August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(E) April 1 through June 15: Closed.

(F) Open June 16 through June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(G) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults ((salmon or)) including no more than 1 hatchery steelhead ((and 1 adult salmon)) may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(H) Open August 1 through ((October)) September 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook.

(II) Release all salmon and steelhead except Chinook and hatchery coho.

(I) September 16 through September 30: Closed.

(J) Open October ((16)) 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except hatchery coho.

((+J)) (K) Open November 1 through December 31:

(I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or 1 of each may be retained.

(II) Release all salmon except hatchery coho.

((+K)) (L) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(r) **Waters within 1/4 mile of the USFWS Spring Creek Hatchery grounds between posted markers located 1/4 mile on either side of the fish ladder entrance:** Closed waters.

(s) **From Hood River Bridge to the Tower Island power lines:**

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Salmon and steelhead:

(A) When open from March 16 through June 15: Bank fishing only.

(B) When open from March 16 through June 15: Only hand-cast lines may be used.

(C) When open from March 16 through June 15: It is unlawful to use a floating device to set lines for salmon and steelhead.

(D) When open from August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(E) April 1 through June 15: Closed.

(F) Open June 16 through June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(G) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults ~~((salmon or))~~ including no more than 1 hatchery steelhead ~~((and 1 adult salmon))~~ may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(H) Open August 1 through ~~((October))~~ September 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook.

(II) Release all salmon and steelhead except Chinook and coho.

(I) September 16 through September 30: Closed.

(J) Open October ~~((16))~~ 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except coho.

((+J)) (K) Open November 1 through December 31:

(I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or 1 of each may be retained.

(II) Release all salmon except coho.

((+K)) (L) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(t) **From Tower Island power lines to a line from the east (upstream) dock at the Port of The Dalles boat ramp straight across to a boundary marker on the Washington shore (approximately 1.8 miles below The Dalles Dam):**

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Salmon and steelhead:

(A) When open from August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(B) April 1 through June 15: Closed.

(C) Open June 16 through June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(D) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults ~~((salmon or))~~ including no more than 1 hatchery steelhead ~~((and 1 adult salmon))~~ may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(E) Open August 1 through ~~((October))~~ September 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook.

(II) Release all salmon and steelhead except Chinook and coho.

(F) September 16 through September 30: Closed.

(G) Open October ~~((16))~~ 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except coho.

~~((G))~~ (H) Open November 1 through December 31:

(I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or 1 of each may be retained.

(II) Release all salmon except coho.

~~((H))~~ (I) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(u) From a line from the east (upstream) dock at the Port of The Dalles boat ramp straight across to a boundary marker on the Washington shore to the upstream side of the Interstate (Highway 197) Bridge:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Salmon and steelhead:

(A) When open from August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(B) April 1 through June 15: Closed.

(C) Open June 16 through June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(D) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults ~~((salmon or))~~ including no more than 1 hatchery steelhead ~~((and 1 adult salmon))~~ may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(E) Open August 1 through ~~((October))~~ September 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.

(II) Release all salmon and steelhead except Chinook and coho.

(F) September 16 through September 30: Closed.

(G) Open October ~~((16))~~ 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except coho.

~~((G))~~ (H) Open November 1 through December 31:

(I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or 1 of each may be retained.

(II) Release all salmon except coho.

~~((H))~~ (I) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(v) From the Washington shore from the upstream side of the Interstate (Highway 197) Bridge to the navigation lock wall:

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

(ii) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(iii) Salmon and steelhead:

(A) When open from August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(B) April 1 through June 15: Closed.

(C) Open June 16 through June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(D) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults ~~((salmon or))~~ including no more than 1 hatchery steelhead ~~((and 1 adult salmon))~~ may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(E) Open August 1 through ~~((October))~~ September 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.

(II) Release all salmon and steelhead except Chinook and coho.

(F) September 16 through September 30: Closed.

(G) Open October ~~((16))~~ 1 through October 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except coho.

~~((G))~~ (H) Open November 1 through December 31:

(I) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or 1 of each may be retained.

(II) Release all salmon except coho.

~~((H))~~ (I) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(w) From the Interstate (Highway 197) Bridge to the upstream line of The Dalles Dam except the Washington shore from the upstream side of the Interstate Bridge to the navigation lock wall: Closed waters.

(x) From The Dalles Dam to a line starting from a fishing boundary sign on the Washington north shore located approximately 1,300 feet upstream of The Dalles Dam and Lock boat ramp projected easterly across the Columbia River to a boundary sign on the Washington southern shore located approximately 200 feet above the fish ladder exit:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Salmon and steelhead: Closed.

(y) From a line starting from a fishing boundary sign on the Washington north shore located approximately 1,300 feet upstream of The Dalles Dam and Lock boat ramp projected easterly across the Columbia River to a boundary sign on the Washington southern shore located approximately 200 feet above the fish ladder exit to the west end of the grain silo at Rufus, Oregon 2.4 miles downstream of John Day Dam:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Salmon and steelhead:

(A) When open August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(B) Open June 16 through June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults ~~((salmon or))~~ including no more than 1 hatchery steelhead ~~((and 1 adult salmon))~~ may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(D) Open August 1 through August 31:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be Chinook and 1 hatchery steelhead may be retained.

(II) Release all salmon except Chinook and coho.

(E) September 1 through ~~((October))~~ September 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.

(II) Release all salmon and steelhead except Chinook and coho.

(F) September 16 through September 30: Closed.

(G) Open October ~~((16))~~ 1 through December 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except coho.

~~((G))~~ (H) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(I) April 1 through June 15: Closed.

(z) **From the west end of the grain silo at Rufus, Oregon 2.4 miles downstream of John Day Dam to markers approximately 3,000 feet downstream of John Day Dam:**

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Salmon and steelhead:

(A) When open August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(B) Open June 16 through June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults ~~((salmon or))~~ including no more than 1 hatchery steelhead ~~((and 1 adult salmon))~~ may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(D) Open August 1 through August 31:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be Chinook and 1 hatchery steelhead may be retained.

(II) Release all salmon except Chinook and coho.

(E) September 1 through ~~((October))~~ September 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.

(II) Release all salmon and steelhead except Chinook and coho.

(F) September 16 through September 30: Closed.

(G) Open October ~~((16))~~ 1 through December 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except coho.

~~((G))~~ (H) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(I) April 1 through June 15: Closed.

(aa) **From markers approximately 3,000 feet downstream of John Day Dam to 400 feet below the fishway entrance:**

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

(ii) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(iii) Salmon and steelhead:

(A) When open August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(B) Open June 16 through June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults ~~((salmon or))~~ including no more than 1 hatchery steelhead ((and 1 adult salmon)) may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(D) Open August 1 through August 31:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be Chinook and 1 hatchery steelhead may be retained.

(II) Release all salmon except Chinook and coho.

(E) September 1 through ~~((October))~~ September 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.

(II) Release all salmon and steelhead except Chinook and coho.

(F) September 16 through September 30: Closed.

(G) Open October ((16)) 1 through December 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except coho.

~~((G))~~ (H) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(I) April 1 through June 15: Closed.

(bb) From 400 feet below the John Day Dam fishway entrance to the upstream line of John Day Dam: Closed waters.

(cc) From John Day Dam to a line from the grain elevators at Patterson Ferry Road on the Oregon shore, straight across to a marker on the Washington shore at the west end of the old concrete foundation:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Salmon and steelhead:

(A) When open August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(B) Open June 16 through June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults ~~((salmon or))~~ including no more than 1 hatchery steelhead ((and 1 adult salmon)) may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(D) Open August 1 through August 31:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be Chinook and 1 hatchery steelhead may be retained.

(II) Release all salmon except Chinook and coho.

(E) September 1 through ~~((October))~~ September 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.

(II) Release all salmon and steelhead except Chinook and coho.

(F) September 16 through September 30: Closed.

(G) Open October ((16)) 1 through December 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except coho.

~~((G))~~ (H) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(I) April 1 through June 15: Closed.

(dd) From a line from the grain elevators at Patterson Ferry Road on the Oregon shore, straight across to a marker on the Washington shore at the west end of the old concrete foundation to the Interstate 82/Highway 395 Bridge:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Salmon and steelhead:

(A) When open August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(B) Open June 16 through June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults ~~((salmon or))~~ including no more than 1 hatchery steelhead ~~((and 1 adult salmon))~~ may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(D) Open August 1 through August 31:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be Chinook and 1 hatchery steelhead may be retained.

(II) Release all salmon except Chinook and coho.

(E) September 1 through ~~((October))~~ September 15:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.

(II) Release all salmon and steelhead except Chinook and coho.

(F) September 16 through September 30: Closed.

(G) Open October ~~((16))~~ 1 through December 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Release all salmon and steelhead except coho.

~~((+G))~~ (H) Open January 1 through March 31:

(I) Daily limit 2 hatchery steelhead.

(II) Release all salmon.

(I) April 1 through June 15: Closed.

(ee) From the Interstate 82/Highway 395 Bridge to a red and white marker on the Oregon shore on a line that intersects the downstream end of the wingwall of the boat lock near the Washington shore:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Salmon and steelhead:

(A) When open August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

(B) Open June 16 through June 30:

(I) Daily limit 6; up to 1 hatchery steelhead may be retained.

(II) Release all salmon except hatchery jack Chinook.

(C) Open July 1 through July 31:

(I) Daily limit 6; up to 2 adults ~~((salmon or))~~ including no more than 1 hatchery steelhead ~~((and 1 adult salmon))~~ may be retained.

(II) Release all salmon except hatchery jack Chinook and sockeye.

(D) Open August 1 through August 31:

(I) Daily limit 6; up to 2 adult salmon of which 1 may be Chinook and 1 hatchery steelhead may be retained.

(II) Release all salmon except Chinook and coho.

(E) September 1 through ~~((October))~~ September 15:

- (I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.
- (II) Release all salmon and steelhead except Chinook and coho.
- (F) September 16 through September 30: Closed.
- (G) Open October (~~16~~) 1 through December 31:
- (I) Daily limit 6; up to 2 may be adults.
- (II) Release all salmon and steelhead except coho.
- (~~(G)~~) (H) Open January 1 through March 31:
- (I) Daily limit 2 hatchery steelhead.
- (II) Release all salmon.
- (I) April 1 through June 15: Closed.
- (ff) **From a line across the river from the red and white marker on the Oregon shore on a line that intersects the downstream end of the wingwall of the boat lock near the Washington shore to the upstream line of McNary Dam:** Closed waters.
- (gg) **From McNary Dam to Highway 730 at Washington/Oregon border:**
- (i) Game fish: Statewide minimum size/daily limit, except: Release all trout.
- (ii) Salmon and steelhead:
- (A) When open August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.
- (B) Open June 16 through June 30:
- (I) Daily limit 6; up to 1 hatchery steelhead may be retained.
- (II) Release all salmon except hatchery jack Chinook.
- (C) Open July 1 through July 31:
- (I) Daily limit 6; up to 2 adults (~~(salmon or)~~) including no more than 1 hatchery steelhead (and 1 adult salmon) may be retained.
- (II) Release all salmon except hatchery jack Chinook and sockeye.
- (D) Open August 1 through August 31:
- (I) Daily limit 6; up to 2 adult salmon of which 1 may be Chinook and 1 hatchery steelhead may be retained.
- (II) Release all salmon except Chinook and coho.
- (E) September 1 through (~~October~~) September 15:
- (I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.
- (II) Release all salmon and steelhead except Chinook and coho.
- (F) September 16 through September 30: Closed.
- (G) Open October (~~16~~) 1 through December 31:
- (I) Daily limit 6; up to 2 may be adults.
- (II) Release all salmon and steelhead except coho.
- (~~(G)~~) (H) Open January 1 through March 31:
- (I) Daily limit 2 hatchery steelhead.
- (II) Release all salmon.
- (I) April 1 through June 15: Closed.
- (hh) **From Highway 730 at Washington/Oregon border to the Highway 395 Bridge at Pasco:**
- (i) Game fish: Statewide minimum size/daily limit, except: Release all trout.
- (ii) Salmon and steelhead:
- (A) When open August 1 through October 15: Anti-snagging rule applies. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.
- (B) Open June 16 through June 30:
- (I) Daily limit 6; up to 1 hatchery steelhead may be retained.
- (II) Release all salmon except hatchery jack Chinook.
- (C) Open July 1 through July 31:

- (I) Daily limit 6; up to 2 adults (~~(salmon or)~~) including no more than 1 hatchery steelhead (~~(and 1 adult salmon)~~) may be retained.
- (II) Release all salmon except hatchery jack Chinook and sockeye.
- (D) Open August 1 through August 31:
- (I) Daily limit 6; up to 2 adult salmon of which 1 may be Chinook and 1 hatchery steelhead may be retained.
- (II) Release all salmon except Chinook and coho.
- (E) September 1 through (~~October~~) September 15:
- (I) Daily limit 6; up to 2 adult salmon of which 1 may be a Chinook may be retained.
- (II) Release all salmon and steelhead except Chinook and coho.
- (F) September 16 through September 30: Closed.
- (G) Open October (~~(16)~~) 1 through December 31:
- (I) Daily limit 6; up to 2 may be adults.
- (II) Release all salmon and steelhead except coho.
- (~~(G)~~) (H) January 1 through June 15: Closed.
- (ii) From the Highway 395 Bridge at Pasco to Columbia Point (1/3 mile downstream of the Interstate 182 Bridge):**
- (i) Game fish: Statewide minimum size/daily limit, except: Release all trout.
- (ii) Steelhead: Closed to fishing for or retaining.
- (iii) Salmon: Open September (~~(1)~~) 15 through October 31: Daily limit 6; up to 1 adult salmon may be retained. Release all salmon except Chinook and coho.
- (jj) Within a 400 foot radius of the Columbia Irrigation District (CID) fish barrier at the mouth of the CID wasteway at Columbia Park: Closed waters.**
- (kk) From Columbia Point (1/3 mile downstream of the Interstate 182 Bridge) to the Interstate 182 Bridge:**
- (i) Game fish: Statewide minimum size/daily limit, except: Release all trout.
- (ii) Steelhead: Closed to fishing for or retaining.
- (iii) Salmon:
- (A) Open July 1 through July 15:
- (I) Daily limit 6; up to (~~(2)~~) 4 may be adults; up to 1 may be an adult hatchery Chinook. Release wild adult Chinook.
- (II) Richland/Benton County side of river. Bank fishing only. Hand-casted lines from shore only.
- (B) Open September (~~(1)~~) 15 through October 31: Daily limit 6; up to 1 adult salmon may be retained. Release all salmon except Chinook and coho.
- (ll) From the Interstate 182 Bridge to a line between the Snyder Boat Launch and the Selph Landing Boat Launch:**
- (i) Game fish: Statewide minimum size/daily limit, except: Release all trout.
- (ii) Steelhead: Open October 1 through March 31: Daily limit 1. Steelhead must be both adipose fin clipped and ventral fin clipped to be retained.
- (iii) Salmon:
- (A) Open July 1 through August 15:
- (I) Daily limit 6 salmon; up to 4 may be adults; up to 1 may be an adult hatchery Chinook.
- (II) Release wild adult Chinook.
- (B) Open September 15 through December 31:
- (I) Daily limit 6; up to 1 may be an adult.
- (II) Release all salmon other than Chinook and coho.

(mm) From a line between the Snyder Boat Launch and the Selph Landing Boat Launch to WDFW markers 1/4 mile downstream from the South Columbia Basin Irrigation PE16.4 wasteway (Ringold wasteway) outlet:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Steelhead: Open October 1 through March 31: Daily limit 1. Steelhead must be both adipose fin clipped and ventral fin clipped to be retained.

(iii) Salmon:

(A) Open July 1 through August 15:

(I) Daily limit 6 salmon; up to ((2)) 4 may be adults; up to 1 may be an adult hatchery Chinook.

(II) Release wild adult Chinook.

(B) Open August 16 through December 31:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release all salmon other than Chinook and coho.

((mm)) (nn) West Branch Esquatzel Coulee Block 1 Irrigation Wasteway Lagoon in the Columbia River:

(i) September 1 through November 30: Closed waters.

(ii) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(iii) Steelhead: Closed to fishing for or retaining.

(iv) Salmon:

(A) Open July 1 through August 15:

(B) Daily limit 6 salmon; up to ((2)) 4 may be adults; up to 1 may be an adult hatchery Chinook.

(C) Release wild adult Chinook.

(v) Open August 16 through August 31:

(A) Daily limit 6; up to 1 may be an adult.

(B) Release all salmon except Chinook and coho.

((nn)) (oo) From WDFW markers 1/4 mile downstream from the South Columbia Basin Irrigation PE16.4 wasteway (Ringold wasteway) outlet to WDFW markers 1/2 mile upstream from Ringold Springs Hatchery Creek:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Steelhead:

(A) Open October 1 through March 31: Daily limit 1. Steelhead must be both adipose fin clipped and ventral fin clipped to be retained.

(B) Open April 1 through April 15: Daily limit 1. Steelhead must be both adipose fin clipped and ventral fin clipped to be retained. Open only to fishing from the bank on the hatchery side of the river.

(iii) Salmon:

(A) Open July 1 through August 15:

(I) Daily limit 6 salmon; up to ((2)) 4 may be adults; up to 1 may be an adult hatchery Chinook.

(II) Release wild adult Chinook.

(B) Open August 16 through December 31:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release all salmon other than Chinook and coho.

((oo)) (pp) Between the markers located 100 feet upstream and 100 feet downstream of the Ringold Springs Hatchery Creek, and extending 100 feet towards the middle of the river: Closed waters.

((pp)) (qq) From WDFW markers 1/2 mile upstream from Ringold Springs Hatchery Creek to the Old Hanford townsite powerline crossing:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Steelhead: Open October 1 through March 31: Daily limit 1. Steelhead must be both adipose fin clipped and ventral fin clipped to be retained.

(iii) Salmon:

(A) Open July 1 through August 15:

(I) Daily limit 6 salmon; up to ((2)) 4 may be adults; up to 1 may be an adult hatchery Chinook.

(II) Release wild adult Chinook.

(B) Open August 16 through December 31:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release all salmon other than Chinook and coho.

~~((qq))~~ **(rr) From the Old Hanford townsite powerline crossing to Vernita Bridge (Highway 24):**

(i) Open February 1 through October 15.

(ii) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(iii) Steelhead: Closed to fishing for or retaining.

(iv) Salmon:

(A) Open July 1 through August 15:

(I) Daily limit 6 salmon; up to ((2)) 4 may be adults; up to 1 may be an adult hatchery Chinook.

(II) Release wild adult Chinook.

(B) Open August 16 through October 15:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release all salmon other than Chinook and coho.

~~((rr))~~ **(ss) From Vernita Bridge (Highway 24) to 400 feet downstream of the Priest Rapids Hatchery outlet channel (Jackson Creek):**

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Steelhead: Closed to fishing for or retaining.

(iii) Salmon:

(A) Open July 1 through August 15:

(I) Daily limit 6 salmon; up to ((2)) 4 may be adults; up to 1 may be an adult hatchery Chinook.

(II) Release wild adult Chinook.

(B) Open August 16 through October 15:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release all salmon other than Chinook and coho.

~~((ss))~~ **(tt) From the marker 400 feet downstream of the mouth of the Priest Rapids Hatchery outlet channel (Jackson Creek) to boundary markers 650 feet below the fish ladders at Priest Rapids Dam:**

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Steelhead: Closed to fishing for or retaining.

(iii) Salmon:

(A) Open July 1 through August 15:

(I) Daily limit 6 salmon; up to ((2)) 4 may be adults; up to 1 may be an adult hatchery Chinook.

(II) Release wild adult Chinook.

(B) Open August 16 through October 15:

(I) Daily limit 6; up to 1 may be an adult.

(II) Release all salmon other than Chinook and coho.

~~((tt))~~ **(uu) At Priest Rapids Hatchery outlet channel (Jackson Creek) extending to midstream of the Columbia River between boundary**

markers located 400 feet downstream of outlet channel to 100 feet upstream: Closed waters.

~~((uu))~~ (vv) From boundary markers 650 feet below the fish ladders at Priest Rapids Dam to the upstream line of the dam: Closed waters.

~~((vv))~~ (ww) From Priest Rapids Dam to a line from boundary markers 750 feet downstream of the east fish ladder and 500 feet downstream of west fish ladder at Wanapum Dam:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Steelhead: Closed to fishing for or retaining.

(iii) Salmon:

(A) Open July 1 through August 31:

(I) Daily limit 6; up to 2 adult hatchery Chinook and up to 4 sockeye may be retained.

(II) Release coho and wild adult Chinook.

(B) Open September 1 through October 15: Daily limit 6 Chinook only; up to 2 adults may be retained. Release all other salmon.

~~((ww))~~ (xx) From a line from boundary markers 750 feet downstream of the east fish ladder and 500 feet downstream of the west fish ladder to the Wanapum Dam: Closed waters.

~~((xx))~~ (yy) From the Wanapum Dam to boundary markers 400 feet downstream of the fish ladders at Rock Island Dam:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Steelhead: Closed to fishing for or retaining.

(iii) Salmon:

(A) Open July 1 through August 31:

(I) Daily limit 6; up to 2 adult hatchery Chinook and up to 4 sockeye.

(II) Release coho and wild adult Chinook.

(B) Open September 1 through October 15: Daily limit 6 Chinook only; up to 2 adults may be retained. Release all other salmon.

~~((yy))~~ (zz) From the boundary markers 400 feet downstream of the fish ladders at Rock Island Dam to the upstream line of the dam: Closed waters.

~~((zz))~~ (aaa) From the upstream line of Rock Island Dam to boundary markers 400 feet downstream of the Rocky Reach Dam fish ladders:

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Steelhead: Closed to fishing for or retaining.

(iii) Salmon: Open July 1 through October 15:

(A) Daily limit 6; up to 2 adult hatchery Chinook and up to 4 sockeye.

(B) Release coho and wild adult Chinook.

~~((aaa))~~ (bbb) From boundary markers 400 feet downstream of the Rocky Reach Dam fish ladders to the upstream line of Rocky Reach Dam: Closed waters.

~~((bbb))~~ (ccc) From the upstream line of Rocky Reach Dam to boundary markers 400 feet downstream of the spawning channel discharge (on Chelan County side) and fish ladder at Wells Dam (on Douglas County side):

(i) Game fish: Statewide minimum size/daily limit, except: Release all trout.

(ii) Steelhead: Closed to fishing for or retaining.

(iii) Salmon: Open July 1 through October 15:

(A) Daily limit 6; up to 2 adult hatchery Chinook and up to 4 sockeye.

(B) Release coho and wild adult Chinook.

~~((eee))~~ **(ddd) From the boundary markers 400 feet downstream of the spawning channel discharge (on Chelan County side) and fish ladder at Wells Dam (on Douglas County side) to the upstream line of Wells Dam:** Closed waters.

~~((ddd))~~ **(eee) From Wells Dam to Highway 173 Bridge at Brewster:**

(i) Game fish: Statewide minimum size/daily limit, except: Hatchery trout: Open July 16 through August 15. Minimum size 12 inches. Daily limit 10. Barbless hooks required.

(ii) Steelhead: Closed to fishing for or retaining.

(iii) Salmon: Open July 16 through September 30:

(A) Daily limit 6; up to 2 adult hatchery Chinook and up to 4 sockeye.

(B) Release coho and wild adult Chinook.

~~((eee))~~ **(fff) From Highway 173 Bridge at Brewster to a line drawn between Gun Club Road in Douglas County and Pelican Point in Okanogan County:**

(i) Game fish: Statewide minimum size/daily limit, except: Hatchery trout: Open July 1 through August 15. Minimum 12 inches. Daily limit 10. Barbless hooks required.

(ii) Steelhead: Closed to fishing for or retaining.

(iii) Salmon: Open July 1 through October 15:

(A) Daily limit 4 sockeye only.

(B) Release all other salmon.

(ggg) From a line drawn between Gun Club Road in Douglas County and Pelican Point in Okanogan County to the Highway 17 Bridge:

(i) Game fish: Statewide minimum size/daily limit, except: Hatchery trout: Open July 1 through August 15. Minimum 12 inches. Daily limit 10. Barbless hooks required.

(ii) Steelhead: Closed to fishing for or retaining.

(iii) Salmon: Open July 1 through October 15:

(A) Daily limit 6; up to 2 adult hatchery Chinook and up to 4 sockeye.

(B) Release coho and wild adult Chinook.

~~((fff))~~ **(hhh) From the Highway 17 Bridge to the Corps of Engineers safety marker on the Douglas County shore to the rock jetty at the upstream shoreline of Foster Creek:**

(i) From the Okanogan County shore between Chief Joseph Dam and the Highway 17 Bridge: Closed waters.

(ii) From the Douglas County shore from Chief Joseph Dam to the rock jetty at the upstream shoreline of Foster Creek: Closed waters.

(iii) It is unlawful to fish from a floating device downstream of Chief Joseph Dam from the boundary marker to the Corps of Engineers safety zone marker.

(iv) Hatchery trout: Open July 1 through August 15. Minimum 12 inches. Daily limit 10. Barbless hooks required.

(v) Steelhead: Closed to fishing for or retaining.

(vi) Salmon: Open July 1 through October 15:

(A) Daily limit 6; up to 2 adult hatchery Chinook and up to 4 sockeye.

(B) Release coho and wild adult Chinook.

~~((ggg))~~ **(iii) Above Chief Joseph Dam:** See Rufus Woods Lake in WAC 220-312-050.

~~((hhh))~~ **(jjj) Above Grand Coulee Dam:** See Lake Roosevelt in WAC 220-312-050.

OTS-5380.1

AMENDATORY SECTION (Amending WSR 24-05-062, filed 2/20/24, effective 7/1/24)

- WAC 220-312-050 Freshwater exceptions to statewide rules—East-side.** (1) **Countywide freshwater exceptions to statewide rules:**
- (a) Irrigation canals, wasteways, drains and the inlets and outlets of all lakes, ponds, and reservoirs in Grant and Adams counties (except Crab Creek, Rocky Ford Creek and Ponds, Columbia Basin Hatchery Creek, Bobcat Creek, Coyote Creek, Frenchman Hills Wasteway and Drains, Hays Creek, Red Rock Creek, Sand Hollow Creek, and Lake Lenore inlet and outlet) are open year-round, statewide lake rules apply to all species.
- (b) In Adams, Douglas, Franklin, Grant, and Okanogan counties, except Zosel Dam (Okanogan River) and Enloe Dam (Similkameen River): It is permissible to fish up to the base of all dams.
- (2) **Aeneas Lake (Okanogan County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Fly fishing only.
- (c) It is unlawful to fish from a floating device equipped with a motor.
- (d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (3) **Ahtanum Creek (Yakima County):** Selective gear rules.
- (4) **Ahtanum Creek, North Fork (Yakima County):**
- (a) From the Grey Rock Trailhead Bridge crossing upstream to Shellneck Creek: Closed waters.
- (b) Selective gear rules.
- (5) **Ahtanum Creek, Middle Fork (Yakima County):**
- (a) From the A2000 Spur Road Bridge in NE 1/4 of Section 34 upstream to the A2800 Road Bridge at Tree Phones Campground: Closed waters.
- (b) Selective gear rules.
- (6) **Alta Lake (Okanogan County):** Open the fourth Saturday in April through October 31.
- (7) **Amber Lake (Spokane County):**
- (a) Selective gear rules.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) Open March 1 through November 30.
- (d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (8) **American River (Yakima County):**
- (a) Selective gear rules.
- (b) From the Highway 410 Bridge at river mile 5.4 to the Mesatchee Creek Trail crossing at river mile 15.8: Closed waters from July 16 through September 15.
- (9) **Amon Wasteway (Benton County):** Selective gear rules.
- (10) **Andrews Creek (tributary to Chewuch River) (Okanogan County):** From the mouth to the falls approximately 0.5 miles upstream: Closed waters.
- (11) **Asotin Creek, mainstem and forks (Asotin County):**
- (a) Closed waters:
- (i) South Fork from mouth upstream.

- (ii) North Fork from USFS border upstream.
- (b) Game fish: Statewide minimum length/daily limit, except: It is unlawful to fish for steelhead.
- (c) Selective gear rules.
- (12) **Aspen Lake (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (13) **Badger Lake (Spokane County)**: Open the fourth Saturday in April through September 30.
- (14) **Banks Lake (Grant County)**:
 - (a) Chumming is permissible.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Crappie: Daily limit 10; minimum length 9 inches.
 - (ii) Yellow perch: Daily limit 25.
- (15) **Bayley Lake (Stevens County)**:
 - (a) Inlet stream: Closed waters.
 - (b) Open the fourth Saturday in April through October 31.
 - (c) Fly fishing only.
 - (d) It is unlawful to fish from a floating device equipped with a motor.
 - (e) Release all fish.
- (16) **Bear Creek (tributary to South Fork Tieton River) (Yakima County)**: From the mouth to the falls (approximately 0.75 mile): Closed waters.
- (17) **Bear Lake (Spokane County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (18) **Beaver Creek (tributary to Methow River) (Okanogan County)**: Closed waters.
- (19) **Beaver Lake (Big) (Okanogan County)**: Open the fourth Saturday in April through October 31.
- (20) **Beaver Lake, (Little)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (21) **Beda Lake (Grant County)**:
 - (a) Selective gear rules.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (22) **Beehive (Lake) Reservoir (Chelan County)**:
 - (a) Open the fourth Saturday in April through October 31.
 - (b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (23) **Beth Lake (Okanogan County)**: Open the fourth Saturday in April through October 31.
- (24) **Big Four Lake (Columbia County)**:
 - (a) Fly fishing only.
 - (b) It is unlawful to fish from any floating device.
 - (c) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (25) **Big Meadow Lake (Pend Oreille County)**:
 - (a) Open the fourth Saturday in April through October 31.
 - (b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
- (26) **Big Twin Lake (Okanogan County)**:
 - (a) Open the fourth Saturday in April through October 31.

(b) Selective gear rules.

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

(d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.

(27) **Blackbird Island Pond (Chelan County)**: Open July 1 through September 30 for juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(28) **Black Canyon Creek (tributary to Methow River) (Okanogan County)**: Closed waters.

(29) **Black Lake (Chelan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(30) **Black Lake (Okanogan County)**: Selective gear rules.

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

(32) **Blue Lake (Columbia County)**: It is unlawful to fish from any floating device.

(33) **Blue Lake (Grant County)**: Open the fourth Saturday in April through September 30.

(34) **Blue Lake (near Sinlahekin) (Okanogan County)**:

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

(b) Selective gear rules.

(c) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

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

(e) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.

(35) **Blue Lake (near Wannacut Lake) (Okanogan County)**:

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

(b) Selective gear rules.

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

(d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1, minimum length 18 inches.

(36) **Bobcat Creek and Ponds (Adams County)**: Open the fourth Saturday in April through September 30.

(37) **Bonaparte Creek (Okanogan County)**: From the mouth to the falls approximately river mile 1.0: Closed waters.

(38) **Bonaparte Lake (Okanogan County)**:

(a) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(39) **Boulder Creek and tributaries (Okanogan County)**: From the mouth to the barrier falls at river mile 1.0: Closed waters.

(40) **Box Canyon Creek and tributaries (Kittitas County)**: From mouth (Kachess Reservoir) upstream approximately 2 miles to the 20 foot high waterfall, including that portion of the creek that flows through the dry lake bed: Closed waters.

(41) **Browns Lake (Pend Oreille County)**:

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

(b) Fly fishing only.

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

- (42) **Bumping Lake (Reservoir) (Yakima County)**: Chumming is permissible.
- (43) **Buckskin Creek and tributaries (Yakima County)**: From the mouth to the west boundary of Suntides Golf Course: Closed waters.
- (44) **Bumping River (Yakima County)**:
- (a) It is permissible to fish up to the base of Bumping Dam.
 - (b) From the mouth to Bumping Reservoir; selective gear rules.
- (45) **Burke Lake (Grant County)**: Open March 1 through September 30.
- (46) **Buttermilk Creek (tributary to Twisp River) (Okanogan County), including tributaries**:
- (a) Open the Saturday before Memorial Day through August 15.
 - (b) Release all fish.
 - (c) Selective gear rules.
- (47) **Buzzard Lake (Okanogan County)**:
- (a) Open the fourth Saturday in April through October 31.
 - (b) Selective gear rules.
 - (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (48) **Caldwell Lake (Pend Oreille County)**:
- (a) Open the fourth Saturday in April through October 31.
 - (b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (49) **Caliche Lakes, Upper (Grant County)**: Open March 1 through September 30.
- (50) **Calispell Creek (Calispell River) (Pend Oreille County)**: From the mouth to Calispell Lake: Open year-round.
- (51) **Campbell Lake (Okanogan County)**:
- (a) Selective gear rules.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (52) **Carl's Lake (Pend Oreille County)**: Open the fourth Saturday in April through October 31.
- (53) **Cascade Lake (Grant County)**: Open March 1 through September 30.
- (54) **Cattail Lake (Grant County)**: Open the fourth Saturday in April through September 30.
- (55) **Cedar Creek (tributary to Early Winters Creek) (Okanogan County)**:
- (a) From the mouth to Cedar Falls:
 - (i) Open the Saturday before Memorial Day through August 15.
 - (ii) Selective gear rules.
 - (iii) Release all fish.
 - (b) From Cedar Falls upstream including tributaries: Selective gear rules.
- (56) **Cedar Lake (Stevens County)**: Open the fourth Saturday in April through October 31.
- (57) **Chain Lake (Pend Oreille County)**:
- (a) Open the fourth Saturday in April through October 31.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release kokanee.
- (58) **Chapman Lake (Spokane County)**:
- (a) Open the fourth Saturday in April through October 31.

- (b) Chumming is permissible.
- (59) **Chelan Hatchery Creek (Chelan County)**: Closed waters.
- (60) **Chelan Lake (Chelan County)**:
 - (a) Game fish: Statewide minimum length/daily limit, except:
 - (i) Release wild cutthroat trout.
 - (ii) Lake trout: No limit and no size restriction.
 - (b) Salmon: Daily limit 1; minimum length 15 inches.
 - (c) No catch record card required.
- (61) **Chelan Lake tributaries (Chelan County)**:
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release wild cutthroat trout.
- (62) **Chelan River (Chelan County)**: From the railroad bridge to the Chelan PUD safety barrier below the power house:
 - (a) Salmon: Open July 16 through October 15:
 - (i) Daily limit 6; up to 2 may be adult hatchery Chinook. Release sockeye, coho, and wild adult Chinook.
 - (ii) July 16 through October 15: Anti-snagging rule and night closure.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Release trout.
 - (ii) Steelhead: Closed to fishing.
 - (c) From the Chelan PUD safety barrier below the power house upstream to Chelan Lake: Closed waters.
- (63) **Chewuch River (Okanogan County)**:
 - (a) From the mouth to Eight Mile Creek:
 - (i) Open the Saturday before Memorial Day through August 15.
 - (ii) Selective gear rules.
 - (iii) Release all fish.
 - (b) From the mouth to Pasayten Wilderness boundary falls: Whitefish:
 - (i) Open December 1 through the last day in February for whitefish only.
 - (ii) Whitefish gear rules.
- (64) **Chiwaukum Creek (Chelan County)**:
 - (a) From the mouth to Fool Hen Creek, including Fool Hen Creek and tributaries: Closed waters.
 - (b) From Fool Hen Creek upstream and tributaries: Selective gear rules.
- (65) **Chiwawa River (Chelan County)**:
 - (a) From the mouth to Buck Creek and tributaries not including Buck Creek: Closed waters.
 - (b) From Buck Creek upstream and tributaries (including Buck Creek): Selective gear rules.
- (66) **Chopaka Lake (Okanogan County)**:
 - (a) Open the fourth Saturday in April through October 31.
 - (b) Fly fishing only.
 - (c) It is unlawful to fish from a floating device equipped with a motor.
 - (d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (67) **Chumstick Creek (Chelan County)**: Closed waters.
- (68) **Clear Lake (Chelan County)**:
 - (a) Open the fourth Saturday in April through October 31.
 - (b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

- (69) **Clear Lake (Spokane County)**: Open the fourth Saturday in April through October 31.
- (70) **Cle Elum Lake (Reservoir) (Kittitas County)**: Game fish: Statewide minimum length/daily limit, except: Kokanee: Daily limit 5; minimum length 9 inches and maximum length 15 inches.
- (71) **Cle Elum River (Kittitas County)**:
- (a) From the mouth to Cle Elum Dam:
 - (i) Open year-round.
 - (ii) Selective gear rules.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Release rainbow trout and cutthroat trout.
 - (iv) It is permissible to fish up to the base of Cle Elum Dam.
 - (v) Whitefish:
 - (A) Open December 1 through last day in February for whitefish only.
 - (B) Whitefish gear rules.
 - (b) From above Cle Elum Lake to outlet of Hyas Lake: Selective gear rules.
- (72) **Cliff Lake (Grant County)**: Open March 1 through September 30.
- (73) **Coffee Pot Lake (Lincoln County)**:
- (a) Open March 1 through September 30.
 - (b) Selective gear rules.
 - (c) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 1; minimum length 18 inches.
 - (ii) Crappie: Daily limit 10; minimum length 9 inches.
- (74) **Columbia Basin Hatchery Creek (Grant County)**:
- (a) Open April 1 through September 30 from the hatchery outflow to the confluence with Rocky Coulee Wasteway.
 - (b) Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (75) **Columbia Park Pond (Benton County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (76) **Colville River (Stevens County)**: From the mouth to bridge at the town of Valley including Meyers Falls Reservoir: Open year-round.
- (77) **Conconully Lake (Okanogan County)**: Open the fourth Saturday in April through October 31.
- (78) **Conconully Reservoir (Okanogan County)**: Open the fourth Saturday in April through October 31.
- (79) **Conger Pond (Pend Oreille County)**: Open the fourth Saturday in April through October 31.
- (80) **Conner Lake (Okanogan County)**:
- (a) Open the fourth Saturday in April through October 31.
 - (b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (81) **Cooper River (Kittitas County)**: From the mouth to Cooper Lake: Selective gear rules.
- (82) **Coot Lake (Grant County)**: Open the fourth Saturday in April through September 30.
- (83) **Corral Creek (Benton County)**: Selective gear rules.
- (84) **Cougar Lake (Pasayten Wilderness) (Okanogan County)**: Selective gear rules.
- (85) **Cougar Lake (near Winthrop) (Okanogan County)**:
- (a) Selective gear rules.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

- (c) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 2; minimum length 14 inches.
- (86) **Cowiche Creek (Yakima County):** Selective gear rules.
- (87) **Coyote Creek and Ponds (Adams County):** Open the fourth Saturday in April through September 30.
- (88) **Crab Creek (Adams/Grant/Lincoln counties):**
- (a) From the mouth to Morgan Lake Road: Open the Saturday before Memorial Day through September 30.
- (b) From Morgan Lake Road to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed waters.
- (c) From the confluence of the Moses Lake outlets to Sand Dunes Road including tributaries:
- (i) Open year-round.
- (ii) Statewide lake rules apply to all species, except:
- (A) Crappie: Minimum length 9 inches.
- (B) Crappie and bluegill: Combined limit of 25 fish.
- (C) Yellow perch: Daily limit 25 fish.
- (d) From the fountain buoy and shoreline markers of 150 feet down stream of the Alder Street fill to Grant County Road 7 NE:
- (i) Open year-round.
- (ii) Statewide lake rules apply to all species, except:
- (A) Crappie: Daily limit 10; minimum length 9 inches.
- (B) Bluegill: Daily limit 5; minimum length 8 inches.
- (C) Yellow perch: Daily limit 25.
- (e) From Grant County Road 7 NE upstream (including all tributaries, except Goose Creek in the city of Wilbur): Open year-round.
- (89) **Crawfish Lake (Okanogan County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) Game fish: Statewide minimum length/daily limit, except:
Eastern brook trout count as part of trout daily limit.
- (90) **Crescent Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (91) **Crystal Lake (Grant County):** Open March 1 through September 30.
- (92) **Cub Creek (tributary to Chewuch River) (Okanogan County):** From mouth upstream to West Chewuch Road Bridge: Closed waters.
- (93) **Cup Lake (Grant County):** Open March 1 through September 30.
- (94) **Curl Lake (Columbia County):**
- (a) Open the Saturday before Memorial Day through October 31.
- (b) It is unlawful to fish from any floating device.
- (95) **Davis Lake (Ferry County):** Open the fourth Saturday in April through October 31.
- (96) **Davis Lake (Okanogan County):**
- (a) Selective gear rules.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 2; minimum length 14 inches.
- (97) **Dayton Pond (Columbia County):** Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (98) **Deadman Lake (Adams County):** Open the fourth Saturday in April through September 30.
- (99) **Deep Creek (tributary to Bumping Lake) (Yakima County):** From the mouth to the waterfall approximately 0.33 mile above the second

bridge crossing on USFS Road 1808 (approximately 3.7 miles from the junction of USFS Roads 1800 and 1808): Closed waters.

(100) **Deep Lake (Grant County)**: Open the fourth Saturday in April through September 30.

(101) **Deep Lake (Stevens County)**: Open the fourth Saturday in April through October 31.

(102) **Deer Lake (Columbia County)**:

(a) Open March 1 through November 30.

(b) It is unlawful to fish from any floating device.

(103) **Deer (Deer Springs) Lake (Lincoln County)**: Open the fourth Saturday in April through September 30.

(104) **Deer Lake (Stevens County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Eastern brook trout count as part of trout daily limit.

(b) Lake trout: Daily limit 5, no more than 1 over 26 inches may be retained.

(105) **Delaney Springs (Grant County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(106) **De Roux Creek (Kittitas County)**: From the mouth to the USFS trail 1392 (De Roux Creek Trail) stream crossing (approximately 1 river mile): Closed waters.

(107) **Dog Creek (tributary to Chewuch) (Okanogan County)**: From mouth upstream to falls approximately 1.5 miles: Closed waters.

(108) **Domerie Creek (Kittitas County)**: Selective gear rules.

(109) **Downs Lake (Lincoln/Spokane counties)**:

(a) Open March 1 through September 30.

(b) Game fish: Statewide minimum length/daily limit, except: Crappie: Daily limit 10; minimum length 9 inches.

(110) **Dry Falls Lake (Grant County)**:

(a) Open March 1 through November 30.

(b) Selective gear rules.

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

(d) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(111) **Dune Lake (Grant County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(112) **Dusty Lake (Grant County)**:

(a) Open March 1 through November 30.

(b) Selective gear rules.

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

(d) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(113) **Eagle Creek (tributary to Twisp River) (Okanogan County)**: From mouth upstream to the falls approximately 0.5 miles: Closed waters.

(114) **Early Winters Creek (tributary to Methow River) (Okanogan County)**:

(a) From the mouth upstream to Forest Road 300: Closed waters.

(b) From Forest Road 300 upstream; including tributaries except Cedar Creek:

(i) Open the Saturday before Memorial Day through August 15.

(ii) Selective gear rules.

(iii) Release all fish.

(115) **Eightmile Creek (tributary to Chewuch River) (Okanogan County)**: From the mouth upstream to Forest Road 5130 Bridge: Closed waters.

(116) **Elbow Lake (Stevens County)**:

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

(b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(117) **Ell Lake (Okanogan County)**:

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

(b) Selective gear rules.

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

(118) **Eloika Lake (Spokane County)**: Game fish: Statewide minimum length/daily limit, except: Crappie: Daily limit 10; minimum length 9 inches.

(119) **Empire Lake (Ferry County)**:

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

(b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(120) **Entiat River (Chelan County)**:

(a) From mouth (railroad bridge) to the boundary marker/markers located approximately 1,500 feet upstream of the upper Roaring Creek Road Bridge (immediately downstream of the Entiat National Fish Hatchery):

(i) Salmon: Open from July 16 through September 30:

(A) Daily limit 6 Chinook salmon. Release all other salmon.

(B) Night closure.

(ii) Open December 1 through the last day in February for whitefish only.

(iii) Whitefish gear rules.

(b) From the boundary marker/markers located approximately 1,500 feet upstream of the upper Roaring Creek Road Bridge (immediately downstream of the Entiat National Fish Hatchery) to Entiat Falls:

(i) Whitefish:

(ii) Open December 1 through the last day in February for whitefish only.

(iii) Whitefish gear rules.

(c) Entiat River and all tributaries above Entiat Falls: Selective gear rules.

(121) **Ephrata Lake (Grant County)**: Closed waters.

(122) **Esquatzel Coulee (Franklin County)**: Open year-round.

(123) **Esquatzel Coulee, West Branch (Franklin County)**: Open year-round.

(124) **Falls Creek (tributary to Chewuch River) (Okanogan County)**: From mouth upstream to the falls approximately .15 miles: Closed waters.

(125) **Fan Lake (Pend Oreille County)**:

(a) Open the fourth Saturday in April through September 30.

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

(126) **Ferry Lake (Ferry County)**: It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(127) **Fiorito Lakes (Kittitas County)**: It is unlawful to fish from a floating device equipped with an internal combustion motor.

(128) **Fish Lake (Chelan County)**: Game fish: Statewide minimum length/daily limit, except: Yellow perch: Daily limit 25.

(129) **Fish Lake (Okanogan County)**: Open the fourth Saturday in April through October 31.

(130) **Fish Lake (Spokane County)**:

(a) Open the fourth Saturday in April through September 30.

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

(c) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(131) **Fishhook Pond (Walla Walla County)**: It is unlawful to fish from a floating device.

(132) **Fishtrap Lake (Lincoln/Spokane counties)**: Open the fourth Saturday in April through September 30.

(133) **Forde Lake (Okanogan County)**:

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

(b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(134) **Fourth of July Lake (Adams/Lincoln counties)**:

(a) Open the Friday after Thanksgiving through March 31.

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

(135) **Frank's Pond (Chelan County)**:

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

(b) Open to juvenile anglers only.

(136) **Frater Lake (Pend Oreille County)**: Open the fourth Saturday in April through October 31.

(137) **Frenchman Hills Wasteway and Drains (Grant County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(138) **Gadwall Lake (Grant County)**: Open the fourth Saturday in April through September 30.

(139) **Garfield Juvenile Pond (Whitman County)**: Open to juvenile anglers only.

(140) **Goat Creek (tributary to Methow River) (Okanogan County)**: Closed waters.

(141) **Gold Creek, Gold Creek Pond and outlet channel (tributary to Keechelus Lake)**: Including that portion of Gold Creek that flows through the dry Keechelus Reservoir lakebed: Closed waters.

(142) **Gold Creek (tributary to Methow River) (Okanogan County)**: Closed waters.

(143) **Goose Creek (Lincoln County), within the city limits of Wilbur**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(144) **Goose Lake, Lower (Grant County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Crappie: Daily limit 10; minimum length 9 inches.

(b) Bluegill: It is unlawful to retain more than 5 fish over 6 inches in length.

(145) **Grande Ronde River (Asotin County)**:

(a) From the mouth to County Road Bridge, about 2.5 miles upstream:

(i) Open year-round for game fish other than trout and steelhead.

(ii) From August 1 through April 15: Selective gear rules.

(iii) Trout: Open from the Saturday before Memorial Day through October 31.

(iv) Steelhead:

- (A) Open January 1 through April 15; daily limit 3 hatchery steelhead; minimum length 20 inches.
- (B) August 1 through December 31; release steelhead.
- (b) From the County Road Bridge upstream to the Oregon state line:
- (i) Open year-round for game fish other than trout and steelhead.
- (ii) From August 1 through April 15: Barbless hooks required.
- (iii) Trout: Open from the Saturday before Memorial Day through October 31.
- (iv) Steelhead: Open August 1 through April 15; daily limit 3 hatchery steelhead; minimum length 20 inches.
- (c) All tributaries: Closed waters.
- (146) **Green Lakes (Lower and Upper) (Okanogan County):**
- (a) Selective gear rules.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 2; minimum length 14 inches.
- (ii) Eastern brook trout count as part of trout daily limit.
- (147) **Grimes Lake (Douglas County):**
- (a) Open June 1 through August 31.
- (b) Selective gear rules.
- (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (d) Game fish: Statewide minimum length/daily limit, except:
- Trout: Daily limit 1; minimum length 18 inches.
- (148) **Halfmoon Lake (Adams County):** Open the fourth Saturday in April through September 30.
- (149) **Hampton Lakes (Lower and Upper) (Grant County):** Open the fourth Saturday in April through September 30.
- (150) **H and H Reservoir Number One (Pascal's Pond) (Chelan County):** Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (151) **Harris Lake (Grant County):**
- (a) Selective gear rules.
- (b) Game fish: Statewide minimum length/daily limit, except:
- Trout: Daily limit 1; minimum length 18 inches.
- (152) **Hatch Lake (Stevens County):** Open the Friday after Thanksgiving through March 31.
- (153) **Hays Creek and Ponds (Adams County):** Open the fourth Saturday in April through September 30.
- (154) **Headgate Pond (Asotin County):** Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (155) **Hen Lake (Grant County):** Open the fourth Saturday in April through September 30.
- (156) **Hog Canyon Creek (Spokane County):** From the mouth to Scroggie Road: Closed waters.
- (157) **Hog Canyon Lake (Spokane County):** Open the Friday after Thanksgiving through March 31.
- (158) **Homestead Lake (Grant County):**
- (a) Selective gear rules.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) Game fish: Statewide minimum length/daily limit, except:
- Trout: Daily limit 1; minimum length 18 inches.

- (159) **Hourglass Lake (Grant County)**: Open the fourth Saturday in April through September 30.
- (160) **Hutchinson Lake (Adams County)**: Open the fourth Saturday in April through September 30.
- (161) **I-82 Ponds, 1 through 7 (Yakima County)**: It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (162) **Icicle River and tributaries (Creek) (Chelan County)**:
- (a) From the mouth upstream 800 feet to posted signs: Closed waters.
- (b) From posted signs 800 feet upstream of the mouth to 500 feet below Leavenworth National Fish Hatchery: Closed waters.
- (c) From 500 feet below Leavenworth National Fish Hatchery to shoreline markers where Cyo Road would intersect the Icicle River at the Sleeping Lady Resort: Closed waters.
- (d) From shoreline markers where Cyo Road would intersect the Icicle River at the Sleeping Lady Resort to the Icicle Peshastin Irrigation District footbridge (approximately 750 feet upstream of the "Snow Lakes Trailhead" parking lot): Closed waters.
- (e) From the Icicle Irrigation Peshastin District footbridge upstream, and tributaries: Selective gear rules.
- (163) **Indian Creek (Yakima County)**: From the mouth to the waterfall approximately six miles upstream including that portion that flows through the dry lake bed of Rimrock Reservoir: Closed waters.
- (164) **Ingalls Creek (Chelan County)**: From the mouth to Alpine Lakes Wilderness boundary and tributaries: Closed waters.
- (165) **Jameson Lake (Douglas County)**: Open the fourth Saturday in April through October 31.
- (166) **Jasmine Creek (Okanogan County)**:
- (a) Open year-round to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (b) Game fish: Statewide minimum length/daily limit, except: Steelhead: Closed to fishing.
- (167) **Jefferson Park Pond (Walla Walla County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (168) **Jolanda, Lake (Chelan County)**: Closed waters.
- (169) **Kachess Lake (Reservoir) (Kittitas County)**:
- (a) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (b) Chumming is permissible.
- (170) **Kachess River (Kittitas County)**:
- (a) From Kachess Lake (Reservoir) upstream to the waterfall approximately 0.5 miles above Mineral Creek: Closed waters.
- (b) It is permissible to fish up to the base of Kachess Dam.
- (c) From the mouth to Kachess Dam: Selective gear rules.
- (171) **Keechelus Lake (Reservoir) (Kittitas County)**:
- (a) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (b) Chumming is permissible.
- (172) **Kettle Creek (tributary to American River) (Yakima County)**: Closed waters.
- (173) **Kettle River (Stevens County)**: From Barstow Bridge upstream:
- (a) Selective gear rules, except for juvenile anglers, from the Canadian border upstream to Highway 21 Bridge at Curlew.

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

(c) Game fish: Statewide minimum length/daily limit, except:
Trout: Minimum length 14 inches.

(d) Whitefish:

(i) Open December 1 through the last day in February for whitefish only.

(ii) Whitefish gear rules.

(174) **Kings Lake and tributaries (Pend Oreille County)**: Closed waters.

(175) **Kiwanis Pond (Kittitas County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(176) **Lake Creek (Okanogan County)**:

(a) From the mouth to Black Lake: Closed waters.

(b) From Black Lake to Three Prong Creek: Closed waters.

(177) **Ledbetter Lake (Pend Oreille County)**: Open the fourth Saturday in April through October 31.

(178) **Ledking Lake (Pend Oreille County)**: Open the fourth Saturday in April through October 31.

(179) **Leech Lake (Yakima County)**:

(a) Fly fishing only.

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

(c) Game fish: Statewide minimum length/daily limit, except:
Rainbow trout: Daily limit 1; minimum length 18 inches.

(180) **Lemna Lake (Grant County)**: Open the fourth Saturday in April through September 30.

(181) **Lenice Lake (Grant County)**:

(a) Open March 1 through November 30.

(b) Selective gear rules.

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

(d) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 1; minimum length 18 inches.

(182) **Lenore Lake (Grant County)**:

(a) The waters within a 200 yard radius of the trash rack leading to the irrigation pumping station (on the south end of the lake) and the area approximately 100 yards beyond the mouth of inlet stream to State Highway 17: Closed waters.

(b) Open March 1 through November 30.

(c) Selective gear rules.

(d) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 1; minimum length 18 inches.

(183) **Libby Creek (tributary to Methow River) (Okanogan County)**: Closed waters.

(184) **Liberty Lake (Spokane County)**: Open March 1 through October 31.

(185) **Lilly Lake (Chelan County)**:

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

(b) Game fish: Statewide minimum length/daily limit, except:
Eastern brook trout count as part of trout daily limit.

(186) **Lions Park Pond (Walla Walla County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(187) **Little Bridge Creek (tributary of Twisp River) (Okanogan County)**:

- (a) Open the Saturday before Memorial Day through August 15.
- (b) Release all fish.
- (c) Selective gear rules.

(188) **Little Falls Reservoir (Spokane River) (Lincoln County):** From Little Falls Dam to Long Lake Dam: Landlocked salmon rules.

(189) **Little Lost Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(190) **Little Naches River including tributaries (Yakima County):** Selective gear rules.

(191) **Little Pend Oreille River and tributaries (Stevens County):** Selective gear rules.

(192) **Little Spokane River and tributaries (Spokane County):**

(a) From the inlet of Chain Lake upstream 0.25 mile to the rail-road crossing culvert: Closed waters.

(b) From the SR 291 Bridge upstream:

(i) Open Saturday before Memorial Day through October 31.

(ii) Whitefish:

(A) Open December 1 through the last day in February for whitefish only.

(B) Whitefish gear rules.

(193) **Little Twin Lake (Okanogan County):**

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

(b) Selective gear rules.

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

(d) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 1; minimum length 18 inches.

(ii) Eastern brook trout count as part of trout daily limit.

(194) **Little Twin Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(195) **Little Wenatchee River (Chelan County):**

(a) From the mouth to USFS road 6700 Bridge and tributaries: Closed waters.

(b) From the USFS road 6700 Bridge upstream including tributaries: Selective gear rules.

(196) **Long Lake (Ferry County):**

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

(b) Fly fishing only.

(c) It is unlawful to use flies containing lead.

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

(197) **Long Lake (Okanogan County):** Open the fourth Saturday in April through October 31.

(198) **Long Lake (Lake Spokane) (Spokane County):** From Long Lake Dam to Nine Mile Dam, including Little Spokane River from the mouth to the SR 291 Bridge: Landlocked salmon rules.

(199) **Loon Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(200) **Lost Lake (Kittitas County):** Game fish: Statewide minimum length/daily limit, except: Rainbow trout: Daily limit 2; minimum length 14 inches.

(201) **Lost Lake (Okanogan County):**

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

(b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(c) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(202) **Lost River (tributary to Methow River) (Okanogan County):**

(a) From the mouth to the mouth of Monument Creek: Closed waters.

(b) From the mouth of Monument Creek including tributaries upstream to Deception Creek:

(i) Open the Saturday before Memorial Day through August 15.

(ii) Selective gear rules.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Minimum length 14 inches; daily limit 2.

(B) Dolly Varden/bull trout may be retained as part of trout daily limit.

(203) **Lyman Lake (Okanogan County):** Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(204) **Mad River (Chelan County):**

(a) From the mouth to Windy Creek, including Windy Creek and tributaries except Tillicum Creek: Closed waters.

(b) From Windy Creek upstream and tributaries: Selective gear rules.

(205) **Manastash Creek (Kittitas County):** Selective gear rules.

(206) **Marshall Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(207) **Martha Lake (Grant County):** Open March 1 through September 30.

(208) **Mary Ann Lake (Okanogan County):** Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(209) **Mattoon Lake (Kittitas County):** It is unlawful to fish from a floating device equipped with an internal combustion motor.

(210) **McCabe Pond (Kittitas County):** It is unlawful to fish from any floating device equipped with a motor.

(211) **McDowell Lake (Stevens County):**

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

(b) Fly fishing only.

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

(d) Release all fish.

(212) **McManaman Lake (Adams County):** Open the fourth Saturday in April through September 30.

(213) **Medical Lake (Spokane County):**

(a) Open March 1 through November 30.

(b) Selective gear rules.

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

(d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.

(214) **Medical Lake, West (Spokane County):** Open the fourth Saturday in April through September 30.

(215) **Mercer Creek (Kittitas County):** Selective gear rules.

(216) **Merry Lake (Grant County):**

(a) Open March 1 through November 30.

(b) Selective gear rules.

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

(d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.

(217) Methow River (Okanogan County):

- (a) From mouth to County Road 1535 (Burma Road) Bridge: Closed waters.
- (b) Tributaries from mouth to County Road 1535 (Burma Road) Bridge except Black Canyon Creek:
 - (i) Release all fish, except: Eastern brook trout: No minimum length/daily limit.
 - (ii) Steelhead: Closed to fishing.
- (c) From County Road 1535 (Burma Road) Bridge to Gold Creek:
 - (i) Open the Saturday before Memorial Day through September 15.
 - (ii) Selective gear rules.
 - (iii) Release all fish.
 - (iv) Steelhead: Closed to fishing.
- (d) All tributaries from the County Road 1535 (Burma Road) to Gold Creek except Gold Creek:
 - (i) Selective gear rules.
 - (ii) Release all fish, except: Eastern brook trout: No minimum length/daily limit.
 - (iii) Steelhead: Closed to fishing.
- (e) From Gold Creek to Foghorn Dam:
 - (i) Open the Saturday before Memorial Day through September 30.
 - (ii) Selective gear rules.
 - (iii) Release all fish.
 - (iv) Steelhead: Closed to fishing.
 - (v) Whitefish:
 - (A) Open December 1 through the last day in February for whitefish only.
 - (B) Whitefish gear rules.
- (f) Methow River tributaries from Gold Creek to Foghorn Dam; except Twisp River, Chewuch River, Libby Creek, and Beaver Creek:
 - (i) Release all fish, except: Eastern brook trout: No minimum length/daily limit.
 - (ii) Steelhead: Closed to fishing.
- (g) From Foghorn Dam to Weeman Bridge including tributaries:
 - (i) Open the Saturday before Memorial Day through August 15:
 - (A) Release all fish.
 - (B) Selective gear rules.
 - (C) Steelhead: Closed to fishing.
 - (ii) Whitefish:
 - (A) Open December 1 through the last day in February for Whitefish only.
 - (B) Whitefish gear rules.
- (h) From Weeman Bridge to the falls above Brush Creek: Whitefish:
 - (i) Open December 1 through the last day in February for whitefish only.
 - (ii) Whitefish gear rules.
- (i) Methow River tributaries from Weeman Bridge to the falls above Brush Creek; excluding Lost River, Goat Creek, Early Winters Creek, and Wolf Creek:
 - (i) Selective gear rules.
 - (ii) Release all fish.
 - (iii) Steelhead: Closed to fishing.

(218) Mill Creek (tributary to the Walla Walla River) (Walla Walla County):

- (a) From the mouth to Bennington Dam, including tributaries: Closed waters.

- (b) From Bennington Dam upstream excluding tributaries: Selective gear rules.
- (c) All tributaries upstream of Bennington Dam: Closed waters.
- (219) **Mineral Creek (tributary to upper Kachess River) (Kittitas County)**: From the mouth to the Wilderness Boundary: Closed waters.
- (220) **Molson Lake (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (221) **Monument Creek (Okanogan County), including tributaries**: Selective gear rules.
- (222) **Morgan Lake (Adams County)**: Open the fourth Saturday in April through September 30.
- (223) **Moses Lake (Grant County)**: Game fish: Statewide minimum length/daily limit, except:
- (a) Crappie: Daily limit 10; minimum length 9 inches.
 - (b) Bluegill: Daily limit 5; minimum length 8 inches.
 - (c) Yellow perch: Daily limit 25.
- (224) **Mud Lake (Yakima County)**:
- (a) Selective gear rules.
 - (b) It is unlawful to fish from a floating device equipped with a motor.
 - (c) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 1; minimum length 18 inches.
- (225) **Mudgett Lake (Stevens County)**: Open the fourth Saturday in April through October 31.
- (226) **Muskegon Lake (Pend Oreille County)**:
- (a) Open the fourth Saturday in April through October 31.
 - (b) Selective gear rules.
 - (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (d) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 2; minimum length 14 inches.
- (227) **Myron Lake (Yakima County)**:
- (a) Selective gear rules.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 2; minimum length 14 inches.
- (228) **Mystic Lake (Pend Oreille County)**: Open the fourth Saturday in April through October 31.
- (229) **Naches River (Yakima/Kittitas counties)**:
- (a) From the mouth to Little Naches River:
 - (i) Selective gear rules.
 - (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Release trout from the confluence with Tieton River to the confluence of the Little Naches River and Bumping River (origin of Naches River).
 - (b) From the mouth to the Tieton River:
 - (i) Whitefish: December 1 through the last day in February for whitefish only.
 - (ii) Whitefish gear rules.
- (230) **Naneum Creek and tributaries (Kittitas County)**: Selective gear rules.

(231) **Naneum Pond (Kittitas County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(232) **Napeequa River (Chelan County)**: From mouth to Twin Lakes Creek (including Twin Lakes Creek and all tributaries): Closed waters.

(233) **Nason Creek (Chelan County)**:

(a) From the mouth to Gaynor Falls and tributaries except White-pine Creek: Closed waters.

(b) From Gaynor Falls (approximately 0.7 miles upstream of White-pine Creek) upstream and tributaries: Selective gear rules.

(234) **Nile Creek and tributaries (Yakima County)**: Selective gear rules.

(235) **No Name Lake (Pend Oreille County)**: Open the fourth Saturday in April through October 31.

(236) **North Creek (tributary to Twisp River) (Okanogan County)**: From the mouth upstream to Twisp River Road Bridge: Closed waters.

(237) **North Elton Pond (Yakima County)**:

(a) Open the Friday after Thanksgiving through March 31.

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

(238) **North Potholes Reserve Ponds (Grant County)**: Open March 1 through the day before waterfowl season begins.

(239) **Nunnally Lake (Grant County)**:

(a) The outlet stream of Nunnally Lake is closed waters.

(b) Open March 1 through November 30.

(c) Selective gear rules.

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

(e) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.

(240) **Oak Creek and tributaries (Yakima County)**: Selective gear rules.

(241) **Okanogan River (Okanogan County)**:

(a) From the mouth to Highway 97 Bridge immediately upstream of the mouth:

~~((i) Salmon: Open July 1 through October 15:~~

~~(A) Daily limit 6; up to 2 adult hatchery Chinook and no more than 4 sockeye may be retained.~~

~~(B) Release coho and wild adult Chinook.~~

~~(ii) July 1 through October 15: Anti snagging rule and night closure.~~

~~(iii)) Game fish: Open year-round. Statewide minimum length/daily limit, except:~~

~~((A)) (i) Release trout.~~

~~((B)) (ii) Steelhead: Closed to fishing.~~

(b) From Highway 97 Bridge immediately upstream of the mouth to the highway bridge at Malott:

~~((i) Salmon: Open July 1 through September 15:~~

~~(A) Daily limit 6; up to 2 adult hatchery Chinook and no more than 4 sockeye may be retained.~~

~~(B) Release coho and wild adult Chinook.~~

~~(ii) July 1 through September 15: Anti snagging rule and night closure.~~

~~(iii)) Game fish: Open year-round. Statewide minimum length/daily limit, except:~~

~~((A)) (i) Release trout.~~

~~((B)) (ii) Steelhead: Closed to fishing.~~

- (c) From the highway bridge at Malott to the Highway 97 Bridge at Oroville:
- ~~((i) Salmon: Open July 1 through September 15:~~
 - ~~(A) Daily limit 6; up to 2 adult hatchery Chinook and no more than 4 sockeye may be retained.~~
 - ~~(B) Release coho and wild adult Chinook.~~
 - ~~(ii) July 1 through September 15: Anti-snagging rule and night closure.~~
 - ~~(iii)) Game fish: Open the Saturday before Memorial Day through September 15. Statewide minimum length/daily limit, except:~~
 - ~~((A)) (i) Release trout.~~
 - ~~((B)) (ii) Steelhead: Closed to fishing.~~
- (d) From the Highway 97 Bridge at Oroville upstream to the Zosel Dam: Closed waters.
- (e) All Okanogan River tributaries, except Salmon Creek, Jasmine Creek, Bonaparte Creek, and the Similkameen River:
- (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Release trout.
 - (B) Steelhead: Closed to fishing.
- (242) **Osoyoos Lake (Okanogan County):** Game fish: Statewide minimum length/daily limit, except:
- (a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.
 - (b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
 - (c) Channel catfish: Daily limit 10; no size restriction.
 - (d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- (243) **Palouse River (Whitman County):** From the mouth to the base of Palouse Falls:
- (a) Open year-round for game fish except trout and steelhead.
 - (b) Trout: Open the Saturday before Memorial Day through October 31.
 - (c) Steelhead:
 - (i) Open August 1 through April 15.
 - (ii) Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (d) It is permissible to fish with two poles so long as the angler possesses a valid two-pole endorsement, except for steelhead.
- (244) **Palouse River (Whitman County) mainstem above Palouse Falls and tributaries (Washington waters only), except Rock Creek and Hog Canyon Creek:** Open year-round.
- (245) **Pampa Pond (Whitman County):**
- (a) Open March 1 through September 30.
 - (b) It is unlawful to fish from any floating device.
- (246) **Park Lake (Grant County):** Open the fourth Saturday in April through September 30.
- (247) **Parker Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (248) **Pataha Creek (Garfield County):**
- (a) Within the city limits of Pomeroy: Open to juvenile anglers, senior angler, and anglers with a disability who possess a designated harvester companion card only.
 - (b) From the city limits of Pomeroy upstream: Selective gear rules.

- (249) **Pearrygin Lake (Okanogan County)**: Open the fourth Saturday in April through October 31.
- (250) **Pend Oreille River (Pend Oreille County)**:
- (a) Open year-round.
 - (b) Game fish: Statewide lake rules.
 - (c) All sloughs within the boundaries of the Kalispel Reservation, except Calispell Slough: Closed waters.
- (251) **Perch Lake (Grant County)**: Open the fourth Saturday in April through September 30.
- (252) **Peshastin Creek and all tributaries except Ingalls Creek (Chelan County)**: Closed waters.
- (253) **Petit Lake (Pend Oreille County)**:
- (a) Open the fourth Saturday in April through October 31.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (254) **Phalon Lake (Stevens County)**: Closed waters.
- (255) **Phillips Lake (Stevens County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (256) **Pierre Lake (Stevens County)**: It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
- (257) **Pillar Lake (Grant County)**: Open the fourth Saturday in April through September 30.
- (258) **Ping Pond (Oasis Park Pond) (Grant County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (259) **Pit Lake (Douglas County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (260) **Poacher Lake (Grant County)**: Open the fourth Saturday before April through September 30.
- (261) **Potholes Reservoir (Grant County)**: Game fish: Statewide minimum length/daily limit, except:
- (a) Crappie: Minimum length 9 inches.
 - (b) Crappie and bluegill: Combined limit of 25 fish.
 - (c) Yellow perch: Daily limit 25 fish.
- (262) **Potter's Pond (Stevens County)**: Open the fourth Saturday in April through October 31.
- (263) **Powerline Lake (Franklin County)**: Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (264) **Quail Lake (Adams County)**:
- (a) Fly fishing only.
 - (b) It is unlawful to fish from any floating device equipped with a motor.
 - (c) Release all fish.
- (265) **Quarry Pond (Walla Walla County)**: It is unlawful to fish from any floating device.
- (266) **Quincy Lake (Grant County)**: Open March 1 through September 30.
- (267) **Rainbow Lake (Columbia County)**:
- (a) Open March 1 through November 30.
 - (b) It is unlawful to fish from any floating device.
- (268) **Rat Lake (Okanogan County)**:
- (a) Selective gear rules.

- (b) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 2; minimum length 14 inches.
- (269) **Rattlesnake Creek and tributaries (Yakima County):**
(a) Selective gear rules.
(b) Release all fish.
- (270) **Red Rock Creek (Grant County):** Open the Saturday before Memorial Day through September 30.
- (271) **Reflection Pond (Okanogan County):**
(a) Open the fourth Saturday in April through October 31.
(b) Game fish: Statewide minimum length/daily limit, except:
Eastern brook trout count as part of trout daily limit.
- (272) **Renner Lake (Ferry County):**
(a) Open the fourth Saturday in April through October 31.
(b) Game fish: Statewide minimum length/daily limit, except:
Eastern brook trout count as part of trout daily limit.
- (273) **Rigley Lake (Stevens County):**
(a) Open the fourth Saturday in April through October 31.
(b) Selective gear rules.
(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(d) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 2, minimum length 14 inches.
- (274) **Rimrock Lake (Reservoir) (Yakima County):** Chumming is permissible.
- (275) **Ringold Springs Hatchery Creek (Franklin County):** Closed waters.
- (276) **Roaring Creek (Entiat River tributary) (Chelan County):** Closed waters.
- (277) **Rock Creek (Adams/Whitman counties):**
(a) From the mouth to the bridge on Jordan Knott Road at Revere:
(i) Selective gear rules.
(ii) Release all fish.
(b) From the bridge on Jordan Knott Road upstream: Open year-round.
- (278) **Rocky Ford Creek and Ponds (Grant County):**
(a) Open to fly fishing and fishing from the bank only (no wading).
(b) Release all fish.
- (279) **Rocky Lake (Stevens County):** Open the fourth Saturday in April through October 31.
- (280) **Roosevelt Lake (Grant/Ferry/Lincoln/Stevens counties):** Columbia River from Grand Coulee Dam to U.S. Canadian border including Hawk Creek downstream of the falls at Hawk Creek Campground, Spokane River from 400 feet downstream of Little Falls Dam, Kettle River downstream of Barstow Bridge, and Colville River downstream of S.R. 25 Bridge.
(a) The following areas are closed waters:
(i) From the Little Dalles power line crossing upstream approximately one mile to the marked rock point from March 1 through the Friday before Memorial Day.
(ii) Northport power line crossing upstream to the most upstream point of Steamboat Rock, from March 1 through the Friday before Memorial Day.
(iii) The Kettle River upstream to Barstow Bridge from March 1 through the Friday before Memorial Day.
(b) From Grand Coulee Dam to the Little Dalles power line crossing:

- (i) Game fish: Statewide minimum length/daily limit, except:
 - (A) Kokanee: Daily limit 6; no more than 2 with intact adipose fins.
 - (B) Trout (except kokanee): Daily limit 5; it is unlawful to retain trout with an intact adipose fin.
 - (C) Walleye: Daily limit 16 fish; no size restrictions.
- (ii) Salmon:
 - (A) Salmon count toward trout daily limit.
 - (B) No catch record card required.
- (c) From the Little Dalles power line crossing to the Canadian border:
 - (i) Game fish: Statewide minimum length/daily limit, except:
 - (A) Kokanee: Daily limit 6; no more than 2 with intact adipose fins.
 - (B) Trout (except kokanee): Daily limit 2; minimum size 18 inches.
 - (C) Walleye: Daily limit 16; no size restrictions.
 - (ii) Salmon:
 - (A) Salmon count toward trout daily limit.
 - (B) No catch record card required.
- (281) **Round Lake (Okanogan County)**: Open the fourth Saturday in April through October 31.
- (282) **Royal Lake (Adams County)**: Closed waters.
- (283) **Royal Slough (including Marsh Unit IV impoundments) (Adams County)**: Closed waters.
- (284) **Rufus Woods Lake (Douglas/Okanogan counties)**:
 - (a) From Grand Coulee Dam downstream to State Route 155 Bridge: Closed waters.
 - (b) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2.
 - (c) Sturgeon: Closed to fishing.
 - (d) A nonmember fishing permit issued by the Colville Tribes shall satisfy the license requirement of RCW 77.32.010 on the waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods.
 - (e) A Colville tribal member identification card satisfies the license requirement of RCW 77.32.010 on all waters of Lake Rufus Woods.
- (285) **Sacheen Lake (Pend Oreille County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (286) **Saddle Mountain Lake (Grant County)**: Closed waters.
- (287) **Sago Lake (Grant County)**: Open the fourth Saturday in April through September 30.
- (288) **Salmon Creek (Okanogan County)**:
 - (a) From the mouth to Conconully Reservoir:
 - (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Release trout other than eastern brook trout.
 - (B) Steelhead: Closed to fishing.
 - (b) From Conconully Reservoir upstream including tributaries: Selective gear rules.
- (289) **San Poil River (Ferry County)**:
 - (a) From the western shoreline at the mouth of the San Poil Arm (as marked by a regulatory buoy) directly eastward across the San Poil Arm to the eastern shoreline of the San Poil Arm (as marked by a regulatory buoy) upstream to the north shore of the outlet of French Johns

Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek:

(i) Game fish: Open year-round; statewide minimum length/daily limit, except:

(A) Open June 1 through January 31 for kokanee, smallmouth bass, trout, and walleye:

(I) Kokanee: Daily limit 2.

(II) Trout: Daily limit 5; it is unlawful to retain trout with an intact adipose fin.

(III) Walleye: Daily limit 16; no size restrictions.

(IV) Smallmouth bass: Daily limit 10; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(B) Largemouth bass: Daily limit 5; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Salmon: Open year-round:

(A) Salmon count toward trout daily limit.

(B) No catch record card required.

(iii) Carp: Open year-round.

(b) From the north shore of the outlet of French Johns Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek to approximately 5 miles upstream from the outlet of French Johns Lake, as marked by regulatory buoys:

(i) Game fish: Open year-round; statewide minimum length/daily limit, except:

(A) Kokanee: Unlawful to fish for or retain.

(B) Trout: Unlawful to fish for or retain.

(C) Open June 1 through January 31 for walleye and smallmouth bass:

(I) Walleye: Daily limit 16; no size restrictions.

(II) Smallmouth bass: Daily limit 10; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(D) Largemouth bass: Daily limit 5; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Salmon: Open year-round; landlocked salmon rules apply.

(iii) Carp: Open year-round; unlawful to fish for carp with bow and arrow.

(c) The waters from approximately 5 miles upstream from the outlet of French Johns Lake, as marked by regulatory buoys, to all waters north of the regulatory buoy line at or above 1,310 feet mean sea level elevation upstream to the northern reservation boundary are managed under the regulatory authority of the Colville Confederated Tribes.

(290) Sand Hollow Creek (Grant County) including tributaries:

From the mouth (State Route 243) upstream: Open the Saturday before Memorial Day through September 30.

(291) Sarg Hubbard Park Pond (Reflection Pond) (Yakima County):

Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(292) Schallow Pond (Okanogan County): Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(293) Sedge Lake (Grant County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(294) Shellneck Creek (Yakima County): Closed waters.

(295) **Sherman Creek (Ferry County) and tributaries:** From the hatchery boat dock to 400 feet upstream of hatchery water diversion dam: Closed waters.

(296) **Shiner Lake (Adams County):** Open the fourth Saturday in April through September 30.

(297) **Shoveler Lake (Grant County):** Open the fourth Saturday in April through September 30.

(298) **Silver Lake (Spokane County):** Game fish: Statewide minimum length/daily limit, except: Crappie: Daily limit 10; minimum length 9 inches.

(299) **Silver Nail Lake (Okanogan County):** Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(300) **Similkameen River (Okanogan County):**

(a) From Enloe Dam downstream 400 feet: Closed waters.

(b) From the mouth to Enloe Dam:

(i) Open July 1 through September 15.

(ii) ~~((Salmon: Daily limit 6; up to 2 adult hatchery Chinook and up to 4 sockeye may be retained. Release coho and wild adult Chinook:~~

~~(A) Anti-snagging rule.~~

~~(B) Night closure.~~

~~(v))~~ Game fish: Statewide minimum length/daily limit, except:

(A) Release trout.

(B) Steelhead: Closed to fishing.

~~((vi))~~ (iii) Whitefish:

(A) Open December 1 through the last day in February for whitefish only.

(B) Whitefish gear rules.

(c) From Enloe Dam to the Canadian border, including tributaries, except Sinlahekin Creek:

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

(ii) Whitefish:

(A) Open December 1 through the last day in February for whitefish only.

(B) Whitefish gear rules.

(301) **Sinlahekin Creek (Okanogan County):** From Palmer Lake to Cecile Creek Bridge:

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

(b) Selective gear rules.

(c) Whitefish:

(i) Open December 1 through the last day in February for whitefish only.

(ii) Whitefish gear rules.

(302) **Skookum Lake, North (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(303) **Skookum Lake, South (Pend Oreille County):**

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

(b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(304) **Snake River:**

(a) Tributaries except Palouse River, Tucannon River, Asotin Creek, and Grande Ronde River: Closed waters.

(b) Columbia River rules apply downstream of the Burbank-to-Pasco railroad bridge at Snake River mile 1.5.

(c) Within 400 feet of the base of any dam: Closed waters.

(d) Within a 400 foot radius around the fish ladder entrance at Lyons Ferry Hatchery: Closed waters.

(e) Within a 200 foot radius upstream of the fish ladder exit above Lower Granite Dam: Closed waters.

(f) Within an area 1,200 feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and 100 feet out into the river from the south river bank: Closed waters.

(g) Game fish: Open year-round; statewide minimum length/daily limit, except:

(i) Trout: Open the Saturday before Memorial Day through October 31.

(ii) Steelhead:

(A) Open July 1 through August 31; catch and release only. Barbless hooks required.

(B) Open September 1 through March 31; Daily limit 3 hatchery steelhead; barbless hooks required.

(C) April 1 through June 30; closed to fishing.

(305) **Snipe Lake (Grant County)**: Open the fourth Saturday in April through September 30.

(306) **Snipes Creek (Benton County)**: Selective gear rules.

(307) **South Columbia Basin Irrigation PE16.4 spillway at the Ringold Springs access downstream 400' towards the Columbia River. (46°30'20.0"N 119°15'28.7"W) (Franklin County)**: Closed waters.

(308) **Spectacle Lake (Okanogan County)**: Open April 1 through September 30.

(309) **Spokane River (Spokane County)**: From Nine Mile Dam upstream to the Idaho/Washington state line:

(a) Selective gear rules.

(b) Open the Saturday before Memorial Day through March 15.

(c) Game fish: Release all fish, except: Hatchery rainbow trout: Daily limit 2.

(310) **Sprague Lake (Adams/Lincoln counties)**:

(a) The following waters are closed waters:

(i) Cow Creek.

(ii) The marsh at the southwest end of the lake from the lakeside edge of the reeds, including Cow Creek, to Danekas Road.

(iii) The small bay at the southeast end of the lake.

(b) All other waters southwest of the southwest tip of Harper Island: Closed from October 1 through April 30.

(c) Game fish: Statewide minimum length/daily limit except:

(i) Crappie: Minimum length 9 inches.

(ii) Crappie and bluegill: Combined limit of 25 fish.

(311) **Spring Creek (Benton County)**: Selective gear rules.

(312) **Spring Hill Reservoir (Black Lake, Lower Wheeler Reservoir) (Chelan County)**:

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

(b) Selective gear rules.

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

(d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1, minimum length 18 inches.

(313) **Spring Lake (Columbia County)**: It is unlawful to fish from any floating device.

(314) **Spring Lakes (Upper and Lower) (Grant County)**: Open March 1 through September 30.

(315) **Springdale Pond (Lucky Duck Pond) (Stevens County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

- (316) **Spruce Creek (tributary to South Fork Tieton River) (Yakima County)**: Closed waters.
- (317) **Starvation Lake (Stevens County)**: Open the fourth Saturday in April through October 31.
- (318) **Starzman Lakes (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (319) **Stehekin River (Chelan County)**: From the mouth (Powerline crossing) upstream and tributaries:
- (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release wild cutthroat.
- (320) **Stratford/Brook Lake (Grant County)**: Open March 1 through September 30.
- (321) **Sugarloaf Lake (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (322) **Sullivan Creek and tributaries (Pend Oreille County)**:
- (a) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout.
 - (b) Selective gear rules.
- (323) **Sullivan Lake (Pend Oreille County)**: Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (324) **Summit Lake (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (325) **Summit Lake (Stevens County)**: Open the fourth Saturday in April through October 31.
- (326) **Swan Lake (Ferry County)**: It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
- (327) **Swauk Creek and tributaries (Kittitas County)**: Selective gear rules.
- (328) **Taneum Creek and tributaries (Kittitas County)**: Selective gear rules.
- (329) **Teal Lakes (North and South) (Grant/Adams counties)**: Open the fourth Saturday in April through September 30.
- (330) **Teaway River (Kittitas County), and tributaries except North Fork**: Selective gear rules.
- (331) **Teaway River, North Fork (Kittitas County)**:
- (a) From the mouth to Beverly Creek and tributaries; including Beverly Creek:
 - (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Release trout.
 - (b) From Beverly Creek to the impassable waterfall at the end of USFS Road 9737: Closed waters.
- (332) **Tern Lake (Grant County)**:
- (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (333) **Thirtymile Creek (tributary to Chewuch River) (Okanogan County)**: From mouth upstream to falls (approximately 700 feet): Closed waters.
- (334) **Tieton River (Yakima County)**:

- (a) It is permissible to fish up to the base of Tieton (Rimrock) Dam.
- (b) Selective gear rules apply.
- (335) Tieton River, North Fork (Yakima County):**
- (a) From mouth to USFS Road 740 Bridge:
- (i) Open the Saturday before Memorial Day through August 15.
- (ii) Selective gear rules.
- (b) The Clear Lake spillway channel: Closed waters.
- (c) From the USFS Road 740 Bridge to Clear Lake Dam: Closed waters.
- (d) The mainstem and tributaries including that portion of the river that flows through the dry lakebed of Rimrock Reservoir, upstream of Clear Lake:
- (i) Open the Saturday before Memorial Day through August 15.
- (ii) Selective gear rules.
- (336) Tieton River, South Fork (Yakima County):** From the bridge on USFS Road 1200 to bridge on USFS road 1070: Closed waters.
- (337) Tillicum Creek (tributary to Mad River) (Chelan River):**
- (a) From mouth to the intersection of USFS 5800 and USFS 5808: Closed waters.
- (b) From the intersection of USFS 5800 and USFS 5808 upstream (upstream 2.25 miles) including tributaries: Selective gear rules.
- (338) Touchet River and tributaries (Columbia/Walla Walla counties):**
- (a) From the mouth to the confluence of the North and South Forks:
- (i) All tributaries: Closed waters.
- (ii) Game fish: Open the Saturday before Memorial Day through April 15; statewide minimum length/daily limit, except:
- (A) November 1 through April 15: Release all fish except steelhead.
- (B) August 1 through April 15: Hatchery steelhead daily limit 3, barbless hooks required.
- (b) From the confluence of the North and South Forks upstream including both forks, Robinson Fork, and Wolf Fork:
- (i) All other tributaries: Closed waters.
- (ii) Open the Saturday before Memorial Day through August 31.
- (iii) Selective gear rules.
- (339) Trout Lake (Ferry County):** Open the fourth Saturday in April through October 31.
- (340) Tucannon River (Columbia County):**
- (a) All tributaries are closed waters, except Pataha Creek.
- (b) Mouth upstream to Tucannon Hatchery Road Bridge:
- (c) Game fish: Open the Saturday before Memorial Day through April 15; statewide minimum length/daily limit, except:
- (i) November 1 through April 15: Release all fish except steelhead.
- (ii) August 1 through April 15: Hatchery steelhead daily limit 3, barbless hooks required.
- (d) Tucannon Hatchery Bridge to 500 feet above intake for Rainbow Lake: Closed waters.
- (e) 500 feet above intake for Rainbow Lake to Cow Camp Bridge:
- (i) Open the Saturday before Memorial Day through August 31.
- (ii) Selective gear rules.
- (f) Cow Camp Bridge upstream: Closed waters.
- (341) Tucqala Lake (Kittitas County):**
- (a) Open the Saturday before Memorial Day through October 31.

(b) Statewide stream rules apply.

(342) **Twentymile Creek (tributary to Chewuch River) (Okanogan County)**: From the mouth upstream to falls (approximately 0.75 miles): Closed waters.

(343) **Twin Lakes, tributaries, and Twin Lakes Creek (outlet stream) to the confluence with the Napeequa River (Chelan County)**: Closed waters.

(344) **Twisp River (Okanogan County)**:

(a) Mouth to War Creek:

(i) Open the Saturday before Memorial Day through August 15.

(ii) Selective gear rules.

(iii) Release all fish.

(b) Twisp River tributaries from War Creek upstream except North Creek and North Fork Twisp River:

(i) Selective gear rules.

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

(iii) Release all fish.

(c) From War Creek upstream: Closed waters.

(345) **Twisp River, North Fork (Okanogan County)**: From mouth to falls including tributaries: Closed waters.

(346) **Umtanum Creek (Kittitas County)**: Selective gear rules.

(347) **Union Creek (Yakima County)**: From the mouth to the falls: Closed waters.

(348) **Upper Wheeler Reservoir (Chelan County)**:

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

(b) Fly fishing only.

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

(d) Release all fish.

(349) **Vic Meyers (Rainbow) Lake (Grant County)**:

(a) Open the fourth Saturday in April through September 30.

(b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(350) **Walla Walla River (Walla Walla County)**: From mouth to Washington/Oregon stateline:

(a) All tributaries except Touchet River and Mill Creek: Closed waters.

(b) Game fish: Open year-round; statewide minimum length/daily limit, except for trout and steelhead:

(i) Trout: Open the Saturday before Memorial day through October 31; statewide minimum length/daily limit.

(ii) Steelhead:

(A) Open the Saturday before Memorial Day through July 31; daily limit 2 hatchery steelhead.

(B) Open August 1 through April 15; daily limit 3 hatchery steelhead, barbless hooks required.

(351) **Wannacut Lake (Okanogan County)**: Open the fourth Saturday in April through October 31.

(352) **Wapato Lake (Chelan County)**: Open the fourth Saturday in April through October 31.

(353) **Ward Lake (Ferry County)**:

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

(b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(354) **Warden Lake (Grant County)**: Open the fourth Saturday in April through September 30.

- (355) **Warden Lake, South (Grant County):** Open the fourth Saturday in April through September 30.
- (356) **Washburn Island Pond (Okanogan County):**
- (a) Open April 1 through September 30.
 - (b) An internal combustion motor may be attached to a floating device, but cannot be used.
- (357) **Washburn Lake (Okanogan County):**
- (a) Open the fourth Saturday in April through October 31.
 - (b) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
 - (c) Selective gear rules.
 - (d) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (358) **Watson Lake (Columbia County):**
- (a) Open March 1 through November 30.
 - (b) It is unlawful to fish from any floating device.
- (359) **Wenaha River tributaries:**
- (a) Open the Saturday before Memorial Day through August 31.
 - (b) Selective gear rules.
- (360) **Wenas Creek (Yakima County):** From the mouth to Wenas Lake, including tributaries: Selective gear rules.
- (361) **Wenatchee Lake (Chelan County):**
- (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Release trout.
 - (ii) Steelhead: Closed to fishing.
 - (iii) Kokanee: Closed to fishing.
- (362) **Wenatchee River (Chelan County):**
- (a) From the mouth to the Icicle Road Bridge:
 - (i) Game fish: Closed to fishing.
 - (ii) Salmon: Open August 1 through September 30:
 - (A) Daily limit 6; up to 2 adult hatchery Chinook may be retained.
 - (B) Release sockeye, coho, and wild adult Chinook.
 - (iii) Night closure.
 - (iv) Selective gear rules, except bait allowed.
 - (b) From Icicle Road Bridge upstream to Lake Wenatchee: Closed waters.
- (363) **Whitepine Creek (Chelan County):** From the mouth to Whitepine Creek Falls (1 mile upstream of mouth) and tributaries: Closed waters.
- (364) **White River (Chelan County):** From the mouth to White River Falls and tributaries, except Napeequa River: Closed waters.
- (365) **Widgeon Lake (Grant County):** Open the fourth Saturday in April through September 30.
- (366) **Williams Lake (Spokane County):** Open the fourth Saturday in April through September 30.
- (367) **Williams Lake (Stevens County):** Open the Friday after Thanksgiving through March 31.
- (368) **Wilson Creek (Kittitas County):** From BNSF railroad bridge upstream: Selective gear rules.
- (369) **Winchester Wasteway (Grant County) (that portion within the Winchester Game Reserve):** Open March 1 through September 30.
- (370) **Wolf Creek (Methow River tributary) (Okanogan County):** Closed waters.
- (371) **Yakima River (Yakima County):**
- (a) Downstream of Highway 240 Bridge: Columbia River rules apply.

(b) From the Highway 240 Bridge to 400 feet downstream of the Horn Rapids (Wanawish) Dam:

(i) Open March 1 through October 31.

(ii) Chumming is permissible.

(iii) Game fish: Statewide minimum size/daily limit, except: Release trout.

(iv) Barbless hooks required for salmon and steelhead.

(v) Salmon: Open September ((±)) 15 through ((~~October 31~~)) November 15.

(A) Daily limit 6; up to 2 adults may be retained.

(B) Release all salmon other than Chinook and coho.

(C) Night closure.

(c) From 400 feet downstream of the Horn Rapids (Wanawish) Dam to the dam: Closed waters.

(d) From the Horn Rapids (Wanawish) Dam to 200 feet downstream of the USBR Chandler Powerhouse:

(i) Open March 1 through October 31.

(ii) Chumming is permissible.

(iii) Game fish: Statewide minimum size/daily limit, except: Release trout.

(iv) Barbless hooks required for salmon and steelhead.

(v) Salmon: Open September ((±)) 15 through ((~~October 31~~)) November 15.

(A) Daily limit 6; up to 2 adults may be retained.

(B) Release all salmon other than Chinook and coho.

(C) Night closure.

(e) From 200 feet downstream of the USBR Chandler Powerhouse to 200 feet upstream of the Chandler Powerhouse:

(i) Open March 1 through August 31.

(ii) Chumming is permissible.

(iii) Game fish: Statewide minimum size/daily limit, except: Release trout.

(iv) Barbless hooks required for steelhead.

(v) September 1 through October 31: Closed waters.

(f) From 200 feet upstream of the Chandler Powerhouse to the downstream side of the westbound I-82 Bridge in Prosser:

(i) Open March 1 through October 31.

(ii) Chumming is permissible.

(iii) Game fish: Statewide minimum size/daily limit, except: Release trout.

(iv) Barbless hooks required for salmon and steelhead.

(v) Salmon: Open September ((±)) 15 through ((~~October 31~~)) November 15.

(A) Daily limit 6; up to 2 adults may be retained.

(B) Release all salmon other than Chinook and coho.

(C) Night closure.

(g) From the downstream side of the westbound I-82 Bridge in Prosser to the Grant Avenue Bridge in Prosser:

(i) Open March 1 through October 31.

(ii) Chumming is permissible.

(iii) Fishing from a floating device is prohibited September ((±)) 15 through ((~~October 31~~)) November 15.

(iv) Game fish: Statewide minimum size/daily limit, except: Release trout.

(v) Barbless hooks required for salmon and steelhead.

(vi) Salmon: Open September ((±)) 15 through ((~~October 31~~)) November 15.

- (A) Daily limit 6; up to 2 adults may be retained.
- (B) Release all salmon other than Chinook and coho.
- (C) Night closure.
- (h) From Grant Avenue Bridge to Prosser Dam: Closed waters.
- (i) From Prosser Dam to Highway 223 Bridge:
 - (i) Open March 1 through October 31.
 - (ii) Game fish: Statewide minimum size/daily limit, except: Release trout.
 - (iii) Barbless hooks required for steelhead.
- (j) From Highway 223 Bridge to 400 feet below the Sunnyside (Parker) Dam:
 - (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Trout: Minimum length 14 inches.
 - (iii) Whitefish:
 - (A) Open December 1 through the last day in February for whitefish only.
 - (B) Whitefish gear rules.
- (k) From 400 feet below the Sunnyside (Parker) Dam to the dam: Closed waters.
 - (l) From the Sunnyside (Parker) Dam to the Yakima Avenue-Terrace Heights Bridge:
 - (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Trout: Minimum length 14 inches.
 - (iii) Whitefish:
 - (A) Open December 1 through the last day in February for whitefish only.
 - (B) Whitefish gear rules.
 - (m) From Yakima Avenue-Terrace Heights Bridge upstream 400 feet: Closed waters.
 - (n) From 400 feet upstream of the Yakima Avenue-Terrace Heights Bridge to 3,500 feet below Roza Dam:
 - (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Trout: Minimum length 14 inches.
 - (iii) Whitefish:
 - (A) Open December 1 through the last day in February for whitefish only.
 - (B) Whitefish gear rules.
 - (o) From 3,500 feet below Roza Dam to Roza Dam: Closed waters.
 - (p) From Roza Dam to the U.S. Bureau of Reclamation restricted area signs: Open year-round.
 - (i) Selective gear rules.
 - (ii) Internal combustion motors are prohibited.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Release trout.
 - (iv) Whitefish: December 1 through the last day in February: Whitefish gear rules.
 - (q) From the U.S. Bureau of Reclamation restricted area signs to the boat launch ramp on the Roza Access Area (approximately 1.3 river miles): Open year-round.
 - (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Release trout.
 - (iii) Whitefish: December 1 through the last day in February: Whitefish gear rules.

(r) From the boat launch ramp on the Roza Access Area (approximately 1.3 river miles) to 400 feet below Easton Dam; including the portion of Wilson Creek from the mouth upstream to the BNSF railroad bridge: Open year-round.

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Release trout.

(iii) Whitefish: December 1 through the last day in February: Whitefish gear rules.

(s) From 400 feet below Easton Dam to the dam: Closed waters.

(t) From Easton Dam to the base of Keechelus Dam including Easton Lake:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Release rainbow and cutthroat trout.

(372) **Yakima Sportsmen's Park Ponds (Yakima County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(373) **Yocum Lake (Pend Oreille County)**:

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

(b) It is unlawful to use lead weights or lead jigs that measure 1.5 inches or less along the longest axis.

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

OTS-5360.6

AMENDATORY SECTION (Amending WSR 23-13-072, filed 6/14/23, effective 7/15/23)

WAC 220-313-060 Puget Sound salmon—Saltwater seasons and daily limits. (1) It is unlawful to fish for or possess salmon taken by angling for personal use except from the following Puget Sound areas and during the seasons, in the quantities, and for the species designated in this section, and in the sizes as defined in WAC 220-313-010. An area is open when a daily limit is provided. Puget Sound waters west of the mouth of the Sekiu River are managed concurrent with ocean waters under WAC 220-313-070.

(2) **Catch Record Card Area 5:**

(a) May 1 through June 30: Closed.

(b) Open July 1 through August 15:

(i) Daily limit 2 salmon; up to 1 may be a Chinook.

(ii) Release chum, sockeye, wild Chinook and wild coho.

(c) Open August 16 through September (~~30~~) 26:

(i) Daily limit 2 salmon.

(ii) Release chum, Chinook, sockeye, and wild coho.

(d) (~~October 1~~) Open September 27 through October 15:

(i) Daily limit 2 salmon.

(ii) Release chum, sockeye, and Chinook.

(e) October 16 through March 31: Closed.

(f) Open April 1 through April 30:

(i) Daily limit 2 salmon; up to 1 may be a Chinook.

- (ii) Release chum, coho, sockeye, and wild Chinook.
- (3) **Catch Record Card Area 6:**
 - (a) May 1 through June 30: Closed.
 - (b) Open July 1 through August 15:
 - (i) Daily limit 2 salmon.
 - (ii) Release chum, sockeye, wild Chinook and wild coho.
 - (iii) Waters east of a true north-south line through the Number 2 Buoy immediately east of Ediz Hook: Release all Chinook.
 - (c) Waters of Port Angeles Harbor west of a line from the tip of Ediz Hook to the ITT Rayonier Dock: Closed July 1 through August 15.
 - (d) Open August 16 through September (~~30~~) 26:
 - (i) Daily limit 2 salmon.
 - (ii) Release chum, sockeye, Chinook and wild coho.
 - (e) Open (~~October 1~~) September 27 through October 15:
 - (i) Daily limit 2 salmon.
 - (ii) Release chum, sockeye, and Chinook.
 - (f) October 16 through April 30: Closed except in Dungeness Bay as described in this section.
 - (g) Waters of Dungeness Bay inside a line from Dungeness Spit Lighthouse to the Number 2 Red Buoy, and then to the Port Williams Boat Ramp are closed except:
 - (i) Open October 1 through October 31.
 - (ii) Daily limit 2 hatchery coho only.
 - (4) **Catch Record Card Area 7:**
 - (a) May 1 through July (~~12~~) 17: Closed.
 - (b) Open July (~~13~~) 18 through July (~~15~~) 20:
 - (i) Daily limit 2 salmon; up to 1 may be a hatchery Chinook.
 - (ii) Release chum, sockeye, wild coho, and wild Chinook.
 - (c) Waters of Rosario Strait and Eastern Strait of Juan de Fuca closure area described in WAC 220-313-020(7): Closed to salmon fishing July 1 through September 30.
 - (d) July (~~16~~) 21 through July 31: Closed.
 - (e) Open August 1 through August 31:
 - (i) Daily limit 2 salmon.
 - (ii) Release chum, sockeye, Chinook, and wild coho.
 - (f) Open September 1 through September (~~30~~) 29:
 - (i) Daily limit 2 salmon (~~up to 1 may be a coho~~).
 - (ii) Release chum, sockeye, and Chinook.
 - (g) Lummi Bay: Waters east of a line from Gooseberry Point to Sandy Point: Closed (~~the Tuesday after Labor Day through September 30~~).
 - (h) (~~October 1~~) September 30 through April 30: Closed.
 - (i) Closed to salmon fishing in Samish Bay area described in WAC 220-313-020(7).
 - (j) Waters of Bellingham Bay described in WAC 220-313-020(1):
 - (i) July 1 through August 15: Closed.
 - (ii) Open August 16 through September 30: Daily limit 4 salmon.
 - (iii) October 1 through April 30: Closed.
 - (5) **Catch Record Card Area 8-1:**
 - (a) May 1 through July 31: Closed.
 - (b) Open August 1 through (~~September 30~~) October 13:
 - (i) Daily limit 2 salmon.
 - (ii) Release Chinook and chum.
 - (c) October (~~1~~) 14 through April 30: Closed.
 - (6) **Catch Record Card Area 8-2:**
 - (a) May 1 through July 31: Closed, except waters described in this subsection.

(b) Waters west of Tulalip Bay and within 2,000 feet of shore from the pilings at Old Bower's Resort to a fishing boundary marker approximately 1.4 miles northwest of Hermosa Point:

(i) Open May (~~(26)~~) 24 through September (~~(4)~~) 2; only from Friday through 11:59 a.m. the following Monday of each week. Daily limit 2 salmon.

(ii) Open September (~~(9)~~) 7 through September (~~(24)~~) 22; only from Saturdays through Sundays of each week. Daily limit 2 salmon.

(c) Open August 1 through September 24:

(i) Daily limit 2 salmon (~~(; up to 1 may be a coho)~~).

(ii) Release chum and Chinook.

(d) September 25 through April 30: Closed.

(7) **Catch Record Card Area 9:**

(a) May 1 through July (~~(12)~~) 17: Closed.

(b) Open July (~~(13)~~) 18 through July (~~(31, Thursdays through Saturdays only of each week)~~) 20:

(i) Daily limit 2 salmon; up to 1 may be a hatchery Chinook salmon.

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

(iii) Waters south of a line from Foulweather Bluff to Olele Point: Closed.

(c) Open August 1 through September (~~(17)~~) 23:

(i) Daily limit 2 salmon.

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

(d) Open September (~~(18)~~) 24 through September 30:

(i) Daily limit 2 salmon.

(ii) Release chum and Chinook.

(e) October 1 through April 30: Closed.

(f) Edmonds Fishing Pier:

(i) Open October 1 through July 31: Daily limit 2 salmon; up to 1 may be a Chinook salmon.

(ii) Open August 1 through September 30:

(A) Daily limit 2 salmon; up to 1 may be a Chinook salmon.

(B) Release chum.

(8) **Catch Record Card Area 10:**

(a) May 1 through May 31: Closed.

(b) Open June 1 through July (~~(12)~~) 17:

(i) Daily limit 2 salmon.

(ii) Release Chinook and chum.

(c) Open July (~~(13)~~) 18 through (~~(August 31)~~) July 20:

(i) Daily limit 2 salmon; up to 1 may be a hatchery Chinook.

(ii) Release chum and wild Chinook.

(d) July 21 through July 31: Closed.

(e) Open (~~(September)~~) August 1 through September 30:

(i) Daily limit 2 salmon.

(ii) Release Chinook and chum.

~~((e))~~ (f) Open October 1 through (~~(October 31)~~) November 15:

(i) Daily limit 2 salmon.

(ii) Release Chinook.

~~((f))~~ (g) November (~~(1)~~) 16 through (~~(the last day of February)~~) March 15: Closed.

~~((g))~~ (h) Open March (~~(1)~~) 16 through April (~~(15)~~) 30.

(i) Daily limit 2 salmon; up to 1 may be a hatchery Chinook.

(ii) Release chum and wild Chinook.

~~((h) April 16 through April 30: Closed.)~~

(i) Waters of Shilshole Bay southeast of a line from Meadow Point to West Point: Closed July 1 through August 31.

- (j) West Elliott Bay: Waters of Elliott Bay between a line from West Point to Alki Point and a line from Duwamish Head to Pier 91.
- (i) May 1 through May 31: Closed.
- (ii) Open June 1 through June 30:
 (A) Daily limit 2 salmon.
 (B) Release Chinook and chum.
- (iii) July 1 through August ((17)) 31: Closed.
- (iv) Open ((August 18)) September 1 through September 30:
 (A) Daily limit 2 salmon.
 (B) Release Chinook and chum.
- (v) Open October 1 through ((October 31)) November 15:
 (A) Daily limit 2 salmon.
 (B) Release Chinook.
- (vi) November ((1)) 16 through ((the last day of February)) March 15: Closed.
- (vii) Open March ((1)) 16 through April ((15)) 30:
 (A) Daily limit 2 salmon; up to 1 may be a Chinook.
 (B) Release chum and wild Chinook.
- ((viii) April 16 through April 30: Closed.)
- (k) East Elliott Bay: Waters of Elliott Bay between a line from Duwamish Head to Pier 91 up to the mouth of the Duwamish River including Harbor Island (Duwamish Waterways).
- (i) May 1 through May 31: Closed.
- (ii) Open June 1 through June 30:
 (A) Daily limit 2 salmon.
 (B) Release Chinook and chum.
- (iii) July 1 through August ((3)) 1: Closed.
- (iv) Open August ((4)) 2 through August ((7)) 5 at 11:59 a.m. Daily limit 2 salmon. Release chum.
- (v) August ((7)) 5 at 12:00 p.m. through August ((17)) 31: Closed.
- (vi) Open ((August 18)) September 1 through September 30:
 (A) Daily limit 2 salmon.
 (B) Release Chinook and chum.
- (vii) Open October 1 through ((October 31)) November 15:
 (A) Daily limit 2 salmon.
 (B) Release Chinook.
- (viii) November ((1)) 16 through ((the last day in February)) March 15: Closed.
- (ix) Open March ((1)) 16 through April ((15)) 30:
 (A) Daily limit 2 salmon; up to 1 may be a Chinook.
 (B) Release chum and wild Chinook.
- ((x) April 16 through April 30: Closed.)
- (l) Waters of Sinclair Inlet and Port Orchard south of the Manette Bridge in Bremerton, south of a line true west from Battle Point, and west of a line drawn true south from Point White:
- (i) May 1 through May 31: Closed.
- (ii) Open June 1 through July 15:
 (A) Daily limit 2 salmon.
 (B) Release Chinook and chum.
- (iii) Open July 16 through September 30:
 (A) Daily limit 3 salmon.
 (B) Release chum and wild Chinook.
- (iv) Open October 1 through ((October 31)) November 15:
 (A) Daily limit 2 salmon.
 (B) Release Chinook.

- (v) November ~~((1))~~ 16 through ~~((the last day of February))~~ March 15: Closed.
- (vi) Open March ~~((1))~~ 16 through April ~~((15))~~ 30:
 (A) Daily limit 2 salmon; up to 1 may be a Chinook.
 (B) Release wild Chinook.
- ~~((vii) April 16 through April 30: Closed.))~~
- (m) Waters of Agate Pass west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point: Fly fishing only, lead core lines prohibited, and catch and release from January 1 through March 31. April 1 through April 30: Closed.
- (n) Elliott Bay Fishing Pier at Terminal 86, Seacrest Pier, Watterman Pier, Bremerton Boardwalk, and Illahee State Park Pier, open year-round: Daily limit 2 salmon; up to 1 may be a Chinook salmon. Release chum.
- (o) Duwamish Waterway downstream from an east-west line projected through southernmost tip of Harbor Island to a line extending from Jack Block Park through the northernmost tip of Harbor Island extending to shore northeast of the North Waterway (47°35.47'N, 122°20.58'W), from July 1 through ~~((October 31))~~ November 15 night closure, anti-snagging rule, and only fish hooked inside the mouth may be retained.
- ~~((Free-flowing freshwaters are closed))~~ All waters within channels created by exposed tidelands are closed to fishing downstream of the mouth at Gorst Creek, Blackjack Creek, Chico Creek, Curley Creek, Grovers Creek from July 1 through December 31.
- (9) **Catch Record Card Area 11:**
- (a) May 1 through May 31: Closed.
- (b) Open June 1 through ~~((September))~~ June 30: Open ~~((Thursdays through Sundays))~~ Wednesdays through Saturdays only.
 (i) Daily limit 2 salmon; up to 1 may be a hatchery Chinook.
 (ii) Release chum and wild Chinook.
- (c) July 1 through July 17: Closed.
- (d) Open July 18 through July 20:
 (i) Daily limit 2 salmon; up to 1 may be a hatchery Chinook.
 (ii) Release chum and wild Chinook.
- (e) July 21 through July 31: Closed.
- (f) Open August 1 through September 30:
 (i) Daily limit 2 salmon.
 (ii) Release chum and wild Chinook.
- (g) Open October 1 through ~~((October 31))~~ November 15:
 (i) Daily limit 2 salmon.
 (ii) Release Chinook.
- ~~((d))~~ (h) November ~~((1))~~ 16 through ~~((the last day of February))~~ March 15: Closed.
- ~~((e))~~ (i) Open March ~~((1))~~ 16 through April ~~((15))~~ 30:
 (i) Daily limit 2 salmon.
 (ii) Release chum and wild Chinook.
- ~~((f) April 16 through April 30: Closed.~~
- ~~((g))~~ (j) Waters of Commencement Bay east of a line from the Cliff House Restaurant to the Sperry Ocean Dock:
 (i) June 1 through July 31: Closed.
 (ii) Open August 1 through September 30:
 (A) Daily limit 2 salmon ~~((; up to 1 may be a hatchery Chinook))~~.
 (B) Release chum and wild Chinook.
 (C) Open Thursdays through Sundays only.
 (iii) Open October 1 through October 31:
 (A) Daily limit 2 salmon.

(B) Release Chinook.

(iv) November 1 through ~~((the last day of February))~~ April 30: Closed.

~~((v) Open March 1 through April 15:~~

~~(A) Daily limit 2 salmon; up to 1 may be a Chinook.~~

~~(B) Release coho, chum, and wild Chinook.~~

~~(vi) April 16 through April 30: Closed.~~

~~(h) Dash Point Dock,))~~ (k) Les Davis Pier, Des Moines Pier, Redondo Pier, and Point Defiance Boathouse Dock: Open year-round. Daily limit 2 salmon; up to 1 may be a Chinook salmon. Release chum.

(10) **Catch Record Card Area 12:**

(a) May 1 through ~~((July 9))~~ June 30: Closed.

(b) In waters south of Ayock Point including waters within a 2,000-foot arc seaward of yellow buoys at the mouth of Finch Creek at Hoodsport Salmon Hatchery:

(i) Open July ~~((10))~~ 1 through September 30:

(A) Daily limit 4 salmon.

(B) Release chum and wild Chinook.

(ii) Open October 1 through October 15:

(A) Daily limit 4 salmon.

(B) Release chum and Chinook.

(iii) Open October 16 through October 31:

(A) Daily limit 4 salmon.

(B) Release Chinook.

(iv) Open November 1 through November 30:

(A) Daily limit 4 salmon.

(B) Release Chinook and coho.

(v) December 1 through April 30: Closed.

(vi) Waters within a 2,000-foot arc seaward of yellow buoys at the mouth of Finch Creek at Hoodsport Salmon Hatchery: It is unlawful to fish for or possess salmon taken from these waters from one hour after sunset to one hour before sunrise.

(vii) Those waters of Hood Canal inshore of the 2 yellow buoy markers to the mouth of Finch Creek, waters within the channel created by Finch Creek on exposed tideland and fishing from any Hoodsport Hatchery structure are closed except to persons with disabilities who permanently use a wheelchair and who have a designated harvester card may fish from the ADA-access site at the Hoodsport Salmon Hatchery, as long as persons follow all applicable department rules.

(c) In waters north of Ayock Point:

~~(i) ((Open July 10 through July 31:~~

~~(A) Daily limit 4 salmon.~~

~~(B) Release chum and Chinook.~~

~~(C) No bait allowed, 1 single-point barbless hook measuring 1/2 inch or less from point to shank.))~~ July 1 through July 31: Closed.

(ii) Open August 1 through September 30:

(A) Daily limit 4 salmon.

(B) Release chum and Chinook.

(iii) Open October 1 through October 15:

(A) Daily limit 4 salmon.

(B) Release chum and Chinook.

(iv) Open October 16 through October 31:

(A) Daily limit 4 salmon.

(B) Release Chinook.

(v) Open November 1 through November 30:

(A) Daily limit 4 salmon.

(B) Release Chinook and coho.

(vi) December 1 through April 30: Closed.

(vii) Waters north of a line true east from Broad Spit (Tarboo Bay): September 16 through December 31: Closed.

(d) July 1 through October 15: Free-flowing freshwater is closed to all fishing downstream of the mouth of the Dewatto, Dosewallips, Duckabush, Hamma Hamma, and Skokomish rivers.

(11) **Catch Record Card Area 13:**

(a) Open May 1 through June 30:

(i) Daily limit 2 salmon.

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

(b) Open July 1 through September 30:

(i) Daily limit 2 salmon.

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

(iii) Chinook minimum length 20 inches.

(c) Open October 1 through April 30:

(i) Daily limit 2 salmon.

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

(d) (~~Waters at the mouth of Minter Creek within 1,000 feet of the outer oyster stakes: April 16 through September 15: Closed.~~) All waters within channels created by exposed tidelands at the mouth of Minter Creek are closed to fishing.

(e) Waters of Budd Inlet south of the Fourth Avenue Bridge: Closed.

(f) Contiguous waters north of the Fourth Avenue Bridge and south of a line from the northwest corner of the Thriftway Market building and a point 100 yards north of the railroad bridge adjacent to the Fourth Avenue Bridge on the western shore: July 16 through October 31: Closed.

(g) Waters north of the Thriftway Market-railroad bridge line and south of a line projected due west from the KGY radio tower: July 16 through October 31: Night closure and anti-snagging rule.

(h) Fox Island Public Fishing Pier:

(i) Open May 1 through June 30: Daily limit 2 salmon; up to 1 may be a Chinook salmon. Release chum.

(ii) Open July 1 through September 30:

(A) Daily limit 2 salmon; up to 1 may be a Chinook salmon.

(B) Chinook minimum length 20 inches.

(C) Release chum.

(iii) Open October 1 through April 30: Daily limit 2 salmon; up to 1 may be a Chinook salmon. Release chum.

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

WSR 24-13-057

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed June 13, 2024, 11:08 a.m., effective July 14, 2024]

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

Purpose: The department of licensing (DOL) is considering rule making to provide clarity to real estate brokers concerning required documentation maintenance.

Citation of Rules Affected by this Order: Amending WAC 308-124C-105 Required records.

Statutory Authority for Adoption: RCW 18.85.041 Director—General powers and duties.

Adopted under notice filed as WSR 24-09-085 on April 17, 2024.

Changes Other than Editing from Proposed to Adopted Version: DOL accepted language suggestions submitted by Washington realtors. This was not a substantive change, but simply altered the location of the language to improve readability.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: June 13, 2024.

Ellis Starrett
Rules and Policy Manager

OTS-5230.2

AMENDATORY SECTION (Amending WSR 14-16-054, filed 7/29/14, effective 8/29/14)

WAC 308-124C-105 Required records. The designated broker is required to keep the following on behalf of the firm:

(1) Trust account records:

(a) Duplicate receipt book or cash receipts journal recording all receipts;

(b) Sequentially numbered, nonduplicative checks with check register, cash disbursements journal or check stubs;

(c) Validated duplicate bank deposit slips or daily verified bank deposit;

(d) Client's accounting ledger summarizing all moneys received and all moneys disbursed for each real estate or business opportunity transaction or each property management account, contract or mortgage collection account;

(e) In conjunction with (d) of this subsection, separate ledger sheets for each tenant (including security deposit), lessee, vendee or mortgagor; for automated systems, the ledger sheets may be a computer generated printout which contains required entries;

(f) Reconciled bank statements and canceled checks for all trust bank accounts.

(2) Other records:

(a) An accurate, up-to-date log of all agreements or contracts for brokerages services submitted by the firm's affiliated licensees.

(b) A legible copy of the transaction or contracts for brokerage services shall be retained in each participating real estate firm's files.

(c) A transaction folder containing all agreements, receipts, contracts, documents, leases, closing statements, broker price opinions, referral agreements, and material correspondence, for each real estate or business opportunity transaction, and for each rental, lease, contract or mortgage collection account.

(d) All required records shall be maintained at one location where the firm is licensed. This location may be the main or any branch office.

WSR 24-13-058
PERMANENT RULES
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed June 13, 2024, 12:24 p.m., effective July 14, 2024]

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

Purpose: This WAC is to update the public records rules for the Washington state criminal justice training commission to match current practices. It also updates the waiver of copying fees, record index location, and how to perform inspections of the record index if in person.

Citation of Rules Affected by this Order: Amending 4.

Statutory Authority for Adoption: RCW 42.56.040 and 43.101.080.

Adopted under notice filed as WSR 24-10-074 on April 29, 2024.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 4, Repealed 0.

Date Adopted: June 13, 2024.

Lacey Ledford
 Rules Coordinator

OTS-5383.2

AMENDATORY SECTION (Amending WSR 22-19-001, filed 9/7/22, effective 10/8/22)

WAC 139-02-021 Definitions. The definitions set forth in RCW 42.56.010 apply throughout this chapter. In addition, the definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) **Commercial purposes** means a business activity by any form of business enterprise intended to generate revenue or financial benefit.

(2) **Customary business hours** refers to Burien administrative office hours (~~which are 8:00 a.m. to 5:00 p.m., Monday through Friday~~) as provided on the commission's website at cjtc.wa.gov, excluding holidays and days the commission is closed.

(3) **Electronic format** or **electronic records** or **electronic records format** refer to digital records as distinct from paper; examples include email, Word or Excel documents, PDF, or media files.

(4) **Executive director** means the executive director of the Washington state criminal justice training commission.

(5) **Page** means one impression/image on a single side of a stand-ard 8" x 11" sheet of paper. It also applies to one electronic image of a single side of a sheet of paper. For example, the commission con-siders a physical sheet of paper with an impression/image on both sides as two pages.

(6) **Public Records Act** means the same as chapter 42.56 RCW.

(7) **Public records officer** means the public records officer or designee for the commission appointed by the executive director.

(8) **Request** or **public records request** means a public records re-quest made pursuant to chapter 42.56 RCW.

AMENDATORY SECTION (Amending WSR 22-19-001, filed 9/7/22, effective 10/8/22)

WAC 139-02-050 Availability of public records. (1) **Hours for inspection of records.** Public records are available for inspection and copying by appointment, per WAC 139-02-090(9), during ((normal)) cus-tomary business hours of the commission (~~(; 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays and days the campus is closed)~~). Records must be inspected at the Burien campus of the com-mission.

(2) **Records index.**

(a) The commission shall have available to all persons (~~(at its offices in Burien)~~) on its website a current index which provides identifying information as to the following records:

(i) ~~((All))~~ No historical index exists for records issued before July 1, 1990 (~~(, for which the commission has maintained an index)~~);

(ii) Final orders entered after June 30, 1990, that are issued in adjunctive proceedings as defined in RCW 34.05.010(1) and contain an analysis or decision of substantial importance to the commission in carrying out its duties;

(iii) Declaratory orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240 and contain an analysis or decision of substantial importance to the commission in carrying out its du-ties;

(iv) Interpretive statements as defined in RCW 34.05.010(8) that were entered after June 30, 1990;

(v) Policy statements as defined in RCW 34.05.010(14) that were entered after June 30, 1990; and

(vi) Meeting minutes of the governing body of commission.

(b) The system of indexing shall be as follows:

(i) The indexing system shall be administered by the commission's public records officer (~~(and shall be located at the Burien campus)~~).

(ii) ~~((Copies of))~~ The record indexes shall be available under the public record section on the commission's website for public in-spection and copying (~~(in the same manner provided for the inspection and copying of public records)~~).

(iii) The public records officer shall establish and maintain a separate index for each item (~~(contained in (a)(i) through (vi))~~) of this subsection as follows:

(A) All final orders and declaratory orders determined by the commission to contain analyses or decisions of substantial importance to the commission shall be listed alphabetically by the titles of the hearing or controversy and shall contain a phrase describing the im-portant issue or issues.

(B) Interpretive statements and policy statements shall be indexed by the applicable program.

(C) The meeting minutes of the governing body of the commission shall be indexed chronologically.

(iv) The public records officer shall update all indexes at least once a year and shall revise such indexes when deemed necessary.

(3) Organization and protection of records.

(a) The commission maintains its records in a reasonably organized manner and takes reasonable actions to protect records from damage and disorganization. If commission records are maintained in a digital format, they will be provided digitally in response to a public records request. If records are maintained and inspected on paper, a requestor may ask for copies.

(b) Records will be made available to the requestor for inspection subject to the following restrictions:

(i) Only the public records officer or designee will remove records from the designated inspection area.

(ii) The quantity of records may be limited in accordance with the available space.

(iii) All possible care shall be taken by the requestor to prevent damage to the records.

(iv) Records shall not be marked, altered, cut or mutilated in any way.

(v) During inspection, eating, drinking, and smoking are prohibited.

(vi) Records shall not be defaced in any way including writing on, folding or folding anew if in folded form, tracing or fastening with clips or other fasteners except those that already exist in the file.

(vii) Records must be kept in the order in which received.

(viii) Commission personnel will provide all requested copies of records.

(ix) The public records officer or designee will remove the records from the inspection area when no longer required by the requestor and no later than the end of the customary business hours.

(c) Records may be available on the commission website at cjtc.wa.gov. Requestors are encouraged to view the documents available on the website prior to submitting a records request.

(4) Making a request for public records.

(a) Any person wishing to inspect or obtain copies of public records of the commission shall make the request in writing using the commission public record request website, by letter, or email addressed to the public records officer. Each request should include the following information:

((•)) (i) Name of requestor;

((•)) (ii) Address of requestor;

((•)) (iii) The calendar date of the request;

(iv) Other contact information, including telephone number and/or an email address; and

((•)) (v) Identification or description of the public records adequate for the public records officer or designee to locate the records.

(b) Communications seeking commission records sent or provided to unauthorized locations, addresses or staff, will not be accepted or processed as public records request. Any such communication will be processed as general informal inquiries, general correspondence, general requests for information, or discovery as appropriate. The re-

requestor may resubmit his/her request to the public records officer or designee at the Burien office during customary business hours.

(c) If the requestor wishes to have copies of the records made instead of inspecting them, the request should so indicate. Costs will be assessed in compliance with WAC 139-02-070.

(d) If requestors wish to inspect rather than obtain copies of records, they must indicate this preference in their requests and the requestor must follow the rules of requesting to inspect public records provided in WAC 139-02-090(~~(+6)~~) (9).

AMENDATORY SECTION (Amending WSR 22-19-001, filed 9/7/22, effective 10/8/22)

WAC 139-02-070 Costs for providing copies of public records.

(1) The following copy fees and payment procedures apply to requests to the agency under chapter 42.56 RCW.

(2) **Actual costs.** Pursuant to RCW 42.56.120 (2)(b), the agency is not calculating all actual costs for copying records because to do so would be unduly burdensome for the following reasons:

(a) The agency 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 agency 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).

(3) There is no fee charged for inspecting public records.

(4) **Costs for paper copies.** The agency will charge for copies of paper records pursuant to the fees in RCW 42.56.120 (2)(b) and (c) for each request.

(a) Before beginning to make copies for each request, the public records officer or designee may estimate costs of copying the records and may require a deposit of up to 10 percent of all the records selected by the requestor.

(b) The public records officer or designee may require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment.

(c) The commission shall not charge sales tax when it makes copies of public records.

(5) **Costs for electronic records.** Electronic copies of records for each request shall be charged as follows pursuant to the fees in RCW 42.56.120 (2)(b) and (c), which includes:

(a) Charge for scanned records or for use of agency equipment for scanning.

(b) Charge for each four electronic files or attachments uploaded to email, or cloud-based data storage service, or other means of electronic delivery.

(c) Charge per gigabyte for records transmitted in an electronic format or for use of agency equipment to send records electronically.

(d) Actual costs of any digital storage media or devices provided by the agency.

(e) Actual costs of a "customized service charge" when the request would require the use of information technology expertise to

prepare data compilations or when such customized access services are not used by the agency for other business purposes.

(i) The agency will notify the requestor and take other steps if it will be doing a customized service charge.

(ii) The public records officer or designee may require a deposit of up to 10 percent of the estimated costs of copying all the records selected by the requestor. The public records officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment.

(iii) Copy charges may be combined to the extent more than one type of charge applies to copies responsive to a particular request.

(iv) Public records request fees do not supersede other statutory provisions for copying fees.

(6) **Costs of mailing.** The commission may also charge actual costs of mailing, including the cost of the shipping container.

(7) **Payment.** Payment shall be made (~~(payable to the Washington state criminal justice training commission by check or money order only)~~) through the fiscal department of the commission. The process to accept payments will be fully explained to the requestor.

(8) **Payment date.** The (~~(payment date for fees, deposits, or other costs will be scheduled at a minimum of 30 days, but no more than 45 days, after the required payment is communicated with the requestor)~~) commission shall accept payment for 30 days after the date the payment invoice is mailed. If a requestor fails to pay by the payment date, the request will be closed per WAC 139-02-090(~~(+8)~~) (11).

(9) **Summary of charges.** (~~(Upon)~~) For each request, the commission will provide a summary of the applicable charges before copies are made and the requestor may revise the request to reduce the number of copies, thereby reducing the applicable charges.

(10) **Waiver of charges.** Waivers may be made at the discretion of the public records officer, except the public records officer or designee will not charge a requestor copying fees (~~(when:~~

~~(a) All of the records responsive to an entire request are paper copies only and are 100 or fewer pages; or~~

~~(b) All of the records responsive to an entire request are electronic and no more than)) over a one-year period from the date of their initial request until their requests have exceeded:~~

(a) One hundred printed pages; or

(b) The equivalent of 250 printed pages of electronic records.

AMENDATORY SECTION (Amending WSR 22-19-001, filed 9/7/22, effective 10/8/22)

WAC 139-02-090 Processing requests for public records. (1) Providing fullest assistance. The Washington state criminal justice training commission is charged by statute with adopting rules which provide for how it shall "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 "most timely possible action" on public records requests. The public records officer or designee will evaluate and process requests according to the nature of the request, clarity, volume, and availability of requested records.

(2) **Acknowledging receipt of request.** Within five business days of receipt of the request, the public records officer or designee will do one or more of the following:

(a) Make the records available for inspection;

(b) Provide the requested records (or provide ~~((a-bill))~~ copying fees for the records if applicable) to the requestor;

(c) Provide a reasonable estimate of when records will be available (the public records officer may revise the estimate of when records will be available when necessary);

(d) Deny the request and provide a statutory explanation as to the reason for the denial; or

(e) Acknowledge receipt of the request and ask the requestor to clarify all or any part of the request that is unclear and provide to the greatest extent possible a reasonable estimate of the time the commission will require to respond to the unclear request or unclear part of a request if it is not clarified.

(i) Such clarification may be requested and provided by telephone and memorialized in writing, or by email or letter;

(ii) Clarification may include identifying a record with specificity sufficient for the commission to locate or produce the record;

(iii) If the requestor fails to respond to a request for clarification ~~((and)), the ((entire request is unclear, the commission need not respond to it. The))~~ commission will respond to those portions of a request that are clear. If the requestor does not respond to the request for clarification on the unclear portion of the request after records on the clear portion have been provided, the commission will consider the request abandoned per subsection (11) of this section;

(iv) If the requestor fails to respond to a request for clarification for 30 days on an entirely unclear request, the commission will consider the request abandoned per subsection (11) of this section.

(3) **Additional time to respond.** Additional time for the commission to respond to a request may be based upon the need to clarify the request, locate and assemble the records requested, notify affected others or agencies affected by the request, or determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request.

(4) **Consequences of failure to respond.** If the commission does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the public records officer to determine the reason for the failure to respond.

(5) **Protecting rights of others.** In the event the requested records contain information that may affect rights of others and may be exempt from disclosure, the public records officer or designee may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. This notice is given so affected persons may seek an order from a court to prevent or limit the disclosure. The notice to the affected persons may include a copy of the request.

(6) **Records exempt from disclosure.**

(a) The commission reserves the right to determine a public record is exempt in whole or in part consistent with provisions of the Public Records Act or other applicable provision of law.

(b) If the commission believes a record is exempt from disclosure and should be withheld, the public records officer or designee 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 or designee will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted.

(c) Certain exemptions other than the Public Records Act itself restrict the disclosure of documents held by the commission. Some examples of such other applicable statutory exemptions include, but are not limited to:

(i) RCW 5.60.060: Attorney-client privileged records.

(ii) Chapter 19.108 RCW: Trade secrets.

(iii) RCW 43.101.400(1) background investigation records.

(7) The commission reserves the right to ~~((delete))~~ redact identifying details when producing any public record when there is reason to believe disclosure of such details would be an invasion of personal privacy protected by RCW 42.56.050.

(8) The commission is prohibited by statute from disclosing lists of individuals or records that may be manipulated to created lists of individuals for commercial purposes pursuant to RCW 42.56.070.

(9) Inspection of public records.

(a) A requestor must notify the commission in advance of their intent to inspect public records. Using the tracking ID the commission assigns to each public records request a requestor must identify with specificity and in advance the records the requestor wishes to inspect. The commission will assist the requestor in scheduling an appointment for inspection and may propose convenient alternatives to an in-person visit. Public records will be available for inspection during customary business hours and when staff are available to assist the requestor.

(b) When the request to inspect is for a large number of records, the public records officer may schedule inspection in installments.

(c) The commission will work with the requestor to schedule an inspection and notify the requestor in writing of the scheduled appointment. ~~((The requestor must inspect the requested records within 30 days of the))~~ If the requestor does not attend the scheduled inspection date, the commission will reach out to reschedule the inspection within 30 days of the first scheduled appointment. If the requestor or a representative of the requestor fails to inspect the records within the 30-day period or fails to make other arrangements, the commission may ~~((close))~~ consider the request abandoned and refile the assembled records. If the requestor makes a request for the same records it will be processed as a new request.

(d) Agency facilities shall be made available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of the agency.

(e) Inspections are conducted in accordance with the requirement that agencies protect the requested records from damage or disorganization. No member of the public shall remove a document from the inspection area or disassemble or alter any public record.

(f) After inspection is complete, the requestor may wish to identify which documents the requestor wishes the agency to copy.

(i) Where the commission charges for copies, the requestor must pay for the copies prior to the copies being provided to the requestor.

(ii) Electronic records will be provided as a link to the records on the commission public records website if the records are located on the public records website, or in a format used by the commission and which is generally commercially available.

(g) When the inspection of the requested records is complete and any requested copies are provided the public records officer will close the records request.

(10) Providing records in installments.

(a) When the request is for a large number of records, the public records officer or designee may provide access for inspection and copying in installments, if he or she reasonably determines that it would be more practical.

(b) If, within 30 days, the requestor fails to inspect one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.

(c) When the request is for copies of public records, the public records officer may require payment for each installment either prior to providing the installment or prior to providing subsequent installments. In addition, the requestor may be required to provide a deposit up to 10 percent of the estimated cost of copying all records selected by the requestor. If the requestor fails to pay the required cost by the scheduled payment date, the public records officer may consider the request abandoned and close the request.

(11) Closing a withdrawn or abandoned request.

(a) The public records officer will close a request when the requestor:

(i) Withdraws the request;

(ii) Fails to fulfill his or her obligations to inspect the records 30 days after the scheduled inspection date;

(iii) Fails to clarify an entirely unclear request 30 days after clarification was requested;

(iv) Fails to claim an installment 30 days after records were provided;

(v) Fails to pay required fees for an installment by the scheduled payment date;

(vi) Fails to pay the deposit or final payment for the requested copies by the scheduled payment date.

(b) The public records officer will close the request and indicate to the requestor that the Washington state criminal justice training commission has closed the request and refile the assembled records.

(12) Later discovered documents. If, after the Washington state criminal justice training commission has informed the requestor that it has provided all available records, the Washington state criminal justice training commission 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.

(13) The commission is not required to create a record that does not otherwise exist.

WSR 24-13-062
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed June 14, 2024, 3:17 p.m., effective July 15, 2024]

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

Purpose: Holiday leave bank cash-out: Providing clarification regarding employers reporting cash-outs from holiday leave banks.

Citation of Rules Affected by this Order: Amending WAC 415-104-370.

Statutory Authority for Adoption: RCW 41.50.050.

Adopted under notice filed as WSR 24-10-106 on May 1, 2024.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: June 14, 2024.

Tracy Guerin
Director

OTS-5303.2

AMENDATORY SECTION (Amending WSR 20-24-109, filed 12/1/20, effective 1/1/21)

WAC 415-104-370 Overtime is included in LEOFF Plan 2 basic salary. Overtime, additional pay earned for working time in excess of regularly scheduled shift(s), is a salary or wage for services rendered. Overtime payments are considered part of basic salary for LEOFF Plan 2. Overtime includes, but is not limited to:

(1) **Additional pay for working on a holiday.** If a member receives an extra payment for working on a ((scheduled)) recognized holiday, the payment is overtime. The employer may make the additional payment when the holiday occurs or in a lump sum at some other time. In either case, the payment is considered to be basic salary for LEOFF Plan 2((÷)).

(a) What are recognized holidays for purposes of holiday leave banks? Holidays recognized by either the state of Washington, the federal government, or formalized by an organization; and tied to a specific date. An employer must identify the recognized holidays associated with the hours that are added to the holiday leave bank.

(b) Are personal or floating holidays considered recognized holidays for purposes of holiday leave bank cash outs? No. Personal or

floating holidays are not tied to a specific date and are not considered recognized holidays for the purposes of holiday leave bank cash outs.

Examples: A firefighter works on Christmas day. As compensation for working on a holiday, the firefighter is given the option of taking some other day off with pay or receiving an extra day's pay. If the firefighter opts for the extra day of pay, this payment is overtime and is LEOFF Plan 2 basic salary. If the firefighter opts to take a day off instead, this is paid leave that qualifies as LEOFF Plan 2 basic salary.

Some employers create holiday leave banks for these employees, and it is considered a regular workday if an employee works on the holiday. Later, the employee may use hours from the holiday leave bank to take a day off and/or cash out all or some of the hours in the future. These cashed out days are reportable if the accrued leave was associated with (~~state or federal~~) recognized holidays. Report the cash out in the months the holidays occurred.

If the employer does not track the holidays worked, or does not separate out personal or floating holidays from recognized holidays, the employer should use the FIFO (first in, first out) method to report compensation for the holiday bank cash out. Recognized holidays would be accounted for before personal or floating holidays.

(2) **Callback pay**, which is a special rate of pay some employers provide members for being called back to work after the end of the member's regular shift;

(3) **Court pay**, which is an additional payment for appearing in court or performing other duties outside of a member's regularly scheduled shift.

(4) **Compensatory time (comp time)**, is paid time off given to an employee instead of overtime pay in compensation for extra hours of work. However, if the employee later receives this leave as a paid cash out, that payment is for overtime previously worked and therefore is basic salary. Basic salary is earned when the service is rendered, rather than when the payment is made. If the comp time is used as leave, it is reported as leave when used.

Example: An employee works eight additional hours in March and receives (~~twelve~~) 12 hours of comp time. The employer has a policy that all unused comp time must be paid out at the end of the fiscal year in June. When this cash out is paid to the employee, the compensation and eight hours were earned in March and should be reported as such. If the comp time is used as leave, it is reported as leave whenever it is used.

WSR 24-13-065

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 22-14—Filed June 14, 2024, 8:16 a.m., effective July 15, 2024]

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

Purpose: The department of ecology (ecology) is adopting new chapter 173-187 WAC, Financial responsibility. The adopted rule implements updates to chapter 88.40 RCW, Transport of petroleum products—Financial responsibility, as required under E2SHB 1691. The adopted rule ensures that vessel and facility owners and operators have adequate financial resources to pay cleanup and damage costs arising from an oil spill. Additionally, the existing chapter 317-50 WAC, Financial responsibility for small tank barges, and oil spill response barges, has been incorporated into the new rule and has been repealed.

The new rule:

- Defines the entities subject to financial responsibility requirements.
- Establishes required levels of financial responsibility for oil handling facilities and pipelines.
- Specifies the procedures and timelines for obtaining or renewing a certificate of financial responsibility.
- Establishes requirements for acceptable evidence of financial responsibility, including self-insurance.
- Outlines the process for ensuring timely updates to changes in financial status.
- Defines the processes governing the suspension, revocation, and reissuance of certificates of financial responsibility considering potential liabilities incurred by a covered entity after an oil spill or other incident.
- Incorporates and updates financial responsibility requirements currently included in chapter 317-50 WAC, Financial responsibility for small tank barges and oil spill response barges.
- Repeals chapter 317-50 WAC.

Citation of Rules Affected by this Order: New chapter 173-187 WAC; and repealing chapter 317-50 WAC.

Statutory Authority for Adoption: Chapter 88.40 RCW, Transport of petroleum products—Financial responsibility.

Adopted under notice filed as WSR 24-03-115 on January 19, 2024.

Changes Other than Editing from Proposed to Adopted Version: The following content describes the changes between the rule proposal language and the adopted language and provides ecology's reasons for making them.

Minor grammatical edits were made throughout the chapter to improve clarity.

WAC 173-187-040 Definitions.

- The word "discharge" was replaced with "spill" for clarity and to use consistent terminology throughout the chapter.

WAC 173-187-100 Financial responsibility amounts for vessels.

- The word "rule" was replaced with "chapter" for clarity and to use consistent terminology throughout the chapter.

WAC 173-187-110 Financial responsibility amounts for facilities.

- The word "rule" was replaced with "chapter" for clarity and to use consistent terminology throughout the chapter.

WAC 173-187-120 Request for an alternative financial responsibility calculation.

- The word "calendar" has been added to clarify the number of days an alternate financial responsibility calculation must be submitted before submitting a request for a certificate of financial responsibility (COFR) and the number of days in which ecology will approve or disapprove the alternate financial responsibility calculation request.
- A new subsection was added to clarify that a new COFR will be required if the alternate financial responsibility calculation is revoked.

WAC 173-187-200 Demonstrating financial responsibility.

- The phrase "An owner or operator of more than one vessel or facility subject to financial responsibility..." was replaced by "An owner or operator of more than one vessel or facility that is required to obtain a Washington COFR" to add clarity based on a comment that was received. This is appropriate as all covered vessels are subject to financial responsibility, but those that are members of protection and indemnity clubs are not required to obtain a Washington COFR and are not affected by this section of rule.

WAC 173-187-210 Procedures for vessels to be verified as a member of an international protection and indemnity (P&I) club.

- The word "international" was deleted as it is redundant. The definition of P&I club and the title of this subsection include the word "international," so it does not need to be repeated throughout the subsection.
- The words "or operator" were added for clarity and to use consistent terminology throughout the chapter.

WAC 173-187-220 Procedures for applying for a Washington certification of financial responsibility (COFR).

- The adopted rule was updated to provide information about how to access ecology forms but no longer requires use of these forms as they have not been subject to the public review and comment process. Forms that may be used to support proof of financial responsibility have been created, published, and are available on ecology's financial responsibility web page, for use at the discretion of the applicant. The rule provides information about these forms but does not require the use of any specific form. Additional language was added to denote:
 - o Published form ECY 070-751 may be used to document an owner's or operator's attestation that their COFR application is accurate and complete.
 - o Published form ECY 070-758 may be used to document an owner's or operator's delegation of authority to an authorized representative.
 - o The requirement to complete and attach the certificate of insurance agreement that is available on the financial responsibility website has been removed. Published form ECY

- 070-752 may be used to document a certificate of insurance agreement.
- o Published form ECY 070-754 may be used to document a surety bond agreement.
 - o The requirement to complete and attach the standby trust agreement that is available on the COFR website when proving financial responsibility with a surety bond, guarantee, or letter of credit has been removed. Published form ECY 070-753 may be used to document the establishment of a standby trust fund. The requirement to fund the standby trust fund in accordance with ecology's instructions has been removed. All requirements for funding the standby trust fund must be included in the surety bond, guarantee, letter of credit, or certificate of deposit agreement.
 - o Published form ECY 070-757 may be used to document a guarantee agreement.
 - o Published form ECY 070-756 may be used to document a letter of credit agreement. When using a certificate of deposit to prove financial responsibility, the applicant will be required to establish a standby trust fund to receive all funds if the certificate of deposit is liquidated.
 - o The requirement to complete and attach the self-insurance letter that is available on the COFR website when proving financial responsibility with self-insurance has been removed. Published form ECY 070-755 may be used to document the self-insurance calculations and agreement.

WAC 173-187-230 Phase-in schedule for vessels and facilities.

- Deleted the redundant word "Class."

WAC 173-187-250 Issuance of Washington COFRs.

- Deleted the option to submit a COFR application through United States mail. All COFR applications must be submitted via ecology's web based application, which will ensure all required information is provided, improve the quality of applications, and improve processing timeliness.

WAC 173-187-300 Significant changes to Washington COFRs require notification.

- A minor revision to improve plain talk readability was made.
- The word "facility" was added to clarify that if a facility name is changed, a new COFR will be required.
- The sentence "The holder of a Washington COFR for more than one vessel or facility must notify ecology within 10 calendar days if it experiences a spill or spill from a vessel or facility in another jurisdiction ..." was replaced with "The holder of a Washington COFR must also notify ecology within 10 calendar days if it experiences a spill in Washington or in another jurisdiction ..." to improve clarity and to use plain talk to describe this notification requirement.
- The unnecessary word "covered" was removed.
- The word "calendar" has been added to clarify to the number of days after which a COFR may be suspended or revoked due to ecology's determination that the COFR holder is likely to no longer have the financial resources to comply with the financial responsibility requirements.

- The word "international" was deleted as it is redundant. The definition of P&I club and the title of this subsection include the word "international," so it does not need to be repeated throughout the subsection.

A final cost-benefit analysis is available by contacting Diana Davis, Department of Ecology, Spill Prevention, Preparedness, and Response Program, Northwest Regional Office, P.O. Box 330316, Shoreline, WA 98133-9716, phone 425-758-0483, Washington relay service or TTY call 711 or 877-833-6341, email Diana.Davis@ecy.wa.gov, website <https://apps.ecology.wa.gov/publications/SummaryPages/2408014.html>.

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 11, Amended 1, Repealed 9.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 6, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 10, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 3, 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: June 14, 2024.

Laura Watson
Director

OTS-5055.6

Chapter 173-187 WAC FINANCIAL RESPONSIBILITY

PART I: GENERAL REQUIREMENTS

NEW SECTION

WAC 173-187-010 Purpose. (1) The purpose of this chapter is to ensure that owners and operators of facilities and covered vessels have adequate financial resources to pay cleanup and damage costs arising from an oil spill.

(2) The required amounts of financial responsibility in no way restrict or set financial limitations on any duty, obligation, or liability of the responsible party.

NEW SECTION

WAC 173-187-020 Applicability. (1) This chapter applies to owners and operators of onshore facilities, offshore facilities, and covered vessels required to meet financial responsibility requirements under chapter 88.40 RCW.

(2) This chapter does not apply to owners or operators of:

(a) Railroads, motor vehicles, or other rolling stock while transporting oil over the highways or rail lines of the state;

(b) Covered vessels owned or operated by the federal government or by a state or local government;

(c) Onshore or offshore facilities owned or operated by the federal government or by the state or local government;

(d) Tribal vessels; or

(e) Vessels temporarily transiting waters of the state of Washington through international maritime routes that do not call on United States ports.

NEW SECTION

WAC 173-187-030 Authority. Chapter 88.40 RCW provides authority for the financial responsibility requirements established by this chapter.

NEW SECTION

WAC 173-187-040 Definitions. (1) "Authorized representative" means a person who has the authority, or delegated authority, to submit and attest to information relevant to the certificate of financial responsibility process.

(2) "Barge" means a vessel that is not self-propelled.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel, fishing vessel, or a passenger vessel, of 300 or more gross tons.

(5) "Class 1 facility" means a facility as defined in RCW 88.40.011 as:

(a) Any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from any vessel with an oil carrying capacity over 250 barrels or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any:

(i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state;

(ii) Retail motor vehicle motor fuel outlet;

(iii) Facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330;

(iv) Underground storage tank regulated by ecology or a local government under chapter 70A.355 RCW; or

(v) Marine fuel outlet that does not dispense more than 3,000 gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(6) "Class 2 facility" means a motor vehicle, portable device or other rolling stock, while not transporting oil over the highways or rail lines of the state, used to transfer oil to a nonrecreational vessel.

(7) "Class 3 facility" means a structure that:

(a) Transfers oil to a nonrecreational vessel with a capacity of 10,500 or more gallons of oil whether the vessel's oil capacity is used for fuel, lubrication oil, bilge waste, or slops or other waste oils;

(b) Does not transfer oil in bulk to or from a tank vessel or pipeline; and

(c) Does not include any: Boatyard, railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; underground storage tank regulated by ecology or a local government under chapter 70A.355 RCW; or a motor vehicle motor fuel outlet; or a facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330.

(8) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(9) "Ecology" means the state of Washington department of ecology.

(10) "Fishing vessel" means a self-propelled commercial vessel of 300 or more gross tons that is used for catching or processing fish.

(11) "Gross tons" means tonnage as determined by the United States Coast Guard under 33 C.F.R. Sec. 138.30.

(12) "Hazardous substances" means any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section 102(a) of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by P.L. 99-499. The following are not hazardous substances for purposes of this chapter:

(a) Wastes listed as F001 through F028 in Table 302.4; and

(b) Wastes listed as K001 through K136 in Table 302.4.

(13) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(14) "Nonpersistent or group 1 oil" means:

(a) A petroleum-based oil, such as gasoline, diesel, or jet fuel, which evaporates relatively quickly. Such oil, at the time of shipment, consists of hydrocarbon fractions of which:

(i) At least 50 percent, by volume, distills at a temperature of 340°C (645°F); and

(ii) At least 95 percent, by volume, distills at a temperature of 370°C (700°F).

(b) A nonpetroleum oil with a specific gravity less than 0.8.

(15) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(16) "Oil" or "oils" means oil of any kind that is liquid at 25 degrees Celsius and one atmosphere of pressure and any fractionation thereof including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil,

diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section 102(a) of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by P.L. 99-499.

(17) "Oil spill response barge" means a barge dedicated solely to oil spill response activities.

(18) "Onshore facility" means any facility, as defined in subsections (5), (6), and (7) of this section, any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(19) (a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(20) "Passenger vessel" means a ship of 300 or more gross tons with a fuel capacity of at least 6,000 gallons carrying passengers for compensation.

(21) "Persistent oil" means:

(a) Petroleum-based oil that does not meet the distillation criteria for a nonpersistent oil. Persistent oils are further classified based on both specific and American Petroleum Institute (API) observed gravities corrected to 60°F, as follows:

(i) Group 2 - Specific gravity greater than or equal to 0.8000 and less than 0.8500. API gravity less than or equal to 45.00 and greater than 35.0;

(ii) Group 3 - Specific gravity greater than or equal to 0.8500, and less than 0.9490. API gravity less than or equal to 35.0 and greater than 17.5;

(iii) Group 4 - Specific gravity greater than or equal to 0.9490 and up to and including 1.0. API gravity less than or equal to 17.5 and greater than 10.00; and

(iv) Group 5 - Specific gravity greater than 1.0000. API gravity equal to or less than 10.0.

(b) A nonpetroleum oil with a specific gravity of 0.8 or greater. These oils are further classified based on specific gravity as follows:

(i) Group 2 - Specific gravity equal to or greater than 0.8 and less than 0.85;

(ii) Group 3 - Specific gravity equal to or greater than 0.85 and less than 0.95;

(iii) Group 4 - Specific gravity equal to or greater than 0.95 and less than 1.0; or

(iv) Group 5 - Specific gravity equal to or greater than 1.0.

(22) "P&I club" means an international protection and indemnity mutual organization.

(23) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(24) "Spill" means an unauthorized discharge of oil into the waters of the state.

(25) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

Articulated tug barges (ATBs), tank barges, and tank ships are considered tank vessels.

(26) "Transfer" means any movement of oil in bulk to or from a nonrecreational vessel or transmission pipeline.

(27) "Transmission pipeline" means all parts of a pipeline whether interstate or intrastate, through which oil moves in transportation, including mainline, laterals, valves, and other appurtenances such as pumping units, and fabricated assemblies associated with pumping units metering and delivery stations and fabricated assemblies therein, and breakout tanks.

(28) "Washington certificate of financial responsibility (COFR)" means an official written acknowledgment issued by ecology that an owner or operator of a covered vessel or facility, or the owner of the oil, has demonstrated to the satisfaction of ecology that the relevant entity has the financial ability to pay for costs and damages caused by an oil spill.

(29) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(30) "Worst case spill" means:

(a) For a Class 1 offshore facility, the largest possible spill considering storage, production, and transfer capacity complicated by adverse weather conditions; or

(b) For a Class 1 onshore facility, the entire volume of the largest above ground storage tank on the facility site complicated by adverse weather conditions, unless ecology determines that a larger or smaller volume is more appropriate given a particular facility's site characteristics and storage, production, and transfer capacity; or

(c) For a Class 2 facility, the entire contents of the container(s) in which the oil is stored or transported; or

(d) For a Class 3 facility, the entire volume of the largest above ground storage tank on the facility site complicated by adverse weather conditions, unless ecology determines that a larger or smaller volume is more appropriate given a particular facility's site characteristics and storage, production, and transfer capacity; or

(e) For pipelines, the size of the worst case spill is dependent on the location of pump stations, key block valves, geographic considerations, response zones, or volume of the largest breakout tank. For each it is the largest volume determined from the following three different methods, complicated by adverse weather conditions:

(i) The pipeline's maximum time to detect the release, plus the maximum shutdown response time multiplied by the maximum flow rate per hour, plus the largest line drainage volume after shutdown.

For planning purposes, the total time to detect the release and shutdown the pipeline should be based on historic discharge data or, in the absence of such historic data, the operator's best estimate. At

a minimum, the total time to detect and shut down the pipeline must be equal to or greater than 30 minutes;

(ii) The maximum historic discharge from the pipeline; and

(iii) The largest single breakout tank or battery of breakout tanks within a single secondary containment system.

Each operator shall determine the worst case spill and provide the methodology, including calculations, used to arrive at the volume.

(31) "Verification of financial responsibility" means a verification by ecology that a covered vessel is a current member of an international protection and indemnity (P&I) club.

NEW SECTION

WAC 173-187-050 Enforcement. Any violation of this chapter may be subject to enforcement and penalties under chapter 88.40 RCW, RCW 90.56.300 and 90.56.310.

NEW SECTION

WAC 173-187-060 Severability. If any provision of this chapter is held invalid, the remainder of the chapter is not affected.

PART II: FINANCIAL RESPONSIBILITY AMOUNTS FOR VESSELS AND FACILITIES

NEW SECTION

WAC 173-187-100 Financial responsibility amounts for vessels.

(1) The owner or operator of any vessel that is covered by this chapter must demonstrate financial responsibility as defined in the table below:

| Vessel Type | Financial Responsibility Amounts |
|---|--|
| Barges that transport hazardous substances in bulk as cargo | \$5,000,000 or \$300 per gross ton, whichever is greater |
| Tank vessels, including tank barges | \$1,000,000,000 |
| Tank vessels, including tank barges, 300 gross tons or less | \$5,000,000 or \$3,000 per barrel of the barge's total capacity, whichever is greater |
| Cargo vessel | \$300,000,000 |
| Passenger vessel | \$300,000,000 |
| Passenger vessels that transport passengers and vehicles between Washington and a foreign country | \$500,000 or \$600 per gross ton, whichever is greater |
| Fishing vessel that carries predominantly nonpersistent oil | \$1,334,000 or \$133.40 per each barrel of total oil storage capacity, whichever is greater |

| Vessel Type | Financial Responsibility Amounts |
|--|---|
| Fishing vessel that carries predominantly persistent oil | \$6,670,000 or \$400.20 per each barrel of total oil storage capacity, whichever is greater |

(2) A tank barge used solely as an oil spill response barge is not required to possess evidence of financial responsibility if the owner or operator submits to ecology a letter signed by an authorized representative that identifies the barge's name, official number, country of registry, and gross tonnage and certifies that:

(a) The barge is used exclusively for oil spill response activities and will not be used to carry oil in bulk in commerce; and

(b) The owner or operator is an approved primary response contractor under chapter 173-182 WAC.

If either certification becomes inaccurate, the owner or operator must notify ecology and must immediately comply with this chapter.

NEW SECTION

WAC 173-187-110 Financial responsibility amounts for facilities.

The owner or operator of any facility that is covered by this chapter must demonstrate financial responsibility as defined in the table below:

| Facility Type | Financial Responsibility Amounts | Maximum Amount Required |
|--|---|-------------------------|
| Class 1 facility (oil handling facilities including refineries and marine terminals) | \$12,500 per barrel times worst case spill (WCS) volume | \$300,000,000 |
| Class 1 facility (offshore facilities) | \$12,500 per barrel times worst case spill (WCS) volume | \$300,000,000 |
| Class 1 facility (pipelines) | \$12,500 per barrel times worst case spill (WCS) volume | \$300,000,000 |
| Class 2 facility (mobile tank units) | \$12,500 per barrel times 30 percent of the entire contents of the container(s) in which the oil is stored or transported | \$5,000,000 |
| Class 3 facility (small marine terminals) | \$12,500 per barrel times the volume of the largest facility tank | \$5,000,000 |

NEW SECTION

WAC 173-187-120 Request for an alternative financial responsibility calculation. (1) A facility may submit to ecology a request for an alternative calculation to determine financial responsibility required under this chapter.

(a) The request must demonstrate financial responsibility capable of covering the response costs and damages that could occur during a reasonable worst case spill of oil from that facility into the navigable waters of the state.

(b) The request must include a detailed report justifying the alternative calculation. The report should include, but is not limited to:

(i) The worst case amount of oil that could be spilled, as calculated in the applicant's oil spill contingency plan approved under chapter 90.56 RCW, or as defined in this chapter;

- (ii) The cost of cleaning up the spilled oil;
 - (iii) The type and frequency of operations at the facility;
 - (iv) The damages that could result from the spill;
 - (v) The facility's proximity to navigable waters of the state and how a spill could be prevented from reaching such waters;
 - (vi) The spill prevention and preparedness measures for the facility including spill response procedures, response equipment, personnel, training, maintenance systems, contracted response resources, monitoring and shut down systems, pipeline drain times, tank conditions, secondary containment systems, and third-party inspection information.
- (2) Requests for an alternative must be submitted no less than 65 calendar days prior to submitting an application for a Washington COFR. Ecology will approve or disapprove the request for an alternative financial responsibility calculation no later than 65 calendar days from the submittal date.
- (3) Requests for an alternative shall be subject to a 30 calendar day public review and comment period which includes, but is not limited to, interested local and tribal governments and other stakeholders.
- (4) Ecology may revoke an approved alternate financial responsibility calculation at any time in response to new information or after operational or engineering changes that alter the conditions of the approval.
- (5) If an alternate financial responsibility calculation is revoked, a new Washington COFR will be required.

PART III: FINANCIAL RESPONSIBILITY - APPLYING FOR A WASHINGTON CERTIFICATE OF FINANCIAL RESPONSIBILITY (COFR)

NEW SECTION

- WAC 173-187-200 Demonstrating financial responsibility.** (1) The owner or operator of a vessel required to document financial responsibility under this chapter must:
- (a) Obtain a Washington COFR; or
 - (b) Be verified by ecology to be a current member of a P&I club.
- (2) The owner or operator of a facility required to demonstrate financial responsibility under this chapter must obtain a Washington COFR.
- (3) An owner or operator of more than one vessel or facility that is required to obtain a Washington COFR under this chapter may obtain a single Washington COFR that applies to all of the owner's or operator's vessels and facilities. Ecology will base the terms of such Washington COFR upon the vessel or facility that represents the greatest financial risk in the event of a spill. Alternatively, the owner or operator may obtain separate Washington COFRs that each apply to a subset of the owner's or operator's vessels or facilities, provided

that each vessel or facility of the owner or operator is covered by at least one valid Washington COFR.

NEW SECTION

WAC 173-187-210 Procedures for vessels to be verified as a member of an international protection and indemnity (P&I) club. (1)

Ecology will verify, through its available means, that the vessel is currently a member of a P&I club.

(2) If ecology is unable to verify the vessel is a member of a P&I club, the vessel owner or operator must, upon request by ecology, provide the vessel's P&I club certificate of entry demonstrating the required levels of financial responsibility to ecology within 10 calendar days of receiving the request.

(3) If a vessel owner or operator does not provide ecology the vessel's P&I club certificate of entry including financial coverage information within 10 calendar days of the request, they are subject to enforcement and penalties as described in WAC 173-187-050.

(4) If a vessel is not a member of a P&I club, the vessel owner or operator must obtain a Washington COFR with required financial amounts issued by ecology following the process in WAC 173-187-220 and the timelines in WAC 173-187-230 and 173-187-240.

NEW SECTION

WAC 173-187-220 Procedures for applying for a Washington certificate of financial responsibility (COFR). (1)

The owner or operator of a vessel or facility that is required to demonstrate financial responsibility under this chapter, or their authorized representative, must apply for a Washington COFR based on guidance located on ecology's website.

(2) Applications and associated materials must meet the following format requirements:

(a) All documents must be in English and all monetary terms must be in United States currency; and

(b) All fields in the application form must be completed with the requested information or the phrase "not applicable."

(3) The application must include the following:

(a) Proof of financial responsibility provided by one or more of the financial responsibility instruments described in subsection (6) of this section;

(b) Evidence of dollar amounts; and

(c) Effective date and term of coverage.

(4) All applications, including renewal applications, must include a statement which attests to the accuracy and completeness of the application and is signed by the owner, operator, or authorized representative of the owner or operator, whose title must be indicated on the attestation. Form number ECY 070-751 may be used.

An authorized representative must have delegated authority to attest to the accuracy of the application and to bind the owner or operator to the financial responsibility amounts required under this chapter. If an authorized representative submits an application for a Washington COFR on behalf of an owner or operator, delegation of au-

thority must be included with the application. Form number ECY 070-758 may be used.

(5) The submitted application for financial responsibility shall bind the owner or operator of the vessel or facility to the financial responsibility amounts required under this chapter.

(6) The owner or operator of a vessel or facility must demonstrate financial responsibility through one or more of the following methods. If multiple methods are used, the total demonstrated financial responsibility must be greater than or equal to the required amount.

(a) Evidence of insurance:

(i) The owner or operator of a vessel or facility may demonstrate financial responsibility through one or more insurance policies. The applicant must provide proof of insurance issued by an insurer who is authorized to sell insurance in Washington under a certificate of authority issued by the Washington state insurance commissioner or that is procured through a licensed surplus line broker in accordance with chapter 48.15 RCW. The insurer providing coverage must also have a current AM Best rating of at least B+.

(ii) Submit a certificate of insurance signed by an authorized representative of the insurer. Form number ECY 070-752 may be used.

(iii) In addition to the certificate of insurance, the applicant must submit proof of insurance in the form of a binder or a copy of the policy. If a binder is submitted to meet the requirements of this subsection, a copy of the underlying insurance policy must also be provided to ecology within 90 calendar days of submitting an application.

(iv) The proof of insurance must include:

(A) Name and address of insured;

(B) Name and principal characteristics of vessels or facilities covered;

(C) Name and address of insurer(s);

(D) Policy number(s);

(E) Effective date and term of coverage;

(F) All conditions and limitations of the policy or certificate which may affect coverage in the event of an oil spill;

(G) An attestation that the policy covers damages for oil pollution claims and the unlawful discharge of oil;

(H) Evidence of dollar amounts of the insurance policy or certificate of insurance;

(I) Amount of deductibles and/or self-insured retention; and

(J) Language that termination or cancellation of this policy, insofar as it serves as proof of the insured's financial responsibility for damages for oil pollution claims and the unlawful discharge of oil, must not become effective until 30 calendar days after a notice of termination or cancellation has been submitted to ecology. However, this policy must only remain in effect for 10 calendar days after a notice of termination or cancellation for failure to pay the premium by the due date has been submitted to ecology, and the notice was issued after the date the premium was due.

(v) A deductible provision in any policy of insurance, binder, or certificate is acceptable if:

(A) The applicant demonstrates supplemental coverage for the amount of the deductible by means of other acceptable insurance, surety, guarantee, self-insurance, letter of credit, certificate of deposit, or other proof of financial responsibility approved by ecology if

the deductible is greater than one percent of the policy coverage amount; and

(B) The deductible provision provides for a loss reimbursement plan that contains language guaranteeing that the insurer will be responsible for the payment of all claims on a first dollar basis.

(vi) No later than 30 calendar days following the expiration of a policy period, an applicant using insurance as evidence of financial responsibility must submit a certificate of insurance, or other written documentation acceptable to ecology evidencing that the renewal of the applicant's insurance policy occurred on or before the previous policy's expiration date. Failure to submit the certificate of insurance or other acceptable written documentation within 30 calendar days following the expiration of the current policy period, may result in the revocation of the Washington COFR.

(b) Surety bonds:

(i) The owner or operator of a vessel or facility may demonstrate financial responsibility with a surety bond for the amount required, in full or in part. Form number ECY 070-754 may be used.

(ii) The surety company issuing the bond must, at a minimum, be among those listed as acceptable sureties on federal bonds in Circular 570 of the United States Department of the Treasury.

(iii) Under the terms of the bond, the bond must be subject to and governed by the laws of the state of Washington.

(iv) The bond must not contain additional terms or conditions which limit the surety company's obligation to pay for costs and damages arising due to damages for oil pollution claims and/or the unlawful discharge of oil. The bond must possess an underwriting limitation of risk at least equal to the amount of the bond.

(v) An applicant utilizing a surety bond to demonstrate evidence of financial responsibility must establish a standby trust fund. Form number ECY 070-753 may be used. Under the terms of the bond, all payments made thereunder must be deposited by the surety directly into the standby trust fund.

(vi) Termination or cancellation of a surety bond that serves as proof of financial responsibility hereunder may not become effective until 60 calendar days after a notice of termination or cancellation has been submitted to ecology. The surety remains liable for any discharge occurring before the effective date of termination or cancellation.

(c) Guarantee:

(i) The owner or operator of a vessel or facility may demonstrate financial responsibility with a guarantee for the amount required, in full or in part.

(ii) The guarantee document must be executed and signed by the guarantor and must have a designated agent, located in the state of Washington, for service of process by the guarantor. Form number ECY 070-757 may be used. The guarantor must be subject to and governed by the laws of the state of Washington.

(iii) The guarantee must indicate the expiration date of the guarantee or that it is a "continuing" guarantee.

(iv) The guarantee must indicate the maximum amount of financial responsibility that the guarantor is providing.

(v) The guarantee must not contain additional terms or conditions which limit the guarantee's obligation to pay for costs and damages arising due to damages for oil pollution claims and/or the unlawful discharge of oil.

(vi) The issuer of the guarantee must meet the financial, application, and reporting requirements of (g) of this subsection.

(vii) An applicant utilizing a guarantee to demonstrate evidence of financial responsibility must establish a standby trust fund. Form number ECY 070-753 may be used. Under the terms of the guarantee, all payments made thereunder must be deposited by the guarantor directly into the standby trust fund.

(viii) Termination or cancellation of a guarantee that serves as proof of financial responsibility may not become effective until 60 calendar days after a notice of termination or cancellation has been submitted to ecology. The guarantor remains liable for any discharge occurring before the effective date of termination or cancellation.

(d) Letter of credit:

(i) The owner or operator of a vessel or facility may demonstrate financial responsibility with a letter of credit, in favor of the state of Washington, for the amount required, in full or in part.

(ii) The letter of credit must be irrevocable in favor of the state of Washington, must be subject to and be governed by the laws of the state of Washington, must be effective on or before the approval date of the Washington COFR, and must specifically note the effective date and the expiration date. Form number ECY 070-756 may be used.

(iii) The letter of credit must be issued by a financial institution that has the authority to issue letters of credit, and that is regulated and examined by state and federal banking agencies.

(iv) The letter of credit may not be used as collateral and may not be drawn upon by the owner or operator of the facility or vessel except to cover oil spill clean-up or damage costs.

(v) The letter of credit must not contain additional terms or conditions which limit the issuing institution's obligation to pay for costs and damages arising due to damages for oil pollution claims and/or the unlawful discharge of oil.

(vi) An applicant utilizing a letter of credit to demonstrate evidence of financial responsibility must establish a standby trust fund. Form number ECY 070-753 may be used. Under the terms of the letter of credit, all payments made thereunder must be deposited by the issuing institution directly into the standby trust fund.

(e) Certificates of deposit:

(i) The owner or operator of a vessel or facility may demonstrate financial responsibility with a certificate of deposit, in favor of the state of Washington, for the amount required, in full or in part.

(ii) The certificate of deposit must be held by a financial institution that has the authority to hold certificate of deposit, that is regulated and examined by state and federal banking agencies and that is a member of the Federal Deposit Insurance Corporation or National Credit Union Administration.

(iii) The certificate of deposit must be irrevocable in favor of the state of Washington with an automatically renewable term, must be subject to and be governed by the laws of the state of Washington, and must be effective on or before the approval date of the Washington COFR. The initial term and the automatic renewal term must be stated on the certificate of deposit.

(iv) The certificate of deposit may not be used as collateral and may not be drawn upon by the owner or operator of the facility or vessel except to cover oil spill clean-up or damage costs.

(v) An applicant utilizing a certificate of deposit to demonstrate evidence of financial responsibility must establish a standby trust fund. Form number ECY 070-753 may be used. Under the terms of

the certificate of deposit, all payments made thereunder must be deposited by the issuing institution directly into the standby trust fund.

(f) A certificate evidencing compliance with the requirements of another state's financial responsibility requirements or federal financial responsibility requirements, if the state or federal government requires a level of financial responsibility the same as or greater than that required under this chapter. If this method is used to provide financial responsibility, the applicant must provide documentation of the financial responsibility instruments provided to the other state or federal agency.

(g) Self-insurance:

(i) Must satisfy one of two tests:

(A) Test one

Solvency ratio:

(I) Total liabilities to net worth less than 1.5, or cash and cash equivalents at end of year or quarter minus \$20,000,000 to total liabilities greater than 0.1; and

(II) Worldwide owner's equity minus intangible assets (i.e., tangible net worth) greater than \$20,000,000 plus two times the amount of self-insurance that is required; and

(III) United States assets, not including assets that are petroleum inventory that may be affected by an oil spill from a facility covered by the self-insurance, equal to or greater than 90 percent of total assets or at least two times the amount of required self-insurance.

(B) Test two

(I) A current credit rating of BBB- stable or better from Standard and Poor's, Baa or better by Moody's, or commercial paper rate of A1, A2, or the equivalent; and

(II) Worldwide owner's equity minus intangible assets (i.e., tangible net worth) greater than \$20,000,000 plus two times the amount of self-insurance that is required; and

(III) United States assets, not including assets that are petroleum inventory that may be affected by an oil spill from a facility covered by the self-insurance, equal to or greater than 90 percent of total assets or at least two times the amount of required self-insurance.

(ii) Documentation required. A self-insurance letter, form number ECY 070-755 may be used, signed by a financial officer, a general partner, the proprietor of a sole proprietorship, or an authorized representative of the applicant, stating:

(A) They are a financial officer, general partner, proprietor, or authorized representative of the organization or business entity;

(B) That the letter supports the use of a financial test to demonstrate financial responsibility by self-insurance pursuant to this section; and

(C) Whether the applicant, parent entity of the applicant, or a subsidiary of the applicant is the owner or operator of the vessels or facilities described in the application or is the owner of the oil.

(iii) The proof of financial responsibility required under this section must be supported by the following, which must be submitted with the application for approval, and which must be later supplemented as described:

(A) Annual audited financial statements for consolidated holdings in the United States for the fiscal year ending immediately before each initial or renewal application, certified by an independent cer-

tified public accountant. If the financial statements do not specify what portion of the applicant's assets are located in the United States, the statements must be supplemented by an affidavit from the applicant's chief financial officer or treasurer, or a sworn statement by the certified public accountant who prepared the audit, certifying that the assets located in the United States are in an amount equal to the applicable amount required under this chapter; or

(B) A self-insuring applicant may provide ecology with a copy of the applicant's Form 10K as filed with the United States Securities and Exchange Commission for the fiscal year preceding application or renewal, and each Form 10Q subsequently filed with that commission, subject to the following conditions:

(I) If the applicant's fiscal year ended six months or more before initial application, the applicant's Form 10Q for the first quarter of the current fiscal year must also be submitted with the initial application; and

(II) If the applicant's United States Securities and Exchange Commission forms do not specify what portion of its assets are located in the United States, those forms must be supplemented by an affidavit from the applicant's chief financial officer or treasurer, or a sworn statement by the certified public accountant who prepared the form, certifying that the assets located in the United States are in an amount equal to the applicable amount required under this chapter.

(C) Each quarter:

(I) The applicant must submit Form 10Q within two calendar months after the quarter ends; and

(II) Along with the Form 10Q, the applicant must submit subsequent quarterly affidavits attesting that the amounts of assets located in the United States are equal to the applicable amount required under this chapter; and

(D) Each year:

(I) The applicant must submit Form 10K within four calendar months after the applicant's fiscal year ends; and

(II) Along with the Form 10Q, the applicant must submit a subsequent affidavit attesting that the amounts of assets located in the United States are equal to the amount required under this chapter; and

(E) The applicant must notify ecology within seven calendar days if, at any time, the applicant fails to meet the self-insurance test criteria.

(h) Other evidence of financial responsibility deemed acceptable by ecology.

NEW SECTION

WAC 173-187-230 Phase-in schedule for vessels and facilities.

(1) Within nine months of the rule effective date, owners and operators of existing Class 1 facilities must submit an application to request a Washington COFR.

(2) Within 15 months of the rule effective date, owners and operators of existing Class 2 and 3 facilities must submit an application to request a Washington COFR.

(3) Within 21 months of the rule effective date, owners and operators of vessels regulated by this rule must submit an application to request a Washington COFR or be verified as a member of a P&I club.

NEW SECTION

WAC 173-187-240 Submittal timeline. (1) Owners and operators of facilities that are beginning new operations in the state after the effective date of this rule are required to submit a completed and signed application for a Washington COFR at least 65 calendar days before beginning operations.

(2) (a) After the phase-in schedule described in WAC 173-187-230, owners and operators of vessels that are not members of P&I clubs must submit a completed and signed application for a Washington COFR, including attachments to prove financial responsibility, to ecology at least 10 calendar days before entering the waters of the state.

(b) Ecology will accept Washington COFR applications received less than 10 calendar days before the vessel enters the waters of the state and will expedite the review of the application, if:

(i) The application is received at least 24 hours before the vessel enters the waters of the state; and

(ii) The applicant demonstrates that unanticipated circumstances prevent the applicant from submitting an application at least 10 calendar days in advance.

NEW SECTION

WAC 173-187-250 Issuance of Washington COFRs. (1) Ecology will review applications and issue Washington COFRs for vessels and facilities within 30 calendar days of receipt of a complete application.

(2) If ecology approves the application for financial responsibility, it will issue a Washington COFR to the applicant stating that the proof of financial responsibility requirements have been met for each vessel or facility identified in the application and the Washington COFR will be emailed to the applicant.

(3) Washington COFRs expire two years after the issuance date.

(4) The effective date and the expiration date will be marked on the Washington COFR.

(5) The original Washington COFR, or a copy of the original Washington COFR, demonstrating financial responsibility must be available for inspection by ecology upon request.

NEW SECTION

WAC 173-187-260 Washington COFR renewals. The owner or operator of the vessel or facility must submit an application to renew their Washington COFR at least 30 calendar days, but no more than 90 calendar days, before the expiration date of the Washington COFR.

PART IV: FINANCIAL RESPONSIBILITY - NOTIFICATION REQUIREMENTSNEW SECTION

WAC 173-187-300 Significant changes to Washington COFRs require notification. (1) If the owner or operator of a vessel or facility becomes aware of a significant change after ecology has issued a Washington COFR, they must notify ecology of the change within seven calendar days after becoming aware of the significant change. Ecology may suspend or terminate a Washington COFR if the owner or operator can no longer demonstrate financial responsibility based on the significant change. Significant changes include, but are not limited to:

- (a) A change in ownership or operational control;
- (b) A method of demonstrating financial responsibility will be terminated or any coverage thereunder will cease;
- (c) Any financial responsibility coverage amount that will be changed or adjusted.

(2) If there is a change in applicant name, vessel or facility name change, if the Washington COFR expires, or there is any change in the financial responsibility coverage amount, a new Washington COFR will be necessary.

(3) The holder of a Washington COFR under this chapter must notify ecology of an oil spill or discharge in state waters consistent with chapters 90.48 and 90.56 RCW.

(a) The holder of a Washington COFR must also notify ecology within 10 calendar days if it experiences a spill in Washington or in another jurisdiction for which it may be liable and which may incur damages that exceed 15 percent of the financial resources reflected by the Washington COFR.

(b) Upon notification of an oil spill or discharge or other potential liability by the owner or operator of a vessel or facility that holds a Washington COFR under (a) of this subsection, ecology may reevaluate the validity of the Washington COFR under this chapter. Ecology must reevaluate the validity of a Washington COFR under this chapter upon notification of a spill for which the Washington COFR holder may be liable and which may incur damages that exceed 25 percent of the financial resources reflected by the Washington COFR. Ecology may suspend or revoke a Washington COFR if ecology determines that, because of a spill, discharge, or other action or potential liability, the holder of the Washington COFR is likely to no longer have the financial resources to both pay damages for the oil spill or discharge or other action or potential liability and have resources remaining available in an amount sufficient to meet the requirements of this chapter, effective 10 calendar days after its determination.

(c) Ecology may request the owner or operator of a vessel that has been verified to be a member of a P&I club to provide evidence that it is able to maintain required levels of financial responsibility required under this chapter if it has an oil spill.

OTS-5056.1

REPEALER

The following chapter of the Washington Administrative Code is repealed:

| | |
|----------------|---|
| WAC 317-50-010 | Purpose. |
| WAC 317-50-020 | Application. |
| WAC 317-50-030 | Definitions. |
| WAC 317-50-040 | Financial responsibility for small tank barges. |
| WAC 317-50-050 | Evidence of financial responsibility for small tank barges. |
| WAC 317-50-060 | Submitting evidence of financial responsibility. |
| WAC 317-50-070 | Enforcement. |
| WAC 317-50-080 | Financial responsibility for oil spill response barges. |
| WAC 317-50-900 | Severability. |

WSR 24-13-066
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Developmental Disabilities Administration)
 [Filed June 14, 2024, 10:03 a.m., effective July 15, 2024]

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

Purpose: The developmental disabilities administration amended these rules to change the labeling requirements for prescribed and over-the-counter medications for clients who receive services from providers under chapter 388-101D WAC, Group homes, group training homes, supported living, and state-operated living alternatives for adults.

Related emergency rules are currently in place. When effective, this permanent filing supersedes the emergency rule filed under WSR 24-12-061.

Citation of Rules Affected by this Order: Amending WAC 388-101D-0295 and 388-101D-0330.

Statutory Authority for Adoption: RCW 71A.12.030.

Other Authority: RCW 71A.12.120.

Adopted under notice filed as WSR 24-10-046 on April 24, 2024.

A final cost-benefit analysis is available by contacting Chantelle Diaz, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-790-4732, fax 360-407-0955, TTY 1-800-833-6388, email Chantelle.Diaz@dshs.wa.gov.

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

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

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

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: June 14, 2024.

Lisa N. H. Yanagida
 Chief of Staff

SHS-5020.3

AMENDATORY SECTION (Amending WSR 16-14-058, filed 6/30/16, effective 8/1/16)

WAC 388-101D-0295 Medication services—General. (1) If the service provider (~~is involved in assisting any~~) supports a client with ((medications)) a prescribed or over-the-counter medication, as identified in the client's ((individual support)) person-centered service plan, the service provider must do all of the following:

(a) Have systems in place to ensure that medications are given as ordered and in a manner that safeguards the client's health and safety(~~(+)~~).

(b) Ensure that each client receives their medication as prescribed, except as provided for in the medication refusal section or in the medication assistance section regarding altering medication(~~(+ and)~~).

~~(c) ((Have a legible prescription label completed by a licensed pharmacy before providing medication assistance or medication administration to a client for prescribed medications.))~~ Ensure each medication has a legible:

(i) Pharmacist-prepared label; or

(ii) Manufacturer label with the name of the client for whom the medication is prescribed added to the container.

(2) Group homes licensed as an assisted living facility or adult family home must meet the medication management requirements of chapter 388-78A or 388-76 WAC. For any difference in requirements the assisted living facility or adult family home medication rules take precedence over the medication rules of this chapter.

AMENDATORY SECTION (Amending WSR 16-14-058, filed 6/30/16, effective 8/1/16)

WAC 388-101D-0330 Storage of medications. (1) The service provider must keep a client's medications so they are not readily available to other clients.

(2) The service provider must store medications:

(a) Under proper conditions for sanitation, temperature, moisture, and ventilation, and separate from food or toxic chemicals; and

(b) In the original medication (~~(containers))~~ container with a pharmacist-prepared label, a (~~(or))~~ manufacturer's label in accordance with WAC 388-101D-0295, or in a medication (~~(organizers which are))~~ organizer clearly labeled with the:

(i) Name of the client for whom the medication is prescribed;

(ii) Name of (~~(the medications))~~ each medication; (~~(and)~~)

(iii) (~~(Dosage and))~~ Medication dose and frequency(~~(-))~~ to be given; and

(iv) Route each medication is to be administered.

(3) Group homes must:

(a) Keep all medications in locked storage; and

(b) Use medication organizers only when filled by a pharmacist.

WSR 24-13-079

PERMANENT RULES

DEPARTMENT OF HEALTH

(Board of Nursing)

[Filed June 17, 2024, 10:58 a.m., effective July 18, 2024]

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

Purpose: Delegation of glucose monitoring and testing by a registered nurse (RN). WAC 246-840-930, 246-840-940 and new rules, WAC 246-840-835 and 246-840-935, Blood glucose management. The Washington state board of nursing (board) permanently adopted amendments to change the amount of time required for RN supervision and evaluation of the delegated task of insulin injections as well as established new sections of rule regarding nurse delegation of blood glucose monitoring and testing, in response to SHB 1124 (chapter 14, Laws of 2022).

Citation of Rules Affected by this Order: New WAC 246-840-835 and 246-840-935; and amending WAC 246-840-930 and 246-840-940.

Statutory Authority for Adoption: RCW 18.79.010, 18.79.110, and 18.79.260.

Adopted under notice filed as WSR 24-08-076 on April 3, 2024.

Changes Other than Editing from Proposed to Adopted Version: The adopted rule language differs from the text of the proposed rule. These changes included adding the word "care" to the phrase "in-home" in order to remain consistent with the care setting name and includes nonsubstantive grammatical corrections to WAC 246-840-835 and 246-840-935.

A final cost-benefit analysis is available by contacting Jessilyn Dagum, P.O. Box 47864, Olympia, WA 98504-7864, phone 360-236-3538, fax 360-236-4738, TTY 711, email WABONRules@doh.wa.gov, website www.nursing.wa.gov.

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

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

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

Date Adopted: June 17, 2024.

Alison Bradywood, DNP, MH/MPH, RN, NEA-BC
Executive Director
Washington State Board of Nursing

OTS-5046.6

NEW SECTION

WAC 246-840-835 Nurse delegation—Blood glucose monitoring and testing in settings other than community-based and in-home care. In settings other than community-based and in-home care that deliver health care services, registered nurses may delegate blood glucose monitoring and testing only to registered or certified nursing assistants under chapter 18.88A RCW in accordance with the delegation process in RCW 18.79.260 (3) (a).

AMENDATORY SECTION (Amending WSR 22-12-026, filed 5/23/22, effective 9/9/22)

WAC 246-840-930 Criteria for delegation. (1) In community-based and in-home care settings, before delegating a nursing task, the registered nurse delegator shall decide(~~(s—the))~~ if a task is appropriate to delegate based on the elements of the nursing process: ASSESS, PLAN, IMPLEMENT, EVALUATE.

ASSESS

(2) The setting allows delegation because it is a community-based care setting as defined by RCW 18.79.260 (3) (e) (i) or an in-home care setting as defined by RCW 18.79.260 (3) (e) (ii).

(3) Assess the patient's nursing care needs and determine the patient's condition is stable and predictable. A patient may be stable and predictable with an order for sliding scale insulin or terminal condition.

(4) Determine the task to be delegated is within the delegating nurse's area of responsibility.

(5) Determine the task to be delegated can be properly and safely performed by the nursing assistant or home care aide. The registered nurse delegator assesses the potential risk of harm for the individual patient.

(6) Analyze the complexity of the nursing task and determine the required training or additional training needed by the nursing assistant or home care aide to competently accomplish the task. The registered nurse delegator identifies and facilitates any additional training of the nursing assistant or home care aide needed prior to delegation. The registered nurse delegator ensures the task to be delegated can be properly and safely performed by the nursing assistant or home care aide.

(7) Assess the level of interaction required. Consider language or cultural diversity affecting communication or the ability to accomplish the task and to facilitate the interaction.

(8) Verify that the nursing assistant or home care aide:

(a) Is currently registered or certified as a nursing assistant or home care aide in Washington state without restriction;

(b) Has completed both the basic caregiver training and core delegation training before performing any delegated task;

(c) Has evidence as required by the department of social and health services of successful completion of nurse delegation core training;

(d) Has evidence as required by the department of social and health services of successful completion of nurse delegation special

focus on diabetes training when providing insulin injections to a diabetic client; and

(e) Is willing and able to perform the task in the absence of direct or immediate nurse supervision and accept responsibility for their actions.

(9) Assess the ability of the nursing assistant or home care aide to competently perform the delegated nursing task in the absence of direct or immediate nurse supervision.

(10) If the registered nurse delegator determines delegation is appropriate, the nurse:

(a) Discusses the delegation process with the patient or authorized representative, including the level of training of the nursing assistant or home care aide delivering care.

(b) Obtains written consent. The patient, or authorized representative, must give written consent to the delegation process under chapter 7.70 RCW. Documented verbal consent of patient or authorized representative may be acceptable if written consent is obtained within 30 days; electronic consent is an acceptable format. Written consent is only necessary at the initial use of the nurse delegation process for each patient and is not necessary for task additions or changes or if a different nurse, nursing assistant, or home care aide will be participating in the process.

PLAN

(11) Document in the patient's record the rationale for delegating or not delegating nursing tasks.

(12) Provide specific, written delegation instructions to the nursing assistant or home care aide with a copy maintained in the patient's record that includes:

(a) The rationale for delegating the nursing task;

(b) The delegated nursing task is specific to one patient and is not transferable to another patient;

(c) The delegated nursing task is specific to one nursing assistant or one home care aide and is not transferable to another nursing assistant or home care aide;

(d) The nature of the condition requiring treatment and purpose of the delegated nursing task;

(e) A clear description of the procedure or steps to follow to perform the task;

(f) The predictable outcomes of the nursing task and how to effectively deal with them;

(g) The risks of the treatment;

(h) The interactions of prescribed medications;

(i) How to observe and report side effects, complications, or unexpected outcomes and appropriate actions to deal with them, including specific parameters for notifying the registered nurse delegator, health care provider, or emergency services;

(j) The action to take in situations where medications and/or treatments and/or procedures are altered by health care provider orders, including:

(i) How to notify the registered nurse delegator of the change;

(ii) The process the registered nurse delegator uses to obtain verification from the health care provider of the change in the medical order; and

(iii) The process to notify the nursing assistant or home care aide of whether administration of the medication or performance of the procedure and/or treatment is delegated or not;

(k) How to document the task in the patient's record;

(l) Document teaching done and a return demonstration, or other method for verification of competency; and

(m) Supervision shall occur at least every 90 days. With delegation of insulin injections, the supervision occurs at least ~~((weekly))~~ every two weeks for the first four weeks, and may be more frequent.

(13) The administration of medications may be delegated at the discretion of the registered nurse delegator, including insulin injections. Any other injection (intramuscular, intradermal, subcutaneous, intraosseous, intravenous, or otherwise) is prohibited. The registered nurse delegator provides to the nursing assistant or home care aide written directions specific to an individual patient.

IMPLEMENT

(14) Delegation requires the registered nurse delegator teach the nursing assistant or home care aide how to perform the task, including return demonstration or other method of verification of competency as determined by the registered nurse delegator.

(15) The registered nurse delegator is accountable and responsible for the delegated nursing task. The registered nurse delegator monitors the performance of the task(s) to assure compliance with established standards of practice, policies and procedures and appropriate documentation of the task(s).

EVALUATE

(16) The registered nurse delegator evaluates the patient's responses to the delegated nursing care and to any modification of the nursing components of the patient's plan of care.

(17) The registered nurse delegator supervises and evaluates the performance of the nursing assistant or home care aide, including direct observation or other method of verification of competency of the nursing assistant or home care aide. The registered nurse delegator reevaluates the patient's condition, the care provided to the patient, the capability of the nursing assistant or home care aide, the outcome of the task, and any problems.

(18) The registered nurse delegator ensures safe and effective services are provided. Reevaluation and documentation occur at least every 90 days. Frequency of supervision is at the discretion of the registered nurse delegator and may be more often based upon nursing assessment.

(19) The registered nurse must supervise and evaluate the performance of the nursing assistant or home care aide with delegated insulin injection authority at least ~~((weekly))~~ every two weeks for the first four weeks. After the first four weeks the supervision shall occur at least every 90 days.

NEW SECTION

WAC 246-840-935 Nurse delegation—Blood glucose monitoring and testing in community-based and in-home care settings. In community-based and in-home care settings, the registered nurse delegator may delegate blood glucose monitoring and testing only to registered or certified nursing assistants under chapter 18.88A RCW or to home care

aides certified under chapter 18.88B RCW following the criteria for the setting defined in RCW 18.79.260.

AMENDATORY SECTION (Amending WSR 13-15-063, filed 7/15/13, effective 8/15/13)

WAC 246-840-940 Washington state (~~nursing care quality assurance commission~~) board of nursing community-based and in-home care setting delegation decision tree. In community-based and in-home care settings, before delegating a nursing task, the registered nurse delegator shall decide if a task is appropriate to delegate based on the decision tree:

| | | | |
|-------|---|------|--|
| (1) | Does the patient reside in one of the following settings? A community-based care setting as defined by RCW 18.79.260 (3)(e)(i) or an in-home care setting as defined by RCW 18.79.260 (3)(e)(ii). | No → | Do not delegate |
| Yes ↓ | | | |
| (2) | Has the patient or authorized representative given consent to the delegation? | No → | Obtain the written, informed consent |
| Yes ↓ | | No → | |
| (3) | Is RN assessment of patient's nursing care needs completed? | No → | Do assessment, then proceed with a consideration of delegation |
| Yes ↓ | | | |
| (4) | Does the patient have a stable and predictable condition? | No → | Do not delegate |
| Yes ↓ | | | |
| (5) | Is the task within the registered nurse's scope of practice? | No → | Do not delegate |
| Yes ↓ | | | |
| (6) | Is the nursing assistant or home care aide, registered or certified and properly trained in the nurse delegation for nursing assistants or home care aides? Is the nursing assistant or home care aide trained in diabetes care and insulin injections when delegating insulin? | No → | Do not delegate |
| Yes ↓ | | | |
| (7) | Does the delegation exclude the administration of medications by injection other than insulin, sterile procedures or central line maintenance? | No → | Do not delegate |
| Yes ↓ | | | |
| (8) | Can the task be performed without requiring judgment based on nursing knowledge? | No → | Do not delegate |
| Yes ↓ | | | |

| | | | |
|-------|--|------|-----------------|
| (9) | Are the results of the task reasonably predictable? | No → | Do not delegate |
| Yes ↓ | | | |
| (10) | Can the task be safely performed according to exact, unchanging directions? | No → | Do not delegate |
| Yes ↓ | | | |
| (11) | Can the task be performed without a need for complex observations or critical decisions? | No → | Do not delegate |
| Yes ↓ | | | |
| (12) | Can the task be performed without repeated nursing assessments? | No → | Do not delegate |
| Yes ↓ | | | |
| (13) | Can the task be performed properly? | No → | Do not delegate |
| Yes ↓ | | | |
| (14) | Is appropriate supervision available? With insulin injections, the supervision occurs at least ((weekly)) every <u>two weeks</u> for the first four weeks. | No → | Do not delegate |
| Yes ↓ | | | |
| (15) | There are no specific laws or rules prohibiting the delegation? | No → | Do not delegate |
| Yes ↓ | | | |
| (16) | Task is delegable | | |

WSR 24-13-089
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 18, 2024, 8:25 a.m., effective July 22, 2024]

Effective Date of Rule: July 22, 2024.

Purpose: The purpose of this rule making is to adopt amendments to the factory assembled structures (FAS) rules. The adopted amendments affect the department of labor and industries' (L&I) FAS advisory board, and distributing inspection insignia to manufacturers of recreational vehicles. The amendments are necessary after passage of two bills in 2023 that took effect July 23, 2023: HB 1514, chapter 78, Laws of 2023; and SB 5089, chapter 36, Laws of 2023.

HB 1514 allows recreational vehicles (RVs) and recreational park trailer manufacturers with an agency approved quality control program to request and purchase insignia while their plans are under review by the FAS program.

SB 5089 was an L&I request bill that amends membership for the FAS advisory board. Amendments include:

- Increasing the number of board members from nine to at least 11;
- Adding a representative for allied trades such as electricians, plumbers and contractors;
- Adding diversity considerations for board appointments; and
- Requiring members to apply for reappointment if serving consecutive terms.

The new statutory amendments also make technical and clean-up changes under chapters 43.22 and 43.22A RCW.

Adopted amendments to this chapter are as follows:

Amended Sections:

WAC 296-49A-010 What definitions apply to this chapter?

- Adopts language for general housekeeping, such as updating the title and terminology.

WAC 296-49A-020 What is the purpose of these rules?

- Clarifies the primary purpose of the rules.

WAC 296-49A-030 What is the purpose of the board?

- Amends the purpose of the board to include matters pertaining to conversion vendor units and medical units.
- Clarifies that recreational park trailers are also known as park model recreational vehicles.

WAC 296-49A-040 Who are the members and officers of the board?

- Adopts rules for updates and consistency with the statutory amendments under SB 5089. This includes:
 - o Amending the number of FAS advisory board members from nine to 11.
 - o Requiring board members to apply for reappointment if serving consecutive terms.
 - o Adding members of the allied trades and conversion vendor units to the list of representatives on the board.
 - o Allowing for the appointment of additional members by the director.

- o Adding diversity considerations for appointing board members.
- o Allowing members to be removed from the board for cause.

WAC 296-49A-050 When does the board meet?

- Allows regular meetings to be rescheduled by the FAS program manager.
- Allows the FAS program manager or chair of the board to call special meetings with approval of the FAS program manager on behalf of the director.
- Amends the title of the rule from a question to statement format.

WAC 296-49A-060 How are board meetings conducted?

- Clarifies the board must adopt bylaws to govern its internal management and post them on the website.
- Amends the title from a question to statement format.

WAC 296-49A-070 What are the duties of the board?

- Adopts requirements for the board to review the rules and regulations for FAS.
- Clarifies the information that board members should share with their stakeholder groups and L&I.
- Adopts language for housekeeping, such as updating the title from a question to statement format and clarification changes.

WAC 296-49A-080 Who can speak at board meetings?

- Adopts language for general housekeeping, such as updating the title from a question to statement format, for grammatical corrections, and clarification changes.

WAC 296-49A-090 Can a person appearing before the board solicit business?

- Adopts language for housekeeping, such as updating the title from a question to statement format and clarification changes.

WAC 296-49A-100 What standards of ethical conduct are expected of the board members and persons appearing before the board?

- Adopts language to align with the applicable state ethics laws.
- Allows the removal of board members for not following state ethics laws and standards in the Boards and Commissions Membership Handbook.

WAC 296-150P-0020 What definitions apply to this chapter?

- Adds a new definition to define the meaning of "submitted design plan" to align with the statutory amendments in HB 1514.

WAC 296-150P-0220 How do I obtain insignia based on state-plan approval?

- Clarifies the application process for obtaining insignia to align with the statutory amendments in HB 1514.
- Removes the requirement that manufacturers include a list of their approved plans with each insignia application.

- Creates a new subsection that adds restrictions for park model recreational vehicles labels.

WAC 296-150P-0300 What is required to obtain insignia based on state-plan approval?

- Adopts language for general housekeeping, such as updating the title from a question to statement format and clarification changes.

WAC 296-150R-0020 What definitions apply to this chapter?

- Adds a new definition to define the meaning of "submitted design plan" to align with the statutory amendments in HB 1514.

WAC 296-150R-0220 How do I obtain insignia based on state-plan approval?

- Clarifies the application process for obtaining insignia to align with the statutory amendments in HB 1514.
- Removes the requirement that manufacturers include a list of their approved plans with each insignia application.
- Creates a new subsection that adds restrictions for recreational vehicle labels.

WAC 296-150R-0300 What is required to obtain insignia based on state-plan approval?

- Clarifies the application process for obtaining insignia to align with the statutory amendments in HB 1514.
- Removes the requirement that manufacturers include a list of their approved plans with each insignia application.
- Adopts language for housekeeping, such as updating the title from a question to statement format and grammatical and clarification changes.

Repealed Section:

WAC 296-49A-110 What statute governs the adoption of FAS rules and regulations?

- Repeals the provisions pertaining to the adoption of FAS rules and procedures according to chapter 34.05 RCW, the Administrative Procedure Act.

Citation of Rules Affected by this Order: Repealing WAC 296-49A-110; and amending WAC 296-49A-010, 296-49A-020, 296-49A-030, 296-49A-040, 296-49A-050, 296-49A-060, 296-49A-070, 296-49A-080, 296-49A-090, 296-49A-100, 296-150P-0020, 296-150P-0220, 296-150P-0300, 296-150R-0020, 296-150R-0220, and 296-150R-0300.

Statutory Authority for Adoption: HB 1514 (chapter 78, Laws of 2023); SB 5089 (chapter 36, Laws of 2023), including chapters 43.22 and 43.22A RCW.

Adopted under notice filed as WSR 24-07-086 on March 19, 2024.

A final cost-benefit analysis is available by contacting Meagan Edwards, L&I, Field Services and Public Safety Division, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-522-0125, fax 360-704-1980, email Meagan.Edwards@lni.wa.gov, website <https://lni.wa.gov/licensing-permits/manufactured-modular-mobile-structures/laws-rules#rule-development>.

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 10, Repealed 0.

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

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 16, Repealed 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 16, Repealed 1.

Date Adopted: June 18, 2024.

Joel Sacks
Director

OTS-5148.4

Chapter 296-49A WAC

((DIRECTOR'S)) THE FACTORY ASSEMBLED STRUCTURES ADVISORY BOARD

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-010 ((What)) Definitions that apply to this chapter(?). "Board" is the ((director's)) factory assembled structures advisory board.

"Department" is the Washington state department of labor and industries.

"Director" is the director of the department of labor and industries.

"((Section)) **Program**" is the factory assembled structures (FAS) ((section)) program of the department.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-020 ((What-is)) The purpose of these rules(?). The primary purpose of these rules is to ((establish)) provide a ((uniform)) formal means of communication between the ((department)) factory assembled structures program and ((persons, firms or corporations engaged in the manufacture of factory assembled structures)) stakeholders. Generally, the topics of this communication will involve either ((proposed)) WAC rule revisions or the operation of the ((section)) program.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-030 (~~(What is)~~) The purpose of the board(?). The purpose of the board, as authorized by RCW 43.22.420, is to advise the director on all matters pertaining to the enforcement of chapter 43.22 RCW including but not limited to standards of body and frame design, construction and plumbing, heating and electrical installations, minimum inspection procedures and the adoption of rules and regulations pertaining to the manufacture of factory assembled structures, manufactured (mobile) homes, commercial coaches, conversion vendor units, medical units, recreational vehicles, and recreational park trailers (park model recreational vehicles).

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-040 (~~(Who are)~~) The members and officers of the board(?). (1) The board has (~~(nine)~~) at least 11 members. Each is appointed by the director to a four-year term and board members must apply for reappointment if terms would be consecutive. The members must represent consumer interests, regulated industries, allied trades, and allied professionals. Consequently, the composition of the board will be:

- Two members representing consumers;
- Two members representing manufactured housing;
- Two members representing factory-built structures;
- One member representing recreational vehicles and recreational park trailers (park model recreational vehicles);
- One member representing building officials; (~~(and)~~)
- One member who will either be an architect or an engineer(~~(-)~~);
- One member representing conversion vendor units; and
- One member representing the allied trades.

Additional board members may be appointed at the discretion of the director.

(2) When appointing board members, consideration will be given to the gender, racial, ethnic and geographic diversity of the state, including the interests of persons with disabilities.

(3) Board members serve at the discretion of the director and may be removed from the board for cause.

(4) The board will elect a chairperson and vice chairperson. The department's (~~(chief prefab building specialist)~~) FAS program manager shall serve as secretary of the board.

~~(According to)~~ (5) In accordance with RCW 43.03.050 and 43.03.060, each board member shall be paid travel expenses. Those expenses will be paid out of department appropriations upon the presentation of a voucher approved by the director or the director's designee.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-050 (~~((When does the board meet?))~~) Board meeting dates. The board holds regular quarterly meetings on the third Thursday of February, May, August, and November. Regular meetings may be rescheduled by the FAS program manager with advance notice. If needed, the ~~((director))~~ FAS program manager may call special meetings or the board chair may call special meetings with the approval of the FAS program manager on behalf of the director. Regular and special meetings are open to the public.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-060 (~~((How are))~~) Conduct of board meetings (~~((conducted?))~~). The board must adopt written ~~((rules of procedure))~~ bylaws governing its internal management. These ~~((rules))~~ bylaws must include *Roberts' Rules of Order, Revised*. ~~((Upon written request, copies of these rules of procedure must be provided to all interested persons.))~~ The bylaws must be posted on the department's website.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-070 (~~((What are the))~~) Duties of the board(~~((?))~~). (1) ~~((Every three years))~~ The board must review ~~((existing FAS rules and recommend revisions if needed))~~ any new rules and regulations proposed by the program and make recommendations regarding their adoption. Also, the board ~~((must review any new rules and regulations proposed by the director and make recommendations regarding their adoption))~~ may review existing FAS rules and recommend revisions.

(2) The board may ~~((periodically develop))~~ advise the program on administrative procedures, organizational plans, and rules for improving the operation of the ~~((section and submit them to the director for consideration))~~ program.

(3) ~~((Upon the request of the director, the board will assist in the administrative interpretation of national codes and Washington state rules and regulations regarding all matters pertaining to the enforcement of chapter 43.22 RCW and the manufacture of factory assembled structures, manufactured (mobile) homes, commercial coaches, recreational vehicles, and recreational park trailers. This interpretative assistance will include but will not be limited to standards of body and frame design, construction and plumbing, heating and electrical installations, and minimum inspection procedures.~~

However,) Board members should provide their respective stakeholder groups with information about program proposals, issues, and changes. Members should also provide the program with feedback from stakeholders and provide insight as to their opinions, attitudes, and needs.

(4) The board will neither function as a board of appeals nor will it render decisions regarding the application or interpretation of any adopted rule or regulation ~~((to any person, firm or corporation~~

engaged in the business of manufacturing factory assembled structures)).

((4)) (5) At any board meeting, the board must consider any written proposals made by any person((, firm or corporation)) regarding new rules and regulations or changes in administrative procedures related to the ((section)) program.

((However,)) These written proposals must be submitted to the board's secretary at least ((fifteen)) 15 days prior to the meeting so that they can be included on the meeting agenda and in the meeting packet distributed to board members. If the parties submitting these proposals wish to address them at that meeting, their proposals must be accompanied by a written request to address the board.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-080 ((Who can speak)) Speaking at board meetings ((?)). Any person((, firm or corporation)) can speak at board meetings. ((However,)) Those persons((, firms and corporations)) wishing to formally address the board regarding specific proposals relating to ((any)) FAS rule adoptions, amendments or repeals or changes in the ((section's)) program's administrative procedures, must ((be in good ethical standing with the board. (See WAC 296-49A-100.)) do so in accordance with WAC 296-49A-070 and with the board's bylaws.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-090 ((Can a person appearing before the board solicit)) Soliciting business ((?)). The board considers it unethical for anyone appearing before the board to ((use any kind of solicitor to)) solicit business ((or to solicit business)) directly or indirectly, through circulars, advertisements or by personal communications or interviews unwarranted by personal relations. It is permissible to publish or circulate business cards.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-100 ((What)) Standards of ethical conduct ((are expected)) required of board members ((and persons appearing before the board?)). Anyone serving on the board ((or appearing before it)) must adhere to chapter 42.52 RCW (Ethics in Public Service Act) and the standards described in ((*"Ethics and the Appearance of Fairness," State of Washington Boards and Commissions Membership Handbook*)) "Boards and Commissions Membership Handbook" (issued by the office of the governor). Failure to conform to these standards may result in ((forfeiting the opportunity to either appear before the board or serve)) removal as a board member.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-49A-110 What statute governs the adoption of
FAS rules and regulations?

OTS-5166.2

AMENDATORY SECTION (Amending WSR 23-09-024, filed 4/11/23, effective 4/11/23)

WAC 296-150P-0020 What definitions apply to this chapter? "**Alteration**" is the replacement, addition, modification, or removal of any equipment or material that affects the fire and life safety provisions, structural system, plumbing systems, fuel systems and equipment or electrical systems of a recreational park trailer.

The following changes are not considered alterations for purposes of this chapter:

- Repairs with approved parts;
- Modification of a fuel-burning appliance according to the terms of its listing; and
- Adjustment and maintenance of equipment.

"**Alteration insignia**" is an insignia which indicates a recreational park trailer alteration was approved by the department.

"**ANSI**" is the American National Standards Institute, Inc., and the institute's rules applicable to recreational park trailers. For the purposes of this chapter, references to ANSI mean ANSI A119.5 Recreational Park Trailers, current edition.

"**Approved**" is approved by the department of labor and industries.

"**Audit**" by the department is the department inspection of a manufacturer's quality control procedures, comprehensive plans, and recreational park trailers.

"**Comprehensive design plan**" consists of the design plans and copies of drawings such as:

- Floor plans relating to fire and life safety, structural, electrical, plumbing, liquefied petroleum (LP) and/or natural gas systems and appliances and air conditioning systems, if applicable to the plan of each recreational park trailer.
- Plumbing line drawings which describe the size, length and location of gas piping lines, liquid and body waste lines, liquid and body waste tanks, and potable water tanks.
- Electrical drawings. (See WAC 296-150P-0330.)

"**Consumer**" is a person or organization who buys or leases recreational park trailers.

"**Dealer**" is a person or organization whose business is offering recreational park trailers for sale or lease.

"**Department**" is the department of labor and industries. The department may be referred to as "we" or "us" in this chapter. Note: You may contact us at: Department of Labor and Industries, Specialty Compliance, P.O. Box 44430, Olympia, WA 98504-4430.

"Equipment" is all material, appliances, fixtures, and accessories used in the manufacture or alteration of recreational park trailers.

"Manual" is a reference containing instructions, procedures, responsibilities and other information used to implement and maintain the quality control program of a recreational park trailer manufacturer.

"National Electrical Code" see Appendix 'C' of ANSI A119.5 for reference to the appropriate edition to use for compliance.

"Recreational park trailer" also known as a "park model recreational vehicle" is a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping or seasonal use, that meets the following criteria:

- Built on a single chassis, mounted on wheels;
- Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set-up mode; and
- Certified by the manufacturer as complying with ANSI A119.5.

"Quality control" is the plan and method for ensuring that the manufacture, fabrication, assembly, installation, storing, handling, and use of materials complies with this chapter and ANSI.

"State-plan insignia" is an insignia which is obtained under the state design-plan approval process.

"Submitted design plan" is a plan that:

- Has been received by the department for review; and
- The plan approval fee is paid; and
- Is awaiting an initial design plan review.

"System" is a part of a recreational park trailer that is designed to serve a particular function such as plumbing, electrical, heating, mechanical or structural system.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-150P-0220 How do I obtain insignia based on state-plan approval? (1) If you are approved to purchase insignia based on state-plan approval, you may purchase the insignia by submitting the insignia application with the required fees. (See WAC 296-150P-3000.)

(2) The application must be on the department's approved "application for insignia" form F622-021-000 and include((~~+~~

~~(a))~~ a signed statement from you certifying that you are manufacturing your units according to your approved and/or "submitted design plans" and your quality control program((~~+~~and

~~(b) A list of the approved design plans against which you will apply the insignia))~~).

(3) Insignia may not be purchased for or applied to units for which:

(a) The plans are being approved by a licensed professional in accordance with WAC 296-150P-0315 and have not been assigned a plan approval number by the department; or

(b) The submitted design plans have been at the department less than 10 working days; or

(c) The submitted design plans have been reviewed by the department, and are not approved.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-150P-0300 (~~(What is required to obtain insignia based on)~~) **Obtaining approval as a state-plan ((approval?)) manufacturer.** (~~(If you want to)~~) Before you can obtain insignia based on state-plan approval, you must:

- (1) Have your (~~design plan and~~) quality control manual approved by us; and
- (2) Have your design plan(s) approved in accordance with WAC 296-150P-0315 (see WAC 296-150P-0220); and
- (3) Pass a quality control program audit which includes a random inspection of your recreational park trailers.

OTS-5167.2

AMENDATORY SECTION (Amending WSR 12-15-061, filed 7/17/12, effective 9/1/12)

WAC 296-150R-0020 **What definitions apply to this chapter?** "**Alteration**" is the replacement, addition, modification, or removal of any equipment or material that affects the fire and life safety provisions, plumbing systems, fuel systems and equipment or electrical systems of a recreational vehicle.

The following changes are not considered alterations for purposes of this chapter:

- Repairs with approved parts;
- Modification of a fuel burning appliance according to the terms of its listing; and
- Adjustment and maintenance of equipment.

"**Alteration insignia**" is an insignia which indicates a vehicle alteration was approved by the department.

"**ANSI**" is the American National Standards Institute, Inc., and the institute's rules applicable to *Low Voltage Systems in Conversion and Recreational Vehicles and Uniform Plan Approval for Recreational Vehicles*. For the purposes of this chapter, references to ANSI mean ANSI/RVIA 12V *Low Voltage Systems*, current edition, and ANSI/RVIA UPA-1 *Standard on Uniform Plan Approval for Recreational Vehicles*, current edition.

"**Approved**" is approved by the department of labor and industries.

"**Audit**" by the department can be either a comprehensive audit or a performance audit. A comprehensive audit is the department inspection of a manufacturer's quality control procedures, comprehensive plans, and vehicles. A performance audit is the department's review of the manufacturer's audit performed by the industry association or other independent auditor.

"**Comprehensive design plan**" consists of the design plans and copies of drawings such as:

- Floor plans relating to fire and life safety, electrical, plumbing, liquefied petroleum (LP) and/or natural gas systems and appliances and air conditioning systems, if applicable to the plan of each vehicle.

- Plumbing line drawings which describe the size, length and location of gas piping lines, liquid and body waste lines, liquid and body waste tanks, and potable water tanks.

- Electrical drawings. (See WAC 296-150R-0330 and 296-150R-0820.)

"Consumer" is a person or organization who buys or leases recreational vehicles.

"Dealer" is a person or organization whose business is offering recreational vehicles for sale or lease.

"Department" is the department of labor and industries. The department may be referred to as "we" or "us" in this chapter. Note: You may contact us at: Department of Labor and Industries, Specialty Compliance, P.O. Box 44430, Olympia, WA 98504-4430.

"Equipment" is all material, appliances, fixtures, and accessories used in the manufacture or alteration of recreational vehicles or park trailers.

"Manual" is a reference containing instructions, procedures, responsibilities and other information used to implement and maintain the quality control program of a recreational vehicle manufacturer.

"National Electrical Code" see Chapter 2 of NFPA 1192 *Standard on Recreational Vehicles*, current edition, for reference to the appropriate edition to use for compliance.

"NFPA" is National Fire Protection Association, and the institute's rules applicable to recreation vehicles. For the purpose of this chapter, references to NFPA means NFPA 1192 *Standard on Recreational Vehicles*, current edition.

"Quality control" is the plan and method for ensuring that the manufacture, fabrication, assembly, installation, storing, handling, and use of materials complies with this chapter, ANSI, and NFPA.

"Recreational vehicle" is a vehicular type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive power or is mounted on, or towed by, another vehicle or as defined by NFPA 1192 *Standard on Recreational Vehicles*, current edition. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers.

"Self-certification insignia" is an insignia which is obtained under the self-certification approval process.

"State-plan insignia" is an insignia which is obtained under the state design-plan approval process.

"Submitted design plan" is a plan that:

- Has been received by the department for review; and
- The plan approval fee is paid; and
- Is awaiting an initial design plan review.

"System" is a part of a recreational vehicle that is designed to serve a particular function such as plumbing, electrical, heating, or mechanical system.

"Vehicle" for the purposes of this chapter, is a recreational vehicle.

AMENDATORY SECTION (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

WAC 296-150R-0220 How do I obtain insignia based on state-plan approval? (1) If you are approved to purchase insignia based on

state-plan approval, you may purchase the insignia by submitting the insignia application with the required fees. (See WAC 296-150R-3000.)

(2) The application must be on the department's approved "application for insignia" form F622-021-000 and include(~~(~~

~~(a))~~ a signed statement from you certifying that you are manufacturing your units according to your approved and/or "submitted design plans" and your quality control program(~~;~~ and

~~(b) A list of the approved design plans against which you will apply the insignia)~~).

(3) Insignia may not be purchased for or applied to units for which:

(a) The plans are being approved by a licensed professional in accordance with WAC 296-150R-0315 and have not been assigned a plan approval number by the department; or

(b) The submitted design plans have been at the department less than 10 working days; or

(c) The submitted design plans have been reviewed by the department, and are not approved.

AMENDATORY SECTION (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

WAC 296-150R-0300 ~~((What is required to obtain insignia based on))~~ **Obtaining approval as a state-plan ((approval?)) manufacturer.**
~~((If you want to))~~ Before you can obtain insignia based on state-plan approval, you must:

(1) Have your ((design plan and)) quality control manual approved by us; and

(2) Have your design plan(s) approved in accordance with WAC 296-150R-0315 (see WAC 296-150R-0220); and

(3) Pass a quality control program comprehensive audit which includes a random inspection of your vehicles.

WSR 24-13-092
PERMANENT RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed June 18, 2024, 8:54 a.m., effective July 19, 2024]

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

Purpose: Revise the adoption-by-reference dates in the utilities and transportation commission WAC to reflect the current version(s) of adopted materials and make other minor administrative updates and corrections.

Citation of Rules Affected by this Order: Amending WAC 480-14-999, 480-15-999, 480-30-999, 480-31-999, 480-62-235, 480-62-245, 480-62-999, 480-70-999, 480-75-999, 480-90-999, 480-93-999, 480-100-999, 480-120-999, and 480-123-999.

Statutory Authority for Adoption: RCW 80.10.040, 80.04.160, 81.04.160, and 34.05.353.

Adopted under notice filed as WSR 24-09-054 on April 15, 2024.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 14, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental 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 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: June 18, 2024.

Jeff Killip
Executive Director and Secretary

OTS-5339.1

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-14-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publication, effective dates, references within this chapter, and availability of the resource is within Title 49 Code of Federal Regulations (C.F.R.), including all appendices and amendments is published by the United States Government Printing Office.

(1) The commission adopts the version in effect on December 31, ((2022)) 2023, for 49 C.F.R. Parts 171, 172 and 173.

(2) This publication is referenced in WAC 480-14-250 (Insurance requirements).

(3) Copies of Title 49 C.F.R. are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

OTS-5340.1

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-15-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **North American Standard Out-of-Service Criteria** (OOSC) is published by the Commercial Vehicle Safety Alliance (CVSA).

(a) The commission adopts the version in effect on April 1, ((2023)) 2024.

(b) This publication is referenced in WAC 480-15-560 ((Equipment)) Vehicle and driver safety requirements).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA.

(2) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, ((2022)) 2023.

(b) This publication is referenced in WAC 480-15-560 ((Equipment)) Vehicle and driver safety requirements) ((~~and WAC 480-15-570 (Driver safety requirements)~~)).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

OTS-5341.1

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-30-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **North American Standard Out-of-Service Criteria** (OOSC) is published by the Commercial Vehicle Safety Alliance (CVSA).

(a) The commission adopts the version in effect on April 1, ((2023)) 2024.

(b) This publication is referenced in WAC 480-30-221 (Vehicle and driver safety requirements).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA.

(2) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, ((2022)) 2023.

(b) This publication is referenced in WAC 480-30-221 (Vehicle and driver safety requirements) and WAC 480-30-226 (Intrastate medical waivers).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

OTS-5342.1

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-31-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **North American Standard Out-of-Service Criteria** (OOSC) is published by the Commercial Vehicle Safety Alliance (CVSA).

(a) The commission adopts the version in effect on April 1, ((2023)) 2024.

(b) This publication is referenced in WAC 480-31-120 (Equipment—Inspection—Ordered for repairs).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA.

(2) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, ((2022)) 2023.

(b) This publication is referenced in WAC 480-31-100 (Equipment—Safety), WAC 480-31-120 (Equipment—Inspection—Ordered for repairs), and WAC 480-31-130 (Operation of motor vehicles).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

OTS-5338.2

AMENDATORY SECTION (Amending WSR 11-04-041, filed 1/25/11, effective 2/25/11)

WAC 480-62-235 Flaggers. (1) The rules in this section apply whenever a railroad company engages in the maintenance, repair, or construction of a grade crossing or grade separated crossing; however, they do not apply when flaggers are provided only because of a crossing signal malfunction or only because of inspections or repairs to a crossing signal system. The latter circumstances are covered by 49 C.F.R., Part 234. In addition, 49 C.F.R. Part 234.5 recommends that railroad companies follow the requirements of Part VI of the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD) to the extent possible. The commission further recommends that railroads also abide by the following rules to the extent possible in situations covered by 49 C.F.R. Part 234.

(2) Except as otherwise required in this section, traffic control devices, signs, barricades, and signaling methods must be set up in accordance with the provisions of the Manual on Uniform Traffic Control Devices (MUTCD). The commission adopts, by reference, specific portions of the MUTCD, as follows:

- (a) Chapter (~~8A.08~~) 8A.13, Temporary Traffic Control Zones;
- (b) Chapter (~~6A~~) 6A.01, General;
- (c) Chapter (~~6B~~) 6A.02, Fundamental Principles of Temporary Traffic Control;
- (d) Chapter (~~6D~~) 6C, Pedestrian and Worker Safety;
- (e) Chapter (~~6E~~) 6D, Flagger Control;
- (f) Chapter (~~6G.18~~) 6N.17, Work in the Vicinity of a Grade Crossing.

(3) Flaggers are to be used only when other reasonable means of control will not adequately control traffic in work zones. It may be reasonable in some cases to close the road on which the crossing is located, but only if agreed to by the public authority responsible for the roadway.

(4) Standards for high-visibility safety apparel.

(a) While flagging during daylight hours, a flagger must, at a minimum, wear:

- A high-visibility safety garment designed according to Class 2 specifications in ANSI/ISEA 207-((2006)) 2020, American National Standard for High-Visibility Public Safety Vests (~~(, specifically, a garment containing at least seven hundred seventy-five square inches of background material and two hundred one square inches of retro-reflective material)~~); and
- A high-visibility hard hat.

(b) While flagging at night, a flagger must, at a minimum, wear:

- A high-visibility safety garment designed according to Class 2 specifications in ANSI/ISEA 207-((2006)) 2020 over white coveralls, or other coveralls or trousers designed according to ANSI/ISEA 207-((2006)) 2020 standards; and
- A high-visibility hard hat (~~(that is marked with at least twelve square inches of reflectorized material providing three hundred sixty degrees of visibility)~~).

(c) While flagging during inclement weather, yellow rain gear, white rain gear, or rain gear designed according to ANSI/ISEA 207-((2006)) 2020 may be substituted for white coveralls.

(5) Railroad companies must develop and use a method to ensure that whenever there is any potential hazard associated with motor ve-

hicles, construction equipment, or on-track equipment, that flaggers have adequate warning of objects approaching from behind the flagger.

Note: The following are some nonmandatory examples of methods that may be used to adequately warn flaggers:

- Mount a mirror on the flagger's hard hat;
- Use a motion detector with audible warning; or
- Use a spotter.

(6) (a) Railroad companies must conduct an on-site safety briefing for flaggers each time a flagger reports for duty, and also when job site conditions change significantly. The briefing must include applicable portions of the traffic control plan and any changes applicable during the flagger's shift. If not covered in the traffic control plan, the briefing must also include:

- The flagger's role and location at the job site;
- Motor vehicles and equipment in operation at the site;
- Job site traffic patterns;
- Communications and signals to be used between flaggers and equipment operators;
- Expected train and other on-track equipment movements;
- On-foot escape route; and
- Other hazards specific to the job site.

(b) When flaggers are used on a job site at a roadway allowing speeds of (~~forty-five~~) 45 mph or more and the job will last more than one day, the railroad company must keep on the site a current site-specific traffic control plan. The purpose of this plan is to help move traffic through or around the construction zone in a way that protects the safety of the traveling public, pedestrians and workers. The plan must include, but is not limited to, such items as:

- Sign use and placement;
- Application and removal of pavement markings;
- Construction;
- Scheduling;
- Methods and devices for delineation and channelization;
- Placement and maintenance of devices;
- Placement of flaggers;
- Roadway lighting;
- Traffic regulations; and
- Surveillance and inspection.

(7) (a) Where flaggers are used on roads allowing speeds of at least (~~forty-five~~) 45 mph, the railroad company must provide an additional warning sign marked "BE PREPARED TO STOP."

(b) This sign is in addition to those required by Part VI of the Manual on Uniform Traffic Control Devices. It should be placed between the last two warning signs in the series or on the opposite side of the road when used on undivided roads.

(c) This additional sign does not increase the required advance warning area.

(d) The purpose of this additional sign is to clearly point out that a flagger will be encountered and the driver should be prepared to stop.

(8) To protect flaggers, railroad companies must ensure that:

(a) Flagger workstations are illuminated at night and during inclement weather by floodlights. It is important to adequately illuminate the workstation without creating glare in the eyes of approaching drivers. The adequacy and proper placement of floodlights can best be determined by driving through and observing the workstation from each direction on the roadway.

(b) Warning signs reflect the actual condition of the work zone. When not in use, warning signs should either be taken down or covered.

(c) Flaggers are not assigned other duties while engaging in flagging activities.

(d) Flaggers do not use devices (e.g., cell phones, pagers, or radio headphones) that may distract the vision, hearing, or attention of the flagger. Devices such as two-way radios used for communication between flaggers to direct traffic or ensure flagger safety are acceptable.

(e) Flaggers receive appropriate breaks from flagging so they can remain attentive and alert.

(9) Unless an emergency makes it impossible, before performing any work, railroad companies must coordinate all repair, maintenance, and construction work with the governing authority responsible for the road on which the crossing exists.

(10) Information about Title 49 C.F.R., the Manual on Uniform Traffic Control Devices, and ANSI/ISEA 207-((2006)) 2020 regarding the versions adopted and where to obtain them is set out in WAC 480-62-999.

AMENDATORY SECTION (Amending WSR 18-10-001, filed 4/18/18, effective 5/19/18)

WAC 480-62-245 Railroad owned or operated passenger carrying vehicles—Operation. (1) General.

(a) All passenger carrying motor vehicles must be operated in compliance with state law no matter where the vehicle is operated.

(b) Drivers must operate vehicles in a careful and prudent manner and at reasonable and proper speeds, with due regard to circumstances and to the use of highways by others.

(2) Minimum age, skill, and physical condition of drivers.

(a) Drivers of passenger carrying vehicles must be at least ~~((eighteen))~~ 18 years old.

(b) Before being allowed to drive or operate a passenger carrying vehicle, drivers must have demonstrated the physical capability of handling the controls of the vehicle with ease.

(c) Before driving a vehicle, drivers or operators must obtain either a valid Washington state driver's license or a valid license from the state of the driver's residence. The driver must carry the license at all times while operating a vehicle. If the passenger carrying vehicle is a type for which the state of Washington requires an extraordinary license or endorsement, the driver must have such license or endorsement.

(3) **Driver's daily hours of service.** No driver of any passenger carrying vehicle may drive for more than ~~((ten))~~ 10 hours without resting afterward for a minimum of eight consecutive hours.

(4) **Refueling.** No driver or any employee of a railroad company operating within the state may:

(a) Fuel a passenger carrying vehicle with the engine running;

(b) Smoke or expose any flame in the vicinity of a vehicle being fueled;

(c) Fuel a passenger carrying vehicle unless the nozzle of the fuel hose is continuously in contact with the intake pipe of the fuel tank;

(d) Insofar as practicable, permit any other person to engage in activities that might result in a fire or explosion;

(e) Except on buses, all occupants of the vehicle, except the driver and those within the operating cab, must dismount and stand clear while the vehicle is being refueled.

(5) Driving rules.

(a) Drivers must bring vehicles to a complete stop not less than (~~fifteen~~) 15 feet from the nearest rail of any at-grade crossing before crossing the track except:

(i) Where traffic is controlled by a police officer or a duly authorized flagger;

(ii) Where traffic is regulated by a traffic control signal;

(iii) Where traffic is controlled by crossing gate arms or an alternately flashing light signal intended to give warning of the approach of a train; or

(iv) Where an official traffic control device as designated by the commission pursuant to RCW 81.53.060 (i.e., an "EXEMPT" sign, specified as R15-3P by the Manual on Uniform Traffic Control Devices) gives notice that the stopping requirement imposed by this section does not apply. Information about the Manual on Uniform Traffic Control Devices regarding the version adopted and where to obtain it is set out in WAC 480-62-999.

(b) Drivers must not change gears while crossing any railroad tracks.

(c) No driver may consume alcohol or ingest any controlled substance while on duty, or drive while affected by the use of intoxicating liquor or other substance that might impair the ability to drive.

(d) No driver may proceed down a grade with the gears in neutral or the clutch disengaged.

(e) At the beginning of his or her use of a vehicle, the driver must perform a brake test immediately before, and immediately after, the vehicle begins moving to ensure that the brakes are functioning properly.

(6) Loading and carrying of passengers.

(a) Drivers are in charge of the vehicle and must require passengers to observe vehicle rules.

(b) Passengers may not enter or exit from the vehicle while it is in motion, or ride on running boards, fenders, bumpers, tops of cabs, or with any part of their body projecting beyond the sides or the ends of the vehicle.

(7) Carrying equipment or tools.

(a) When equipment or tools are carried inside the vehicle, they must be stored in enclosed racks or boxes that are secured to the vehicle in a manner that prevents employees from being struck in the event of sudden starts, stops, or turns.

(b) All tools and equipment, including cylinders, containers, or drums must be properly secured so they will not interfere with the use of any exit.

(c) The driver must ensure that equipment and tools are properly secured before moving the vehicle.

(8) Limitation on transportation of explosives, gasoline, and other hazardous materials on passenger carrying vehicles.

(a) Explosives other than track torpedoes and fusees may not be carried in or on any vehicle while the vehicle is being used to transport crew members in a passenger compartment.

(b) If track torpedoes or fusees are carried in a passenger carrying vehicle, they must be carried in a separate compartment or container provided for that purpose.

(c) Gasoline, or other hazardous materials, must not be carried in either the cab or in the passenger compartment; however, oxygen or acetylene cylinders may be carried if gauges and regulators have been removed with caps in place before loading.

(d) Passenger carrying vehicles may be used to carry flammable materials when they are located outside of and isolated from the passenger carrying area, and are stored in containers approved by the Underwriters Laboratories, Inc. Containers for fuel must be vented in a manner that prevents the hazardous concentration of fumes.

(e) A passenger carrying vehicle containing hazardous materials must not be parked within (~~three hundred~~) 300 feet of an open fire.

(f) Smoking is prohibited within (~~fifty~~) 50 feet of a vehicle carrying explosive or flammable materials.

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-62-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, (~~2022~~) 2023.

(b) This publication is referenced in WAC 480-62-160 (Compliance policy), WAC 480-62-200 (Roadway worker safety and operating rules and statutes), WAC 480-62-205 (Track safety standards), WAC 480-62-210 (Crossing signal circuitry), WAC 480-62-215 (Hazardous materials regulations), WAC 480-62-235 (Flaggers), WAC 480-62-240 (Railroad owned or operated passenger carrying vehicles—Equipment), WAC 480-62-278 (Contract crew transportation vehicle and driver safety requirements), and WAC 480-62-293 (Contract crew transportation enforcement).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

(2) **Manual on Uniform Traffic Control Devices**, cited as Manual on Uniform Traffic Control Devices, or MUTCD, is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, (~~2022~~) 2023.

(b) This publication is referenced in WAC 480-62-230 (Traffic control devices), WAC 480-62-235 (Flaggers), and WAC 480-62-245 (Railroad owned or operated passenger carrying vehicles—Operation).

(c) Copies of the MUTCD are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

(3) **ANSI/ISEA Z308.1 - 2021 American National Standard for Minimum Requirements for Workplace First Aid Kits** is published by the American National Standards Institute.

(a) The commission adopts the version in effect on December 31, ((2022)) 2023.

(b) This publication is referenced in WAC 480-62-240 (Passenger carrying vehicles—Equipment).

(c) Copies of ANSI/ISEA Z308.1 - 2021 American National Standard for Minimum Requirements for Workplace First Aid Kits and Supplies are available from American National Standards Institute.

(4) **ANSI/ISEA 207-2011 - American National Standard for High-Visibility ((Public)) Safety ((Vests)) Apparel** is published by the American National Standards Institute.

(a) The commission adopts the version in effect on December 31, ((2022)) 2023.

(b) This publication is referenced in WAC 480-62-235 (Flaggers).

(c) Copies of ANSI/ISEA 207-2011 - American National Standard for High-Visibility ((Public)) Safety ((Vests)) Apparel are available from American National Standards Institute.

(5) **North American Standard Out-of-Service Criteria** (OOSC) is published by the *Commercial Vehicle Safety Alliance* (CVSA).

(a) The commission adopts the version in effect on April 1, ((2023)) 2024.

(b) This publication is referenced in WAC 480-62-278 (Contract crew transportation vehicle and driver safety requirements).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA.

OTS-5343.1

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-70-999 Adoption by reference. In this chapter, the commission adopts by reference all, or portions of, regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **The North American Standard Out-of-Service Criteria** is published by the Commercial Vehicle Safety Alliance (CVSA).

(a) The commission adopts the version in effect on April 1, ((2023)) 2024.

(b) This publication is referenced in WAC 480-70-201 (Vehicle and driver safety requirements).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA.

(2) **Title 40 Code of Federal Regulations**, cited as 40 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, ((2022)) 2023.

(b) This publication is referenced in WAC 480-70-041 (Definitions, general).

(c) Copies of Title 40 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

(3) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, ((2022)) 2023.

(b) This publication is referenced in WAC 480-70-201 (Vehicle and driver safety requirements), WAC 480-70-431 (Biomedical waste, adoption of federal regulations), and WAC 480-70-486 (Hazardous waste, adoption of federal regulations).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

OTS-5344.1

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-75-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., Parts 190.221, 190.223, 195, 196, 198, and 199 including all appendices and amendments except for 49 C.F.R. Sections 195.0, 195.1, 199.1, 199.2, and 196.1 published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, ((2022)) 2023.

(b) This publication is referenced in WAC 480-75-100 (Definitions), WAC 480-75-370 (Design factor (*F*) for steel pipe), WAC 480-75-250 (Civil penalty for violation of chapter 81.88 RCW), WAC 480-75-650 (Annual reports), and WAC 480-75-660 (Procedural manual for operations, maintenance, and emergencies).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>.

(2) **The American Society of Mechanical Engineers** (ASME) B31.4, 2006 edition, October 20, 2006.

(a) This publication is referenced in WAC 480-75-350 (Design specifications for new pipeline ((projects))), WAC 480-75-440 (Pipeline repairs), and WAC 480-75-450 (Construction specifications).

(b) Copies of ASME B31.4 are available from ASME, <https://www.asme.org/codes/>. It is also available for inspection at the commission.

(3) The 2007 edition, July 2007, of **Section IX of the ASME Boiler and Pressure Vessel Code**.

(a) This publication is referenced in WAC 480-75-430 (Welding procedures).

(b) Copies of the 2007 edition, of *Section IX of the ASME Boiler and Pressure Vessel Code* are available from ASME, <https://www.asme.org/codes/>. It is also available for inspection at the commission.

(4) The commission adopts **American Petroleum Institute (API) standard 1104** (20th edition 2005, including errata/addendum July 2007 and errata 2 (December 2008)).

(a) This publication is referenced in WAC 480-75-430 (Welding procedures) and WAC 480-75-460 (Welding inspection requirements).

(b) Copies of API standard 1104 (20th edition 2005, including errata/addendum July 2007 and errata December 2008) are available from the Office of API Publishing Services, <https://www.api.org/>. It is also available for inspection at the commission.

OTS-5345.1

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-90-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective date, references within this chapter, and availability of the resources are as follows:

(1) **Title 18 Code of Federal Regulations**, cited as 18 C.F.R., including all appendices and amendments is published by the United States Government Publishing Office.

(a) The commission adopts the version in effect on (~~April 1, 2023~~) March 8, 2024.

(b) The accounting and reporting for the types of transactions and events covered by the amendment should not be construed as indicative of their treatment by this commission for ratemaking purposes.

(c) This publication is referenced in WAC 480-90-203 (Accounting system requirements), WAC 480-90-244 (Transferring cash or assuming obligations), WAC 480-90-252 (Federal Energy Regulatory Commission (FERC) Form No. 2), and WAC 480-90-268 (Essential utilities services contracts report).

(d) Copies of Title 18 Code of Federal Regulations are available from the U.S. Government Publishing Office in Washington, D.C., or online at <https://www.gpo.gov/>, and from various third-party vendors. It is also available for inspection at the commission branch of the state library.

(2) The **Regulations to Govern the Preservation of Records of Electric, Gas, and Water Utilities** is published by the National Association of Regulatory Utility Commissioners (NARUC).

(a) The commission adopts the version in effect in 2007.

(b) This publication is referenced in WAC 480-90-228 (Retention and preservation of records and reports).

(c) The *Regulations to Govern the Preservation of Records of Electric, Gas, and Water Utilities* is a copyrighted document. Copies are available from NARUC, in Washington, D.C. or at NARUC publications

store online: <https://maxxwww.naruc.org/forms/store/ProductFormPublic/regulations-to-govern-the-preservation-of-records>. It is also available for inspection at the commission branch of the state library.

OTS-5346.1

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-93-999 Adoption by reference. In this chapter, the commission adopts by reference each of the regulations and/or standards identified below. Each regulation or standard is listed by publication, publisher, scope of what the commission is adopting, effective date of the regulation or standard, the place within the commission's rules the regulation or standard is referenced, and where to obtain the regulation or standard.

(1) Parts 190.221, 190.223, 191, 192, 193, 196, 198, and 199 of Title 49 Code of Federal Regulations, including all appendices and amendments thereto as published by the United States Government Printing Office.

(a) The commission adopts the version of the above regulations that were in effect on December 31, (~~(2022)~~) 2023, except the following sections are not adopted by reference: 191.1, 192.1(a), 193.2001(a), 196.1, 198.1, 199.1. In addition, please note that in WAC 480-93-013, the commission includes "new construction" in the definition of "covered task," as defined in 49 C.F.R. Sec. 192.801 (b)(2).

(b) This publication is referenced in WAC 480-93-005 (Definitions), WAC 480-93-015 (Odorization of gas), WAC 480-93-018 (Records), WAC 480-93-080 (Welder and plastic joiner identification and qualification), WAC 480-93-100 (Valves), WAC 480-93-110 (Corrosion control), WAC 480-93-124 (Pipeline markers), WAC 480-93-160 (Reporting requirements of proposed construction), WAC 480-93-170 (Tests and reports for gas pipelines), WAC 480-93-180 (Plans and procedures), WAC 480-93-223 (Civil penalty for violation of chapter 81.88 RCW and commission gas safety rules), and WAC 480-93-18601 (Leak classification and action criteria—Grade—Definition—Priority of leak repair).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>. It is also available for inspection at the commission.

(2) Section IX of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code.

(a) The commission adopts the 2007 edition, July 1, 2007, of Section IX of the ASME Boiler and Pressure Vessel Code.

(b) This publication is referenced in WAC 480-93-080.

(c) Copies of Section IX of the ASME Boiler and Pressure Vessel Code (2007 edition, including addenda through July 1, 2005) are available from ASME, <https://www.asme.org/codes/>. It is also available for inspection at the commission.

(3) The American Petroleum Institute (API) standard 1104 (20th edition October 2005, including errata/addendum July 2007 and errata 2 (2008)).

(a) The commission adopts the 20th edition 2005, including errata/addendum July 2007 and errata 2 (2008) of this standard.

(b) This standard is referenced in WAC 480-93-080.

(c) Copies of API standard 1104 (20th edition 2005, including errata/addendum July 2007 and errata December 2008) are available from the Office of API Publishing Services, <https://www.api.org/>. It is also available for inspection at the commission.

OTS-5347.1

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-100-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. The publications, effective date, references within this chapter, and availability of the resources are as follows:

(1) **Title 18 Code of Federal Regulations**, cited as 18 C.F.R., including all appendices and amendments is published by the United States Government Publishing Office.

(a) The commission adopts the version in effect on (~~April 1, 2023~~) March 8, 2024.

(b) The accounting and reporting for the types of transactions and events covered by the amendment should not be construed as indicative of their treatment by this commission for ratemaking purposes.

(c) This publication is referenced in WAC 480-100-203 (Accounting system requirements), WAC 480-100-244 (Transferring cash or assuming obligations), WAC 480-100-252 (Federal Energy Regulatory Commission (FERC) Form No. 1), and WAC 480-100-268 (Essential utilities services contracts report).

(d) Copies of Title 18 Code of Federal Regulations are available from the U.S. Government Publishing Office in Washington D.C., or online at <https://www.gpo.gov/>, and from various third-party vendors. It is also available for inspection at the commission library.

(2) The **Regulations to Govern the Preservation of Records of Electric, Gas, and Water Utilities** is published by the National Association of Regulatory Utility Commissioners (NARUC).

(a) The commission adopts the version in effect in 2007.

(b) This publication is referenced in WAC 480-100-228 (Retention and preservation of records and reports).

(c) The *Regulations to Govern the Preservation of Records of Electric, Gas, and Water Utilities* is a copyrighted document. Copies are available from NARUC in Washington, D.C. or at NARUC publications store online: <https://maxxwww.naruc.org/forms/store/ProductFormPublic/regulations-to-govern-the-preservation-of-records>. It is also available for inspection at the commission branch of the state library.

(3) The **National Electrical Code** is published by the National Fire Protection Association (NFPA).

(a) The commission adopts the edition effective in (~~2017, including errata 70-17-1 published September 29, 2016, errata 70-17-2 published December 16, 2016, 70-17-3 published January 11, 2017, 70-17-4 published March 13, 2017, errata 70-21-1 published October 10,~~

2019, errata 70-20-2 published December 23, 2019, and errata 70-20-3 published March 10, 2020)) 2023.

(b) This publication is referenced in WAC 480-100-163 (Service entrance facilities).

(c) The National Electrical Code is a copyrighted document. Copies are available from the NFPA at 1 Batterymarch Park, Quincy, Massachusetts 02169, or at internet address <https://www.nfpa.org/>.

(4) The **American National Standard for Electric Meters: Code for Electricity Metering**, ANSI C12.1 is published by the American National Standards Institute.

(a) The commission adopts the version published in ((2016)) 2022.

(b) This publication is referenced in WAC 480-100-318 (Meter readings, multipliers, and test constants), WAC 480-100-338 (Accuracy requirements for electric meters), and WAC 480-100-343 (Statement of meter test procedures).

(c) The ANSI C12.1 is a copyrighted document. ANSI C12.1 - 2016 is available at American National Standards Institute website <https://webstore.ansi.org/> (PDF) or at IHS Standards Store website <https://global.ihs.com/> (PDF and print).

OTS-5348.1

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-120-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **American National Standards for Telecommunications** - "*Network Performance Parameters for Dedicated Digital Services for Rates Up To and Including DS3 - Specifications*" (ATIS 0100510) is published by the American National Standards Institute (ANSI).

(a) The commission adopts the version in effect on December 29, 1999, and reaffirmed ((2013)) 2018.

(b) This publication is referenced in WAC 480-120-401 (Network performance standards).

(c) The American National Standards for Telecommunications "*Network Performance Parameters for Dedicated Digital Services for Rates Up To and Including DS3 - Specifications*" is a copyrighted document. Copies are available from ANSI in Washington, D.C. and from various third-party vendors.

(2) **The Institute of Electrical And Electronic Engineers (IEEE) Standard Telephone Loop Performance Characteristics** (IEEE Std 820-((2005)) 2021) is published by the IEEE.

(a) The commission adopts the version in effect as published in ((2005, and reaffirmed in 2010)) 2022.

(b) This publication is referenced in WAC 480-120-401 (Network performance standards).

(c) *The IEEE Standard Telephone Loop Performance Characteristics* is a copyrighted document. Copies are available from ANSI and IEEE in Washington, D.C. and from various third-party vendors.

(3) **The National Electrical Safety Code** is published by the IEEE.

(a) The commission adopts the 2023 edition.

(b) This publication is referenced in WAC 480-120-402 (Safety).

(c) *The National Electrical Safety Code* is a copyrighted document. Copies are available from IEEE in Washington, D.C. and from various third-party vendors.

(4) **Title 47 Code of Federal Regulations**, cited as 47 C.F.R., is published by the United States Government Printing Office.

(a) For this publication as referenced in WAC 480-120-359 (Accounting requirements for companies not classified as competitive) and WAC 480-120-349 (Retaining and preserving records and reports), the commission adopts the version of the relevant sections in effect on December 31, (~~(2021)~~) 2023.

(b) For this publication as referenced in WAC 480-120-202 (Customer proprietary network information), WAC 480-120-146 (Changing service providers from one local exchange company to another), and any other reference in chapter 480-120 WAC, the commission adopts the version of the relevant sections in effect on December 31, (~~(2022)~~) 2023.

(c) The (~~(2022)~~) 2023 version of C.F.R. Title 47 is available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

OTS-5349.1

AMENDATORY SECTION (Amending WSR 23-13-003, filed 6/7/23, effective 7/8/23)

WAC 480-123-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission branch of the Washington state library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) The Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for Wireless Service.

(a) The commission adopts the version (~~(in effect on March 1,)~~) copyrighted in 2023.

(b) This publication is referenced in WAC 480-123-030 (contents of petition for eligible telecommunications carriers).

(c) Copies of the CTIA Consumer Code for Wireless Service are available at <https://www.ctia.org/the-wireless-industry/industry-commitments/consumer-code-for-wireless-service>.

(2) Title 47, Code of Federal Regulations, cited as 47 C.F.R., is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, (~~(2022)~~) 2023.

(b) This publication is referenced in WAC 480-123-010 (Federal universal service contracts), WAC 480-123-060 (Annual certification of eligible telecommunications carriers), WAC 480-123-070 (Annual certifications and reports), WAC 480-123-100 (Prerequisites for requesting program support), and WAC 480-123-110 (Petitions for eligibility to receive program support).

(c) The ((2022)) 2023 version of C.F.R. Title 47 is available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

WSR 24-13-094
PERMANENT RULES
DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed June 18, 2024, 9:34 a.m., effective July 19, 2024]

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

Purpose: The department of social and health services is adopting amendments to WAC 388-449-0015 What medical evidence do I need to provide? These amendments streamline medical evidence rules for the aged, blind or disabled cash assistance program to allow functional medical evidence to be obtained within 90 days from the date of disability review.

Citation of Rules Affected by this Order: Amending WAC 388-449-0015.

Statutory Authority for Adoption: RCW 74.04.005, 74.04.0052, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.04.655, 74.04.770, 74.08.043, 74.08.090, 74.08.335, and 74.08A.100.

Adopted under notice filed as WSR 24-10-071 on April 29, 2024.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: June 18, 2024.

Katherine I. Vasquez
Rules Coordinator

SHS-5029.3

AMENDATORY SECTION (Amending WSR 12-10-042, filed 4/27/12, effective 6/1/12)

WAC 388-449-0015 What medical evidence do I need to provide?

You must give us medical evidence of your impairment(s) and how they affect your ability to perform regular and continuous work activity. Medical evidence must be in writing and be clear, objective, and complete.

(1) Objective evidence for physical impairments means:

(a) Laboratory test results;

(b) Pathology reports;

(c) Radiology findings including results of X-rays and computer imaging scans;

(d) Clinical findings, including but not limited to ranges of joint motion, blood pressure, temperature or pulse, and documentation of a physical examination; and

(e) Hospital history and physical reports and admission and discharge summaries; or

(f) Other medical history and physical reports related to your current impairments.

(2) Objective evidence for mental impairments means:

(a) Clinical interview observations, including objective mental status exam results and interpretation ~~((-))~~;

(b) Explanation of how examination findings meet the clinical and diagnostic criteria of the most recent edition of the diagnostic and statistical manual of mental disorders (DSM) ~~((-))~~;

(c) Hospital, outpatient, and other treatment records related to your current impairments ~~((-))~~; and

(d) Testing results, if any, including:

(i) Description and interpretation of tests of memory, concentration, cognition, or intelligence; or

(ii) Interpretation of medical tests to identify or exclude a connection between the mental impairment and physical illness.

(3) Medical evidence sufficient for a disability determination must be from a medical professional described in WAC 388-449-0010 and must include:

(a) A diagnosis for the impairment, or impairments, based on an examination performed by an acceptable medical source defined in WAC 388-449-0010 within five years of application;

(b) A clear description of how the impairment relates to your ability to perform the work-related activities listed in WAC 388-449-0005;

(c) Documentation of how long a condition has impaired your ability to perform work related activities;

(d) A prognosis, or written statement of how long an impairment will impair your ability to perform work related activities; and

(e) A written statement from a medical professional (defined in WAC 388-449-0010) describing what you are capable of doing despite your impairment (medical source statement) based on an examination performed within ~~((ninety))~~ 90 days of the date of application or ~~((forty-five days before the month of))~~ disability review.

(4) We consider documentation in addition to objective evidence to support the acceptable medical source or treating provider's opinion that you are unable to perform substantial gainful employment, such as proof of hospitalization.

(5) When making a disability decision, we don't use your report of symptoms as evidence unless objective evidence shows there is an impairment that could reasonably be expected to produce those symptoms.

(6) We don't use symptoms related to substance ~~((abuse))~~ use disorder or a diagnosis of ~~((chemical dependency))~~ substance use disorder when determining disability if we have evidence substance use is material to your impairment(s).

(7) We consider substance use to be material to your impairment(s) if you are disabled primarily because of ~~((drug or alcohol abuse or addiction))~~ a substance use disorder.

(8) If your impairment will persist at least ~~((sixty))~~ 60 days after you stop using drugs or alcohol, we do not consider substance use to be material to your impairment.

(9) If you can't obtain medical evidence sufficient for us to determine if you are likely to be disabled without cost to you, and you meet the other eligibility conditions in WAC 388-400-0060, we pay the costs to obtain objective evidence based on published payment limits and fee schedules.

(10) We determine the likelihood of disability based solely on the objective information we receive. We are not obligated to accept another agency's or person's decision that you are disabled or unemployable.

WSR 24-13-095
PERMANENT RULES
LIQUOR AND CANNABIS
BOARD

[Filed June 18, 2024, 10:32 a.m., effective July 19, 2024]

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

Purpose: The Washington state liquor and cannabis board has adopted amendments to medical cannabis endorsement rules at WAC 314-55-080 to require the posting of cannabis consultant hours, to allow for having medical cannabis on order to satisfy the requirement to have medical cannabis in stock, and allowing for time for medical cannabis endorsement holders to address regulatory noncompliance before having the endorsement discontinued.

Citation of Rules Affected by this Order: Amending WAC 314-55-080.

Statutory Authority for Adoption: RCW 69.50.342, 69.50.345, 69.50.375.

Adopted under notice filed as WSR 24-10-043 on April 24, 2024.

A final cost-benefit analysis is available by contacting Daniel Jacobs, Rules and Policy Coordinator, 1025 Union Avenue S.E., Olympia, WA 98501, phone 360-480-1238, fax 360-664-3208, email rules@lcb.wa.gov, website www.lcb.wa.gov.

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

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

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

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

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

Date Adopted: June 18, 2024.

David Postman
Chair

OTS-5156.5

AMENDATORY SECTION (Amending WSR 22-14-111, filed 7/6/22, effective 8/6/22)

WAC 314-55-080 Medical cannabis endorsement. (1) A medical cannabis endorsement added to a cannabis retail license allows the cannabis retail licensee to:

(a) Sell cannabis for medical use to qualifying patients and designated providers; and

(b) Provide cannabis at no charge, at their discretion, to qualifying patients and designated providers.

(2) Qualifying patients between 18 and 21 years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of 18 with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement, but may not purchase products for their personal medical use. Only a designated provider may purchase products for a qualifying patient under the age of 18 who holds a valid recognition card.

(3) **To maintain a medical cannabis endorsement in good standing, a cannabis retailer must:**

(a) Follow all rules adopted by the department of health regarding retail sales of medical cannabis;

(b) Have a consultant on staff in accordance with ~~((department of health rules))~~ chapter 246-72 WAC;

(c) (i) Have consulting service hours for entering qualifying patients into the medical cannabis database posted alongside hours of operation as required in WAC 314-55-055;

(ii) The requirement in (c) (i) of this subsection can be met by posting a window of time where appointments with cannabis consultants can be scheduled;

(d) Prohibit the medical use of cannabis by anyone at the retail outlet at all times, including medical use by qualifying patients;

~~((d) Maintain))~~ (e) Have in stock at all times, ((a representative assortment of)) or on order, cannabis products ((necessary to meet the needs of qualified patients and designated providers)) that comply with chapter 246-70 WAC;

~~((e))~~ (f) Not market cannabis concentrates, useable cannabis, or cannabis-infused products in a way that make them especially attractive to minors;

~~((f) Demonstrate))~~ (g) Maintain the ability to enter qualifying patients and designated providers in the medical cannabis authorization database established by the department of health;

~~((g))~~ (h) Issue recognition cards and agree to enter qualifying patients and designated providers into the database in compliance with the department of health standards;

~~((h))~~ (i) Keep records to document the validity of tax exempt sales as prescribed by the department of revenue for a minimum of five years. For the documentation requirements in RCW 69.50.375 (3) (e), licensees are not required to separately keep copies of the qualifying patient's or designated provider's recognition card because this information is stored in the medical cannabis authorization database;

~~((i))~~ (j) Train employees on the following:

(i) Procedures regarding the recognition of valid authorizations and the use of equipment to enter qualifying patients and designated providers into the medical cannabis authorization database;

(ii) Recognition of valid recognition cards; and

(iii) Recognition of strains, varieties, THC concentration, CBD concentration, and THC to CBD ratios of cannabis concentrates, useable cannabis, and cannabis-infused products available for sale when assisting qualifying patients and designated providers at the retail outlet.

(4) ~~((A cannabis retailer holding a medical cannabis endorsement may sell products with a THC concentration of 0.3 percent or less.))~~ The licensee may ~~((also))~~ provide ~~((these))~~ cannabis products comply-

ing with chapter 246-70 WAC at no charge to qualifying patients or designated providers.

(5) **Unlicensed practice of medicine.** No owner, employee, or volunteer of a retail outlet and holding a medical cannabis endorsement may:

(a) Offer or undertake to diagnose or cure any human or animal disease, ailment, injury, infirmity, deformity, pain, or other condition, physical or mental, real or imaginary, by use of cannabis products or any other means or instrumentality; or

(b) Recommend or suggest modification or elimination of any course of treatment that does not involve the medical use of cannabis products.

(6) ~~((Failure to comply with))~~ (a) Noncompliance with the requirements of subsection((s)) (3) ((and(5))) of this section may result in ((suspension or revocation)) the discontinuance of the medical cannabis endorsement.

(b) (i) After being notified of noncompliance with the requirements of this section by the board, the endorsement holder shall have at least seven calendar days and no more than 30 calendar days to demonstrate compliance with this section. If noncompliance remains after the deadline identified by the board, the endorsement is discontinued.

(ii) If a licensee applies for a medical cannabis endorsement after it has previously been discontinued pursuant to (b) (i) of this subsection, the application and documentation verifying compliance with the requirements of this section must be submitted to the board.

(7) Noncompliance with subsection (5) of this section may result in the discontinuance of the medical cannabis endorsement.

WSR 24-13-096
PERMANENT RULES
LIQUOR AND CANNABIS
BOARD

[Filed June 18, 2024, 10:34 a.m., effective July 19, 2024]

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

Purpose: The Washington state liquor and cannabis board (board) has adopted amendments to the rules as described in WSR 24-10-044 to repeal the prohibited conduct rule at WAC 314-11-050 and strike references to it from other parts of Title 314 WAC as described below and in previous filing WSR 24-10-044:

Amending WAC 314-03-100 What types of activities on a licensed premises require notice to the board?, 314-11-015 What are my responsibilities as a liquor licensee?, 314-17-105 What are the penalties when a permit holder violates a liquor law or regulation?, 314-29-020 Group 1 violations against public safety, 314-29-038 Group 5 public safety violations for sports entertainment facility licenses, and 314-52-113 Brand signs and point-of-sale displays on retail licensed premises; and repealing WAC 314-11-050 What types of conduct are prohibited on a premises with a liquor license?

All of this is being done consistent with, and in part pursuant to, ESSB 6105 (sections 4 and 5, chapter 250, Laws of 2024).

Citation of Rules Affected by this Order: Repealing WAC 314-11-050; and amending WAC 314-03-100, 314-11-015, 314-17-105, 314-29-020, 314-29-038, and 314-52-113.

Statutory Authority for Adoption: RCW 66.08.030.

Other Authority: ESSB 6105 (sections 4 and 5, chapter 250, Laws of 2024).

Adopted under notice filed as WSR 24-10-044 on April 24, 2024.

A final cost-benefit analysis is available by contacting Daniel Jacobs, Rules and Policy Coordinator, 1025 Union Avenue S.E., Olympia, WA 98501, phone 360-480-1238, fax 360-664-3208, email rules@lcb.wa.gov, website www.lcb.wa.gov.

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

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

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 6, Repealed 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 6, Repealed 1.

Date Adopted: June 18, 2024.

David Postman
Chair

OTS-5262.1

AMENDATORY SECTION (Amending WSR 17-12-030, filed 5/31/17, effective 7/1/17)

WAC 314-03-100 (~~(What types of)~~) **Activities on a licensed premises** (~~(require)~~) **requiring notice to the board**(~~(?)~~). Liquor licensees must notify their local enforcement office in writing at least five days prior to conducting the following activities unless the licensee has received an exception from their enforcement officer:

- (1) (~~(Male/female dance reviews, subject to the provision of WAC 314-11-050;~~)
- (~~(2)~~) Live boxing or wrestling;
- (~~(3)~~) (2) Contests or games where patrons are part of the entertainment;
- (~~(4)~~) (3) Hours of operation in between 2:00 a.m. and 6:00 a.m. for licensees that sell liquor for on-premises consumption;
- (~~(5)~~) (4) Closing the business to the general public for a private party; and
- (~~(6)~~) (5) Outside service for one-time events such as a holiday celebration where liquor service and consumption is planned to extend to an area of the premises that does not have board approval for liquor service. The licensee must have leasehold rights to the area where alcohol service and consumption is planned.

OTS-5263.1

AMENDATORY SECTION (Amending WSR 22-14-111, filed 7/6/22, effective 8/6/22)

WAC 314-11-015 (~~(What are my)~~) **Responsibilities as a liquor licensee** (~~(?)~~). (1)(a) Liquor licensees are responsible for the operation of their licensed premises in compliance with the liquor laws and rules of the board (Title 66 RCW and Title 314 WAC). Any violations committed or permitted by employees will be treated by the board as violations committed or permitted by the licensee.

(b) The penalties for violations of liquor laws or rules are in: WAC 314-29-015 through 314-29-035, as now or hereafter amended, for licensees; and WAC 314-17-105 and 314-17-110, as now or hereafter amended, for employees who hold mandatory alcohol server training permits. These rules also outline aggravating and mitigating circumstances that may affect what penalty is applied if a licensee or employee violates a liquor law or rule.

(2) Licensees and their employees also have the responsibility to conduct the licensed premises in compliance with the following laws, as they now exist or may later be amended:

- Titles 9 and 9A RCW, the criminal code laws;
- Title 69 RCW, which outlines the laws regarding controlled substances; and
- Chapters 70.155(~~(7)~~) and 82.24 RCW, and RCW 26.28.080 which outline laws regarding tobacco.

(3) Licensees have the responsibility to control their conduct and the conduct of employees and patrons on the premises at all times. Except as otherwise provided by law, licensees or employees may not:

- (a) Be disorderly or apparently intoxicated on the licensed premises;
 - (b) Allow any disorderly person to remain on the licensed premises;
 - (c) Engage in or allow behavior that provokes conduct which presents a threat to public safety;
 - (d) Consume liquor of any kind while working on the licensed premises; except that:
 - (i) Entertainers per WAC 314-02-010 may drink while performing under the following conditions:
 - (A) Alcohol service must be monitored by MAST servers;
 - (B) Drinks must be served in unlabeled containers;
 - (C) Entertainers may not advertise any alcohol brands or products;
 - (D) Entertainers may not promote drink specials; and
 - (E) If any member of the entertainment group is under 21 years of age, alcohol may not be consumed by any member of the group while performing.
 - (ii) Licensed beer manufacturers and their employees may sample beer of their own manufacture for manufacturing, evaluating or pricing product in areas where the public is not served, so long as the licensee or employee does not become apparently intoxicated;
 - (iii) Licensed wine manufacturers and their employees may:
 - (A) Sample wine for manufacturing, evaluating, or pricing product, so long as the licensee or employee does not become apparently intoxicated; and the licensee or employee who is sampling for these purposes is not also engaged in serving alcohol to the public; and
 - (B) Sample wine of their own manufacture for quality control or consumer education purposes, so long as the licensee or employee does not become apparently intoxicated.
 - (e) Engage in, or allow others to engage in, conduct on the licensed premises which is prohibited by any portion of Titles 9, 9A, or 69 RCW;
 - (f) Engage in the consumption of any type of cannabis, useable cannabis, or cannabis-infused products in a liquor licensed business, including outdoor service areas or any part of the property owned or controlled by the licensee;
 - (g) Allow any person to consume any type of cannabis, useable cannabis, or cannabis-infused products in a liquor licensed business, including outdoor service areas or any part of the property owned or controlled by the licensee;
 - (h) Allow any person consuming, or who has consumed on any part of the licensed premises, any type of cannabis, useable cannabis, or cannabis-infused products to remain on any part of the licensed premises; or
 - (i) Sell or serve liquor by means of drive-through service from pickup or pass-through windows.
- (4) Licensees have the responsibility to control the interaction between the licensee or employee and their patrons. At a minimum, licensees or employees may not:
- (a) Solicit any patron to purchase any beverage for the licensee or employee, or allow a person to remain on the premises for such purpose;
 - (b) Spend time (~~or dance~~) with, or permit any person to spend time (~~or dance~~) with, any patron for direct or indirect compensation by a patron.

((See WAC 314-11-050 for further guidelines on prohibited conduct.))

OTS-5264.1

AMENDATORY SECTION (Amending WSR 10-12-124, filed 6/2/10, effective 7/3/10)

WAC 314-17-105 ((What are the)) Penalties when a permit holder violates a liquor law or regulation(?). Penalties assessed for violations within a three-year period will normally be as follows:

| Violation Type | 1st Violation | 2nd Violation | 3rd Violation | 4th Violation |
|--|--|---|---|------------------------|
| AFTER HOURS: Selling, serving or allowing alcohol to be consumed between 2 a.m. and 6 a.m. See WAC 314-11-070. | 5-day permit suspension OR \$100 monetary option | 10-day permit suspension OR \$200 monetary option | 30-day permit suspension OR \$400 monetary option | Revocation of permit |
| DISORDERLY CONDUCT: Disorderly conduct by a licensee or employee, or allowing patrons to engage in disorderly conduct. See WAC ((314-11-050)) 314-11-015. | 5-day permit suspension OR \$100 monetary option | 10-day permit suspension OR \$200 monetary option | 30-day permit suspension OR \$400 monetary option | Revocation of permit |
| FALSIFICATION OF PERMIT: Falsifying a class 12 or 13 permit or possessing a class 12 or 13 permit contrary to this title. See RCW 66.20.310 and WAC 314-17-025. | 5-day permit suspension OR \$100 monetary option | 10-day permit suspension OR \$200 monetary option | 30-day permit suspension OR \$400 monetary option | Revocation of permit |
| INTOXICATED PERSONS: Selling or serving to an apparently intoxicated person or allowing such a person to possess or consume alcohol. See RCW 66.44.200 and WAC 314-11-035. | 5-day permit suspension OR \$100 monetary option | 10-day permit suspension OR \$200 monetary option | 30-day permit suspension OR \$400 monetary option | Revocation of permit |
| ((LEWD CONDUCT: Allowing lewd conduct on a retail licensed premises. See WAC 314-11-050. | 5-day permit suspension OR \$100 monetary option | 10-day permit suspension OR \$200 monetary option | 30-day permit suspension OR \$400 monetary option | Revocation of permit)) |
| MISCELLANEOUS: Violation of other retail liquor laws or regulations. | 5-day permit suspension OR \$100 monetary option | 10-day permit suspension OR \$200 monetary option | 30-day permit suspension OR \$400 monetary option | Revocation of permit |
| MINORS: Selling or serving alcohol to a person under twenty-one years of age. See RCW 66.44.310 and WAC 314-11-020. | 5-day permit suspension OR \$200 monetary option | 10-day permit suspension OR \$400 monetary option | 30-day permit suspension OR \$500 monetary option | Revocation of permit |
| MINORS: Allowing a person under twenty-one years of age to frequent a restricted premises or area. See RCW 66.44.310 and WAC 314-11-020. | 5-day permit suspension OR \$100 monetary option | 10-day permit suspension OR \$200 monetary option | 30-day permit suspension OR \$400 monetary option | Revocation of permit |
| OBSTRUCTING AN OFFICER: Obstructing a law enforcement officer, or failure to allow an inspection. See RCW 66.28.090. | 5-day permit suspension OR \$100 monetary option | 10-day permit suspension OR \$200 monetary option | 30-day permit suspension OR \$400 monetary option | Revocation of permit |
| OTHER VIOLATION OF LAWS: Conviction of liquor laws, driving under the influence or felony. | 5-day permit suspension OR \$100 monetary option | Revocation of permit | | |

| Violation Type | 1st Violation | 2nd Violation | 3rd Violation | 4th Violation |
|--|--|---|---|----------------------|
| PERMIT: Failure to produce permit or identification upon request. See RCW 66.20.310 and 66.20.180. | 5-day permit suspension OR \$100 monetary option | 10-day permit suspension OR \$200 monetary option | 30-day permit suspension OR \$400 monetary option | Revocation of permit |
| PRIVATE CLUBS: Prohibitions involving club liquor and use by the general public. See WAC 314-40-010. | 5-day permit suspension OR \$100 monetary option | 10-day permit suspension OR \$200 monetary option | 30-day permit suspension OR \$400 monetary option | Revocation of permit |

OTS-5265.1

AMENDATORY SECTION (Amending WSR 18-21-115, filed 10/17/18, effective 11/17/18)

WAC 314-29-020 Group 1 violations against public safety. (1)

Group 1 violations are considered the most serious because they present a direct threat to public safety. Violations beyond the first violation do not have a monetary option upon issuance of a violation notice. The liquor and cannabis board may offer a monetary option in lieu of suspension days based on mitigating circumstances as outlined in WAC 314-29-015(4).

(2) Group 1 violations will be counted sequentially rather than independently by group. For example, if a licensee received a violation for over service on one day and a violation for sale to a minor a week later, the sale to a minor would be treated as a second offense since both violations are in the same violation group.

| Violation Type | 1st Violation | 2nd Violation in a two-year window | 3rd Violation in a two-year window | 4th Violation in a two-year window |
|---|---|------------------------------------|------------------------------------|------------------------------------|
| Violations involving minors: Sale or service to minor: Sale or service of alcohol to a person under 21 years of age. Minor frequenting a tavern, lounge, or other restricted area. RCW 66.44.270 RCW 66.44.310 WAC 314-11-020 WAC 314-16-150 | 5 day suspension or \$500 monetary option | 7 day suspension | 30 day suspension | Cancellation of license |
| Sale or service to apparently intoxicated person: Sale or service of alcohol to, or permitting consumption or possession by, an apparently intoxicated person. RCW 66.44.200 WAC 314-16-150 | 5 day suspension or \$500 monetary option | 7 day suspension | 30 day suspension | Cancellation of license |

| Violation Type | 1st Violation | 2nd Violation in a two-year window | 3rd Violation in a two-year window | 4th Violation in a two-year window |
|--|---|------------------------------------|------------------------------------|--------------------------------------|
| Conduct violations: Disorderly conduct by licensee or employee, or permitting on premises. Licensee and/or employee intoxicated on the licensed premises and/or drinking on duty. Criminal conduct: Permitting or engaging in criminal conduct. WAC 314-11-015 | 5 day suspension or \$500 monetary option | 7 day suspension | 30 day suspension | Cancellation of license |
| (Lewd conduct: Engaging in or permitting conduct in violation of WAC 314-11-050. | 5 day suspension or \$500 monetary option | 7 day suspension | 30 day suspension | Cancellation of license)) |
| Refusal to allow an inspection and/or obstructing a law enforcement officer from performing their official duties. RCW 66.28.090 RCW 66.44.370 WAC 314-11-090 | 5 day suspension or \$500 monetary option | 7 day suspension | 30 day suspension | Cancellation of license |
| Condition of suspension violation: Failure to follow any suspension restriction while liquor license is suspended. WAC 314-29-040 | Original penalty plus 10 day suspension with no monetary option | Cancellation of license | | |

AMENDATORY SECTION (Amending WSR 16-19-106, filed 9/21/16, effective 10/22/16)

WAC 314-29-038 Group 5 public safety violations for sports entertainment facility licenses. Sports entertainment facility licenses are unique and different from other on-premises licenses since they are not open on a daily basis, but rather for specific events. Public safety violations are considered the most serious because they present a direct threat to public safety. All other violations and penalties are the same for sports entertainment facility licensees as other liquor licenses.

(1) General public safety violation penalties.

| Violation Type | 1st Violation | 2nd Violation in a two-year window | 3rd Violation in a two-year window | 4th and Subsequent violation in a two-year window |
|--|---|---|--|---|
| Violations involving minors: Sale or service to minors outside of WAC 314-29-038(c): Sale or service of alcohol to a person under 21 years of age. Minor frequenting a restricted area. RCW 66.44.270 RCW 66.44.310 WAC 314-11-020 WAC 314-16-150 | Monetary penalty will be based on ticket sales to the event, and calculated at \$0.10 per ticket sold, with a mandatory minimum of \$2,500 fine | Monetary penalty will be based on ticket sales to the event, and calculated at \$0.50 per ticket sold, with a mandatory minimum of \$7,000 fine | Monetary penalty will be based on ticket sales to the event, and calculated at \$1.25 per ticket sold, with a mandatory minimum of \$45,000 fine | Penalty to be determined by the board, including possible cancellation of license |

| Violation Type | 1st Violation | 2nd Violation in a two-year window | 3rd Violation in a two-year window | 4th and Subsequent violation in a two-year window |
|--|--|--|---|--|
| Sale or service to an apparently intoxicated person: Sale or service of alcohol to, or permitting consumption or possession by, an apparently intoxicated person. RCW 66.44.200 WAC 314-16-150 | Monetary penalty will be based on ticket sales to the event, and calculated at \$0.10 per ticket sold, with a mandatory minimum of \$2,500 fine | Monetary penalty will be based on ticket sales to the event, and calculated at \$0.50 per ticket sold, with a mandatory minimum of \$7,000 fine | Monetary penalty will be based on ticket sales to the event, and calculated at \$1.25 per ticket sold, with a mandatory minimum of \$45,000 fine | Penalty to be determined by the board, including possible cancellation of license |
| Conduct violations: Disorderly conduct by licensee or employee, or permitting on premises. Licensee and/or employee intoxicated on the licensed premises and/or drinking on duty. Criminal conduct: Permitting or engaging in criminal conduct. WAC 314-11-015 | Monetary penalty will be based on ticket sales to the event, and calculated at \$0.10 per ticket sold, with a mandatory minimum of \$2,500 fine | Monetary penalty will be based on ticket sales to the event, and calculated at \$0.50 per ticket sold, with a mandatory minimum of \$7,000 fine | Monetary penalty will be based on ticket sales to the event, and calculated at \$1.25 per ticket sold, with a mandatory minimum of \$45,000 fine | Penalty to be determined by the board, including possible cancellation of license |
| (Lewd conduct: Engaging in or permitting conduct in violation of WAC 314-11-050. | Monetary penalty will be based on ticket sales to the event, and calculated at \$0.10 per ticket sold, with a mandatory minimum of \$2,500 fine | Monetary penalty will be based on ticket sales to the event, and calculated at \$0.50 per ticket sold, with a mandatory minimum of \$7,000 fine | Monetary penalty will be based on ticket sales to the event, and calculated at \$1.25 per ticket sold, with a mandatory minimum of \$45,000 fine | Penalty to be determined by the board, including possible cancellation of license)) |
| Refusal to allow an inspection and/or obstructing a law enforcement officer from performing their official duties. RCW 66.28.090 RCW 66.44.370 WAC 314-11-090 | Monetary penalty will be based on ticket sales to the event, and calculated at \$0.10 per ticket sold, with a mandatory minimum of \$2,500 fine | Monetary penalty will be based on ticket sales to the event, and calculated at \$0.50 per ticket sold, with a mandatory minimum of \$7,000 fine | Monetary penalty will be based on ticket sales to the event, and calculated at \$1.25 per ticket sold, with a mandatory minimum of \$45,000 fine | Penalty to be determined by the board, including possible cancellation of license |

(2) If documented ticket sales for an event are unavailable, in order to assess penalties set forth in this section, the facility maximum occupancy will be used for the penalty assessment.

(3) WSLCB youth access compliance checks, in accordance with chapter 314-31 WAC.

| License Class | Compliance Threshold | 1st Violation | 2nd Violation | 3rd Violation | 4th Violation |
|-----------------------------------|---|---------------|---------------|---------------|---|
| Sports and entertainment facility | Events: 1 to 20 points of sale (1st incident/sale to minor to be a violation/compliance failure) | \$1000 x I* | \$10,000 x I* | \$25,000 x I* | Penalty to be determined by the board, including possible cancellation of license |
| Sports and entertainment facility | Events: 21 to 45 points of sale (2nd incident/sale to minor to be a violation/compliance failure) | \$1000 x I* | \$10,000 x I* | \$25,000 x I* | Penalty to be determined by the board, including possible cancellation of license |

| License Class | Compliance Threshold | 1st Violation | 2nd Violation | 3rd Violation | 4th Violation |
|--|---|---------------|---------------|---------------|---|
| Sports and entertainment facility | Events: 45 or more points of sale (3rd incident/sale to minor to be a violation/compliance failure) | \$1000 x I* | \$10,000 x I* | \$25,000 x I* | Penalty to be determined by the board, including possible cancellation of license |
| * "I" signifies the total cumulative incidents of sales to underage person during an alcohol compliance check. | | | | | |

A point of sale is defined as each different concession stand, or service area (such as a lounge), not each individual cash register.

OTS-5266.1

AMENDATORY SECTION (Amending WSR 10-06-122, filed 3/3/10, effective 4/3/10)

WAC 314-52-113 Brand signs and point-of-sale displays on retail licensed premises. Manufacturers, importers or distributors may furnish brand signs and point-of-sale material to retailers under the following conditions:

(1) The brand signs and point-of-sale material shall have no value to the retailer except as brand advertisement; such signs as those that provide illumination for cash registers, pool tables, and other parts of the premises, have a functional value and are not authorized. The brand signs and point-of-sale material shall remain the property of, and be the responsibility of, the manufacturers, importers or distributors.

(2) Giant inflatables, such as inflated beer cans, bottles, and banners may be provided as point-of-sale to retailers for display purposes inside the licensed premises, provided the following conditions are met:

(a) Novelty items as defined in WAC 314-52-080 are not provided by manufacturers, importers, or distributors to customers in conjunction with the display;

(b) Inflatables are not targeted or appeal principally to youth; and

(c) The display shall be removed if objected to by local officials, or if the board finds it contrary to the public interest.

(3) Costumed individuals representing beer, wine, or liquor manufacturers may be provided as point-of-sale to retailers for display and promotion purposes on their property, provided the following conditions are met:

(a) The costumed individual is limited to the manufacturer, importer, distributor, or employee thereof and the costumed individual's activities on-premises are limited to socializing with customers and not conducting any activity that the retail licensee would otherwise have to assign employees to;

(b) Novelty items as defined in WAC 314-52-080 and the purchase of drinks, are not to be provided to customers by the costumed individual in conjunction with such displays;

(c) ~~((The costumed individual must comply with the regulations regarding lewd and obscene conduct (WAC 314-11-050);~~

~~(d)~~) The costumed individual may not be targeted or appeal principally to youth; and
~~((e))~~ (d) The board may prohibit the use of costumed individuals if the use is contrary to the public interest.

OTS-5261.1

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 314-11-050 What types of conduct are prohibited on a premises with a liquor license?

WSR 24-13-098

PERMANENT RULES

DEPARTMENT OF REVENUE

[Filed June 18, 2024, 10:49 a.m., effective July 19, 2024]

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

Purpose: The purpose of this proposal is to publish a new rule that addresses the sales and use tax exemption authorized under RCW 82.08.9999 and 82.12.9999, respectively, for certain clean energy vehicles. This rule is being written to provide additional guidance to buyers and sellers of eligible vehicles so they understand the exemption requirements and limitations.

Citation of Rules Affected by this Order: New WAC 458-20-27901 Clean alternative fuel vehicles and plug-in hybrid vehicles.

Statutory Authority for Adoption: RCW 82.32.300, 82.01.060(2).

Adopted under notice filed as WSR 24-09-056 on April 15, 2024.

Changes Other than Editing from Proposed to Adopted Version: Examples 2 and 3 in subsection (3) were updated to reflect current dates and exemption amounts; Example 3 in subsection (3) was revised to replace the term "seller" with a fictitious taxpayer name to avoid confusion, as this example involves both the lease and subsequent sale of a vehicle; subsection (3)(f)(ii) and Example 4 were revised to clarify the treatment of unused exemption amounts on and after the August 1, 2028, expiration of the exemption; subsection (4) was updated to clarify that records may be kept in either paper or electronic form.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: June 18, 2024.

Brenton Madison
Rules Coordinator

OTS-5243.4

NEW SECTION

WAC 458-20-27901 Clean alternative fuel vehicles and plug-in hybrid vehicles. (1)(a) **Introduction.** This rule provides information about the retail sales and use tax exemption (exemption) in RCW 82.08.9999 and 82.12.9999 for the purchase, lease, or use of clean alternative fuel vehicles and certain plug-in hybrid vehicles.

(b) **Other rules that may apply.** Readers may want to refer to other rules for additional information, including the following:

- (i) WAC 458-20-108 Selling price—Credit card service fees, foreign currency, discounts, patronage dividends.
- (ii) WAC 458-20-178 Use tax and the use of tangible personal property.
- (iii) WAC 458-20-247 Trade-ins, selling price, sellers' tax measures.
- (iv) WAC 458-20-257 Tangible personal property warranties and service contracts.
- (c) **Examples.** This rule includes examples that identify certain 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.
- (2) **Definitions.** The following definitions apply throughout this rule:
- (a) **"Clean alternative fuel"** means natural gas, propane, hydrogen, or electricity, when used as a fuel in a motor vehicle that meets the California motor vehicle emission standards in Title 13 of the California Code of Regulations, effective January 1, 2019, and the rules of the Washington state department of ecology.
- (b) **"Fair market value"** has the same meaning as "value of the article used" in RCW 82.12.010 and, for the purposes of this rule, the fair market value of a leased clean alternative fuel or plug-in hybrid vehicle is generally determined according to the retail selling price at the place of use of vehicles of similar quality and character. The fair market value includes delivery charges or any other services necessary to complete the lease. RCW 82.12.010; WAC 458-20-178.
- (c) **"New vehicle"** has the same meaning as "new motor vehicle" in RCW 46.04.358 and means any motor vehicle that:
- (i) Is self-propelled;
- (ii) Is required to be registered and titled under Title 46 RCW;
- (iii) Has not been previously titled to a retail purchaser or lessee; and
- (iv) Is not a used vehicle as defined in (h) of this subsection.
- (d) **"Plug-in hybrid vehicle"** is a vehicle that uses at least one method of propulsion capable of being reenergized by an external source of electricity and capable of traveling at least 30 miles using only battery power.
- (e) **"Qualification period end date"** means August 1, 2025.
- (f) **"Qualification period start date"** means August 1, 2019.
- (g) **"Selling price"** has the same meaning as used in RCW 82.08.010. Selling price includes charges for delivery and installation, for vehicle accessories purchased as part of the purchase of the vehicle, and any other charges for services necessary to complete the sale. RCW 82.08.010; WAC 458-20-108; 458-20-178; 458-20-247. The selling price does not include the value of any trade-in. However, for purposes of this exemption, the value of any trade-in is added to the selling price to determine exemption eligibility.
- (h) **"Used vehicle"** has the same meaning as "used vehicle" in RCW 46.04.660 and means a vehicle that:
- (i) Has been sold, bargained, exchanged, given away, or title transferred from the person who first took title to it from the manufacturer or first importer, dealer, or agent of the manufacturer or importer; and
- (ii) Is used in a manner to have become what is commonly known as "secondhand."

(3) **Exemption.** A sales and use tax exemption applies to new or used passenger cars, light duty trucks, or medium duty passenger vehicles that meet the power requirements and are within the value limitations described below. A person may not claim this exemption if the exemption under RCW 82.08.993 or 82.12.817(2) is claimed.

(a) **Power requirements.** The exemption applies only to the sale, lease, or use of a vehicle either exclusively powered by a clean alternative fuel or a plug-in hybrid vehicle.

(b) **List of eligible vehicles.** The department of licensing must maintain and publish a list of all vehicle models eligible for this tax exemption and is authorized to issue final rulings on vehicle model eligibility. A seller or lessor is not responsible for repayment of the tax exemption if a vehicle was listed as of the date it was purchased or the lease agreement was signed, and met the other exemption requirements, and is subsequently removed from the list.

(c) **Eligible vehicle values.** The selling price plus the trade-in value of property of like kind for vehicle sales at the time of purchase, or the fair market value for vehicles at the inception of the lease agreement, may not exceed the following amounts:

(i) New vehicles: \$45,000.

(ii) Used vehicles: \$30,000.

(d) **Trade-in values.** When determining whether a new or used vehicle is eligible for the exemption in this rule, the value of any trade-in vehicle must be added to the selling price of the vehicle.

Example 1. An automobile dealer sells a new clean alternative fuel vehicle for \$53,000. As part of the sale, the dealer accepts a trade-in vehicle from the buyer with an agreed upon value of \$10,000, resulting in a taxable selling price of \$43,000. The new vehicle does not qualify for the exemption because the selling price, as defined in subsection (2) of this rule, plus the vehicle trade-in value of \$10,000, exceeds the new vehicle value limit of \$45,000.

(e) **Determining amount subject to retail sales tax.** After determining the new or used vehicle qualifies for the exemption, the seller must then determine the eligible exemption amount as described in the table in this subsection (3)(e). The amount subject to retail sales tax is calculated by subtracting the exemption amount and the trade-in allowance, if any, from the selling price. In the case of a lease, the exemption amount applies up to the eligible exemption amount identified in the table in this subsection (3)(e) for lease payments made, and any additional selling price of the leased vehicle if the original lessee purchases the leased vehicle before the qualification period end date. The exemption amounts are provided below and based on the date of purchase or date of the signed lease agreement.

| Date of purchase/Date of signed lease agreement | Exemption amount (New vehicles) | Exemption amount (Used vehicles) |
|---|------------------------------------|---|
| August 1, 2019 - July 31, 2021 | \$25,000 | Total sales price or \$16,000, whichever is less |
| August 1, 2021 - July 31, 2023 | \$20,000 | |
| August 1, 2023 - July 31, 2025 | \$15,000 | |

Example 2. In February 2024, an automobile dealer sells a new clean alternative fuel vehicle for \$44,000, before factoring in a trade-in allowance. The purchaser provides a down payment of \$5,000 and the dealer accepts a trade-in vehicle from the buyer with an agreed upon value of \$7,000 and finances the remaining \$32,000. The new vehicle qualifies for the exemption because the taxable selling price of \$37,000, plus the value of the buyer's trade-in vehicle of

\$7,000, does not exceed the \$45,000 limit. To determine the amount of the sale subject to retail sales tax, the dealer will subtract the exemption amount indicated in the chart in subsection (3)(e) of this rule and the trade-in value from the vehicle's selling price. The seller is required to report \$44,000 in gross revenue under the retailing B&O and retail sales tax classifications, then report a \$7,000 trade-in allowance deduction and a \$15,000 clean alternative fuel vehicle deduction from the retail sales tax classification. The retail sales taxable amount is \$22,000. The retailing B&O taxable amount is \$44,000.

Example 3. On March 1, 2025, ABC Vehicles LLC (ABC), an automobile dealer (who is assigned a monthly tax reporting frequency), leased a new clean alternative fuel vehicle to a customer with a fair market value of \$42,000. The new leased vehicle qualifies for the exemption because its fair market value is \$45,000 or less. The maximum allowable exemption amount is \$15,000. The lease covers a 36-month period, and the monthly lease payment is \$400. The lessee decides to purchase the vehicle following the expiration of the lease on March 1, 2028, for \$27,600. Because the lessee paid \$14,400 in total lease payments prior to purchasing the vehicle, the remaining available exemption is \$600, which may be deducted from the selling price of \$27,600, resulting in a retail sales taxable amount of \$27,000.

For the entire 36-month lease period, ABC is required to report \$400 in gross revenue from monthly vehicle lease payments under the retailing B&O and retail sales tax classifications on each of its monthly excise tax returns, then report a \$400 deduction from the retail sales tax classification, resulting in a retail sales taxable amount of \$0. ABC may not claim a deduction for B&O tax purposes, resulting in a retailing B&O taxable amount of \$400. For the March 2028 return, ABC is required to report \$27,600 in gross revenue under the retailing B&O and retail sales tax classifications, then report a \$600 clean alternative fuel vehicle deduction from the retail sales tax classification. The retail sales taxable amount is \$27,000. The retailing B&O taxable amount is \$27,600.

(f) **Exemption eligibility dates.**

(i) **Sales.** For vehicle sales, the sale must be made between August 1, 2019, and July 31, 2025, to qualify for the exemption. Sales of vehicles after July 31, 2025, do not qualify for the exemption.

(ii) **Leases.** For vehicle leases, the lease agreement must be signed between August 1, 2019, and July 31, 2025, to qualify for the exemption. Lease agreements signed after July 31, 2025, do not qualify for the exemption. However, leases that qualified for the exemption before August 1, 2025, will continue to receive the exemption on any lease payments due through the remainder of the lease through July 31, 2028. RCW 82.08.9999(7). Any unused exemption amounts are forfeited and may not be applied once the exemption expires on August 1, 2028.

Example 4. A lessee signs a four-year vehicle lease agreement for an eligible vehicle on June 15, 2025, with the first payment due on July 15, 2025, and the last payment due on June 15, 2029. Because this exemption expires on August 1, 2028, the retail sales tax exemption will be applied to each lease payment, beginning July 15, 2025, and continue until the earlier of July 31, 2028, or until the available exemption amount is reduced to zero. Any unused exemption amounts are forfeited and may not be applied once the exemption expires on August 1, 2028.

(4) **Recordkeeping.** The seller, or lessor in the case of a lease, of any eligible vehicle, new or used, must keep the following records,

in paper or electronic form, necessary for the department of revenue to verify eligibility:

- (a) Vehicle make, model, and year;
- (b) Whether the vehicle was sold or leased;
- (c) Selling price for purchased vehicles, or fair market value at the inception of the lease for leased vehicles;
- (d) Date of sale or start date of lease;
- (e) Terms of lease, including monthly lease payment and length of lease; and
- (f) Total amount qualifying for the incentive claimed for each vehicle, including the future monthly amount to be claimed for each leased vehicle.

WSR 24-13-102

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed June 18, 2024, 2:22 p.m., effective July 1, 2024]

Effective Date of Rule: July 1, 2024.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW 34.05.380 (3)(a) allows for a rule to become effective earlier than 31 days after filing if such action is required by a statute. Section 1, chapter 69, Laws of 2024, and RCW 69.50.348 requires the department of agriculture (department) to adopt rules to implement section 2, chapter 277, Laws of 2019, by July 1, 2024.

Purpose: This rule-making order establishes chapter 16-310 WAC, Accreditation of cannabis laboratories, for the accreditation of cannabis laboratories in accordance with the standards set forth in chapter 16-309 WAC. The purpose of this rule is to ensure that laboratory standards described in chapter 16-309 WAC are followed when testing cannabis and cannabis products in Washington state.

Under 2019 HB 2052, the department of ecology (DOE) was to take over the accreditation of cannabis laboratories and began creating a fee-based program to audit and accredit the laboratories. In the process of writing cannabis laboratory standards, the department identified an opportunity to save costs to laboratories and streamline the hiring and work process related to laboratory standards and accreditation by taking on the task of laboratory audits and accreditation.

The department wrote an agency request bill replacing DOE with the department as the accrediting agency and requesting continuous funding and expedited rule-making authority to do this work. The bill, SSHB 2151, passed in 2024 and was signed by the governor. The bill authorized the creation of a new rule chapter to implement auditing and accrediting laboratories by the department's cannabis lab accreditation standards program. The bill also changes some components of the audit program, as audit fees will remain at a similar level to their current state. Laboratories will no longer be accredited by a third-party consultant and will instead be audited and accredited by a team at the department.

Citation of Rules Affected by this Order: New WAC 16-310-010, 16-310-020, 16-310-030, 16-310-040, 16-310-050, 16-310-060, 16-310-070, 16-310-080, 16-310-090, 16-310-100, 16-310-110, 16-310-120, 16-310-130, 16-310-140, 16-310-150, 16-310-160, 16-310-170, 16-310-180, 16-310-190, 16-310-200, and 16-310-210.

Statutory Authority for Adoption: RCW 69.50.348.

Adopted under notice filed as WSR 24-09-074 on April 17, 2024.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 21, 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: June 18, 2024.

Derek I. Sandison
Director

OTS-5317.2

**Chapter 16-310 WAC
ACCREDITATION OF CANNABIS LABORATORIES**

NEW SECTION

WAC 16-310-010 Purpose of chapter. Under the authority of RCW 69.50.348, the department adopts rules to establish a state program for the accreditation of cannabis laboratories in accordance with chapter 16-309 WAC. The purpose of this program is to ensure the laboratory standards described in chapter 16-309 WAC are followed when testing cannabis and cannabis products under chapter 314-55 WAC.

NEW SECTION

WAC 16-310-020 Scope. (1) This chapter applies to cannabis laboratories that conduct tests for or prepare analytical data on cannabis in Washington state.

(2) Accreditation does not guarantee validity of all analytical data submitted by the accredited laboratory but rather assures that the laboratory has demonstrated its capability to generate and report the analytical data.

NEW SECTION

WAC 16-310-030 Definitions. "Accreditation" means the formal recognition by the department that a cannabis laboratory is capable of producing accurate and defensible analytical data. This recognition is signified by the issuance of a written accreditation letter, accompanied by a scope of accreditation indicating the parameters for which the laboratory is accredited.

"Accreditation year" means the one-year period as stated on the letter of accreditation.

"Analyte" means the constituent or property of a sample measured using an analytical method.

"Analytical data" means the recorded qualitative and/or quantitative results of a chemical, physical, biological, microbiological, radiochemical, or other scientific determination.

"Analytical method" means a written procedure for acquiring analytical data.

"Audit" means an inspection and evaluation of laboratory methods, instrumentation, facilities, equipment, records, and staff.

"Board" means the Washington state liquor and cannabis board.

"Cannabis laboratory" or "laboratory" means a facility:

(a) Under the ownership and technical management of a single entity in a single geographical location;

(b) Where scientific determinations are performed on samples taken from cannabis plants and products; and

(c) Where data is submitted to the customer or regulatory agency, or other entity requiring the use of an accredited laboratory under provisions of a regulation, permit, or contractual agreement.

"Data pack" means documentation created that supports each sample collected and sent to the laboratory for testing to include, but not limited to, any and all chain of custodies, manifests, worksheets, testing data including repeat testing, calibration data, quality control data, final report to customer, and any document created or received for that sample from time of receipt to disposal of sample.

"Data traceability" or "traceability" means the ability to recreate the final result by means of records.

(a) Records must be an unbroken trail of accountability for verifying or validating the chain of custody of samples, the data, the documentation of a procedure, certificates of analysis, and the values of a standard.

(b) This unbroken trail begins upon receipt of the samples at the laboratory.

"Department" means the state of Washington department of agriculture.

"Good standing" means the laboratory has met all its obligations to the state to remain certified by the board such as passing proficiency testing, current with any and all payments required, current with all accreditation requirements, and has no outstanding obligations to the board.

"Interlaboratory comparison" means a method used in quality control to evaluate the consistency and accuracy of test results across multiple laboratories. It involves sending sample replicates to different labs and comparing the results to identify discrepancies or variations.

"Matrix" means the material to be analyzed including, but not limited to, flower, trim, leaves, other plant matter, cannabis concentrate, cannabis infused, and edibles.

"Parameter" means the combination of one or more analytes determined by a specific analytical method.

"Precision" means the closeness of agreement between independent test results obtained under specified conditions. This is described by statistical methods such as a standard deviation (SD), coefficient of variation (CV), or confidence limit of test results.

"Proficiency testing (PT)" means evaluation of the results from the analysis of samples, the true values of which are known to the supplier of the samples but unknown to the laboratory conducting the analyses.

"Proficiency testing provider" means a third-party company, organization, or entity not associated with certified laboratories or a laboratory seeking accreditation that is approved by the department and provides samples for use in PT testing.

"Quality assurance (QA) manual" means a written record intended to assure the reliability of measurement data. A QA manual documents policies, organization, objectives, and specific QC and QA activities.

"Quality control (QC)" means the routine application of statistically based procedures to evaluate and control the accuracy of analytical results.

"Regular business hours" means the time frame during which the laboratory conducts testing or normal business. Should a laboratory have multiple shifts to conduct testing, normal business hours would include these shifts.

"Sample" means a representative portion of material taken from a larger quantity of homogenate for the purpose of examination or analysis, which can be used for judging the quality of a larger quantity for the purpose of compliance.

"Standard operating procedures (SOP)" means a written document that details the method for an operation, analysis, or action with thoroughly prescribed techniques and steps, and that is officially approved as the method for performing certain routine or repetitive tasks.

"Validation" means the process of demonstrating or confirming the performance characteristics through assessments of data quality indicators for a method of analysis.

NEW SECTION

WAC 16-310-040 Accreditation during transition period. (1) Laboratory accreditations issued by the board in 2023 will remain valid through their expiration date in 2024.

(2) Accreditation issued by the department prior to December 31, 2024, will be based on the laboratory standard set forth in chapter 314-55 WAC and be considered accreditation renewal. Accreditation will expire in one calendar year after issuance.

(3) After December 31, 2024, all laboratories must comply with the standard set forth in chapter 16-309 WAC in order to maintain accreditation.

(4) Laboratories must submit validation studies for their cannabinoid concentration analysis, residual solvent testing, pesticide testing, and heavy metals testing to the department for their methods prior to November 1, 2024.

(5) Laboratories that have not received approval for a validation study by January 1, 2025, will not be able to test for that parameter until the parameter is approved.

(6) Laboratories that have been accredited in 2024 to the standard identified in chapter 314-55 WAC must fill out an initial accreditation application in order to transfer to the department's accreditation program beginning January 1, 2025.

NEW SECTION

WAC 16-310-050 Laboratory initial accreditation application.

(1) A laboratory that has yet to become accredited must complete an initial application provided by the department to apply for accreditation to perform cannabis and cannabis product testing.

(2) The applying laboratory must submit an initial application fee with the application to the department before an initial inspection can be scheduled.

(3) Prior to the first audit, the laboratory must successfully complete a round of proficiency testing for each parameter the laboratory intends to be accredited for. Proficiency testing must come from a vendor approved by the department and graded results must be sent to the department for review.

(4) The laboratory must include the following pre-audit materials with the application:

(a) Current information on its testing operation to include a list of analytes tested with method and instrument(s) used.

(b) A schedule of its operations listing the days and hours for various processes of operations.

(c) A list of staff along with their qualifications and job function(s).

(d) A map of the facilities and description detailing security of the premises along with the location of the lab and locations where different types of testing are performed.

(e) A description of the laboratory computer systems describing any hardware, software, firewalls, both internal and external to the laboratory, that are used in the testing or reporting of cannabis. Sufficient information must be available to allow inspectors to verify compliance with program requirements.

(f) A copy of the current quality assurance manual.

(g) Validation studies for each method for which the laboratory is seeking accreditation.

(h) The department may request additional documents as necessary.

(5) Once all required conditions and documents are reviewed and accepted by the department, an audit will be scheduled to occur within 30 days.

NEW SECTION

WAC 16-310-060 Laboratory continued accreditation. (1) Laboratories must apply for accreditation renewal each year after initial accreditation to maintain their accreditation status.

(2) Renewal application documents must be submitted to the department at least 60 days prior to their accreditation expiration date. Documents may be submitted electronically.

(3) The laboratory must include the following pre-audit materials with the application:

(a) Current information on its testing operation to include a list of analytes tested with method and instrument(s) used.

(b) A schedule of its operations listing the days and hours for various processes of operations.

(c) A list of staff along with their qualifications and job function(s).

(d) A map of the facilities and description detailing security of the premises along with the location of the lab and locations where different types of testing are performed.

(e) A description of the laboratory computer systems describing any hardware, software, firewalls, both internal and external to the laboratory, that are used in the testing or reporting of cannabis. Sufficient information must be available to allow inspectors to verify compliance with program requirements.

(f) A copy of the current quality assurance manual.

(g) A complete data pack containing all testing performed on designated samples as determined by the department during the accreditation period.

(h) Notification of any major changes to methods or procedures from the previous audit such as changes in instrumentation, new extraction method, software changes, or updates to quality assurance procedures.

(i) The department may request additional documents as necessary.

NEW SECTION

WAC 16-310-070 Application review and approval process. Upon review of the accreditation application and required documents, the department will either:

(1) Notify the applicant laboratory of any missing items or amendments necessary to approve the application.

(2) Approve the application, schedule an audit, and accredit the laboratory for initial, or renewed status upon successful completion of the audit.

(3) Extend a laboratory's current accreditation by a maximum of 60 days for the purpose of scheduling.

(4) Deny the application and deny accreditation. If the department denies accreditation or denies a subset of requested parameters, the department will notify the laboratory of the deficiencies.

NEW SECTION

WAC 16-310-080 Quality assurance manual. (1) The department will review and approve the laboratory's quality assurance (QA) manual prior to the department's initial and continued accreditation on-site audit of the lab.

(2) The QA manual submitted concurrently with the application must be in detail and scope commensurate with the size and mission of the laboratory. Instructions for contents of the QA manual are in WAC 16-309-120.

NEW SECTION

WAC 16-310-090 Standard operating procedures. (1) The department will review the laboratory's standard operating procedures (SOP) on-site during each audit.

(2) The SOP must be in detail sufficient to assure consistent and replicable results by any qualified employee at the laboratory.

(3) Guidelines for contents of a standard operating procedure are in WAC 16-309-090, the cannabis testing laboratory standards manual, and other guidance documents that may be published by the department.

NEW SECTION

WAC 16-310-100 Data and record traceability. (1) During audits and when necessary, the department will ask the lab to demonstrate data and record traceability with documentation. To demonstrate this, a cannabis laboratory must:

(a) Be able to recreate sample results by means of records in entirety, starting at receipt of the samples by the laboratory and ending at the final report or certificate of analysis, known as a data pack;

(b) Document validation of any chemical, reagent, and/or media used by an analytical method;

(c) Document storage of samples as required by the specific analytical method and regulations;

(d) Document that all temperature-based equipment such as a refrigerator, oven, or incubator is within control at the time of testing. When electronic recordkeeping equipment is used, these records must be monitored by lab personnel to verify that temperatures meet relevant method and regulatory requirements;

(e) Keep a log for all instruments, including documentation of installation, setup, maintenance, and removal from service; and

(f) Document preparation and quality control (QC) of chemicals, reagents, and media used in support of the analyses.

(2) When records are handwritten, they must be in indelible ink and comply with the relevant method requirements and include the date, technician's initials, and temperature when relevant. Any changes to handwritten records should be single line crossed out, initialed, and dated.

(3) Unmonitored use of continuous data-loggers is not an acceptable substitute when methods and regulations require temperature checks. Use of electronic recordkeeping equipment is allowed when:

(a) The equipment can demonstrate the accuracy and precision required by the applicable method and regulations;

(b) It includes the date and time the record was captured, using a fully traceable and secure format; and

(c) It is reviewed for failure each day instrument or equipment is used.

(4) (a) Certificates of analysis must be consistent with laboratory data.

(b) Reference labs must be named on the certificate of analysis when used.

NEW SECTION

WAC 16-310-110 Proficiency testing. (1) The laboratory must participate in an approved proficiency testing (PT) program on an ongoing basis and achieve a passing score for each field of testing parameter for which the lab will be or is accredited.

(2) The cost of obtaining and testing PT samples is the sole responsibility of the laboratory.

(3) The department will maintain a list of approved proficiency tests and proficiency test providers that laboratories can use.

(4) A laboratory must successfully complete a minimum of one round of PT for each field of testing the lab seeks to be accredited

for and provide proof of the successful PT results to the accrediting authority prior to initial accreditation.

(5) Accredited laboratories must successfully analyze a minimum of two PT samples for each parameter per year.

(6) The closing dates of a PT study for a particular field of accreditation can be no more than seven months apart, and the opening date of a PT study for a particular parameter must be at least seven calendar days after the closing date of the previous PT study for the same parameter or field of testing.

(7) At least one of the scores must be from a round of PT that occurs within six months prior to the laboratory's accreditation renewal date.

(8) To maintain accreditation, the laboratory must continue to pass each PT and parameter for which the lab is accredited.

(9) If the laboratory fails to achieve a pass for a parameter, the laboratory must investigate the root cause of the laboratory's performance and establish a corrective action plan for each unsatisfactory analytical result within five business days and report its finding and resolution to the department.

(10) If the corrective action has not resolved the analytical deficiency, the laboratory must suspend testing of that parameter, even if they have not yet been contacted by the department to do so first. The laboratory must then work with the department to resolve the issue and must receive authorization from the department before they can re-start testing for that parameter.

(11) The department may require the laboratory to submit raw data along with the report of analysis of PT samples.

(12) If the PT provider does not provide individual acceptance criteria for each analyte, the following criteria will be applied to determine whether the lab achieves a passing score for the round of PT:

(a) +/- 30 percent recovery from the reference value for residual solvent testing; or

(b) +/- 3 z or 3 standard deviations from the reference value for all other fields of testing.

(13) The department may waive proficiency tests for certain parameters if approved PT samples are not readily available or for other valid reasons.

(a) If a proficiency test is not available for any parameter for which the laboratory is accredited or applying for accreditation, the laboratory must implement an alternative assessment procedure for the affected analyte(s) approved by the department.

(b) An alternative assessment requirement can be fulfilled via a split-sample analysis sent to testing staff as a blind or potential customer sample unknown to the analyst.

(14) (a) PTs must undergo the identical preparation and analytical processes that are used for customer samples including, but not limited to, adhering to the same sample tracking, sample preparation, analysis methods, standard operating procedures, calibrations, quality control, and acceptance criteria used in testing customer samples.

(b) Should a PT provider require a sample preparation step such as spiking a standard onto a matrix or hydrating a sample, the laboratory must prepare the sample according to their instructions. Testing a spiking solution independently is not allowed.

(15) The laboratory is responsible for ensuring the department receives all PT results directly from the PT provider.

(16) The laboratory must ensure that the information provided to the PT provider reflects accurate information about the laboratory that corresponds to the information in the laboratory's accreditation or application for accreditation including, but not limited to:

- (a) The laboratory's name and address;
- (b) The laboratory's ID number; and
- (c) The method and analyte codes.

(17) For pesticide and cannabinoid concentration analyses, a laboratory must use PT samples made with a useable cannabis matrix.

(a) If a useable cannabis matrix is unavailable, then a PT sample made with useable hemp matrix may be used.

(b) If a PT sample made with a useable hemp matrix is used for accreditation of cannabinoid concentration analysis, then the PT vendor must prepare the sample in useable hemp material itself and may not provide a separate spiking solution with the sample.

(18) Presence-absence microbiology parameters must correctly detect the presence or absence of target organisms on all replicates in their PTs to be considered acceptable.

(19) It is strictly prohibited for laboratories to communicate with other laboratories about proficiency testing samples prior to the final results reported back to the laboratory by the proficiency testing provider.

(20) It is strictly prohibited for laboratories to send PT samples to another laboratory for testing.

(21) Laboratories must participate in interlaboratory comparison testing when the department provides samples.

(a) Testing and reporting of interlaboratory comparison sample results to the department must be conducted within five business days of receipt of samples.

(b) The cost of performing interlaboratory comparison testing is the sole responsibility of the laboratory.

(c) To be considered acceptable, results from interlaboratory comparison testing must be within:

(i) +/- 30 percent recovery from the reference value for residual solvent testing; or

(ii) +/- 3 z or 3 standard deviations from the reference value for all other fields of testing.

(d) If a laboratory fails an interlaboratory comparison test, they must investigate the root cause of the laboratory's performance and establish a corrective action plan for each unsatisfactory analytical result within five business days and report its finding and resolution to the department.

(e) Failure to correct deficiencies or findings of misconduct identified from interlaboratory comparison testing could lead to suspension of accreditation.

(f) Laboratories will not be required to perform interlaboratory comparison testing on more than five samples per year per parameter being investigated.

NEW SECTION

WAC 16-310-120 Audits. (1) A laboratory must undergo an audit by the department to assess critical elements and areas of required standard practices.

(a) All accredited laboratories will be audited on an annual basis. The laboratory must assist or accommodate department personnel and auditors during audits as necessary.

(b) Audits will be performed on-site.

(c) Off-site audits will only be available at the discretion of the department.

(2) The laboratory must successfully show that they meet the minimum standards for each of the critical elements. Critical elements of accreditation are components of a cannabis laboratory's operations which are critical to the consistent generation of accurate and defensible data and keep the laboratory compliant with regulations.

(3) Critical elements include:

(a) Analytical methods. The laboratory must demonstrate that documentation of analytical methods the laboratory employs:

(i) Are present at the laboratory;

(ii) Are approved by the scientific director;

(iii) Are readily available to analysts; and

(iv) Have been validated and implemented before testing customer samples.

(b) Equipment and supplies. The laboratory must demonstrate that sufficient equipment and supplies as required by analytical methods are:

(i) Available at the laboratory;

(ii) Being adequately maintained;

(iii) Have been validated before placing into service; and

(iv) In a condition to allow successful performance of applicable analytical procedures.

(c) QA and QC records. The laboratory must maintain and make available QA and QC records. QA and QC records must monitor laboratory testing and functions to demonstrate analytical performance and compliance requirements.

(d) Sample management. The laboratory must demonstrate that its procedures for sample receipt, analysis, storage, and disposal are sufficient to meet regulatory requirements.

(e) Data management. The laboratory must demonstrate that data management requirements are being met. The audit includes a review of activities necessary to assure accurate management of laboratory data including:

(i) Raw data;

(ii) Calculations;

(iii) Transcription;

(iv) Computer data entry; and

(v) Reports of analytical results.

The department may deny, revoke, or suspend accreditation for deficiencies in critical elements.

(4) The laboratory must successfully show that they meet the minimal requirements of required standard practices. Standard practices are those elements of laboratory operations which might affect efficiency, safety, and other administrative functions, but may not affect quality of analytical data. Typically, deficiencies to standard practices are not grounds for significant accreditation actions but can be if a specific finding directly affects the laboratory's ability to meet a critical element for accreditation or presents a significant safety concern. Standard practices include:

(a) Personnel. The laboratory must demonstrate that its managerial, supervisory, and technical personnel have adequate training and experience to allow satisfactory completion of analytical procedures

and compilation of reliable, accurate data. Minimum personnel requirements are set forth in chapter 16-309 WAC.

(b) Facilities. The laboratory must demonstrate that it allows for the efficient generation of reliable, accurate data in a safe environment.

(c) Safety. The laboratory must demonstrate that it has met the minimum safety requirements as stipulated in chapter 16-309 WAC. If the department determines the laboratory has a significant safety deficiency, the department may refer the deficiencies to appropriate state or federal agencies.

NEW SECTION

WAC 16-310-130 Audit access. (1) For the purpose of conducting audits, the department may, during regular business hours, enter business premises in which analytical data relevant to accreditation under the provisions of this chapter are generated or stored.

(2) A laboratory's refusal to permit the department entry for such audit or inspection purposes may result in denial or revocation of accreditation by the department.

NEW SECTION

WAC 16-310-140 Evaluation and issuance of accreditation. (1) After the department's determination that an applicant laboratory has met the requirements in chapter 16-309 WAC and this chapter, the department will grant approval of the application and provide the applicant laboratory with proof of accreditation and a scope of accreditation listing the accredited parameters.

(2) If the department grants an interim or provisional accreditation, the department will provide the laboratory a report specifying deficiencies and/or missing information necessary to upgrade all parameters to accreditation status.

(3) If the department denies the application for accreditation in whole, it will provide written notification to the applicant laboratory specifying:

(a) Areas of deficiency in meeting the requirements in chapter 16-309 WAC or this chapter; and

(b) Any missing information the department needs to complete the review of the laboratory's application.

(4) The laboratory shall have 30 calendar days from the receipt of the notification to provide the requested information to the department or provide documentation to the department that describes how the specified deficiencies have or will be corrected. Initial accreditation will not be issued until deficiencies have been corrected.

(a) Based on its review of documentation provided by the applicant laboratory, the department will issue a written decision that states whether the laboratory's application is granted or denied.

(b) If the requested information is not provided within the required time frame, the department will deny the application and the applicant must submit a new application to the department if they seek to obtain accreditation.

NEW SECTION

WAC 16-310-150 Interim accreditation. (1) The department may grant interim accreditation if the laboratory is unable to complete an audit for accreditation for a specific parameter, but all other requirements of accreditation have been satisfied.

(2) The department may also require the laboratory to submit analytical data packages as evidence of analytical capability to grant interim accreditation.

NEW SECTION

WAC 16-310-160 Provisional accreditation. (1) The department may approve an existing laboratory with prior accreditation for provisional accreditation when the department determines that the laboratory can consistently produce valid analytical data but has deficiencies requiring corrective action.

(a) When the laboratory has corrected such deficiencies, it must provide documented evidence of correction to the department or request a follow-up audit, as appropriate.

(b) If the department determines the deficiencies have been corrected, it may approve full accreditation as in WAC 16-310-140.

(2) The department may extend a provisional accreditation in 30-day intervals for up to one year.

NEW SECTION

WAC 16-310-170 Denying accreditation. (1) The department may deny accreditation for reasons including, but not limited to, the following laboratory actions:

- (a) Failure to comply with standards of this chapter;
- (b) Misrepresenting itself to the department;
- (c) Failure to disclose pertinent information in the application;
- (d) Falsifying reports of analysis including proficiency testing results;
- (e) Engaging in unethical or fraudulent practices concerning generation of analytical data;
- (f) Refusing to permit entry for department audits as required by WAC 16-310-130;
- (g) Failure to pay applicable fees; or
- (h) Is determined by the department or the board to be criminally negligent or not in compliance with chapter 69.50 RCW.

(2) The department may deny a laboratory accreditation for a specific parameter for unacceptable proficiency testing results.

(3) Laboratories denied accreditation may appeal under the provisions of WAC 16-310-210.

(4) The department will notify the board of any laboratories that are denied accreditation.

NEW SECTION

WAC 16-310-180 Revoking or suspending accreditation. The department may suspend or revoke laboratory accreditation.

(1) The department may revoke or suspend the entire accreditation and scope of accreditation or one or more individual parameters.

(a) Suspension of accreditation by the department is for a specified period during which the affected laboratory must correct deficiencies that led to the suspension.

(b) If the department determines deficiencies are not corrected, they may revoke the laboratory's accreditation.

(2) The department may suspend or revoke accreditation for reasons including, but not limited to, the following laboratory actions:

(a) Failure to comply with standards in chapter 16-309 WAC and this chapter;

(b) Violating a state rule relative to the analytical procedures for which it is accredited;

(c) Misrepresenting itself to the department;

(d) Falsifying reports of analysis including PT results;

(e) Engaging in unethical or deceitful practices concerning generation of analytical data;

(f) Is deficient in its ability to provide accurate and defensible analytical data;

(g) Refusing to permit entry for department audits as required by WAC 16-310-130;

(h) Failing to pay applicable fees; or

(i) Reporting two consecutive unacceptable PT sample results for the same analyte.

(3) A laboratory may appeal the suspension or revocation of its accreditation under the provisions of WAC 16-310-210.

NEW SECTION

WAC 16-310-190 Withdrawal of accreditation. (1) The laboratory may withdraw from the accreditation program by sending a letter to the department signed by the laboratory director containing the last date they will perform testing under this program.

(2) The laboratory will remain responsible for any storage of data acquired during regulated testing for five years from the date the testing was performed.

(3) The laboratory must properly dispose of any cannabis or cannabis product remaining in the laboratory.

(4) The department may verify compliance with these rules even after withdrawal, suspension, or revocation of accreditation.

NEW SECTION

WAC 16-310-200 Fee structure. (1) The laboratory must pay a nonrefundable initial or transfer application fee in the amount of \$3,200 to the department before the application will be reviewed and an audit will be conducted.

(2) Audit fees must be paid at least 30 days prior to the initial accreditation audit or any continued accreditation audits.

(a) A fee of \$7,200 must be paid for on-site audits.

(b) A fee of \$2,100 must be paid for off-site surveillance audits.

(3) (a) If a laboratory requests to revise their scope of accreditation to add or reinstate a parameter, or parameters, outside of their initial application or renewal process, the laboratory must include a processing fee of \$1,000 with the request.

(b) Multiple parameters may be included in one revision request.

(4) If a laboratory withdraws from the accreditation process after the audit has been completed, the department may retain any fees collected prior to the withdrawal request.

(5) Processing and application fees are nonrefundable.

NEW SECTION

WAC 16-310-210 Appeals. A laboratory's scientific director may appeal final accreditation actions within 25 days of notification of final action in accordance with chapters 34.05 RCW and 16-08 WAC.

WSR 24-13-107
PERMANENT RULES
PIERCE COLLEGE

[Filed June 18, 2024, 8:14 p.m., effective July 19, 2024]

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

Purpose: Pierce College is engaging with the rule-making process to repeal chapter 132K-122 WAC because the Family Educational Rights and Privacy provides the necessary legal requirements and guidance to protect the privacy of student education records.

Citation of Rules Affected by this Order: Repealing WAC 132K-122-010 through 132K-122-130.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Adopted under notice filed as WSR 24-09-066 on April 16, 2024.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 13.

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: June 12, 2024.

Julie A. White
Chancellor

OTS-5361.1

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 132K-122-010 General policy.
- WAC 132K-122-020 Definitions.
- WAC 132K-122-030 Type and location of education records.
- WAC 132K-122-040 The right to inspect and view records.
- WAC 132K-122-050 Limits on rights to review and inspect educational records.
- WAC 132K-122-060 Hearing procedures.
- WAC 132K-122-070 Disclosure of personally identifiable information contained in a student's education records.
- WAC 132K-122-080 Prior consent to disclosure and waiver of student rights.

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| WAC 132K-122-090 | Maintenance of records. |
| WAC 132K-122-100 | Prevention of the disclosure of directory information. |
| WAC 132K-122-110 | Fees for copies. |
| WAC 132K-122-120 | Denial of copies of education records. |
| WAC 132K-122-130 | Notice of rights. |

WSR 24-13-108
PERMANENT RULES
PIERCE COLLEGE

[Filed June 18, 2024, 8:16 p.m., effective July 19, 2024]

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

Purpose: Pierce College is utilizing the rule-making process to establish procedures and reasonable controls for the use of college facilities to balance the college's responsibility to fulfill its mission as a state educational institution of Washington with the interests of college groups seeking to assemble in common areas of the campus for expressive activity.

Citation of Rules Affected by this Order: New WAC 132K-220-010 through 132K-220-050.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Adopted under notice filed as WSR 24-09-064 on April 16, 2024.

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 Nongovernmental 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: June 12, 2024.

Julie White
Chancellor

OTS-5293.1

Chapter 132K-220 WAC
EXPRESSIVE ACTIVITIES POLICY

NEW SECTION

WAC 132K-220-010 General policy. Pierce College is an educational institution provided and maintained by the people of the state of Washington. College facilities are reserved primarily for educational use including, but not limited to, instruction, research, public assembly of college groups, student activities, and other activities directly related to the educational mission of the college. The public character of the college does not grant to individuals or groups an unlimited license to engage in activity which limits, interferes with, or otherwise disrupts the normal activities to which the college's facilities are dedicated. Accordingly, the college estab-

lishes the common areas of the college as a limited public forum dedicated to the use of college groups for expressive activity, subject to the college's time, place, and manner limitations and restrictions set forth in this policy or otherwise specified.

The purpose of the time, place, and manner regulations set forth in this policy is to establish procedures and reasonable controls for the use of college facilities. These regulations are intended to balance the college's responsibility to fulfill its mission as a state educational institution of Washington with the interests of college groups seeking to assemble in common areas of the campus for expressive activity. The college recognizes that college groups should be accorded the opportunity to utilize the facilities and grounds of the college to the fullest extent possible. The college has designated certain facilities as public use areas open to noncollege groups as set forth herein.

NEW SECTION

WAC 132K-220-020 Definitions. For purposes of this policy, the following definitions are used:

(1) "College facilities" means all college buildings, structures, grounds, office space, classrooms, and parking lots. This includes both physical and online/virtual version of these spaces.

(2) "College groups" means individuals or groups who are currently enrolled students or current employees of the college, or guests of the college who are sponsored by a recognized student organization, employee organization, or the administration of the college.

(3) "Common areas" means those indoor and outdoor areas of each campus established by the college where college groups may assemble for expressive activity, subject to the college's reasonable time, place, and manner restrictions.

(4) "Expressive activity" means activity protected by the first amendment and includes, but is not necessarily limited to, activities such as informational picketing, petition circulation, the distribution of informational leaflets or pamphlets, speech-making, demonstrations, rallies, appearances of speakers in outdoor areas, protests, meetings to display group feelings or sentiments, or other types of assemblies to share information, perspective, or viewpoints.

(5) "Noncollege groups" means individuals or groups who are not currently enrolled students or current employees of the college and who are not officially affiliated or associated with, or invited guests of a recognized student organization, recognized employee group, or the administration of the college.

(6) "Public use areas" means those outdoor areas of each campus that the college has chosen to open as places where both college groups and noncollege groups may assemble for expressive activity, subject to the college's reasonable time, place, and manner restrictions.

NEW SECTION

WAC 132K-220-030 Use of college facilities. (1) Subject to the regulations and requirements of this policy, groups may use the campus

common areas for expressive activities between the hours of 7:00 a.m. and 10:00 p.m.

(2) Any sound amplification device may only be used at a volume that does not disrupt or disturb the normal use of classrooms, offices, laboratories, or any previously scheduled college event or activity.

(3) Groups are encouraged to notify the campus public safety department no later than 24 hours in advance of an expressive activity. However, unscheduled expressive activities are permitted so long as the activity does not disrupt any other event or activity occurring at the college facility.

(4) All sites used for expressive activity must be cleaned up and left in their original condition and may be subject to inspection by a representative of the college after the activity. Reasonable charges may be assessed against the sponsoring organization for the costs of clean-up or for the repair of damaged property.

(5) All groups must comply with all fire, safety, and sanitation regulations, and any special requirements specified for the expressive activity. The college cannot and will not provide utility connections or hook-ups for purposes of expressive activity conducted pursuant to this policy.

(6) The expressive activity must not be conducted in such a manner to obstruct vehicular, bicycle, pedestrian, or other traffic or otherwise interfere with ingress or egress to the college, college buildings or facilities, or to college activities or events. The expressive activity must not create safety hazards or pose safety risks to people or property.

(7) The expressive activity must not interfere with educational or institutional activities inside or outside any college building or otherwise prevent the college from fulfilling its mission and achieving its primary purpose of providing an education to its students. The expressive activity must not materially infringe on the rights and privileges of college students, employees, or guests to the college.

(8) There shall be no overnight camping in or on college facilities. Camping is defined to include unauthorized: Sleeping, cooking activities, storing or use of personal belongings for habitation, and/or the erection of tents, shelters, or other structures used for purposes of habitation.

(9) College facilities may not be used for commercial sales, solicitations, advertising, or promotional activities, unless:

(a) Such activities serve educational purposes of the college; and

(b) Such activities are under the sponsorship of a college department, office, or recognized student organization.

(10) The expressive activity must also be conducted in accordance with any other applicable college policies and regulations, local ordinances, and state or federal laws.

NEW SECTION

WAC 132K-220-040 Additional requirements for noncollege groups.

(1) College buildings, rooms, and athletic fields may be rented by noncollege groups in accordance with the use of district facilities policy. Renting a college facility does not relieve individuals or groups from adhering to this policy.

(2) The college has established public use areas for use as limited public forums. These areas can be used by noncollege groups for expressive activity (i.e., speech and assembly) on campus. Areas identified as limited public forums can be found on the Pierce College website at <https://www.pierce.ctc.edu/maps>.

Public use areas may be scheduled. Scheduled groups have priority of use over unscheduled groups.

(3) Noncollege groups that seek to engage in expressive activity are encouraged to provide notice to the campus safety office no later than 24 hours prior to the expressive activity along with the following information to ensure the area is not otherwise scheduled, and to give the college an opportunity to assess any security needs:

(a) The name, address, and telephone number of a contact person for the individual, group, entity or organization sponsoring the expressive activity; and

(b) The date, time, and requested location of the expressive activity; and

(c) The nature and purpose of the expressive activity; and

(d) The estimated number of people expected to participate in the expressive activity.

NEW SECTION

WAC 132K-220-050 Distribution of materials. (1) College groups may post information on bulletin boards, and other display areas designated for that purpose, and may distribute materials throughout the common and public use areas of campus. Noncollege groups may distribute materials only in public use areas.

(2) All groups are encouraged to include the sponsoring organization's name and address on the distributed or posted information.

(3) Materials are subject to a posting time limit and require a date stamp prior to posting. Materials may be removed after the expiration of the date stamp time limit or if they do not have a date stamp.

WSR 24-13-111

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed June 20, 2024, 8:11 a.m., effective July 21, 2024]

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

Purpose: Audiologist and speech-language pathology interstate compact (ASLP-IC) fees and renewal cycle. The department of health (department), in consultation with the board of hearing and speech, is adopting new WAC 246-828-991 to implement HB 1001 (chapter 53, Laws of 2023). HB 1001, codified in chapter 18.35A RCW, entered Washington state into the ASLP-IC for audiologists and speech-language pathologists and gave member states the discretion to charge a fee for granting compact privileges.

The ASLP-IC is a formal agreement enacted into law among participating states that allows member states to grant practice privileges to licensed audiologists and speech-language pathologists from other states. Under the ASLP-IC, licensees who wish to practice in, but live outside of, Washington may obtain privilege to practice in Washington or any other participating member state. The purpose of entering into the ASLP-IC is to improve public access to audiology and speech-language pathology services.

RCW 18.35A.030(10) allows the state of Washington to collect fees for granting the compact privilege of practicing in the state. The adopted rule sets a fee and a renewal cycle for granting practice privileges in Washington through the compact. Setting a fee and renewal cycle is necessary because RCW 43.70.250 requires that the costs of each professional licensing program be fully borne by members of that profession. Additionally, the office of financial management requires professions maintain a reasonable cash reserve to cover fluctuations in cash flow and operating expenses. The adopted rule is needed to ensure the department is in alignment with RCW 43.70.250, and chapter 18.35A RCW, and to ensure that there is sufficient funding to recover the costs of issuing a license for compact privileges in Washington state.

Citation of Rules Affected by this Order: New WAC 246-828-991.

Statutory Authority for Adoption: HB 1001 (chapter 53, Laws of 2023); RCW 43.70.110, 43.70.250, and 43.70.280.

Other Authority: Chapter 18.35A RCW.

Adopted under notice filed as WSR 24-07-064 on March 15, 2024.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: June 20 2024.

Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH

OTS-5215.1

NEW SECTION

WAC 246-828-991 Audiologist and speech-language pathologist licensure compact privilege fees and renewal cycle. (1) The compact privilege must be renewed no later than the expiration date of the home state license. The compact privilege holder must comply with all audiology and speech-language pathology interstate compact eligibility requirements in chapter 18.35A RCW to maintain the compact privilege.

(2) The following nonrefundable fees will be charged:

| Title of Fee | Fee |
|--------------------------------|------------|
| Application - Original license | \$80.00 |
| Compact renewal | \$80.00 |

WSR 24-13-115

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed June 20, 2024, 8:25 a.m., effective July 21, 2024]

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

Purpose: Athletic trainer scope of practice for medication purchase, storage, and administration. The department of health (department) in collaboration with the athletic training advisory committee (committee) is adopting a new section in chapter 246-916 WAC in response to SHB 1275 (chapter 143, Laws of 2023) that passed during the 2023 legislative session. SHB 1275 authorized athletic trainers to purchase, store, and administer over-the-counter medications as prescribed by an authorized health care practitioner for the practice of athletic training. SHB 1275 also permits athletic trainers who have completed accredited training programs on pharmacology and medication administration to purchase, store, and administer medications other than over-the-counter medications as prescribed by an authorized health care practitioner, and in accordance with the training program.

The purpose of the adopted medications rule, WAC 246-916-070, is to:

(1) Define terms to provide direction to athletic trainers regarding what types of medications an athletic trainer is permitted to purchase, store, and administer; and

(2) Create training requirements for athletic trainers who would like to purchase, store, and administer medications for the practice of athletic training.

The adopted rule provides clear instructions and requirements for athletic trainers to use both over-the-counter and prescription medications as a part of athletic training care, while supporting patient safety.

The purpose of rule making was to clarify that athletic trainers are not permitted to purchase, store, or administer controlled substances, as that would conflict with chapter 69.50 RCW, Uniform Controlled Substances Act. Chapter 69.50 RCW excludes athletic trainers from handling medications that are controlled substances. Rule making was also necessary to create enforceable standards and set training requirements for athletic trainers seeking to purchase, store, or administer medications while providing athletic training services.

Citation of Rules Affected by this Order: New WAC 246-916-070.

Statutory Authority for Adoption: RCW 18.250.020 and 18.250.030.

Other Authority: SHB 1275 (chapter 143, Laws of 2023) codified as RCW 18.250.110.

Adopted under notice filed as WSR 24-07-065 on March 15, 2024.

A final cost-benefit analysis is available by contacting Allyson McIver, P.O. Box 47877, Olympia, WA 98504-7877, phone 360-236-2878, fax 360-236-2901, TTY 711, email allyson.mciver@doh.wa.gov, website doh.wa.gov.

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

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

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

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

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

Date Adopted: June 20, 2024.

Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

OTS-5125.2

NEW SECTION

WAC 246-916-070 Medications. (1) An athletic trainer licensed under chapter 18.250 RCW may, for the practice of athletic training:

(a) Purchase, store, and administer over-the-counter medications as prescribed by an authorized healthcare practitioner;

(b) Purchase, store, and administer medications as prescribed by an authorized healthcare practitioner, if the athletic trainer has completed an accredited training program on the topic of pharmacology and medication administration. The athletic trainer shall only purchase, store, and administer medications in accordance with the accredited training program completed.

(2) For the purposes of this section:

(a) "Accredited training program on the topic of pharmacology and medication administration" includes:

(i) Coursework on pharmacology and medication administration within an accredited athletic training program approved under WAC 246-916-020;

(ii) Board of certification for the athletic trainer (BOC) approved Category A continuing education on the topic of pharmacology and medication administration;

(iii) BOC approved Category C postcertification college and university coursework on the topic of pharmacology and medication administration;

(iv) Other accredited training programs on the topic of pharmacology and medication administration.

(b) "Over-the-counter medications" has the same meaning as RCW 69.60.020, and also includes vitamins.

(c) "Medications" means legend drugs as defined under RCW 69.41.010, and does not include controlled substances as defined under RCW 69.50.101.

(3) Athletic trainers shall follow other medication limitations and requirements in RCW 18.250.110.

WSR 24-13-116

PERMANENT RULES

HEALTH CARE AUTHORITY

[Filed June 20, 2024, 8:26 a.m., effective July 21, 2024]

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

Purpose: The health care authority is amending the rule to clarify that state agency use of the department of enterprise service's consolidated mail services is equivalent to use of United States mail to effect service.

Citation of Rules Affected by this Order: Amending WAC 182-526-0040.

Statutory Authority for Adoption: RCW 41.05.021, 41.05.160.

Other Authority: RCW 43.19.710, 43.19.715.

Adopted under notice filed as WSR 24-09-007 on April 4, 2024.

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 Nongovernmental Entity: New 0, Amended 0, Repealed 0.

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

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

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

Date Adopted: June 20, 2024.

Wendy Barcus
Rules Coordinator

OTS-5311.2

AMENDATORY SECTION (Amending WSR 21-18-063, filed 8/26/21, effective 9/26/21)

WAC 182-526-0040 Service of documents on another party. (1) When the rules in this chapter or in other program rules or statutes require a party to serve copies of documents on other parties, the party must send copies of the documents to all other parties or their representatives.

(2) When sending documents to the office of administrative hearings (OAH) or the board of appeals (BOA), the party must file the documents at one of the locations listed in WAC 182-526-0025(2) for OAH or in WAC 182-526-0030 for BOA.

(3) When sending documents to the assigned OAH field office, the parties should use the address of the assigned OAH listed on the notice of hearing. If a field office has not been assigned, all written communication about the hearing must be sent to the OAH Olympia field office, which sends the communication to the correct office. Documents may be sent only as described in this section to accomplish service.

(4) Unless otherwise stated in law, a party may serve someone by:

- (a) Personal service (hand delivery);
- (b) First class, registered, or certified mail;
- (c) Fax;
- (d) Electronic service;
- (e) Commercial delivery service; ~~((e))~~
- (f) Legal messenger service; or
- (g) Department of enterprise services consolidated mail services

if the serving party is a state agency, including the agency and OAH. See RCW 43.19.710.

(5) A party must serve all other parties or their representatives whenever the party files a pleading, brief, or other document with ~~((the office of administrative hearings (OAH) or the board of appeals (BOA)))~~ OAH or BOA, or when required by law.

(6) Service is complete when:

- (a) Personal service is made;
- (b) Mail is properly stamped, addressed, and deposited in the United States mail;
- (c) Mail is placed in consolidated mail services to be mailed by United States mail first class, postage prepaid, by a state agency for outgoing mail delivery;

(d) A fax produces proof of transmission;

~~((d))~~ (e) Electronic service is sent;

~~((e))~~ (f) A parcel is delivered to a commercial delivery service with charges prepaid; or

~~((f))~~ (g) A parcel is delivered to a legal messenger service with charges prepaid.

(7) A party may prove service by providing any of the following:

- (a) A sworn statement;
- (b) The certified mail receipt signed by the person who received the envelope;
- (c) An affidavit or certificate of mailing;
- (d) A signed receipt from the person who accepted the commercial delivery service or legal messenger service package; or
- (e) Proof of fax or electronic service transmission.

(8) The OAH or BOA may serve documents, including notices, initial orders, and final orders, by email only if the other parties have agreed to accept electronically served documents.