

WSR 06-11-014
EXPEDITED RULES
DEPARTMENT OF REVENUE

[Filed May 4, 2006, 2:26 p.m.]

Title of Rule and Other Identifying Information: WAC 458-40-690 Timber excise tax—Credit for property tax.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Mark Bohe, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-7453, fax (360) 586-5543, e-mail MarkBohe@dor.wa.gov, AND RECEIVED BY July 25, 2006.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 458-40-690 explains how a taxpayer may claim a credit, or obtain a refund, for property taxes paid upon harvested public timber. Chapter 177, Laws of 2004 (ESHB 2693) changed the law so that standing timber located on public land that is purchased by a private person is exempt from property tax. The department had retained the rule until this time in case someone with a past claim for refund or credit wanted to file for the credit or claim a refund, but in the last year there has been no such filing. The department is proposing to repeal this rule at this time because it is no longer needed.

Reasons Supporting Proposal: The rule is no longer needed because all standing timber is exempt from property tax under RCW 84.33.040.

Statutory Authority for Adoption: RCW 82.32.330, 82.01.060(1), and 84.33.096.

Statute Being Implemented: RCW 84.33.077.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Mark Bohe, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6133; Implementation and Enforcement: Stuart Thronson, 1025 Union Avenue S.E., Suite #100, Olympia, WA, (360) 570-3230.

May 4, 2006
 Alan R. Lynn
 Rules Coordinator

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 458-40-690	Timber excise tax—Credit for property tax.
----------------	--

WSR 06-11-015
EXPEDITED RULES
DEPARTMENT OF REVENUE

[Filed May 4, 2006, 2:29 p.m.]

Title of Rule and Other Identifying Information: WAC 458-20-270 Telephone program excise tax rates, this rule determines the rates for the taxes imposed on switched access lines pursuant to RCW 43.20A.725 and 80.36.430.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Nathan Schreiner, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-7453, fax (360) 586-5543, e-mail NathanS@dor.wa.gov, AND RECEIVED BY July 24, 2006.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 458-20-270 is being amended by emergency rule because the new rates must take effect by July 1, 2006. This proposal would adopt a permanent rule that would determine the tax rates for the fiscal year. No additional change in the actual tax rates is being proposed. A copy of the proposed rule is available for viewing and printing on our web site at <http://dor.wa.gov/content/laws/RuleMaking/default.aspx>.

Reasons Supporting Proposal: Under RCW 43.20A.725 and 80.36.430, the department is required to annually determine the tax rates imposed on switched access lines to fund the telephone relay service program and the Washington telephone assistance program. Each tax rate is determined by dividing the respective program budgets by the number of switched access lines reported to the department in the prior calendar year. The department retains no discretion in the determination of these tax rates, the amount of which is explicitly dictated by the statutory formulas and inputs provided to the department.

Statutory Authority for Adoption: RCW 82.32.300 and 82.01.060(2).

Statute Being Implemented: RCW 43.20A.725 and 80.36.430.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Nathan E. Schreiner, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6136; Implementation: Alan R. Lynn, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6125; and Enforcement: Janis P. Bianchi, 1025

Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6147.

May 3, 2006
Alan R. Lynn
Rules Coordinator

AMENDATORY SECTION (Amending WSR 05-18-017, filed 8/26/05, effective 9/26/05)

WAC 458-20-270 Telephone program excise tax rates. RCW 82.72.020 requires the department of revenue (department) to collect certain telephone program excise taxes. Those taxes include the tax on switched access lines imposed by RCW 43.20A.725 (telephone relay service—TRS) and 80.36.430 (Washington telephone assistance program—WTAP). Pursuant to those statutes, the department must annually determine the rate of each respective tax according to the statutory formulas.

For the period July 1, ~~((2005))~~ 2006, through June 30, ~~((2006))~~ 2007, the monthly telephone program excise tax rates are as follows:

TRS	((40)) 2 cents per switched access line
WTAP	14 cents per switched access line

WSR 06-11-130
EXPEDITED RULES
DEPARTMENT OF
FISH AND WILDLIFE
[Filed May 22, 2006, 1:07 p.m.]

Title of Rule and Other Identifying Information: Commercial fishing rules.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Evan Jacoby, Department of Fish and Wildlife, 600 Capitol Way North, Olympia, WA 98501-1091, AND RECEIVED BY July 24, 2006.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Sets Puget Sound commercial salmon seasons for 2006.

Reasons Supporting Proposal: Recommendations of the North of Falcon subgroup of the Pacific Fisheries Management Council to take harvestable salmon while protecting ESA-listed fish.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of fish and wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

May 22, 2006
Evan Jacoby
Rules Coordinator

AMENDATORY SECTION (Amending Order 05-166, filed 8/3/05, effective 9/3/05)

WAC 220-47-302 Puget Sound—Lawful gear—Gill net. (1) It is unlawful to use drift gill net salmon gear in Puget Sound that exceeds 1,800 feet in length or contains meshes of a size less than 5 inches, except in Area 9A, where gill nets may not exceed 600 feet in length, or be more than 60 mesh deep, or contain mesh size less than 5 inches.

(2) It is unlawful to use skiff gill net salmon nets in Puget Sound that exceed 300 feet in length or 90 meshes in depth, or contain meshes of a size less than 5 inches, except in Area 9A, where gill nets may not exceed 600 feet in length, or be more than 60 meshes deep, or contain mesh size less than 5 inches. It is unlawful to retrieve skiff gill nets by any means except hand (no hydraulics may be used). It is unlawful to fail to attend skiff gill nets at all times.

(3) Drift gill nets and skiff gill nets shall be operated substantially in a straight line. ~~((Circle setting or setting))~~ It is unlawful to set in a circle or to set other than substantially in a straight line ((shall be unlawful)).

(4) It is unlawful to take or fish for salmon with gill net gear in Areas 7 or 7A sockeye or pink fisheries unless said gill net gear is constructed so that the first 20 meshes below the corkline are composed of five-inch mesh white opaque minimum 210/30d (#12) diameter nylon twine.

(5) It is unlawful to take or fish for salmon with gill net gear in Areas 7 or 7A between the dates of September 30 and October ~~((46))~~ 14 unless the gill net vessel has aboard and uses operable recovery boxes as described in this subsection.

(a) Dimensions and capacities of required recovery boxes:

(i) Recovery boxes must have two chambers, if one box, or it may be two boxes with one chamber in each box.

(ii) Each recovery box chamber must have an inside length measurement of 48 inches, an inside width measurement of 10 inches, and an inside height measurement of 16 inches.

(iii) Each chamber of the recovery box must have an inlet hole measuring between 3/4 inch and 1 inch in diameter, and the inlet hole must be centered horizontally across the door or wall of the chamber and the bottom of the hole must be located 1 3/4 inches above the floor of the chamber.

(iv) Each chamber of the recovery box must include a water outlet hole on the opposite wall from the inlet hole, and the outlet hole must be at least 1 1/2 inches in diameter with the bottom of the outlet hole located 12 inches above the floor of the chamber.

(v) Flow of water through each chamber of the recovery boxes must be not less than 16 gallons per minute nor more than 20 gallons per minute.

(b) Each box and chamber must be operating during any time that the net is being retrieved or picked.

(c) The vessel operator must demonstrate to department employees, upon request, that the pumping system is delivering the proper volume of fresh seawater into each chamber.

(d) All salmon not to be retained must be released immediately with care and the least possible injury to the fish, or placed into the operating recovery box.

(e) Any fish that is bleeding or lethargic must be placed in the recovery box prior to being released.

(f) All fish placed in the recovery boxes must be released within the same catch area as the area of capture, and the release must occur prior to landing or docking.

(6) It is unlawful to fish for salmon with gill net gear in Areas 7 and 7A unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and is in possession of a department-issued certification card.

AMENDATORY SECTION (Amending Order 05-166, filed 8/3/05, effective 9/3/05)

WAC 220-47-311 Purse seine—Open periods. 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 during the periods provided for hereinafter in each respective Management and Catch Reporting Area:

AREA	TIME	DATE
(7, 7A:	7AM—6PM with use of recovery box 7AM—3:15PM without use of recovery box	10/12, 10/13, 10/19, 10/20, 10/26, 10/27
	7AM—5PM with use of recovery box	11/2, 11/3
	7AM—2:30PM without use of recovery box	
7B, 7C:	6AM—8PM	8/17, 8/24, 8/31
	7AM—7PM	9/7
7B:	7AM—7PM	- 9/12, 9/13, 9/14
	7AM 9/18	- 8PM 10/29
	7AM 10/31	- 4PM 11/4
	7AM 11/7	- 4PM 11/11
	7AM 11/14	- 4PM 11/18
	7AM 11/21	- 4PM 11/25
	8AM 11/28	- 4PM 12/2

Note: That portion west of a line from Point Francis (48°41'42"N, 122°36'40"W) to the red and green buoy southeast of Point Francis (48°40'22"N, 122°35'30"W) then to the northernmost tip of Eliza Island (48°39'37"N, 122°35'45"W) then along the eastern shore of the island to a point intersecting a line drawn through Eliza Rock Light (48°38'35"N, 122°34'40"W) and Fish Point (48°34'35"N, 122°29'45"W) and then southeastward along that line to Fish Point is closed 9/1-9/30.

Note: That portion of Area 7B east of a line from Post Point to the flashing red light at the west entrance to Squalicum Harbor is open to purse seines beginning 12:01 a.m. on the last Monday in October and is open until 4:00 p.m. on the first Friday in December.

8A:	7AM—7PM	Limited participation—two boats (9/26, 10/3):
	7AM—6PM	10/10, 10/17, 10/24, 10/26
	7AM—5PM	11/2, 11/7, 11/9, 11/16
	7AM—4PM	11/21, 11/23
8D:	7AM—7PM	9/22, 9/26, 10/3
	7AM—6PM	10/10, 10/17, 10/24, 10/26
	7AM—5PM	11/2, 11/7, 11/9, 11/16
	7AM—4PM	11/21, 11/23
10, 11:	7AM—6PM	10/10, 10/17, 10/24, 10/26
	7AM—5PM	10/31, 11/7, 11/14
	7AM—4PM	11/21
12, 12B:	7AM—6PM	10/17, 10/24, 10/26
	7AM—5PM	10/31, 11/7, 11/14
12C:	7AM—5PM	11/8, 11/15
	7AM—4PM	11/22))
7, 7A:	7AM - 6PM with use of recovery box 7AM - 3:15PM without use of recovery box	10/11, 10/12, 10/13, 10/18, 10/19, 10/20, 10/25, 10/26, 10/27
	7AM - 5PM with use of recovery box	11/1, 11/2, 11/3, 11/8, 11/9, 11/10
	7AM - 2:30PM without use of recovery box	
7B, 7C:	6AM - 8PM	8/16, 8/23, 8/30
	7AM - 8PM	9/6
7B:	7AM 9/11	= 7PM 9/13
	7AM 9/17	= 6PM 10/28
	7AM 10/30	= 4PM 11/3
	7AM 11/6	= 4PM 11/10
	7AM 11/13	= 4PM 11/17
	7AM 11/20	= 4PM 11/24
	8AM 11/27	= 4PM 12/1

Note: That portion of Area 7B east of a line from Post Point to the flashing red light at the west entrance to Squalicum Harbor is open to purse seines beginning 12:01 a.m. on the last Monday in October and is open until 4:00 p.m. on the first Friday in December.

8A:	7AM - 7PM	Limited participation - two boats (9/25, 10/2):
	7AM - 6PM	10/9, 10/16, 10/24, 10/26
	7AM - 5PM	11/1, 11/6, 11/8, 11/15
	7AM - 4PM	11/20, 11/22
8D:	7AM - 7PM	9/25, 10/2
	7AM - 6PM	10/9, 10/16, 10/24, 10/26
	7AM - 5PM	11/1, 11/6, 11/8, 11/15
	7AM - 4PM	11/20, 11/22
10, 11:	7AM - 6PM	10/16, 10/23, 10/25
	7AM - 5PM	10/30, 11/6, 11/8, 11/13
	7AM - 4PM	11/20
12, 12B:	7AM - 6PM	10/16, 10/23, 10/25
	7AM - 5PM	10/30, 11/6, 11/13
12C:	7AM - 5PM	11/7, 11/14
	7AM - 4PM	11/21

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

Chinook salmon - at all times in Areas 7, 7A, 8, 8A, 8D, 10, 11, 12, 12B, and 12C and after October ((30)) 29 in Area 7B

Coho salmon - at all times in Areas 7, 7A, 10, and 11, and prior to September 11 in Area 7B

((Sockeye salmon - prior to September 24 in Areas 7B and 7C))

Chum salmon - prior to October 1 in Areas 7 and 7A.

All other saltwater and freshwater areas - closed.

AMENDATORY SECTION (Amending Order 05-166, filed 8/3/05, effective 9/3/05)

WAC 220-47-325 Purse seine—Release of incidentally caught fish. (1) It is unlawful for any purse seine vessel operator landing salmon to land salmon directly into the hold. All salmon must be landed to the deck, or sorting tray or table, of the harvesting vessel with the hold hatch cover(s) closed until release of salmon that may not be retained is complete, and additionally:

(2) In Areas 7 and 7A and prior to September ((5)) 11 in Areas 7B and 7C, it is unlawful for any purse seine vessel operator to bring salmon aboard a vessel unless all salmon captured in the seine net are removed from the seine net using a brailer or dip net meeting the specifications in this section prior to the seine net being removed from the water, unless otherwise provided for in this section.

(3) The brailer shall be constructed in the following manner and with the following specifications:

(a) A bag of web hung on a rigid hoop attached to a handle;

(b) The bag shall be opened by releasing a line running through rings attached to the bottom of the bag; and

(c) The web shall be of soft knotless construction and the mesh size may not exceed 57 mm (2.25 inches) measured along two contiguous sides of a single mesh.

(4) Hand held dip nets shall be constructed of a shallow bag of soft, knotless web attached to a handle.

(5) Fish may be brought on board without using a brailer or dip net as specified in this section if the number of fish in the net is small enough that the crew can hand pull the bunt onto the vessel without the use of hydraulic or mechanical assistance.

(6) Fishers using a recovery box must have and operate the box in compliance with the provisions of WAC 220-47-302 (5)(a) through (f), and it is unlawful to fail to do so.

AMENDATORY SECTION (Amending Order 05-166, filed 8/3/05, effective 9/3/05)

WAC 220-47-401 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 hereinafter in each respective area:

AREA	TIME	DATE(S)
7, 7A	7AM - 7PM Daily	((9/25-11/42)) 9/16 - 11/11

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

(3) All other saltwater and freshwater areas - closed.

AMENDATORY SECTION (Amending Order 05-166, filed 8/3/05, effective 9/3/05)

WAC 220-47-411 Gill net—Open periods. It is unlawful to take, fish for or possess salmon taken with gill net gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective fishing area:

(AREA	TIME	DATE(S)	MINIMUM MESH	
6D: Skiff gill net only.	7 AM	7 PM	9/21, 9/22, 9/23, 9/26, 9/27, 9/28, 9/29, 9/30, 10/3, 10/4, 10/5, 10/6, 10/7, 10/10, 10/11, 10/12, 10/13, 10/14, 10/17, 10/18, 10/19, 10/20, 10/21, 10/24, 10/25, 10/26, 10/27, 10/28	5"

Note: In Area 6D it is unlawful to use other than 5-inch minimum and 5 1/2-inch maximum mesh in the skiff gill net fishery. It is unlawful to retain chinook or pink salmon taken in Area 6D at any time, or any chum salmon taken in Area 6D prior to October 16. In Area 6D, any chinook, chum or pink salmon required to be released, must be removed from the net by cutting the meshes ensnaring the fish.

7, 7A:	7AM	8PM Use of recovery box required	10/12, 10/13	6-1/4"
	8AM	8PM	10/19, 10/20, 10/26, 10/27	6-1/4"
	7AM	7PM	11/2, 11/3	6-1/4"

Note: In Areas 7 and 7A after September 30 but prior to October 16, 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 gill net web enters the water until the gill net is fully retrieved from the water. Fishers must also use a recovery box in compliance with WAC 220-47-302 (5)(a) through (f).

7B/7C:	7PM	7AM	NIGHTLY 8/15, 8/21, 8/23, 8/25, 8/28, 8/30, 9/1	7"
	6PM	8AM	NIGHTLY 9/5, 9/6, 9/8	7"
7B:	6PM	8AM	NIGHTLY 9/11, 9/13, 9/15	5"
	7AM-9/18	8PM-10/29		5"
	7AM-10/31	4PM-11/4		6-1/4"

(AREA	TIME		DATE(S)	MINIMUM MESH
	7AM 11/7	-	4PM 11/11	6-1/4"
	7AM 11/14	-	4PM 11/18	6-1/4"
	7AM 11/21	-	4PM 11/25	6-1/4"
	8AM 11/28	-	4PM 12/2	6-1/4"

Note: That portion west of a line from Point Francis (48°41'42"N, 122°36'40"W) to the red and green buoy southeast of Point Francis (48°40'22"N, 122°35'30"W) then to the northernmost tip of Eliza Island (48°39'37"N, 122°35'45"W) then along the eastern shore of the island to a point intersecting a line drawn through Eliza Rock Light (48°38'35"N, 122°34'40"W) and Fish Point (48°34'35"N, 122°29'45"W) and then southeastward along that line to Fish Point is closed 9/1-9/30.

Note: That portion of Area 7B east of a line from Post Point to the flashing red light at the west entrance to Squalicum Harbor is open to gill nets using 6-1/4-inch minimum mesh beginning 12:01 AM on the last day in October and is open until 6:00 PM on the first Friday in December.

8A:	6PM	-	8AM	NIGHTLY 10/4	5"
	5PM	-	8AM	NIGHTLY 10/11, 10/13, 10/14	5"
	8AM	-	8PM	10/18, 10/20, 10/21	5"
	8AM	-	8PM	10/24, 10/25, 10/26, 10/27	6-1/4"
	7AM	-	7PM	11/1, 11/3, 11/4, 11/8, 11/10, 11/11, 11/15, 11/17, 11/18	6-1/4"
	7AM	-	6PM	11/22, 11/24, 11/25	6-1/4"
8D:	6PM	-	8AM	NIGHTLY 9/18, 9/20, 9/22, 9/25, 9/27, 9/29, 10/2, 10/4, 10/6	5"
	5PM	-	8AM	NIGHTLY 10/9, 10/11, 10/13, 10/16, 10/18, 10/20	5"
	8AM	-	8PM	10/27, 10/28	5"
	7AM	-	7PM	11/3, 11/4	5"
	7AM	-	7PM	11/10, 11/11, 11/17, 11/18	6-1/4"
	7AM	-	6PM	11/24, 11/25	6-1/4"
9A:	7PM	-	7AM	NIGHTLY 8/23, 8/25	5"
	7AM 8/28	-	8PM 10/29		5"

Note: It is unlawful to retain chum salmon taken in Area 9A prior to October 1 and unlawful to retain chinook salmon at any time. Any salmon not to be retained must be released from the net by cutting the meshes ensnaring the fish.

10, 11:	4PM	-	7AM	NIGHTLY 10/9	6-1/4"
	5PM	-	8AM	NIGHTLY 10/11, 10/12	6-1/4"
	4PM	-	7AM	NIGHTLY 10/16	6-1/4"
	5PM	-	8AM	NIGHTLY 10/18, 10/19, 10/23, 10/25, 10/26	6-1/4"
	4PM	-	7AM	NIGHTLY 10/30	6-1/4"
	4PM	-	8AM	NIGHTLY 11/1, 11/2	6-1/4"
	4PM	-	7AM	NIGHTLY 11/6	6-1/4"
	4PM	-	8AM	NIGHTLY 11/8, 11/9	6-1/4"
	4PM	-	7AM	NIGHTLY 11/13	6-1/4"
	4PM	-	8AM	NIGHTLY 11/15, 11/16	6-1/4"
	4PM	-	7AM	NIGHTLY 11/20	6-1/4"
	3PM	-	8AM	NIGHTLY 11/22, 11/23	6-1/4"

12A: Skiff gill net only: 7AM - 7PM 8/22, 8/31, 9/7, 9/14, 9/21, 9/28 5"

Note: In Area 12A it is unlawful to use other than 5-inch minimum and 5-1/2-inch maximum mesh in the skiff gill net fishery. It is unlawful to retain chinook or pink salmon taken in Area 12A at any time, any salmon required to be released, must be removed from the net by cutting the meshes ensnaring the fish.

12, 12B:	8AM	-	8PM	10/18, 10/19, 10/20, 10/25, 10/27, 10/28	6-1/4"
	7AM	-	7PM	11/1, 11/2, 11/3, 11/8, 11/9, 11/10, 11/15, 11/16, 11/17	6-1/4"
12C:	7AM	-	7PM	11/8, 11/9, 11/10, 11/15, 11/16, 11/17	6-1/4"
	7AM	-	6PM	11/22, 11/23, 11/24	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.))

AREA	TIME		DATE(S)	MINIMUM MESH
6D: Skiff gill net only.	7 AM	=	7 PM 9/21, 9/22, 9/25, 9/26, 9/27, 9/28, 9/29, 10/2, 10/3, 10/4, 10/5, 10/6, 10/9, 10/10, 10/11, 10/12, 10/13, 10/16, 10/17, 10/18, 10/19, 10/20, 10/23, 10/24, 10/25, 10/26, 10/27	5"

Note: In Area 6D it is unlawful to use other than 5-inch minimum and 5 1/2-inch maximum mesh in the skiff gill net 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 16. 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:	Noon	=	Midnight, Use of recovery box required	10/11, 10/12, 10/13	6 1/4"
	Noon	=	Midnight	10/18, 10/19, 10/20, 10/25, 10/26, 10/27, 11/1, 11/2, 11/3, 11/8, 11/9, 11/10	6 1/4"

Note: In Areas 7 and 7A after September 30 but prior to October 16, 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 gill net web enters the water until the gill net is fully retrieved from the water. Fishers must also use a recovery box in compliance with WAC 220-47-302 (5)(a) through (f).

7B/7C:	7PM	=	7AM	NIGHTLY 8/14, 8/20, 8/22, 8/24, 8/27, 8/29, 8/31	7"
	7PM	=	8AM	NIGHTLY 9/4, 9/5, 9/7	7"
7B:	6PM	=	8AM	NIGHTLY 9/10, 9/12, 9/14	5"
	7AM 9/17	=	8PM 10/28		5"
	7AM 10/30	=	4PM 11/3		6 1/4"
	7AM 11/6	=	4PM 11/10		6 1/4"
	7AM 11/13	=	4PM 11/17		6 1/4"
	7AM 11/20	=	4PM 11/24		6 1/4"
	8AM 11/27	=	4PM 12/1		6 1/4"

Note: That portion of Area 7B east of a line from Post Point to the flashing red light at the west entrance to Squalicum Harbor is open to gill nets using 6 1/4-inch minimum mesh beginning 12:01 AM on the last day in October and is open until 6:00 PM on the first Friday in December.

8:	7AM	=	7PM	10/30, 11/1, 11/3, 11/6, 11/8, 11/10, 11/13, 11/15, 11/17	6 1/4"
	7AM	=	6PM	11/20, 11/22, 11/24	6 1/4"
8A:	6PM	=	8AM	NIGHTLY 10/3	5"
	5PM	=	8AM	NIGHTLY 10/10, 10/12, 10/13	5"
	8AM	=	8PM	10/17, 10/19, 10/20	5"
	8AM	=	8PM	10/23, 10/25, 10/27	6 1/4"
	7AM	=	7PM	10/31, 11/2, 11/3, 11/7, 11/9, 11/10, 11/14, 11/16, 11/17	6 1/4"
	7AM	=	6PM	11/21, 11/23, 11/24	6 1/4"
8D:	6PM	=	8AM	NIGHTLY 9/24, 9/26, 9/28, 10/1, 10/3, 10/5	5"
	5PM	=	8AM	NIGHTLY 10/8, 10/10, 10/12	5"
	8AM	=	8PM	10/19, 10/20, 10/26, 10/27	5"
	7AM	=	7PM	11/2, 11/3	5"
	7AM	=	7PM	11/9, 11/10, 11/16, 11/17	6 1/4"
	7AM	=	6PM	11/23, 11/24	6 1/4"
9A:	7PM	=	7AM	NIGHTLY 8/22, 8/24	5"
	6AM 8/27	=	8PM 10/28		5"

Note: It is unlawful to retain chum salmon taken in Area 9A prior to October 1 and unlawful to retain chinook salmon at any time. Any salmon not to be retained must be released from the net by cutting the meshes ensnaring the fish.

10, 11:	4PM	=	7AM	NIGHTLY 10/15	6 1/4"
	5PM	=	8AM	NIGHTLY 10/17, 10/18	6 1/4"
	4PM	=	7AM	NIGHTLY 10/22, 10/24	6 1/4"
	5PM	=	8AM	NIGHTLY 10/25	6 1/4"
	3PM	=	7AM	NIGHTLY 10/29	6 1/4"
	4PM	=	8AM	NIGHTLY 10/31, 11/1	6 1/4"
	3PM	=	7AM	NIGHTLY 11/5, 11/7	6 1/4"
	4PM	=	8AM	NIGHTLY 11/8	6 1/4"
	3PM	=	7AM	NIGHTLY 11/12	6 1/4"
	4PM	=	8AM	NIGHTLY 11/14, 11/15	6 1/4"

AREA	TIME		DATE(S)	MINIMUM MESH	
	<u>2PM</u>	-	<u>7AM</u>	<u>NIGHTLY 11/19</u>	<u>6 1/4"</u>
	<u>3PM</u>	-	<u>8AM</u>	<u>NIGHTLY 11/21, 11/22</u>	
<u>12A: Skiff gill net only.</u>	<u>7AM</u>	-	<u>7PM</u>	<u>9/5, 9/12, 9/19, 9/26, 10/3, 10/10</u>	<u>5"</u>
<u>12, 12B:</u>	<u>8AM</u>	-	<u>8PM</u>	<u>10/17, 10/19, 10/24, 10/26</u>	<u>6 1/4"</u>
	<u>7AM</u>	-	<u>7PM</u>	<u>10/31, 11/2, 11/7, 11/9, 11/14, 11/16</u>	<u>6 1/4"</u>
<u>12C:</u>	<u>7AM</u>	-	<u>7PM</u>	<u>11/7, 11/9, 11/14, 11/16</u>	<u>6 1/4"</u>
	<u>7AM</u>	-	<u>6PM</u>	<u>11/21, 11/22</u>	<u>6 1/4"</u>

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.

WSR 06-11-137
EXPEDITED RULES
DEPARTMENT OF
FISH AND WILDLIFE
 [Filed May 23, 2006, 12:48 p.m.]

Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.
 May 23, 2006
 Evan Jacoby
 Rules Coordinator

Title of Rule and Other Identifying Information: Personal use fishing rules.

AMENDATORY SECTION (Amending Order 06-67, filed 4/11/06, effective 5/12/06)

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Evan Jacoby, Department of Fish and Wildlife, 600 Capitol Way North, Olympia, WA 98501-1091, AND RECEIVED BY July 24, 2006.

WAC 232-28-619 Washington food fish and game fish—Freshwater exceptions to statewide rules. (1) All freshwater streams and lakes not listed as open for salmon fishing are closed.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Sets coastal and Puget Sound salmon seasons for 2006.

(2) Freshwater terminal gear restrictions: In all waters with freshwater terminal gear restrictions, including, but not limited to, selective gear rules, whitefish gear rules, single point barbless hooks required, fly-fishing only, and nonbuoyant lure restrictions, violation of the gear rules is an infraction, punishable under RCW 77.15.160. It is unlawful to possess fish taken with gear in violation of the freshwater terminal gear restrictions. Possession of fish while using gear in violation of the freshwater terminal gear restrictions is a rebuttable presumption that the fish were taken with such gear. Possession of such fish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, 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.

Reasons Supporting Proposal: Recommendations of the North of Falcon subgroup of the Pacific fisheries management council to take harvestable salmon while protecting ESA-listed fish.

(3) County freshwater exceptions to statewide rules:
 (a) Adams and Grant counties: All seasons in specific freshwater exceptions to statewide rules apply to inlet and outlet streams of named lakes in Grant and Adams counties.
 (b) Adams, Douglas, Franklin, Grant, and Okanogan counties, except Zosel Dam (Okanogan River): Lawful to fish to base of all dams.
 (c) Benton County: Rivers, streams and beaver ponds open year around.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of fish and wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington

(d) Ferry and Lincoln counties: Except those tributaries listed under specific water exceptions to statewide rules, all tributaries to Lake Roosevelt between Grand Coulee Dam and the State Highway 25 Bridge at Northport except Barn-

aby and Nancy creeks: Trout: Daily limit 5, no minimum size.

(e) Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3): Beaver ponds: Last Saturday in April through October 31 season. Trout: No minimum length.

(4) Specific freshwater exceptions to statewide rules:

Aberdeen Lake (Grays Harbor County): Last Saturday in April through October 31 season.

Abernathy Creek (Cowlitz County):

From mouth to a point five hundred feet downstream from salmon hatchery: June 1 through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

From Abernathy Falls to posted markers five hundred feet downstream from salmon hatchery: Closed waters.

Aeneas Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Ahtanum Creek, including North and Middle Forks (Yakima County): Selective gear rules. North Fork from Grey Rock Trailhead Bridge crossing to Shellneck Creek: Closed waters.

Alder Creek (Cowlitz County): Closed waters.

Aldrich Lake (Mason County): Last Saturday in April through October 31 season.

Aldwell Lake (Clallam County): Last Saturday in April through October 31 season. Selective gear rules except fishing from a floating device equipped with an internal combustion motor permitted. Trout: Daily limit two, minimum length twelve inches.

Alexander Lake (Kitsap County): Closed waters.

Alkali Lake (Grant County): Crappie: Not more than five greater than eight inches in length. Bluegill: Not more than five greater than six inches in length.

Alta Lake (Okanogan County): Last Saturday in April through September 30 season.

Amber Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules. Trout: Daily limit two, minimum length fourteen inches; release rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Additional season October 1 through November 30 and March 1 through Friday before last Saturday in April. Selective gear rules. All species: Release all fish.

American Lake (Pierce County): Chumming permitted.

American River (Yakima County): Selective gear rules.

Anderson Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

From September 1 through October 31, selective gear rules and trout: Release trout.

Armstrong Lake (Snohomish County): Last Saturday in April through October 31 season.

Asotin Creek, mainstem and forks (Asotin County): Closed to fishing for steelhead.

From SR 129 Bridge upstream to the forks: Lawful to fish up to base of Headgate Dam.

North Fork from mouth upstream to USFS boundary: Selective gear rules.

North Fork from USFS boundary upstream and all other tributaries: Closed waters.

South Fork and tributaries: Closed waters.

B.C. Mill Pond (Stevens County): Last Saturday in April through October 31 season.

Bachelor Creek (Yakima County): Year around season. Trout: Daily limit five, no minimum length.

Badger Lake (Spokane County): Last Saturday in April through September 30 season.

Baker Lake (Whatcom County): Last Saturday in April through October 31 season, except closed waters in an area two hundred feet in radius around the pump discharge at the south end of the lake. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Baker River (Skagit County): Mouth to Highway 20 Bridge: September 1 through October 31 season. Nonbuoyant lure restriction and night closure. Trout: Minimum length fourteen inches, except Dolly Varden/Bull Trout. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only July 1 through July 31 except closed 12:01 a.m. July (~~5~~) 6 through 2:00 p.m. July (~~6~~) 7 and 12:01 a.m. July (~~4~~) 10 through 2:00 p.m. July (~~12~~) 11. Nonbuoyant lure restriction and night closure. Daily limit 2 sockeye salmon.

Highway 20 Bridge to Baker River fish barrier dam: Closed waters.

Banks Lake (Grant County): Chumming allowed. Perch: Daily limit twenty-five. Small mouth bass: Small mouth bass do not count as part of bass daily limit. Small mouth bass 12 to 17 inches in length may be retained. No minimum size. Daily limit 10 small mouth bass not more than one of which may be greater than 14 inches in length.

Barnaby Slough (Skagit County): Closed waters.

Battle Ground Lake (Clark County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches or greater in length may be retained.

Bay Lake (Pierce County): Last Saturday in April through October 31 season.

Bayley Lake (Stevens County): Last Saturday in April through July 4 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length fourteen inches. Additional sea-

son, July 5 through October 31. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish. Inlet stream: Closed waters.

Bear Creek (Yakima County), tributary to South Fork Tieton River: From the mouth to the falls (approximately 3/4 mile): Closed waters.

Bear Lake (Spokane County): Juveniles, holders of disability licenses, and licensed adults accompanied by a juvenile only.

Bear River (Pacific County): June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 downstream from the Lime Quarry Road. All species: Release all fish except salmon and except up to two hatchery steelhead may be retained each day. Upstream from the Lime Quarry Road: Selective gear rules June 1 through March 31. All species: Release all fish except up to two hatchery steelhead may be retained each day. Salmon: Open only September 1 through November 30 from mouth to Lime Quarry Road. Daily limit 6 fish of which no more than 2 may be adult fish and of these two fish no more than one may be a wild adult coho. Release adult chinook.

Beaver Creek (tributary to Elochoman River) (Wahkiakum County): Closed waters.

Beaver Lake (Clallam County): Selective gear rules except electric motors allowed. Trout: Maximum size 12 inches in length.

Beaver Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Beda Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Beehive (Lake) Reservoir (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Bennington Lake (Mill Creek Reservoir) (Walla Walla County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Benson Lake (Mason County): Last Saturday in April through October 31 season.

Berry Creek (tributary to Nisqually River) (Lewis County): Selective gear rules.

Big Bear Creek (tributary of Sammamish River) (Snohomish/King counties): ~~((See Lake Washington tributaries.))~~ June 1 through August 31 season. Juveniles only.

Big Beaver Creek (Whatcom County):

From closed water markers on Ross Lake upstream one-quarter mile: Closed waters.

From one-quarter mile markers upstream, including tributary streams, and beaver ponds that are tributary to Big Beaver Creek: July 1 through October 31 season. Selective gear rules. All species: Release all fish.

Big Beef Creek (Kitsap County): June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Big Four Lake (Columbia County): March 1 through October 31 season. Fly fishing only. Fishing from any floating device prohibited. Trout: Daily limit two.

Big Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches. Salmon: Landlocked salmon rules apply.

Big Meadow Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Big Quilcene River (Jefferson County):

From mouth to upper boundary of Falls View Campground: June 1 through last day in February season. Closed waters: August 16 through October 31 from mouth to Rodgers Street. Rodgers Street to the Highway 101 Bridge: Selective gear rules June 1 through August 15, one single point barbless hook August 16 through October 31, and selective gear rules November 1 through last day in February and night closure August 16 through December 31. From electric weir to upper boundary of Falls View Campground: Selective gear rules June 1 through last day in February. All game fish: Release all fish from mouth to campground. Salmon: Open only August 16 through October 31 from Rodgers Street to the Highway 101 Bridge. Daily limit 4 coho salmon. Only coho salmon hooked inside the mouth may be retained.

From Highway 101 Bridge upstream to the electric weir at the Quilcene National Fish Hatchery: Closed waters.

Big River (Clallam County): June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Big Twin Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Bird Creek (Klickitat County): Trout: Daily limit five.

Black Lake (Lower Wheeler Reservoir) (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Black Lake (Okanogan County): Selective gear rules.

Black Lake (Pacific County): Last Saturday in April through October 31 season.

Black Lake (Stevens County): Last Saturday in April through October 31 season.

Black Lake (Thurston County): Crappie: Daily limit ten, minimum length nine inches.

Black River (Thurston County), from mouth to Black Lake and including all tributaries west of Interstate Highway 5, including Waddell Creek, Mima Creek, Dempsey Creek, Beaver Creek, Salmon Creek and Blooms Ditch: Selective gear rules. Trout: Minimum length fourteen inches.

Blockhouse Creek (Klickitat County): Trout: Daily limit five.

Bloodgood Creek (Klickitat County): Trout: Daily limit five.

Blue Creek (Lewis County), from mouth to Spencer Road: Closed waters except December 1 through December 31 season from mouth to posted sign at rearing pond outlet. Closed waters: Upstream from cable crossing to posted signs at fence. Nonbuoyant lure restriction and night closure. Only wheelchair-bound anglers may fish from posted signs above rearing pond to posted signs approximately 40 feet downstream at fence including the rearing pond outlet. Trout: Daily limit five. Minimum size 12 inches no more than two fish over 20 inches. Release wild cutthroat, wild steelhead and hatchery steelhead with missing right ventral fin.

Blue Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Blue Lake (Cowlitz County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Blue Lake (Grant County): Last Saturday in April through September 30 season.

Blue Lake (near Sinlahekin) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Blue Lake (near Wannacut Lake) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Bobcat Creek and Ponds (Adams County): April 1 through September 30 season.

Bogachiel River (Clallam County), from mouth to Olympic National Park boundary: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to Olympic National Park boundary. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead downstream from Highway 101 Bridge. December 1 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and ~~((unmarked)) wild adult chinook. ((Unmarked chinook are chinook with unclipped adipose and ventral fins.))~~ September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Bonaparte Lake (Okanogan County): Trout: No more than one over twenty inches in length may be retained.

Bosworth Lake (Snohomish County): Last Saturday in April through October 31 season.

Boundary Creek (Clallam County): Closed waters.

Bowman Creek (Klickitat County): Trout: Daily limit five.

Box Canyon Creek (Kittitas County), from mouth to waterfall approximately 2 miles upstream: Closed waters. From waterfall approximately 2 miles upstream of mouth to USFS Road #4930 Bridge: Selective gear rules.

Boxley Creek (North Bend) (King County), from its mouth to the falls located at approximately river mile 0.9: Closed waters.

Boyle Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Boyle Lake are closed waters.

Bradley Lake (Pierce County): Salmon: Landlocked salmon rules apply.

Bridges Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Bridges Lake are closed waters.

Brookies Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Browns Creek (Pend Oreille County): Fly fishing only.

Browns Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: No more than one fish greater than 11 inches in length may be retained.

Buck Lake (Kitsap County): Last Saturday in April through October 31 season.

Buckskin Creek and tributaries (Yakima County), from mouth to the west boundary of Suntides Golf Course: Closed waters.

Bumping Lake (Reservoir) (Yakima County): Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Bumping River (Yakima County):

From mouth to Bumping Reservoir: Lawful to fish to base of Bumping Dam. Selective gear rules June 1 through October 31. Whitefish: Additional December 1 through March 31 season. Whitefish gear rules apply.

Burbank Slough (Walla Walla County): Fishing from any floating device prohibited.

Burke Lake (Grant County): March 1 through July 31 season.

Burley Creek (Kitsap County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Butter Creek (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Buttermilk Creek, mouth to confluence of East and West Forks (Okanogan County): Closed waters.

Cady Lake (Mason County): Fly fishing only. Fishing from a floating device equipped with an internal combustion motor prohibited. All species: Release all fish.

Cain Lake (Whatcom County): Last Saturday in April through October 31 season.

Calawah River (Clallam County), from mouth to forks: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to forks. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead from mouth to Highway 101 Bridge. December 1 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and ~~((unmarked)) wild adult chinook. ((Unmarked chinook are chinook with unclipped adipose and ventral fins.))~~ September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Calawah River, South Fork (Clallam County) from mouth to Olympic National Park boundary: June 1 through last day in February season. December 1 through last day in February, selective gear rules. Trout: Minimum length fourteen inches.

Caldwell Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: Daily limit two, minimum length twelve inches.

Caliche Lakes, Lower, Upper and West (Grant County): March 1 through July 31 season.

Calispell Creek (Calispell River) (Pend Oreille County):

From mouth to Calispell Lake: Year around season.

From Calispell Lake upstream to source: Selective gear rules.

Calispell Creek and tributaries: Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Calligan Lake (King County): June 1 through October 31 season. All tributary streams, and the upper third of the outlet are closed waters.

Camas Slough: 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. Season: Same rules as adjacent waters of the Columbia River.

Campbell Creek (Mason County): Closed waters.

Campbell Lake (Okanogan County): April 1 through August 31: Selective gear rules and all species: Release all fish.

Campbell Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches.

Canyon Creek (Clark County): Trout: Daily limit five.

Canyon River (Mason County and Grays Harbor County): Closed waters.

Canyon Creek (S.F. Stillaguamish River) (Snohomish County), mouth to forks: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Canyon Creek (Whatcom County): Closed waters: Mouth to Canyon Creek Road Bridge.

Capitol Lake (Thurston County), from its outlet to a point four hundred feet below the lowest Tumwater Falls (Deschutes River) fish ladder: Closed waters: Percival Cove, west of a set of markers on the western shoreline of the south basin of Capitol Lake. June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: June 1 through July 31 daily limit five, minimum length eight inches. August 1 through March 31 daily limit two, minimum length fourteen inches. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Carbon River (Pierce County), from its mouth to Voight Creek: July 1 through last day in February season. Nonbuoyant lure restriction, night closure and single point barbless hooks August 1 through November 30. Trout: Minimum length fourteen inches. Voight Creek to Highway 162 Bridge: July 1 through August 15 and ~~((September))~~ December 1 through last day in February season: Trout: Minimum length 14 inches. ~~((All species: Release all fish except salmon September 1 through November 30.))~~ Salmon: Open only September 1 through November 30 mouth to Voight Creek. Daily limit 6 fish of which no more than 4 may be adult salmon and of these 4 fish no more than 2 may be adult hatchery chinook. Release chum and wild adult chinook salmon.

Carlisle Lake (Lewis County): Last Saturday in April through last day in February season. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carl's Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Carney Lake (Pierce County): Last Saturday in April through June 30 and September 1 through November 30 seasons. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carson Lake (Mason County): Last Saturday in April through October 31 season.

Cascade Lake (Grant County): March 1 through July 31 season.

Cascade Lake (San Juan County): Last Saturday in April through October 31 season.

Cascade River (Skagit County):

From the mouth to the Rockport-Cascade Road Bridge: October 1 through last day in February season. Nonbuoyant lure restriction and night closure September 16 through November 30. Trout: Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly

Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open June 1 through July 9. Nonbuoyant lure restriction and night closure. Daily limit 2 hatchery chinook. Open (~~only~~) September 16 through November 30. Daily limit 4 coho salmon.

From the Rockport-Cascade Road Bridge upstream: June 1 through last day in February season. Trout: Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.

Cases Pond (Pacific County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Cassidy Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Castle Lake (Cowlitz County): Selective gear rules. Trout: Daily limit one, minimum length sixteen inches.

Cattail Lake (Grant County): April 1 through September 30 season.

Cavanaugh Lake (Skagit County): Chumming permitted.

Cedar Creek (tributary of N.F. Lewis) (Clark County), from mouth to 100 feet upstream of the falls: From the Grist Mill Bridge to 100 feet upstream of the falls: Closed waters. June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cedar Creek (Jefferson County): June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Cedar Creek (Okanogan County), from mouth to Cedar Falls: Closed waters.

Cedar Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Cedar Lake (Stevens County): Last Saturday in April through October 31 season.

Cedar River (King County), from mouth to Landsburg Road: June 1 through August 31 season. Selective gear rules and night closure. All species: Release all fish. Landsburg Road to Cedar Falls: Closed waters.

Cedar River (Pacific County): Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Chain Lake (Pend Oreille County): Last Saturday in April through October 31 season. Release kokanee.

Chambers Creek (Pierce County): July 1 through November 15 season. Night closure and nonbuoyant lure restriction.

Chambers Creek Estuary (downstream from markers 400 feet below the Boise-Cascade Dam to the Burlington Northern Railroad Bridge) (Pierce County): July 1 through November

15 season. Night closure and nonbuoyant lure restriction. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Trout: Release all trout.

Chaplain Lake (Snohomish County): Closed waters.

Chapman Lake (Spokane County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Chehalis River (Grays Harbor County), from Highway 101 Bridge in Aberdeen to high bridge on Weyerhaeuser 1000 line (approximately 400 yards downstream from Roger Creek): June 1 through April 15 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only April 16 through July 31 from mouth to high bridge, October 1 through January 31 from mouth to Porter Bridge, and October 16 through last day in February from Porter Bridge to high bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. October 1 through November 30, mouth to Porter Bridge, release adult chinook. October 16 through November 30, Porter Bridge to High Bridge, release adult chinook. December 1 through January 31, mouth to Porter Bridge, the daily limit may contain no more than one wild adult coho, and release adult chinook. December 1 through last day in February, Porter Bridge to High Bridge, release adult chinook and wild adult coho. Sturgeon: Open year-round and no night closure from mouth to high bridge on Weyerhaeuser 1000 line.

Chehalis River, South Fork (Lewis County), from mouth to Highway Bridge at Boistfort School: June 1 through April 15 season. Trout: Minimum length fourteen inches.

Chehalis River Potholes (adjacent to the Chehalis River south of Highway 12 in Grays Harbor County, this does not include sloughs or beaver ponds): Last Saturday in April through October 31 season.

Chelan Hatchery Creek (Chelan County): Closed waters.

Chelan Lake (Chelan County): Closed waters: Within 400 feet of all tributaries south of a line from Purple Point at Stehekin and Painted Rocks. Trout except kokanee and lake trout: Daily limit 5. Release wild cutthroat. Lake trout not counted in daily trout limit. Lake trout no minimum size, no daily limit. Kokanee not counted in daily trout limit. Kokanee daily limit 10, no minimum length. North of a line between Purple Point at Stehekin and Painted Rocks: April 1 through July 31: All species: Release all fish. Salmon: Open only May 1 through May 31 south of a line from Purple Point to Painted Rocks: Daily limit 1, minimum length 15 inches.

Chelan Lake Tributaries (Chelan County), from mouths upstream one mile except Stehekin River: August 1 through September 30 season. Selective gear rules. Trout: Release wild cutthroat.

Chelan River (Chelan County): From the railroad bridge to the Chelan P.U.D. safety barrier below the power house: May 15 through August 31 season. Nonbuoyant lure restriction. Trout: Release all trout.

Chewuch River (Chewack River) (Okanogan County), from mouth to Eight Mile Creek: June 1 through August 15 season. Selective gear rules. All species: Release all fish.

Upstream from Eight Mile Creek to Pasayten Wilderness boundary: Closed waters June 1 through October 31.

From mouth to Pasayten Wilderness boundary: Additional December 1 through March 31 season. Whitefish gear rules apply.

Chikamin Creek (Chelan County): Selective gear rules.

Chimacum Creek (Jefferson County):

From mouth to Ness's Corner Road: June 1 through August 31 season. Trout: Minimum length fourteen inches.

From Ness's Corner Road to headwaters: Trout: Minimum length fourteen inches.

Chiwaukum Creek (Chelan County): Mouth to Fool Hen Creek: Closed waters.

Chiwawa River (Chelan County): Mouth to Buck Creek: Closed waters.

Chopaka Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Cispus River (Lewis County), from mouth to North Fork: Trout: Release all cutthroat. Additional season November 1 through May 31, release all game fish other than steelhead. Salmon: Open year around. Daily limit 6 fish, of which no more than 2 fish may be adult salmon. Salmon minimum size 8 inches. Release wild coho at all times and release wild chinook January 1 through July 31.

Cispus River, North Fork (Lewis County): Selective gear rules. Trout: No more than one over twelve inches in length. Release cutthroat.

Clallam River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Clara Lake (Mason County): Last Saturday in April through October 31 season.

Clear Creek (Chelan County): Closed waters.

Clear Lake (Chelan County): Last Saturday in April through October 31 season. From July 5 through October 31, selective gear rules and all species: Release all fish.

Clear Lake (Pierce County): Last Saturday in April through October 31 season. Chumming permitted. Salmon: Landlocked salmon rules apply.

Clear Lake (Spokane County): Last Saturday in April through October 31 season.

Clear Lake (Thurston County): Last Saturday in April through October 31 season.

Clearwater River (Jefferson County):

From mouth to Snahapish River: June 1 through April 15 season. Trout: Minimum length fourteen inches. December 1 through April 15, one wild steelhead per day may be retained. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon.

From Snahapish River upstream: Trout, minimum length fourteen inches.

Clearwater River (Pierce County): July 1 through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Cle Elum Lake (Reservoir) (Kittitas County): Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen, no minimum size.

Cle Elum River (Kittitas County), from mouth to Cle Elum Dam: Lawful to fish to base of Cle Elum Dam. Year-round season. Selective gear rules, except December 1 through March 31 bait and one single point barbed hook three-sixteenths or smaller point to shank may be used. Trout: Release all trout. Above Cle Elum Lake to outlet of Hyas Lake except Tuquqala Lake: Selective gear rules.

Cliff Lake (Grant County): March 1 through July 31 season.

Cloquallum Creek (Grays Harbor County):

From mouth to second bridge on Cloquallum Road: June 1 through last day in February season. Trout: Minimum length fourteen inches.

From mouth to Highway 8 Bridge: Additional March 1 through March 31 season. Trout: Minimum length fourteen inches.

Clough Creek (North Bend) (King County): Closed waters.

Coal Creek (Cowlitz County), from mouth to four hundred feet below falls: June 1 through August 31 and November 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Coal Creek (tributary of Lake Washington) (King County): ~~((See Lake Washington tributaries-))~~ June 1 through August 31 season. Juveniles only.

Coal Creek (near Snoqualmie) (King County), from mouth to Highway I-90: Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Coffee Pot Lake (Lincoln County): March 1 through September 30 season. Selective gear rules except internal combustion motors allowed. Trout: Daily limit one, minimum length eighteen inches. Crappie: Daily limit ten, minimum length nine inches.

Coldwater Lake (Cowlitz County): Selective gear rules. Trout: Daily limit one, minimum length sixteen inches.

Coldwater Lake inlet and outlet streams (Cowlitz County): Closed waters.

Collins Lake (Mason County): Last Saturday in April through October 31 season.

Columbia Basin Hatchery Creek (Grant County): Hatchery outflow to confluence with mainstem Hatchery Creek: April 1 through September 30 season. Juveniles and holders of reduced fee disability licenses only. Mainstem Hatchery Creek: April 1 through September 30 season. Juveniles and holders of reduced fee disability licenses only.

Columbia Park Pond (Benton County): Juveniles and holders of reduced fee disability licenses only. All species: Daily limit of five fish combined.

Columbia River, including impoundments and all connecting sloughs, except Wells Ponds: Year-round season unless otherwise provided. General species provisions (unless otherwise provided for in this section): Bass: Below Priest Rapids Dam: Daily limit five fish, bass 12 to 17 inches in length may be retained. Up to but not more than three of the daily limit may be over 15 inches. Trout: Daily limit two fish, minimum length 12 inches, except release all Dolly Varden/Bull Trout. Walleye: Daily limit five fish of which not more than one may be over 24 inches, minimum length 18 inches. Whitefish: Daily limit 15 fish. All other game fish: No daily limit, except release all grass carp.

In the Columbia River between Washington and Oregon, the license of either state is valid. Anglers must comply with the fishing regulations of the state in which they are fishing. This provision does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington except Camas Slough, where the license of either state is valid when fishing from a floating device.

Anglers fishing the Columbia River are restricted to one daily limit, as defined by the laws of the state in which they are fishing, even if they are licensed by both states.

From a true north-south line through Buoy 10 to a line between Rocky Point in Washington to Tongue Point in Oregon: Trout: Release wild cutthroat. Release all trout April 1 through July 31. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Fishing from the north jetty is allowed during salmon season openings. Salmon: Open only August 1 through March 31. August 1 through September 30, daily limit 2 salmon of which not more than one may be a chinook salmon. Release chum, sockeye, wild coho, chinook less than 24 inches in length, and coho less than 16 inches in length. October 1 through December 31, daily limit 6 fish of which no more than 2 may be adult salmon and not more than one of which may be an adult chinook salmon. Release chum, sockeye, and wild coho. January 1 through March 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, sockeye, wild coho and wild chinook. Fishing from the north jetty for salmon open during both Area 1 and Buoy 10 fishery openings with barbed hooks allowed and the daily limit is the more liberal if both areas are open. Sturgeon: Release sturgeon May 1 through May 12 and July 5 through December 31. Minimum size when open to retain sturgeon is 42 inches January 1 through April 30 and 45 inches May 13 through July 4.

From the Rocky Point - Tongue Point line to the I-5 Bridge: Trout: Release wild cutthroat. Release all trout April 1 through May 15. Walleye: No minimum size. Daily limit

ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Salmon: Open only May 16 through March 31. May 16 through June 15 daily limit 6 hatchery jack chinook. June 16 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye. August 1 through March 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, sockeye, and wild coho. August 1 through December 31 the daily limit may contain not more than 1 adult chinook. Release wild chinook January 1 through March 31. Sturgeon: (1) Release sturgeon May 1 through May 12 and July 5 through December 31 downstream from the Wauna powerlines. Minimum size when open to retain sturgeon is 42 inches January 1 through April 30 and 45 inches May 13 through July 4; (2) I-5 Bridge downstream to Wauna powerlines, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from January 1 through July 31, and October 1 through December 31. Release sturgeon on other days and during other time periods.

From the I-5 Bridge to the Highway 395 Bridge at Pasco: Closed waters: (1) From the upstream line of Bonneville Dam to boundary markers located six hundred feet below the fish ladder, and closed to fishing from a floating device or fishing by any method except hand-casted gear from shore from Bonneville Dam downstream to a line from the Hamilton Island boat ramp to an Oregon boundary marker on Robins Island. (2) Waters from the upstream side of the Interstate Bridge at The Dalles to upper line of The Dalles Dam except that bank fishing is permitted up to the downstream navigation lock wall on the Washington shore. (3) From John Day Dam downstream about three thousand feet except that bank fishing is permitted up to four hundred feet below the fishway entrance on the Washington shore. (4) From McNary Dam downstream to a line across the river from the red and white marker on the Oregon shore on a line that intersects the downstream end of the wing wall of the boat lock near the Washington shore. August 1 through October 15: Nonbuoyant lure restriction and night closure from Bonneville Dam to The Dalles Dam. Trout: Release wild cutthroat from I-5 Bridge to Bonneville Dam and release all cutthroat in the waters of Drano Lake. Release all trout April 1 through June 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Sturgeon: (1) Sturgeon fishing is closed from Bonneville Dam to a line from a boundary marker on the Washington shore approximately 4,000 feet below the fish ladder to the downstream end of Cascade Island to an Oregon angling boundary on Bradford Island (the Cascade Island - Bradford Island line). (2) It is unlawful to fish for sturgeon from May 1 through July 31 from Cascade Island - Bradford Island line downstream to a line from navigation marker 85 on the Washington shore at a right angle to the thread of the river to the Oregon shore and from 400 feet below McNary Dam to the Highway 82 Bridge. (3) Cascade Island - Bradford Island line downstream to I-5 Bridge, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from January 1 through July 31 and October 1 through December 31, except for May 1 - July 31 closure to the navigation marker 85 line and the closure to the Highway 82 Bridge. Release sturgeon on other days and during other

time periods. (4) Release sturgeon September 1 through December 31 from the upstream line of Bonneville Dam and 400 feet below McNary Dam. Salmon: Open only June 16 through December 31 except closed November 1 through December 31 from Beacon Rock to Bonneville Dam. June 16 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye. Release wild coho from Bonneville Dam to Hood River Bridge. August 1 through December 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and sockeye. Release wild coho downstream of ~~((Bonneville Dam))~~ Hood River Bridge. August 1 through December 31, daily limit may contain not more than 1 adult chinook downstream from Bonneville Dam.

From the Highway 395 Bridge at Pasco to the old Hanford townsite (wooden towers) powerline crossing, in Sec. 30, T13N, R28E except Ringold Hatchery waters: Closed waters: Ringold Springs Creek (Hatchery Creek). Trout: Release all trout except hatchery steelhead having both adipose and ventral fin clips October 1 through October 31. Release all trout except hatchery steelhead November 1 through March 31. Salmon: Open only June 16 through July 31 and August 16 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye June 16 through July 31. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Ringold Springs Rearing Facility waters (from WDFW markers 1/4 mile downstream from the Ringold wasteway outlet to WDFW markers 1/2 mile upstream from Spring Creek): Open only April 1 through April 15 to fishing from the bank on the hatchery side of the river. Trout: Release all fish except hatchery steelhead.

From the old Hanford townsite (wooden towers) powerline crossing in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24): All species: February 1 through October 22 season. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon: Open only June 16 through July 31 and August 16 through October 22. Daily limit 6 fish of which no more than 2 fish may be adult salmon. Release sockeye June 16 through July 31.

From Vernita Bridge (Highway 24) to Priest Rapids Dam: Closed waters: (1) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam downstream to the boundary markers six hundred fifty feet below the fish ladders. (2) Jackson (Moran Creek or Priest Rapids Hatchery outlet) Creek - all waters of the Priest Rapids Hatchery system to the outlet on the Columbia River, extending to mid-stream Columbia between boundary markers located one hundred feet upstream and four hundred feet downstream of the mouth. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon: Open only June 16 through July 31 and August 16 through October 22. Daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye June 16 through July 31.

From Priest Rapids Dam to Chief Joseph Dam, including up to base of Washburn Pond outlet structure: Closed waters:

(1) Wanapum Dam - waters between the upstream line of Wanapum Dam to the boundary markers seven hundred fifty feet downstream of the east fish ladder and five hundred feet downstream of the west fish ladder. (2) Rock Island Dam to boundary markers four hundred feet downstream of the fish ladders. (3) Rocky Reach Dam - waters between the upstream line of Rocky Reach Dam to boundary markers four hundred feet downstream of the fish ladders. (4) Wells Dam - waters between the upstream line of Wells Dam to boundary markers four hundred feet downstream of the spawning channel discharge (Chelan County) and fish ladder (Douglas County). (5) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing from a floating device from the boundary marker to the Corps of Engineers safety zone marker. Trout: Release all trout. Salmon: Open only July ~~((46))~~ 1 through October 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho and sockeye. From Wells Dam to Chief Joseph Dam, open only from Highway 173 Bridge at Brewster to Highway 17 Bridge at Bridgeport. Sturgeon: Release all sturgeon.

Above Chief Joseph Dam: See Lake Roosevelt and Rufus Woods Lake.

Colville River (Stevens County):

From mouth to bridge at Town of Valley: Year-round season. Trout: Daily limit five fish, not more than two of which may be brown trout October 1 through November 30. Walleye: Daily limit 8 fish. No minimum size. ~~((Daily limit five fish))~~ Not more than one ((of which may be longer)) walleye greater than ((48)) 22 inches may be retained. Sturgeon: Unlawful to fish for or retain sturgeon. Small mouth bass: Small mouth bass do not count as part of the bass daily limit. Small mouth bass 12 to 17 inches in length may be retained. No minimum size. Daily limit 10 bass of which not more than 1 may be greater than 14 inches in length.

From bridge at Valley upstream and tributaries: Selective gear rules.

Conconully Lake (Okanogan County): Last Saturday in April through October 31 season.

Conconully Reservoir (Okanogan County): Last Saturday in April through October 31 season.

Conger Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Connelly Creek and tributaries (Lewis County), from four hundred feet below the city of Morton Dam to its source: Closed waters.

Conner Lake (Okanogan County): Last Saturday in April through October 31 season.

Cooper River (Kittitas County): Mouth to Cooper Lake: Selective gear rules.

Coot Lake (Grant County): April 1 through September 30 season.

Copalis River (Grays Harbor County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through January 31

from mouth to Carlisle Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Cottage Lake (King County): Last Saturday in April through October 31 season.

Cottonwood Creek (Lincoln County): Year-round season.

Cougar Creek (tributary to Yale Reservoir) (Cowlitz County): June 1 through August 31 season.

Cougar Lake (near Winthrop) (Okanogan County): September 1 through March 31 season.

Coulter Creek (Kitsap/Mason counties): Trout: Minimum length fourteen inches.

County Line Ponds (Skagit County): Closed waters.

Coweeman River (Cowlitz County), from mouth to Mulholland Creek: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cowiche Creek (Yakima County): Selective gear rules.

Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County): June 1 through last day in February season. The upstream boundary of the reservoir in the Cowlitz arm is the posted PUD sign on Peters Road. The upstream boundary of the reservoir in the Cispus arm is the posted markers at the Lewis County PUD kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus arms. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Release rainbow trout except rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Daily limit 6 fish, of which not more than 2 may be adult salmon. Release wild coho. Release wild chinook June 1 through July 31.

Cowlitz River (Lewis County):

From mouth to Mayfield Dam: Closed waters: 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, and from 400 feet below the Mayfield powerhouse upstream to Mayfield Dam. Year-round season except closed to fishing from south bank May 1 through June 15 from Mill Creek to the Cowlitz salmon hatchery barrier dam. Lawful to fish up to four hundred feet or the posted deadline at the Cowlitz salmon hatchery barrier dam. Lawful to fish up to Tacoma Power safety signs at Onion Rock below Mossyrock Dam. Lawful to fish up to Lewis County P.U.D. safety signs below Cowlitz Falls Dam. From the Cowlitz salmon hatchery barrier dam downstream to a line from the mouth of Mill Creek to a boundary marker on the opposite shore, it is unlawful to fish from any floating device. Nonbuoyant lure restriction and night closure April 1 through October 31 from mouth of Mill Creek to the Cowlitz salmon hatchery barrier dam. All game fish: Release all fish except steelhead April 1 through May 31. Trout: Daily limit five, minimum length twelve inches, no more than two over twenty inches. Release wild cutthroat. Release all steelhead missing right ventral fin. Salmon: Open year-round. Daily limit 6 fish of which no more than 2 may be

adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Mill Creek to Blue Creek - release all chinook October 1 through December 31. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

From posted PUD sign on Peters Road to mouth of Ohanepecosh River and mouth of Muddy Fork: Trout: Release cutthroat. Additional November 1 through May 31 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round from upstream boundary of Lake Scanewa. Daily limit 6 fish of which no more than 2 may be adult salmon. Salmon minimum size 12 inches. Release wild coho. Release wild chinook January 1 through July 31.

Cowlitz River, Clear and Muddy Forks (Lewis County): Selective gear rules. Trout: Release cutthroat.

Coyote Creek and Ponds (Adams County): April 1 through September 30 season.

Crab Creek (Adams/Grant counties):

From Highway 26 to Morgan Lake Road in Section 36: March 1 through September 30 season.

From Morgan Lake Road in Section 36 to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed waters.

Crab Creek (Lincoln/Grant counties) and tributaries: Year-round season. In those waters from Grant County Road 7 to the fountain buoy and shoreline markers or 150 feet downstream of the Alder Street fill March 1 through May 31 terminal gear restricted to one single hook measuring 3/4 inch or less point to shank. Year-round: Daily limits and size limits same as Moses Lake. From Moses Lake downstream to the confluence of the outlet streams March 1 through May 31 terminal gear restricted to one single-point hook measuring 3/4 inch or less point to shank. Year-round: Daily limits and size limits same as Potholes Reservoir.

Crabapple Lake (Snohomish County): Last Saturday in April through October 31 season.

Cranberry Creek (Mason County), mouth to Lake Limerick: Closed waters.

Crawfish Lake (Okanogan County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Crescent Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Crescent Lake (Pierce County): Last Saturday in April through October 31 season.

Crocker Lake (Jefferson County): Closed waters.

Crystal Lake (Grant County): March 1 through July 31 season.

Cup Lake (Grant County): March 1 through July 31 season.

Curl Lake (Columbia County): Last Saturday in April through October 31 season. Fishing from any floating device

prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Curley Creek (Kitsap County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Cushman Reservoir (Mason County): Salmon: Landlocked salmon rules apply.

Dakota Creek (Whatcom County): Salmon: Open only October 1 through December 31 from mouth to Giles Road Bridge. Daily limit 2 salmon.

Damon Lake (Grays Harbor County): June 1 through October 31 season.

Davis Lake (Ferry County): Last Saturday in April through October 31 season.

Davis Lake (Lewis County): Last Saturday in April to last day in February season.

Davis Lake (Okanogan County): April 1 through August 31: Selective gear rules. All species: Release all fish.

Davis Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dayton Pond (Columbia County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Deadman Lake (Adams County): April 1 through September 30 season.

De Coursey Pond (Pierce County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Deep Creek (Clallam County): December 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead may be retained.

Deep Creek (tributary to Bumping Lake) (Yakima County): Mouth to second bridge crossing on USFS Rd. 1808 (approximately 3.7 miles from junction of USFS Rds. 1800 and 1808): Closed waters.

Deep Lake (Grant County): Last Saturday in April through September 30 season.

Deep Lake (Stevens County): Last Saturday in April through October 31 season.

Deep Lake (Thurston County): Last Saturday in April through October 31 season.

Deep River (Wahkiakum County): Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round only from mouth to town bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Deer Creek (Mason County): Closed waters.

Deer Creek and Little Deer Creek (tributaries to North Fork Stillaguamish) (Skagit County): Closed waters.

Deer Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Deer Lake (Island County): Last Saturday in April through October 31 season.

Deer (Deer Springs) Lake (Lincoln County): Last Saturday in April through September 30 season.

Deer Lake (Mason County): Last Saturday in April through October 31 season.

Deer Lake (Stevens County): Last Saturday in April through October 31 season. Trout: No more than two over twenty inches in length may be retained.

De Roux Creek (Yakima County): Selective gear rules.

Deschutes River (Thurston County): Closed waters: From 400 feet below lowest Tumwater Falls fish ladder to Old Highway 99 Bridge. From old U.S. Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park: June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

From Henderson Boulevard Bridge upstream: Year-round season. Selective gear rules. All game fish: Release all fish except hatchery steelhead. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Devereaux Lake (Mason County): Last Saturday in April through October 31 season.

Devil's Lake (Jefferson County): Last Saturday in April through October 31 season.

Dewatto River (Mason County): Selective gear rules. Game fish: Release all fish. Salmon: Open only September 16 through October 31 mouth to Dewatto-Holly Road Bridge. Daily limit two coho. Release all salmon other than coho.

Diamond Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dickey River (Clallam County): June 1 through April 30 season in mainstem Dickey and East Fork Dickey upstream to D5200 road and June 1 through March 15 in East Fork Dickey upstream from D5200 road and West Fork Dickey. Trout: Minimum length fourteen inches. December 1 through April 30, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to East Fork Dickey including Olympic National Park. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and ~~((unmarked)) wild adult chinook. ((Unmarked chinook are chinook with unclipped adipose and ventral fins.))~~ September 1 through November 30 the daily limit may contain no more than 2

adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Dillacort Creek (Klickitat County): Trout: Release all trout.

Dog Lake (Yakima County): Trout: Daily limit may contain not more than 1 fish over 14 inches in length.

Dosewallips River (Jefferson County), from mouth to Olympic National Park boundary about three-quarters mile downstream of falls: June 1 through August 31 season mouth to park boundary and November 1 through December 15 season mouth to Highway 101 Bridge. Selective gear rules June 1 through August 31. All species: Release all fish except salmon may be retained November 1 through December 15. Salmon: Open only November 1 through December 15 from mouth to Highway 101 Bridge. Daily limit 2 chum salmon.

Dot Lake (Grant County): March 1 through July 31 season.

Downs Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season. Crappie: Daily limit ten, minimum length nine inches.

Dry Falls Lake (Grant County): April 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Duck Lake (Grays Harbor County): Crappie: Daily limit ten, minimum length nine inches.

Duckabush River (Jefferson County), from mouth to the Olympic National Park Boundary: June 1 through August 31 season mouth to park boundary and November 1 through December 15 season mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Selective gear rules June 1 through August 31. All species: Release all fish except salmon may be retained November 1 through December 15. Salmon: Open only November 1 through December 15 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Daily limit 2 chum salmon.

Dungeness River (Clallam County):

From mouth to junction of Gray Wolf and Dungeness rivers: October 16 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through December 31 from mouth to the hatchery intake pipe at river mile 11.3. Daily limit 4 coho salmon.

From junction of Gray Wolf River upstream to Gold Creek - Closed waters.

From junction of Gold Creek upstream to headwaters: Trout: Minimum length fourteen inches.

Dusty Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one fish.

Early Winters Creek (Okanogan County): Closed waters.

East Twin River (Clallam County): Trout: Minimum length fourteen inches.

Easton Lake (Kittitas County): Saturday before Memorial Day through October 31 season. Trout: Daily limit five fish of which no more than 2 may be trout other than Eastern brook trout. Minimum length 8 inches.

Ebey Lake (Little Lake) (Snohomish County): Fly fishing only. Fishing from a floating device equipped with a motor

prohibited. Trout: Daily limit one, minimum length eighteen inches.

Echo Lake (Snohomish County): Last Saturday in April through October 31 season.

Eightmile Lake (Chelan County): Trout: Daily limit five, not more than two mackinaw may be retained.

Elbow Lake (Stevens County): Last Saturday in April through October 31 season.

Elk River (Grays Harbor County), from the Highway 105 Bridge upstream: June 1 through last day in February season. Single point barbless hooks required August 16 through November 30 downstream of the confluence of the east and middle branches. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from Highway 105 Bridge to the confluence of the East and Middle Branches. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Ell Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Ellen Lake (Ferry County): Last Saturday in April through October 31 season.

Elochoman River (Wahkiakum County): Closed waters: Waters from 100 feet above the upper hatchery rack downstream to the Elochoman Hatchery Bridge located 400 feet below the upper hatchery rack; waters from a point 50 feet above to 100 feet below the outlet pipes from the most downstream Elochoman Hatchery rearing pond and extending 30 feet out from the south bank of the river; waters between the department of fish and wildlife temporary rack downstream to Foster (Risk) Road Bridge while rack is installed in the river; mainstem waters from the confluence of the west fork to source.

From mouth to West Fork: June 1 through March 15 season. Nonbuoyant lure restriction and night closure September 1 through October 31. Stationary gear restriction September 1 through October 31. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult chinook. Release chum and wild coho. October 1 through December 31 release chinook upstream of Highway 4 Bridge.

Eloika Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Elwha River (Clallam County): Closed waters: From south spillway on Aldwell ((Lake)) Dam downstream two hundred feet ((and from approximately fifty yards upstream to fifty yards downstream of Elwha Tribal Hatchery outfall as posted)).

From mouth to two hundred feet below the south spillway on the Aldwell ((Lake)) Dam: ((June)) October 1 through last day in February season((, except closed June 1 through September 30 mouth to marker at outfall of rearing channel at about river mile 3.2)). Fishing from any floating device prohibited. Trout: Minimum length fourteen inches.

Salmon: Open only October 1 through November 15. Daily limit 6 coho salmon of which no more than 4 may be adult coho salmon.

From Lake Aldwell upstream to Olympic National Park boundary, including all tributaries except Indian Creek: Selective gear rules. Trout: Minimum length twelve inches.

Empire Lake (Ferry County): Last Saturday in April through October 31 season.

Enchantment Park Ponds (Chelan County): Juveniles only.

Entiat River (Chelan County), from mouth to Entiat Falls: December 1 through March 31 season. Whitefish gear rules apply. Above Entiat Falls: Selective gear rules. Trout: Daily limit 5 trout, not more than one of which may be greater than 12 inches in length. Eastern brook trout not included in trout daily limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Ephrata Lake (Grant County): Closed waters.

Erie Lake (Skagit County): Last Saturday in April through October 31 season.

Failor Lake (Grays Harbor County): Last Saturday in April through October 31 season.

Fan Lake (Pend Oreille County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fazon Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15. Channel catfish: Daily and possession limit two.

Fio Rito Lakes (Kittitas County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Fish Lake (Chelan County): Trout: No more than two over fifteen inches in length may be retained.

Fish Lake (Ferry County): Last Saturday in April through October 31 season.

Fish Lake (Okanogan County): Last Saturday in April through October 31 season.

Fish Lake (Spokane County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fisher Slough (Snohomish County):

From mouth to Highway 530 Bridge: Year-round season. Trout: Minimum length fourteen inches.

Upstream from Highway 530 Bridge: Trout: Minimum length fourteen inches.

Fishhook Pond (Walla Walla County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Fishtrap Creek (Whatcom County): From Koh Road to Bender Road: June 1 through October 31 season. Juveniles only.

Fishtrap Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season.

Forde Lake (Okanogan County): Last Saturday in April through October 31 season.

Fort Borst Park Pond (Lewis County): Last Saturday in April through last day in February season. Juveniles only.

Fortson Mill Pond # 2 (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Fourth of July Lake (Adams/Lincoln counties): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than two over fourteen inches in length may be retained.

Franz Lake (Skamania County): Closed waters.

Frater Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Frenchman Hills Lake (Grant County): February 1 through September 30 season.

Gadwall Lake (Grant County): April 1 through September 30 season.

Garfield Juvenile Pond (Whitman County): Juveniles only.

George Lake (Grant County): March 1 through July 31 season.

Geneva Lake (King County): Last Saturday in April through October 31 season.

Germany Creek (Cowlitz County), from mouth to end of Germany Creek Road (approximately five miles): June 1 through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Gibbs Lake (Jefferson County): Selective gear rules. Trout: Release all trout.

Gillette Lake (Stevens County): Last Saturday in April through October 31 season.

Gissberg Pond, North (Snohomish County): Juveniles only.

Gissberg Ponds (Snohomish County): Channel catfish: Daily limit 2, no minimum size.

Goat Creek (Okanogan County): Closed waters.

Gobar Creek (tributary to Kalama River) (Cowlitz County): June 1 through March 31 season. Selective gear rules. All species: Release all fish.

Gold Creek, Gold Creek Pond and Outlet Channel (tributary to Keechelus Lake) (Kittitas County): Closed waters.

Gold Creek (Okanogan County): From mouth to confluence north fork Gold Creek: Closed waters.

Goldsborough Creek (Mason County): Trout: Minimum length fourteen inches.

Golf Course Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

Goodman Creek (Jefferson County) outside Olympic National Park: June 1 through last day in February season. Trout, minimum length fourteen inches. December 1 through last day in February, one wild steelhead per day may be retained.

Goodwin Lake (Snohomish County): Chumming permitted.

Goose Creek (Lincoln County), within the city limits of Wilbur: Year around season. Juveniles and holders of disability licenses only.

Goose Lake, Lower (Adams County): Crappie: Daily limit ten, minimum length nine inches. Bluegill: Not more than five over six inches in length.

Gorst Creek (Kitsap County): Closed waters: From lower bridge on the old Belfair Highway upstream to source (including tributaries). From mouth upstream to lower bridge: Trout: Minimum length fourteen inches.

Gosnell Creek and tributaries (tributary to Lake Isabella) (Mason County): Trout: Minimum length fourteen inches.

Goss Lake (Island County): Last Saturday in April through October 31 season.

Grande Ronde River (Asotin County):

From mouth to County Road Bridge about two and one-half miles upstream: Year-round season. Selective gear rules September 1 through May 31. Trout: Minimum length ten inches, maximum length twenty inches.

From County Road Bridge upstream to Oregon state line and all tributaries: June 1 through October 31 season. Selective gear rules, June 1 through August 31 and barbless hooks required September 1 through October 31. Additional season November 1 through April 15: Barbless hooks required. All tributaries: Closed waters. All species: Release all fish except whitefish and hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Granite Creek and tributaries (Pend Oreille County): Closed waters.

Granite Lakes (near Marblemount) (Skagit County): Grayling: Release all grayling.

Grass Lake (Mason County): Last Saturday in April through October 31 season.

Gray Wolf River (Clallam County): From junction with Dungeness River to bridge at river mile 1.0 - Closed waters.

From bridge at river mile 1.0 upstream - selective gear rules. Trout: Minimum length fourteen inches.

Grays River (Wahkiakum County), from mouth to Highway 4 Bridge: September 1 through October 15 and November 15 through March 15 season; and from Highway 4 Bridge to mouth of South Fork: September 1 through October 15 and December 15 through March 15 season. Nonbuoyant lure restriction, night closure and stationary gear restriction Sep-

tember 1 through October 15. All game fish: Release all fish except hatchery steelhead. Salmon: Open only September 1 through October 15 from mouth to South Fork. Daily limit 6 fish of which no more than two may be adult salmon. Release chinook, chum, and wild coho.

Grays River, East Fork (Wahkiakum County): Selective gear rules. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Grays River, West Fork (Wahkiakum County), downstream from hatchery intake footbridge: June 1 - August 31 season. Trout: Additional December 15 through March 15 season downstream from hatchery intake footbridge. Release all fish other than hatchery steelhead. Salmon: Additional September 1 through October 15 season. Stationary gear restriction. Daily limit 6 fish of which not more than two may be adult salmon. Release chinook, chum and wild coho.

Green Lake (Okanogan County): April 1 through November 30: Selective gear rules except electric motors allowed, and all species: Release all fish.

Green Lake (Lower) (Okanogan County): April 1 through November 30: Selective gear rules, and all species: Release all fish.

Green River (Cowlitz County): Closed waters: All tributaries.

From mouth to 2800 Bridge: June 1 through November 30 season except closed from 400 feet above to 400 feet below the water intake at the upper end of the hatchery grounds during the period September 1 through November 30 and from 400 feet or posted signs above and below the salmon hatchery rack when the rack is installed in the river. Nonbuoyant lure restriction and night closure September 1 through October 31 from mouth to 400 feet below salmon hatchery rack. All species: When nonbuoyant lure restriction in effect, only fish hooked inside the mouth may be retained. ~~((All species))~~ Trout: Release all ((fish)) trout except hatchery steelhead. Salmon: Open August 1 through November 30. Daily limit 6 fish of which not more than two may be adult salmon. Release chum and wild coho. Release chinook October 1 through November 30.

From 2800 Bridge to source: Closed waters.

Green (Duwamish) River (King County):

From the First Avenue South Bridge to ~~((Interstate 5 Bridge))~~ Tukwila International Boulevard/Pacific Highway South: June 1 through July 31 and September 1 through February 15 season. Nonbuoyant lure restriction and night closure September 1 through November 30 ~~((First Avenue South Bridge to Interstate 5 Bridge))~~. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. July 1 through July 31 and September 1 through November 30, one wild steelhead per day may be retained. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 3 may be adult salmon ~~((and of the adult salmon not more than 1 may be a))~~. Release chinook.

From the ~~((Interstate 5 Bridge))~~ Tukwila International Boulevard/Pacific Highway South to SW 43rd Street/South 180th Street Bridge: June 1 through July 31 and September

16 through February 15 season. Nonbuoyant lure restriction and night closure September 16 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. July 1 through July 31 and September 16 through November 30, one wild steelhead per day may be retained. Salmon: Open only September 16 through December 31. Daily limit 6 fish of which no more than 3 may be adult salmon. Release chinook.

From the SW 43rd Street/South 180th Street Bridge to South 277th Street Bridge in Auburn: Open only June 1 through July 31 and October 1 through February 15. Nonbuoyant lure restriction and night closure October 1 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. July 1 through July 31 and October 1 through November 30, one wild steelhead per day may be retained. Salmon: Open only October 1 through December 31. Daily limit 6 fish of which not more than 3 may be adult salmon. Release chinook.

From the 277th Street Bridge to Auburn-Black Diamond Road Bridge: Open only June 1 through (~~July 31~~) August 15 and October 16 through last day in February. Nonbuoyant lure restriction and night closure October 16 through November 30. Fishing from a floating device prohibited November 1 through last day in February. Trout, minimum length fourteen inches. July 1 through (~~July 31~~) August 15 and October 16 through November 30, one wild steelhead per day may be retained. Salmon: Open only October 16 through December 31. Daily limit 6 fish of which no more than 3 may be adult salmon. Release chinook.

From the Auburn-Black Diamond Road Bridge to the Tacoma Headworks Dam: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Closed waters: Within 150 feet of the Palmer Pond outlet rack and within 150 feet of the mouth of Keta Creek. Trout: Minimum length 14 inches. July 1 through November 30, one wild steelhead per day may be retained. Salmon: Open only November 1 through December 31. Daily limit 2 chum.

Greenwater River (King County), from mouth to Greenwater Lakes: July 1 through October 31 season. Selective gear rules. Trout: Minimum length 14 inches.

Grimes Lake (Douglas County): June 1 through August 31 season. Selective gear rules. Trout: Daily limit one.

Grizzly Lake (Skamania County): Closed waters.

Halfmoon Lake (Adams County): April 1 through September 30 season.

Halfmoon Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Hamilton Creek (Skamania County): Trout: Release all fish except up to two hatchery steelhead may be retained per day. All tributaries downstream from the Highway 14 Bridge: Closed waters.

Hamma Hamma River (Mason County):

From mouth to four hundred feet below falls: June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Hammersley Inlet Freshwater Tributaries (Mason County), except Mill Creek: Closed waters.

Hampton Lakes, Lower and Upper (Grant County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Hancock Lake (King County): Last Saturday in April through October 31 season. All tributary streams and the upper third of the outlet are closed waters.

Harvey Creek (tributary to Sullivan Lake) (Pend Oreille County):

From mouth to Bridge 4830 on county road (about one and one-half miles): Closed waters.

From Bridge 4830 upstream: Selective gear rules.

Harvey Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Hatch Lake (Stevens County): December 1 through March 31 season.

Hatchery Lake (Mason County): Last Saturday in April through October 31 season.

Haven Lake (Mason County): Last Saturday in April through October 31 season.

Hawk Creek and tributaries (Lincoln County): Year-round season.

Hays Creek and Ponds (Adams County): April 1 through September 30 season.

Headgate Pond (Asotin County): Last Saturday in April through October 31 season. Juveniles, seniors and holders of disability licenses only.

Heart Lake (near Anacortes) (Skagit County): Last Saturday in April through October 31 season.

Heins Lake (Kitsap County): Closed waters.

Hemlock Lake (Trout Creek Reservoir) (Skamania County): Closed waters.

Hen Lake (Grant County): April 1 through September 30 season.

Heritage Lake (Stevens County): Last Saturday in April through October 31 season.

Herman Lake (Adams County): April 1 through September 30 season.

Hicks Lake (Thurston County): Last Saturday in April through October 31 season.

Hog Canyon Creek (Spokane County): Hog Canyon Dam to Scroggie Road: Year-round season.

Hog Canyon Lake (Spokane County): December 1 through March 31 season. Trout: No more than two over fourteen inches in length may be retained.

Hoh River (Jefferson County), from mouth to Olympic National Park boundary below mouth of South Fork: May ~~((48))~~ 15 through April 15 season. May ~~((48))~~ 15 through May 31, open Wednesday through Sunday only from mouth to Willoughby Creek only. Willoughby Creek to park boundary closed through May 31. Selective gear rules June 1 through October 15 from Willoughby Creek to Morgan's Crossing Boat Launch, June 1 through November 30 from Morgan's Crossing Boat Launch to the mouth of south fork, and December 1 through April 15 from DNR Oxbow Campground Boat Launch to mouth of south fork. Trout: Minimum length fourteen inches. Catch and release during May, except up to two hatchery steelhead may be retained on open days. November 1 through February 15, daily limit three steelhead downstream from the Oxbow Campground Boat Launch. December 1 through April 15, from mouth to DNR Oxbow Campground Boat Launch, one wild steelhead per day may be retained. Salmon: Open only May 16 through November 30 mouth to Willoughby Creek and October 16 through November 30 Willoughby Creek to Morgan's Crossing Boat Launch. Daily limit 6 fish of which no more than 2 may be adult salmon except May ~~((48))~~ 15 through August 31 from mouth to Willoughby Creek open Wednesday through Sunday only of each week and daily limit may contain no more than one adult salmon.

Hoh River South Fork (Jefferson County), outside Olympic National Park: June 1 through April 15 season. Selective gear rules. Trout: Minimum length fourteen inches.

Hoko River (Clallam County): From mouth to upper Hoko Bridge: Fly fishing only September 1 through October 31. Additional November 1 through March 15 season. Trout: Minimum length fourteen inches. December 1 through March 15, one wild steelhead per day may be retained.

From upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5): June 1 through March 31 season. Fly fishing only. All species: Release all fish except that up to two hatchery steelhead per day may be retained.

Homestead Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Hoquiam River, including all forks (Grays Harbor County): June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Selective gear rules and all species: Release all fish except up to two hatchery steelhead may be retained per day, from March 1 through March 31. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to bridge on Dekay Road on mainstem and East Fork mouth to mouth of Berryman Creek. Daily limit 6 fish of which no more than 2 may be adult salmon, except release adult chinook.

Horseshoe Lake (Clark/Cowlitz counties): Trout: No more than 2 trout 20 inches or greater in length may be retained. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Jefferson County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit 1.

Horseshoe Lake (Kitsap County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Pend Oreille County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Horsethief Lake (Klickitat County): Last Saturday in April through October 31 season.

Hourglass Lake (Grant County): April 1 through September 30 season.

Howard Lake (Snohomish County): Last Saturday in April through October 31 season.

Howell Lake (Mason County): Last Saturday in April through October 31 season.

Hozomeen Lake (Whatcom County): July 1 through October 31 season.

Huff Lake (Pend Oreille County): Closed waters.

Humptulips River (Grays Harbor County), from mouth to ~~((forks))~~ Highway 101 Bridge: June 1 through March 31 season except closed ~~((March 1 through March 31 from Highway 101 Bridge to forks))~~ September 1 through October 15 mouth to Ocean Beach Road and September 1 through September 30 Ocean Beach Road to Highway 101 Bridge. Night closure and single point barbless hooks required August 16 through November 30. Bait prohibited October 1 through October 15. Trout: Minimum length fourteen inches. Salmon: Open ~~((only))~~ October ~~((+6))~~ 1 through ~~((January 3+))~~ October 15 from ~~((mouth))~~ Ocean Beach Road to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon, and of the adult salmon only one may be a wild adult coho. Release adult chinook. Open October 16 through ~~((November 30 the daily limit may contain no more than 1 wild adult coho))~~ January 31. Daily limit of 6 salmon, not more than two of which may be adult salmon. ~~((December 1 through January 31 release wild adult coho:))~~ October 16 through October 31 the daily limit may contain no more than one adult chinook and one wild adult coho. November 1 through November 30 the daily limit may contain no more than one wild adult coho and release adult chinook. December 1 through January 31 release adult chinook and wild adult coho. From Highway 101 Bridge to forks: June 1 through last day in February season. Night closure and single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches.

Humptulips River, East Fork (Grays Harbor County), from mouth to concrete bridge on Forest Service Road between Humptulips Guard Station and Grisdale: Nonbuoyant lure restriction and night closure August 16 through November 30. Trout: Minimum length fourteen inches.

Humptulips River, West Fork (Grays Harbor County), from mouth to Donkey Creek: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 16 through November 30. Trout: Minimum length fourteen inches.

Hutchinson Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

I-82 Ponds, 1 through 7 (Yakima County): Fishing from vessels equipped with internal combustion motors prohibited.

Icehouse Lake (Skamania County): Trout: No more than 2 trout 20 inches or greater in length may be retained.

Icicle River (Creek) (Chelan County):

From mouth to four hundred feet below Leavenworth National Fish Hatchery rack: Closed waters. From Leavenworth National Fish Hatchery rack upstream to Leland Creek: Selective gear rules.

Indian Creek (tributary to Elwha River) (Clallam County), from mouth upstream to first Highway 101 crossing: Selective gear rules. Trout: Minimum length twelve inches.

Indian Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Indian Creek (Yakima County): From mouth to waterfall approximately 5 and three-quarters miles upstream: Closed waters. Upstream of waterfall: Eastern brook trout do not count as part of trout daily limit. Eastern brook trout: No minimum size and no daily limit.

Indian Heaven Wilderness Lakes (Skamania County): Trout: Daily limit three.

Ingall's Creek (Chelan County): Mouth to Wilderness boundary: Closed waters.

Issaquah Creek (King County): ~~((See Lake Washington tributaries.))~~ June 1 through August 31 season. Juveniles only.

Jackson Lake (Pierce County): Last Saturday in April through October 31 season.

Jameson Lake (Douglas County): Last Saturday in April through July 4 and October 1 through October 31 seasons.

Jasmine Creek (Okanogan County): Year-round season. Juveniles only.

Jefferson Park Pond (Walla Walla County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Jennings Park Pond (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Jewitt Creek (Klickitat County): Juveniles only. Trout: Daily limit five, no minimum length.

Jimmy-Come-Lately Creek (Clallam County): June 1 through August 31 season. Trout: Minimum length fourteen inches.

Joe Creek (Grays Harbor County): Upstream from State Highway 109 Bridge to Ocean Beach Road Bridge: June 1 through November 30 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Johns Creek (Mason County): Closed waters.

Johns River (Grays Harbor County): Mouth to Ballon Creek: June 1 through last day in February season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Ballon Creek upstream, including North and South Forks: June 1 through September 30 and December 1 through last day in February season. Trout: Minimum length 14 inches.

Johnson Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Johnson Creek (Whatcom County), from Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas: Juveniles only.

Jump-Off Joe Lake (Stevens County): Last Saturday in April through October 31 season.

Kachess Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Kachess River (Kittitas County): Lawful to fish to base of Kachess Dam. Selective gear rules. From Kachess Lake (Reservoir) upstream to waterfall approximately one-half mile above Mineral Creek: Closed waters.

Kalaloch Creek (Jefferson County), outside Olympic National Park: Closed waters: Those waters within the section posted as the Olympic National Park water supply June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Kalama River (Cowlitz County): Release wild cutthroat.

From mouth upstream to one thousand feet below fishway at upper salmon hatchery: Year-round season except during the period the temporary fish rack is installed. Waters from Modrow Bridge downstream to one thousand five hundred feet below the rack are closed waters when the rack is installed. Nonbuoyant lure restriction, night closure, and stationary gear restriction September 1 through October 31 from mouth to the rack. All species: When nonbuoyant lure restriction in effect only fish hooked inside the mouth may be retained. Fishing from a floating device equipped with a motor prohibited upstream of Modrow Bridge. September 1 through October 31: Fly fishing only from the pipeline crossing to the posted deadline at the intake to the lower salmon

hatchery. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. ~~((Release hatchery coho October 16 through December 31.))~~ October 1 through December 31 release chinook upstream from natural gas pipeline crossing.

From one thousand feet below to one thousand feet above the fishway at upper salmon hatchery: Closed waters.

From one thousand feet above the fishway at the upper salmon hatchery to Summers Creek: Year-round season. Fishing from a floating device equipped with a motor prohibited. Selective gear rules. All species: Release all fish.

From Summers Creek upstream to the 6420 Road at about one mile above the gate at the end of the county road: June 1 through March 31 season. Fishing from a floating device equipped with a motor prohibited. Fly fishing only. All species: Release all fish.

From 6420 Road to Kalama Falls: Closed waters.

Kalispell Creek and tributaries (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules.

Keechelus Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches, additionally up to sixteen kokanee may be retained.

Kelsey Creek (tributary of Lake Washington) (King County): ~~((See Lake Washington tributaries.))~~ June 1 through August 31 season. Juveniles only.

Kennedy Creek (Thurston County), from mouth to four hundred feet below falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure October 1 through December 31. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to northbound Highway 101 Bridge. Barbless hooks required. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Kennedy Creek Pond (Thurston County): Last Saturday in April through October 31 season.

Kettle River (Stevens County):

June 1 through October 31 season. All species: Selective gear rules. Trout: Minimum length 12 inches. Sturgeon: Unlawful to fish for or retain sturgeon.

Additional season: November 1 through May 31. Whitefish gear rules apply.

Ki Lake (Snohomish County): Last Saturday in April through October 31 season.

Kidney Lake (Skamania County): Last Saturday in April through last day in February season.

Kimball Creek (near Snoqualmie) (King County): Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Kings Lake and tributaries (Pend Oreille County): Closed waters.

Kings Lake Bog (King County): Closed waters.

Kiwanis Pond (Kittitas County): Juveniles and holders of disability licenses only.

Klaus Lake (King County): Last Saturday in April through October 31 season. Closed waters: The inlet and outlet to first Weyerhaeuser spur.

Klickitat River (Klickitat County):

From mouth to Fisher Hill Bridge: April 1 through January 31 season. Nonbuoyant lure restriction and night closure May 1 through May 31. Nonbuoyant lure restriction August 1 through January 31. Game fish: Closed December 1 through January 31. Release game fish other than steelhead April 1 through May 31. Trout: Minimum length twelve inches. Steelhead and salmon: April 1 through May 31 Mondays, Wednesdays and Saturdays only, daily limit ((2)) 1 hatchery steelhead or ((2)) 1 salmon ~~((or one of each))~~. Salmon: June 1 through January 31 daily limit 6 fish of which no more than 2 may be adult salmon.

From Fisher Hill Bridge to four hundred feet above # 5 fishway: Closed waters.

From four hundred feet above # 5 fishway to the Yakama Indian Reservation boundary: June 1 through November 30 season, except waters from boundary markers above Klickitat salmon hatchery to boundary markers below hatchery are closed waters. Trout: Minimum length twelve inches. Salmon: Open only June 1 through November 30 from 400 feet above No. 5 Fishway to boundary markers below Klickitat Salmon Hatchery. June 1 through July 31: Daily limit 6 salmon. Release adult salmon. August 1 through November 30: Daily limit 6 fish of which no more than 2 may be adult salmon. Release chinook November 1 through November 30. Additional December 1 through March 31 season. Whitefish gear rules apply.

From the Yakama Indian Reservation boundary upstream to source, including all tributaries: Closed waters.

Klineline Ponds (Clark County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Koeneman Lake (Fern Lake) (Kitsap County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Kress Lake (Cowlitz County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches in length or greater may be retained. Salmon: Landlocked salmon rules apply.

Lacamas Creek (Clark County): Lawful to fish upstream to the base of Lacamas Lake Dam.

Lacamas Creek, tributary of Cowlitz River (Lewis County): June 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Lake Creek (Okanogan County): Mouth to Black Lake: Closed waters. Black Lake to Three Prong Creek: Selective gear rules.

Langlois Lake (King County): Last Saturday in April through October 31 season.

Latah (Hangman) Creek (Spokane County): Year-round season.

Leader Lake (Okanogan County): Last Saturday in April through September 30 season.

Le Clerc Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Ledbetter Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Ledking Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Leech Lake (White Pass area) (Yakima County): Fly fishing only. Fishing prohibited from floating devices equipped with motors. Trout: No more than one over 14 inches in length.

Lemna Lake (Grant County): April 1 through September 30 season.

Lenice Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Lena Lake, Lower (Jefferson County): Closed waters: Inlet stream from mouth upstream to footbridge (about one hundred feet).

Lenore Lake (Grant County): Closed waters: Area within two hundred yard radius of trash rack leading to the irrigation pumping station (south end of lake) and area approximately one hundred yards beyond the mouth of inlet stream to State Highway 17. March 1 through May 31 season: Selective gear rules. All species: Release all fish. Additional season June 1 through November 30: Selective gear rules. Trout: Daily limit one.

Leo Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Lewis River (Clark County), from mouth to forks: Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. Daily limit six fish of which not more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Lewis River, East Fork (Clark/Skamania counties): Closed waters: From the posted markers at the lower end of Big Eddy to one hundred feet above Lucia Falls; from four hundred feet below to four hundred feet above Molton Falls; from four hundred feet below Horseshoe Falls upstream including all tributaries above Horseshoe Falls.

Mouth to 400 feet below Horseshoe Falls: June 1 through March 15 season. Trout: Release all trout except up to two hatchery steelhead per day may be retained. Mouth to top boat ramp at Lewisville Park: Additional April 16 through May 31 season. Selective gear rules. Release all fish except up to two hatchery steelhead may be retained per day.

Lewis River, North Fork (Clark/Skamania counties):

From mouth to Colvin Creek: Year-round season except those waters shoreward of the cable buoy and corkline at the mouth of the Lewis River Salmon Hatchery fish ladder are closed waters. Nonbuoyant lure restriction and night closure April 1 through November 30 from Johnson Creek to Colvin Creek. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. Daily limit six fish of which not more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in waters of mainstem Columbia River adjacent to mouth of Lewis River.

From mouth of Colvin Creek to overhead powerlines at Merwin Dam: May 1 through September 30 and December 16 through April 30 season. Nonbuoyant lure restriction and night closure April 1 through September 30. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only January 1 through September 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in waters of mainstem Columbia River adjacent to mouth of Lewis River.

From overhead powerlines at Merwin Dam to Merwin Dam: Closed waters.

From the cable crossing 1,300 feet below Yale Dam to Yale Dam: Closed waters.

Within Lewis River Power Canal: Closed waters.

From Eagle Cliff Bridge to lower falls including all tributaries: Selective gear rules. All species: Release all fish.

Liberty Lake (Spokane County): Last Saturday in April through September 30 season.

Lilliwaup River (Mason County): Mouth to 200 feet below falls: June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Lilly Lake (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Limerick Lake (Mason County): Last Saturday in April through October 31 season.

Lincoln Pond (Clallam County): Juveniles only.

Lions Park Pond (Walla Walla County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Little Ash Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Little Bear Creek (tributary of Sammamish River) (Snohomish/King counties): ~~((Closed waters-))~~ June 1 through August 31 season. Juveniles only.

Little Hoko River (Clallam County): Selective gear rules. All species: Release all fish.

Little Klickitat River (Klickitat County), within Goldendale city limits: Last Saturday in April through October 31 season. Juveniles only. Trout: Daily limit five, no minimum length.

Little Lost Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Little Naches River (Yakima County): Selective gear rules.

Little Nisqually River (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Little Pend Oreille River (Stevens County) from the Little Pend Oreille wildlife refuge boundary about 1 mile downstream from the refuge headquarters office to Crystal Falls: Selective gear rules, and all species: Release all fish except up to five Eastern brook trout may be retained.

Little Quilcene River (Jefferson County), from mouth to the Little Quilcene River Bridge on Penny Creek Road, June 1 through last day in February season. Closed waters: Mouth to Highway 101 Bridge September 1 through October 31. Trout: Minimum length fourteen inches.

Little Spokane River (Spokane County):

From mouth to SR 291 Bridge: Year-round season.

From SR 291 Bridge upstream to the West Branch: Last Saturday in April through October 31 season. Additional December 1 through March 31 season. Whitefish gear rules apply.

Upstream from bridge at Frideger Road: Closed waters: From the inlet to Chain Lake upstream one-quarter mile to the railroad crossing culvert. Trout: Release kokanee taken upstream from bridge.

Little Twin Lake (Okanogan County): April 1 through November 30: Selective gear rules and all species: Release all fish.

Little Twin Lake (Stevens County): Last Saturday in April through October 31.

Little Wenatchee River (Chelan County): From Lake Wenatchee to the falls below U.S. Forest Service Road 6700 Bridge at Riverside Campground: Closed waters.

Little White Salmon River (Skamania County): Closed waters: From the orange fishing boundary markers at Drano Lake upstream to the intake near the Little White Salmon National Fish Hatchery north boundary. Trout: Daily limit five. Drano Lake (waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery): May 1 through March 31 season, except for hatchery steelhead and chinook season in April, and except closed Wednesdays beginning the second Wednesday in April through May 31 and October 1 through October 31. Night closure and nonbuoyant lure restriction May 1 through June 30. Nonbuoyant lure restriction August 1 through December 31. Night closure October 1 through October 31. March 16 through June 30 daily limit of two fish, of which one or both may be hatchery steelhead or one or

both may be chinook salmon. Release wild chinook. Trout and salmon: May 1 through June 30 release all fish except hatchery steelhead and chinook salmon. Trout: July 1 through March 15 release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only August 1 through December 31. Daily limit six fish of which no more than two may be adult salmon. Release wild coho.

Lone Lake (Island County): Selective gear rules. Trout: Daily limit one, minimum length 18 inches.

Long Lake (Ferry County): Last Saturday in April through October 31 season. Fly fishing only. Unlawful to fish from floating devices equipped with motors.

Long Lake (Okanogan County): Last Saturday in April through September 30 season.

Long Lake (Spokane River Reservoir) (Spokane County): Bass: Release all bass May 1 through June 30.

Long Lake (Thurston County): Last Saturday in April through October 31 season.

Long's Pond (Thurston County): Juveniles only.

Loomis Lake (Pacific County): Last Saturday in April through October 31 season.

Loomis Pond (Grays Harbor County): Closed waters.

Loon Lake (Stevens County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five, except no more than two over twenty inches in length may be retained. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Lost Lake (Kittitas County): Trout: Not more than 1 fish over 14 inches in length.

Lost Lake (Okanogan County): Unlawful to fish from a floating device equipped with an internal combustion engine.

Lost River (Okanogan County):

From mouth to mouth of Monument Creek: Closed waters.

From mouth of Monument Creek to outlet of Cougar Lake: Selective gear rules. Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit. Dolly Varden/Bull Trout daily limit two, minimum length fourteen inches.

Love Lake (Clark County): Closed waters.

Lucky Duck Pond (Stevens County): Juveniles only.

Ludlow Lake (Jefferson County): Last Saturday in April through October 31 season.

Lyle Lake (Adams County): April 1 through September 30 season.

Lyre River (Clallam County):

From mouth to falls near river mile 3: June 1 through last day in February season. Trout: Minimum length fourteen inches.

From falls to source: Selective gear rules. All species: Release all fish.

Mad River (Chelan County), from mouth upstream to Jimmy Creek: Closed waters.

Maggie Lake (Mason County): Last Saturday in April through November 30 season. Salmon: Landlocked salmon rules apply.

Margaret Lake (King County): Last Saturday in April through October 31 season.

Marshal Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Martha Lake (Grant County): March 1 through July 31 season.

Martha Lake (Snohomish County): Last Saturday in April through October 31 season.

Mashel River (Pierce County): July 1 through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Mattoon Lake (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.

May Creek (tributary of Lake Washington) (King County): ~~((See Lake Washington tributaries.))~~ June 1 through August 31 season. Juveniles only.

Mayfield Lake (Reservoir) (Lewis County): Mayfield Dam to 400 feet below Mossyrock Dam: Closed waters: Tacoma Power safety signs at Onion Rock Bridge to Mossyrock Dam. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Release rainbow trout except rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

McAllister Creek (Thurston County): Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30 from mouth to Olympia - Steilacoom Road Bridge. Daily limit 6 fish of which no more than 4 may be adult salmon.

McCabe Pond (Kittitas County): Fishing from any floating device prohibited. All species: Five fish daily limit for all species combined.

McDonald Creek (Clallam County): Trout: Minimum length fourteen inches.

McDowell Lake (Stevens County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

McIntosh Lake (Thurston County): Last Saturday in April through October 31 season.

McLane Creek (Thurston County), from a line 50 feet north of and parallel to the Mud Bay Road Bridge to a line 100 feet upstream and parallel to the south bridge on Highway 101: June 1 through November 30 season. Nonbuoyant lure

restriction and night closure August 1 through November 30. Game fish: Release game fish November 1 through November 30. Trout: Minimum length fourteen inches upstream from the south bridge. Salmon: Open only July 1 through November 30. Closed to salmon fishing: Waters within 400 feet of Allison Springs Pond outfall. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

From a line 100 feet upstream and parallel to the south bridge on Highway 101 upstream: Nonbuoyant lure restrictions and night closure August 1 through October 31. Trout: Minimum length fourteen inches.

McLane Creek Ponds (Thurston County): Last Saturday in April through October 31 season.

McManaman Lake (Adams County): April 1 through September 30 season.

McMurray Lake (Skagit County): Last Saturday in April through October 31. Salmon: Landlocked salmon rules apply.

Medical Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules. Trout: Daily limit two, minimum length fourteen inches.

Medical Lake, West (Spokane County): Last Saturday in April through September 30 season.

Melaney Creek (Mason County): Closed waters.

Melbourne Lake (Mason County): Last Saturday in April through October 31 season.

Mercer Creek (Kittitas County), that portion within Ellensburg city limits: Juveniles only. Trout: Daily limit five, no minimum length.

Mercer Slough (tributary of Lake Washington) (King County): ~~((Closed waters.))~~ June 1 through August 31 season. Juveniles only.

Merrill Lake (Cowlitz County): Fly fishing only. Unlawful to fish from a floating device equipped with an internal combustion engine. Trout: Daily limit two, maximum length twelve inches.

Merritt Lake (Chelan County): Trout: Daily limit sixteen.

Merry Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Merwin Lake (Reservoir) (Clark/Cowlitz County): Salmon: Landlocked salmon rules apply.

Methow River (Okanogan County):

Mouth to ~~((Gold Creek))~~ County Road 1535 (Burma Road) Bridge: Closed waters June 1 through October 31. County Road 1535 (Burma Road) Bridge to Foghorn Dam: June 1 through September 30 season: Selective gear rules. All species: Release all fish. Foghorn Dam to Weeman Bridge: June 1 through August 15 season. Selective gear rules. All species: Release all fish. Upstream from Weeman Bridge to the falls above Brush Creek: Closed waters June 1 through October 31. Additional season mouth to falls above Brush Creek: December 1 through March 31. Whitefish gear rules apply.

Methow River tributaries not otherwise provided for: Selective gear rules. Trout: Maximum length twenty inches.

Middle Nemah Pond (Pacific County): June 1 through October 31 season.

Mill Creek (Chelan County): Closed waters.

Mill Creek (Cowlitz County): June 1 through August 31 and November 1 through March 15 seasons. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Mill Creek (Lewis County): Additional season December 1 through December 31, mouth to hatchery road crossing culvert. Nonbuoyant lure restriction and night closure. All species: Release all fish except that up to two hatchery steelhead with intact ventral fins may be retained per day.

Mill Creek (Mason County): Trout: Minimum length fourteen inches.

Mill Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Mill Creek (Walla Walla County):

From mouth to Gose St. Bridge: June 1 through April 15 season. All species: Barbless hooks required and release all fish except hatchery steelhead September 1 through April 15. Trout: Daily limit three hatchery steelhead.

From Gose St. Bridge to Roosevelt St. Bridge, within city limits of Walla Walla: Closed waters.

From Roosevelt St. Bridge upstream, including all tributaries: All tributaries: Closed waters. Selective gear rules. Trout: Maximum length twenty inches.

Mill Creek Pond (Grays Harbor County): Juveniles only.

Mill Pond (Auburn) (King County): Last Saturday in April through October 31 season. Juveniles only.

Mill Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Mineral Creek (tributary to upper Kachess River) (Kittitas County), from mouth to Wilderness Boundary: Closed waters.

Mineral Creek (tributary to Nisqually River), and Mineral Creek, North Fork (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Mineral Lake (Lewis County): Last Saturday in April through September 30 season.

Minter Creek (Pierce/Kitsap counties): Closed waters: Area from department intake dam downstream to mouth June 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only November 1 through December 31 from mouth to 50 feet downstream of the hatchery rack. Daily limit 4 chum.

Mirror Lake (Grant County): Last Saturday in April through September 30 season.

Mission Lake (Kitsap County): Last Saturday in April through October 31 season.

Moclips River (Grays Harbor County), from mouth to the Quinault Indian Reservation: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Molson Lake (Okanogan County): Fishing from a floating device equipped with an internal combustion engine prohibited.

Monte Christo Lake (Snohomish County): June 1 through October 31 season. Selective gear rules.

Mooses Pond (Pacific County): June 1 through October 31 season.

Moran Slough (including inlet and outlet streams) (Grant County): Closed waters.

Morgan Lake (Adams County): April 1 through September 30 season.

Morse Creek (Clallam County), from mouth to Port Angeles Dam: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Moses Lake (Grant County): Crappie: Daily limit ten, only crappie more than nine inches in length may be retained. Bluegill: Daily limit five, only bluegill more than eight inches in length may be retained. Small mouth bass: Small mouth bass are not included as part of the bass daily limit. No minimum size. Small mouth bass 12 to 17 inches in length may be retained. Daily limit 10 small mouth bass, not more than one of which may be greater than 14 inches in length. Walleye: Daily limit 8 walleye. Minimum length twelve inches. No more than one walleye over 22 inches in length may be retained. Yellow perch: Daily limit 25 yellow perch.

Mosquito Creek (Jefferson County), outside Olympic National Park: June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Mountain Lake (San Juan County): Trout: Daily limit may not contain more than one trout over 18 inches in length.

Muck Creek and tributaries (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Trout: Release all trout.

Mud Lake (Mason County): Last Saturday in April through October 31 season.

Mud Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mudget Lake (Stevens County): Last Saturday in April through October 31 season.

Munn Lake (Thurston County): Last Saturday in April through October 31 season.

Muskegon Lake (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two.

Myron Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mystic Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Naches River (Yakima/Kittitas counties):

From the mouth to Little Naches River: Selective gear rules. Trout: Minimum length twelve inches, maximum length twenty inches. Release trout June 1 through October 31 from confluence with Tieton River to mouth of Rattle Snake Creek. Additional December 1 through March 31 season. Whitefish gear rules apply.

Naneum Creek (Kittitas County): Selective gear rules.

Naneum Pond (Kittitas County): Juveniles only.

Napeequa River (Chelan County): Mouth to Twin Lakes Creek: Closed waters.

Naselle River (Pacific/Wahkiakum counties), from Highway 101 Bridge upstream including all forks: Closed waters: Area from four hundred feet below falls in Sec. 6, T10N, R8W (Wahkiakum County) to falls. Waters from the North Valley Road Bridge (Big Hill Bridge) to Highway 4 closed August 16 through October 15.

Mainstem: June 1 through April 15 season, except sturgeon. Single point barbless hooks required August 16 through November 30 upstream from Highway 4 Bridge to Crown Main Line (Salme) Bridge. Nonbuoyant lure restriction and night closure August 16 through November 30 downstream from North Fork. Stationary gear restrictions above mouth of South Fork August 16 through November 30. Selective gear rules March 1 through April 15 above mouth of South Fork. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through January 31 from Highway 101 Bridge to Highway 4 Bridge and October 16 through January 31 from the Highway 4 Bridge to the Crown Main Line Bridge. Daily limit 6 fish of which no more than 3 may be adult salmon and of these 3 adult fish no more than 1 may be a wild adult coho and not more than 2 may be adult chinook. No more than 2 chum may be retained.

Sturgeon: Open year-round from mouth to Highway 4 Bridge.

From mouth of North Fork to source: Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

South Fork, from mouth to Bean Creek: June 1 through last day in February season, except sturgeon. Nonbuoyant lure restriction and night closure August 16 through November 30. Game fish: Release game fish except up to two hatchery steelhead per day may be retained. Sturgeon: Open year-round.

Nason Creek (Chelan County): From the mouth upstream to Smith Brook: Closed waters.

From Smith Brook to Stevens Creek: Selective gear rules.

Negro Creek (Lincoln County): Year-round season from mouth at Sprague Lake to the fish barrier dam at Fishtrap Lake.

Negro Creek (Whitman County): Last Saturday in April through July 15 season.

Nemah River, North, Middle, and South: June 1 through March 31 season, except closed August 1 through September 30 on North Nemah from Highway 101 Bridge upstream to lower bridge on dead end lower Nemah Road. Single point barbless hooks required on North Nemah upstream to the lower bridge on dead end lower Nemah Road October 1 through November 30, on Middle Nemah upstream to the Department of Natural Resources Bridge on Middle Nemah A-line Road August 16 through November 30, and on South Nemah upstream to confluence with Middle Nemah August 16 through November 30. Selective gear rules on Middle Nemah above DNR Bridge and South Nemah above confluence with Middle Nemah. Night closure August 16 through November 30 on South and Middle Nemah and October 1 through November 30 on North Nemah. Nonbuoyant lure restriction on North Nemah upstream from bridge on dead end lower Nemah Road August 16 through November 30. On the North Nemah from the mouth to the lower bridge on dead end lower Nemah Road, stationary gear restriction during the period August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through January 31 on Middle Nemah from mouth to DNR Bridge and South Nemah from mouth to confluence with Middle Nemah and October 1 through January 31 on North Nemah from mouth to the lower bridge on dead end Lower Nemah Road. Middle and South Nemah: Daily limit 6 fish of which no more than 2 may be adult salmon and of the two adult fish no more than one may be a wild adult coho. North Nemah: Daily limit 6 salmon of which not more than 3 may be adult salmon and of the adult fish no more than one may be a wild adult coho and no more than two may be adult chinook. No more than two chum may be retained.

Newhalem Ponds (Whatcom County): Closed waters.

Newaukum River, main river and South Fork upstream to Highway 508 Bridge near Kearny Creek (Lewis County): June 1 through March 31 season. Night closure and single point barbless hooks required August 16 through November 30 from mouth to Leonard Road. Trout: Minimum length fourteen inches mouth to Highway 508 Bridge near Kearny Creek. Salmon: Open only October 16 through last day in February from mouth to Leonard Road. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook. Release wild adult coho December 1 through last day in February.

Newaukum River, Middle Fork, mouth to Taucher Road Bridge (Lewis County): June 1 to March 31 season. Trout: Minimum length fourteen inches.

Newaukum River, North Fork (Lewis County):

From mouth to four hundred feet below Chehalis city water intake: June 1 through March 31 season. Trout: Minimum length fourteen inches.

From 400 feet below Chehalis city water intake upstream: Closed waters.

Niawiakum River (Pacific County): From Highway 101 Bridge to the South Bend/Palix Road Bridge: Night closure and single point barbless hooks required August 16 through November 30. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from Highway 101 Bridge to South Bend/Palix Road Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult chinook.

Nile Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Nisqually River (Pierce County), from mouth to Military Tank Crossing Bridge: June 1 through January 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. All species: Release all species except salmon December 1 through January 31. Salmon: Open only July 1 through January 31 from mouth to Military Tank Crossing Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult chinook.

From Military Tank Crossing Bridge to four hundred feet below LaGrande Falls: July 1 through October 31 season. Selective gear rules. Nonbuoyant lure restriction and night closure August 1 through October 31. Trout: Minimum length fourteen inches.

Nooksack River (Whatcom County), from mouth to forks, Middle Fork to Dam and North Fork to Nooksack Falls: June 1 through last day in February season except closed June 1 through September 30 in mainstem from yellow marker at the FFA High School barn at Deming to confluence of the North and South Forks. Fishing from floating devices equipped with motors prohibited on the North and Middle Forks November 1 through last day in February. Nonbuoyant lure restriction and night closure August 1 through November 30 on mainstem and North Fork to Maple Creek. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31 in mainstem from Lummi Indian Reservation boundary to yellow marker at the FFA High School barn in Deming. Open only October 16 through December 31 in mainstem from the FFA barn to the confluence of the North and South Forks, and October 1 through October 31 on the North Fork from confluence to Maple Creek. Daily limit 2 salmon, except release (~~pink and~~) wild coho, release wild chinook from mouth to FFA barn, and release chinook from FFA barn to forks and in North Fork.

Nooksack River, South Fork (Skagit/Whatcom counties): From mouth to Skookum Creek: June 1 through last day in February season except closed July 1 through October 15 from Saxon Road Bridge to mouth of Skookum Creek. Selective gear rules. Night closure August 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through December 31. Daily limit 2 salmon, except release (~~pink,~~) chinook and wild coho.

From Skookum Creek upstream: Closed waters.

No Name Lake (Pend Oreille County): Last Saturday in April through October 31 season.

North Creek (Okanogan County): From mouth to falls at river mile 0.8: Selective gear rules.

North Creek (tributary of Sammamish River) (Snohomish/King counties): ~~((See Lake Washington tributaries-))~~ June 1 through August 31 season. Juveniles only.

North Elton Ponds (Yakima County): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit two.

North Lake (King County): Last Saturday in April through October 31 season.

North Potholes Reserve Ponds (Grant County): February 1 through the day before opening of waterfowl season. Fishing from any floating device prohibited, except float tubes permitted.

North River (Grays Harbor/Pacific counties), from Highway 105 Bridge upstream to Falls River: June 1 through last day in February season, except sturgeon. Night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 upstream to Salmon Creek. Nonbuoyant lure restriction from Salmon Creek to Falls River August 16 through November 30. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from Highway 105 Bridge to Salmon Creek. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult chinook. Sturgeon: Open year-round from Highway 105 Bridge to Salmon Creek.

Upstream from Falls River: Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Northern State Hospital Pond (Skagit County): Last Saturday in April through October 31 season. Juveniles only.

Northwestern Reservoir (Klickitat/Skamanian counties): Last Saturday in April through last day in February season.

Nunnally Lake (Grant County): March 1 through November 30 season. Closed waters: Outlet stream of Nunnally Lake. Selective gear rules. Trout: Daily limit one.

Oakland Bay freshwater tributaries (Mason County), except Goldsborough Creek (including Shelton Creek, Canyon Creek, Uncle John Creek, Campbell Creek, Melaney Creek, Deer Creek, John's Creek, and Cranberry Creek to Lake Limerrick): Closed waters.

Ohanapecosh Creek (tributary to Cowlitz River) (Lewis/Pierce counties): Selective gear rules. Trout: Minimum length twelve inches.

Ohop Lake (Pierce County): Last Saturday in April through October 31 season.

Okanogan River (Okanogan County):

From the mouth to the highway bridge at Malott: Year-round season. Trout: Release all trout. Upstream from the highway bridge at Malott: June 1 through August 31 season. Trout: Release all trout. Salmon: Open only July ((46)) 1 through October 15 from mouth to Highway 97 Bridge immediately upstream of mouth. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho and sockeye.

Closed waters: From Zosel Dam downstream to one-quarter mile below the railroad trestle.

Old Fishing Hole Pond (Kent) (King County): Last Saturday in April through October 31 season. Juveniles only.

Old Mill Stream (Chelan County): Closed waters.

Olequa Creek (Lewis County): June 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Osborne Lake (Mason County): Last Saturday in April through October 31 season.

Outlet Creek (Klickitat County): Trout: Daily limit five.

Owens Pond (Pacific County): June 1 through October 31 season.

Packwood Lake (Lewis County): Closed waters: All inlet streams and outlet from log boom to dam. Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit five, minimum length ten inches.

Padden Lake (Whatcom County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Palix River, including all forks (Pacific County): June 1 through March 31 season, except sturgeon. Single point barbless hooks and night closure August 16 through November 30 upstream to the confluence of the South and Middle Forks. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Above the confluence of the South and Middle Forks: Selective gear rules. Nonbuoyant lure restriction and night closure August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from the Highway 101 Bridge to the confluence of the South and Middle Forks. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be a wild adult coho. Release adult chinook. Sturgeon: Open year-round from the Highway 101 Bridge to the confluence of the South and Middle Forks.

Palouse River and tributaries, except Rock Creek (Whitman County): Year-round season. Mainstem from mouth to base of Palouse Falls. Trout: Daily limit 6 fish, minimum length 10 inches, no more than 3 trout over 20 inches may be retained, except release all trout April 1 through June 15 and release steelhead June 16 through August 31. Barbless hooks required when fishing for steelhead. Bass: Fish 12 to 15 inches in length may be retained, but not more than 3 bass over 15 inches in length may be retained. Walleye: Daily

limit 10 fish, no minimum size. No more than 5 walleye over 18 inches in length may be retained, and no more than 1 walleye over 24 inches in length may be retained. Channel catfish: No daily limit.

Palouse River mainstem above Palouse Falls and tributaries except Rock Creek: Year-round season.

Pampa Pond (Whitman County): March 1 through September 30 season. Fishing from any floating device prohibited.

Panhandle Lake (Mason County): Last Saturday in April through October 31 season.

Panther Creek (Chelan County): Closed waters.

Panther Creek (tributary to Wind River) (Skamania County): Closed waters.

Panther Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Para-Juvenile Lake (Adams/Grant counties): April 1 through September 30 season. Juveniles only.

Park Lake (Grant County): Last Saturday in April through September 30 season.

Parker Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Pass Lake (Skagit County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

Pataha Creek (Garfield County):

Within the city limits of Pomeroy: Juveniles only.

From city limits of Pomeroy upstream: Selective gear rules.

Patterson Lake (Okanogan County): Last Saturday in April through October 31 season.

Pattison Lake (Thurston County): Last Saturday in April through October 31 season.

Peabody Creek (Clallam County): Juveniles only.

Pearygin Lake (Okanogan County): Last Saturday in April through September 30 season.

Pend Oreille River (Pend Oreille County): Year-round season. All sloughs within the boundaries of the Kalispell Reservation except Calispell Slough: Closed waters.

Perch Lake (Grant County): Last Saturday in April through September 30 season.

Percival Creek (Thurston County): Trout: Minimum length fourteen inches.

Peshastin Creek (Chelan County): Mouth to Ruby Creek: Closed waters.

Petit Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Phalon Lake (Stevens County): Closed waters.

Pheasant Lake (Jefferson County): Last Saturday in April to October 31 season.

Phelps Creek (Chelan County): From mouth to falls at river mile 1: Selective gear rules.

Philippa Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Phillips Lake (Mason County): Last Saturday in April through October 31 season.

Phillips Lake (Stevens County): Last Saturday in April through October 31 season.

Pilchuck Creek (Snohomish County), mouth to Highway 9 Bridge: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Additional December 1 through last day in February season. Trout: Minimum length fourteen inches.

Pilchuck River (Snohomish County)

From its mouth to five hundred feet downstream from the Snohomish City diversion dam: December 1 through last day in February season. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches.

From 500 feet below diversion dam upstream: Closed waters.

Pillar Lake (Grant County): April 1 through September 30 season.

Pine Lake (King County): Last Saturday in April through October 31 season.

Pine Lake (Mason County): Last Saturday in April through October 31 season.

Ping Pond (Grant County): Third Saturday in April through Labor Day season. Juveniles and holders of reduced fee disability licenses only. Game fish: Daily limit of five fish in the aggregate. No minimum or maximum size for any species.

Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Pipers (Carkeek) Creek (King County), from its mouth to its source, including tributaries: Closed waters.

Pit Lake (Douglas County): Juveniles only.

Pleasant Lake (Clallam County): Trout: Kokanee minimum length eight inches, maximum length twenty inches.

Plummer Lake (Lewis County): Last Saturday in April through last day in February season.

Poacher Lake (Grant County): April 1 through September 30 season.

Portage Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Potholes Reservoir (Grant County): Crappie: Minimum length nine inches. Crappie and bluegill: Combined daily limit twenty-five fish. Perch: Daily limit twenty-five fish. Small mouth bass: Small mouth bass are not included as part of the bass daily limit. No minimum size. Small mouth bass

12 to 17 inches in length may be retained. Daily limit 10 small mouth bass, not more than 1 of which may be greater than 14 inches in length. Walleye: Minimum size 12 inches in length. Daily limit 8 walleye, not more than 1 of which may be greater than 22 inches in length.

Potter's Pond (Stevens County): Last Saturday in April through October 31 season.

Pratt River (tributary to Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Prices Lake (Mason County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Promised Land Pond (Grays Harbor County): June 1 through October 31 season.

Purdy Creek (Mason County): June 1 through August 15 season. Selective gear rules. All species: Release all fish.

Puyallup River (Pierce County):

From mouth to the Electron power plant outlet: July 1 through last day in February season. Single point barbless hooks, nonbuoyant lure restriction and night closure August 1 through November 30 from the mouth to the Carbon River. Trout: Minimum length fourteen inches. Salmon: Open only (~~August~~) September 1 through December 31 from mouth to Carbon River. Daily limit 6 fish of which no more than ~~((4)) 2~~ may be adult salmon (~~(and of the adult salmon no more than two may be chinook, coho or chum or a combination of chinook, coho and chum)~~). Release wild adult chinook.

From Electron power plant outlet upstream: July 1 through October 31 season. Selective gear rules. All species: Release all fish.

Pysht River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches. December 1 through last day in February, one wild steelhead per day may be retained.

Pysht River South Fork (Clallam County): Trout: Minimum length fourteen inches.

Quail Lake (Adams County): Fly fishing only. Fishing from any floating device equipped with a motor prohibited. All species: Release all fish.

Quarry Pond (Walla Walla County): Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Quigg Lake (Grays Harbor County): June 1 through April 15 season. Trout: Daily limit 2. Minimum length fourteen inches. Salmon: Open only October 1 through January 31. Daily limit 6 hatchery coho salmon of which no more than 4 may be adult hatchery coho.

Quillayute River (Clallam County): Open year-round. May 1 through May 31 release all fish except up to two hatchery steelhead per day may be retained. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead. December 1 through April 30, one wild steelhead per day may be retained. Salmon: Open only (~~March~~) February 1 through November 30. Daily limit 6

fish of which no more than 2 may be adult salmon (~~(March)~~ February 1 through August 31 and 3 may be adult salmon September 1 through November 30. September 1 through November 30 the 3 adult salmon may contain no more than 2 adult chinook or 2 adult wild coho or 1 adult chinook and 1 adult wild coho. (~~(March)~~ February 1 through August 31 release wild adult coho and (~~(unmarked)~~ wild adult chinook. (~~(Unmarked chinook are chinook with unclipped adipose and ventral fins.)~~))

Quinault River, Upper (Jefferson County), from mouth at upper end of Quinault Lake to the National Park boundary: June 1 through April 15 season. Trout: Minimum length fourteen inches. December 1 through April 15, one wild steelhead per day may be retained. Salmon: Open only July 1 through October 31. Daily limit 6 fish except release adult salmon.

Quincy Lake (Grant County): March 1 through July 31 season.

Radar Ponds (Pacific County): Salmon: Landlocked salmon rules apply.

Raging River (King County), from its mouth to the Highway 18 Bridge: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Railroad Pond (Franklin County): Selective gear rules. Trout: Daily limit two.

Rainbow Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Rapjohn Lake (Pierce County): Last Saturday in April through October 31 season.

Rat Lake (Okanogan County): April 1 through November 30: Selective gear rules. All species: Release all fish.

Rattlesnake Creek (Yakima County): Selective gear rules. All species: Release all fish.

Rattlesnake Lake (King County): Last Saturday in April through October 31 season. Selective gear rules.

Ravensdale Lake (King County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Reflection Pond (Okanogan County): Last Saturday in April through October 31 season.

Renner Lake (Ferry County): Last Saturday in April through October 31 season.

Riffe Lake (Reservoir) (Lewis County): Mossyrock Dam to 400 feet below Cowlitz Falls Dam. Closed waters: Lewis County PUD safety signs approximately 800 feet below Cowlitz Falls Dam to Dam. Lawful to fish up to the base of Swofford Pond Dam. Salmon: Landlocked salmon rules apply.

Rigley Lake (Stevens County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Riley Lake (Snohomish County): Last Saturday in April through October 31 season.

Rimrock Lake (Reservoir) (Yakima County): Chumming permitted. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Ringold Springs Creek (Hatchery Creek) (Franklin County): Closed waters.

Robbins Lake (Mason County): Last Saturday in April through October 31 season.

Rock Creek (Adams/Whitman counties): Mouth to Endicott Road year-round season.

Endicott Road to bridge on George Knott Road at Revere: Selective gear rules. All species: Release all fish.

Upstream from bridge on George Knott Road: Year-round season.

Rock Creek (Chelan County): Selective gear rules.

Rock Creek (Cedar River tributary below Landsburg Dam) (King County): Closed waters.

Rock Creek (Skamania County): Mouth to falls: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Above falls, additional November 1 through March 15 season.

Rocky Ford Creek and Ponds (Grant County): Fly fishing only. Fishing from bank only (no wading). All species: Release all fish.

Rocky Lake (Stevens County): Last Saturday in April through October 31 season. June 1 through October 31 selective gear rules and all species: Release all fish.

Roesiger Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Roosevelt Lake (Ferry/Lincoln/Stevens counties): All species: Closed January 1 through May 31 in San Poil arm upstream from outlet of French Johns Lake, and April 1 through May 31 in Kettle arm upstream to Barstow Bridge. Trout except kokanee: Daily limit five. No more than two over twenty inches in length. Kokanee daily limit two. Wall-eye: No minimum size. Daily limit 8 fish not more than one of which may be longer than 22 inches. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon from Roosevelt Lake and tributaries. Carp: Unlawful to fish for carp with bow and arrow. Small mouth bass: Small mouth bass do not count as part of the bass daily limit. Fish between 12 and 17 inches in length may be retained. No minimum size. Daily limit 10 bass, no more than one bass over 14 inches in length may be retained.

Rose Lake (Mason County): Last Saturday in April through October 31 season.

Ross Lake (Reservoir) (Whatcom County): July 1 through October 31 season. Selective gear rules, except fishing from a floating device equipped with an internal combustion motor

allowed. Trout: Daily limit three, possession limit six, minimum length thirteen inches.

Ross Lake tributary streams (Whatcom County), except Big Beaver Creek and Ruby Creek: Closed waters: From closed water markers near mouth upstream for one mile. Above closed water marker in tributaries not listed as closed: July 1 through October 31 season.

Round Lake (Okanogan County): Last Saturday in April through September 30 season.

Rowland Lakes (Klickitat County): Last Saturday in April through last day in February season.

Royal Lake (Adams County): Closed waters.

Royal Slough (including Marsh Unit IV impoundments) (Adams County): Closed waters.

Ruby Creek (tributary to Ross Lake) (Whatcom County): Closed waters.

Ruby Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Rufus Woods Lake (Douglas County): Chumming allowed. Trout: Daily limit two. Kokanee not included in daily trout limit. Kokanee daily limit 2. Sturgeon: Unlawful to fish for or retain sturgeon from Rufus Woods Lake and tributaries.

Sacheen Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Saddle Mountain Lake (Grant County): Closed waters.

Sago Lake (Grant County): April 1 through September 30 season.

Salmon Creek (Clark County), from mouth to 72nd Avenue N.E.: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Salmon Creek, including all forks (Jefferson County): Closed waters.

Salmon Creek, mainstem (Okanogan County): Closed waters.

Salmon Creek, North Fork and West Fork from mouth to South Fork (Okanogan County): Selective gear rules.

Salmon Creek (tributary of Naselle River) (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Salmon River (Jefferson County) outside of Olympic National Park and Quinault Indian Reservation: June 1 through last day in February season. Trout: Minimum length fourteen inches. Hatchery steelhead in this river are steelhead with a dorsal fin height of less than 2-1/8 inches or with an adipose or ventral fin clip. Salmon: Open only September 1

through November 30. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 2 may be adult chinook salmon.

Salt Creek (Clallam County): Trout: Minimum length fourteen inches.

From mouth to bridge on Highway 112: Additional November 1 through last day in February season. Trout: Minimum length fourteen inches.

Samish Lake (Whatcom County): Trout: Cutthroat trout daily limit two, minimum length fourteen inches.

Samish River (Whatcom County):

From its mouth to the Hickson Bridge: June 1 through March 15 season. From Highway 99 Bridge to department salmon rack: Closed waters. Nonbuoyant lure restriction and night closure August 1 through December 31.

Trout: Minimum length fourteen inches. Salmon: Open only July 1 through December 31 from mouth to Thomas Road Bridge and October 1 through December 31 from Thomas Road Bridge to I-5 Bridge. Daily limit two salmon.

Sammamish Lake (King County): Trout: Release all kokanee. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. December 1 through June 30: Release all steelhead and rainbow trout over twenty inches in length. Salmon: Closed to salmon fishing within 100 yards of the mouth of Issaquah Creek. Open only August 16 through November 30. Daily limit two salmon. Release sockeye.

Sammamish River (Slough) (King County), from the 68th Avenue N.E. Bridge to Lake Sammamish: ~~((Closed waters: All tributaries.))~~ January 1 through August 31 season. Selective gear rules. Trout: Release all trout.

Sandyshore Lake (Jefferson County): Last Saturday in April to October 31 season.

San Poil River (Ferry County): Unlawful to fish for or retain sturgeon.

Sarge Hubbard Park Pond (Yakima County): Juveniles and holders of disability licenses only.

Satsop Lakes (Grays Harbor County): Last Saturday in April through October 31 season.

Satsop River, (Grays Harbor County): Trout: Minimum length 14 inches in mainstem and all forks. Mainstem and East Fork, single point barbless hooks and night closure August 16 through November 30 except only August 16 through October 31 on East Fork upstream from bridge at Schafer State Park. Middle and West forks downstream from Cougar Smith Road nonbuoyant lure restriction and night closure August 16 through November 30. Middle and West Forks upstream from Cougar Smith Road night closure and nonbuoyant lure restriction August 16 through October 31.

From mouth to bridge at Schafer Park: Additional November 1 through March 31 season. Salmon: Open only October 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon, except release adult chinook.

Middle Fork (Turnow Branch), from mouth to Cougar Smith Road: Additional November 1 through last day in February season.

West Fork, from mouth to Cougar Smith Road: Additional November 1 through last day in February season.

Sauk River (Skagit/Snohomish counties):

From mouth to the mouth of the White Chuck River: June 1 through last day in February season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

From the mouth of the White Chuck River to headwaters, including North Fork and South Fork upstream to Elliot Creek: Selective gear rules. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

South Fork upstream from Elliot Creek: June 1 through August 31 season. Selective gear rules.

From mouth to the Darrington Bridge: Additional March 1 through April 30 season. Selective gear rules. All species: Release all fish.

Sawyer, Lake (King County): Chumming permitted. Crappie: Daily limit ten, minimum length nine inches.

Schaefer Lake (Chelan County): Trout: Daily limit sixteen.

Sekiu River (Clallam County): All open periods: Trout: Minimum length fourteen inches.

From mouth to forks: Additional November 1 through last day in February season.

Serene Lake (Snohomish County): Last Saturday in April through October 31 season.

Shady Lake (King County): June 1 through October 31 season. Trout: No more than one over fourteen inches in length.

Shannon, Lake (Skagit County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Shellneck Creek (Yakima County): Closed waters.

Shelton Creek (Mason County): Closed waters.

Sherman Creek (Ferry County):

From the mouth at Lake Roosevelt upstream to four hundred feet above the water diversion dam for the hatchery: Closed waters, except December 1 through August 31 season from the mouth upstream to the hatchery boat dock.

Sherry Lake (Stevens County): Last Saturday in April through October 31 season.

Sherwood Creek (Mason County): Trout: Minimum length fourteen inches.

Sherwood Creek Mill Pond (Mason County): June 1 through October 31 season. Trout: Minimum length 14 inches, daily limit 2 fish.

Shiner Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Shoe Lake (Mason County): Last Saturday in April through October 31 season.

Shoveler Lake (Grant County): April 1 through September 30 season.

Shye Lake (Grays Harbor County): June 1 through October 31 season.

Sidley Lake (Okanogan County): Trout: Daily limit two.

Siebert Creek (Clallam County): Trout: Minimum length fourteen inches.

Silent Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Silvas Creek (Klickitat County): Trout: Release all trout.

Silver Creek (tributary to Cowlitz River) (Lewis County), mouth to USFS Road 4778: Selective gear rules. Trout: Minimum length twelve inches.

Silver Lake (Cowlitz County): Crappie: Daily limit ten crappie. Minimum size nine inches in length.

Silver Lake (Pierce County): Last Saturday in April through October 31 season.

Silver Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Silver Lake, North (Spokane County): March 1 through September 30 and November 1 through December 31 season. Selective gear rules. March 1 through September 30: Trout: Daily limit 2 fish, minimum length 14 inches, except release fish with clipped adipose fin. November 1 through December 31: All species: Release all fish.

Silver Lake (Whatcom County): Last Saturday in April through October 31 season.

Silvernail Lake (Okanogan County): Juveniles only.

Similkameen River (Okanogan County):

From mouth to Enloe Dam: December 1 through March 31 season. Whitefish gear rules apply.

From Enloe Dam to Canadian border: Additional December 1 through March 31 season. Whitefish gear rules apply.

Sinlahekin Creek (Okanogan County), from Palmer Lake to Cecile Creek bridge: June 1 through August 31 season. Selective gear rules. Additional December 1 through March 31 season. Whitefish gear rules apply.

Sixteen Lake (Skagit County): Last Saturday in April through October 31 season.

Skagit River (Skagit/Whatcom counties):

From mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon): Year-round season. Selective gear rules March 1 through May 31 except lawful to fish from a floating

device equipped with an internal combustion motor. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only (~~(August 16)~~) September 1 through December 31. Daily limit (~~((two))~~) three salmon except release chinook.

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek: June 1 through March 15 season. Night closure and nonbuoyant lure restriction July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only (~~(August 16)~~) September 1 through December 31. Daily limit (~~((two))~~) three salmon except release chinook.

From Gilligan Creek to Cascade River: June 1 through March 15 season except closed June 1 through June 30 and August 1 through August 31 between a line 200 feet above the east bank of the Baker River to a line 200 feet below the west bank of the Baker River. Nonbuoyant lure restriction and night closure July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only September 16 through December 31 Gilligan Creek to the Dalles Bridge at Concrete. Daily limit (~~((two))~~) three salmon except release chinook.

From the Dalles Bridge at Concrete to the Highway 530 Bridge at Rockport - (~~(Additional season: March 16 through April 30. Selective gear rules except lawful to fish from a floating device equipped with an internal combustion motor. Unlawful to fish from a floating device while under power. All species: Release all fish.)~~) Salmon open July 1 through July 31 except closed 12:01 a.m. July (~~(5))~~ 6 until 2:00 p.m. July (~~(6))~~ 7 and 12:01 a.m. July (~~((4))~~) 10 until 2:00 p.m. July (~~((2))~~) 11, and, except closed from 200 feet above the mouth of the Baker River to the Cascade River. Daily limit two sockeye salmon. Release all salmon except sockeye salmon. Salmon open September 16 through December 31. Daily limit (~~((two))~~) three salmon except release chinook. Additional season: March 16 through April 30. Selective gear rules except lawful to fish from a floating device equipped with an internal combustion motor. Unlawful to fish from a floating device while under power. All species: Release all fish.

From the Highway 530 Bridge at Rockport to the Cascade River - (~~(Additional season: March 16 through April 30. Selective gear rules except lawful to fish from a floating device equipped with an internal combustion motor. Unlawful to fish from a floating device while under power. All species: Release all fish.)~~) Salmon open June 1 through July (~~(8))~~ 9. Nonbuoyant lure restriction and night closure June 1 through November 30. Daily limit two salmon. Release all salmon except hatchery chinook. Salmon open September 16 through December 31. Daily limit (~~((two))~~) three salmon. Release chinook. Additional season: March 16 through April 30. Selective gear rules except lawful to fish from a floating device equipped with an internal combustion motor. Unlawful to fish from a floating device while under power. All species: Release all fish.

From Cascade River to Gorge Powerhouse: June 1 through March 15 season. Nonbuoyant lure restriction and night closure July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.

From the Gorge Powerhouse to Gorge Dam: Closed waters.

Skamokawa Creek (Wahkiakum County), mouth to forks just below Oatfield and Middle Valley Road: November 1 through March 15 season. All species: Release all fish other than steelhead. Trout: Minimum length twenty inches.

Skate Creek (tributary to Cowlitz River) (Lewis County): Trout: Daily limit five, no more than one over twelve inches in length. Release cutthroat. Release rainbow trout except rainbow trout having a clipped adipose fin and a healed scar at the site of the clipped fin.

Skokomish River (Mason County), mouth to forks: Night closure, nonbuoyant lure restriction and single point barbless hooks required August 1 through November 30 mouth to Highway 101. June 1 through last day in February season except closed September 14 through September 30 mouth to Highway 101 Bridge. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through September 13 and October 1 through December 15 mouth to Highway 101 Bridge. Terminal gear restricted to no closer than 25 feet of a tribal gill net. Daily limit 1 salmon August 1 through September (~~(30))~~ 13. Release chum salmon. Daily limit 6 salmon (~~((October 1))~~) September 14 through December 15, except daily limit may contain no more than 4 adult fish and of these adults not more than one may be an adult chinook. October 1 through October 15 release chum salmon.

Skokomish River, North Fork (Mason County):

From mouth to lower dam: June 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Above Lake Cushman, mouth to Olympic National Park boundary: June 1 through August 31 season. Selective gear rules. Trout: Release all fish.

Skokomish River, South Fork (Mason County):

From mouth to mouth of Church Creek: June 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead per day may be retained.

From mouth of Church Creek to mouth of Rule Creek: Closed waters.

From mouth of Rule Creek to headwaters: Selective gear rules. Trout: Minimum length twelve inches.

Skookum Creek (Mason County): Trout: Minimum length fourteen inches.

Skookum Lakes, North and South (Pend Oreille County): Last Saturday in April through October 31 season.

Skookumchuck Creek (Klickitat County): Trout: Release all trout.

Skookumchuck Reservoir (Thurston County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches.

Skookumchuck River (Thurston County):

From mouth to four hundred feet below the outlet of the PP&L/WDFW steelhead rearing pond located at the base of the Skookumchuck Dam: June 1 through April 30 season. Single point barbless hooks and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through last day in February. Daily limit 6 fish of which no more than 2 may be adult salmon, except December 1 through the last day in February release adult wild coho. Release adult chinook.

From Skookumchuck Reservoir upstream and all tributaries: Selective gear rules. Trout: Minimum length twelve inches.

Skykomish River (Snohomish County):

From mouth to mouth of Wallace River: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30 mouth to Lewis Street Bridge in Monroe and June 1 through November 30 from Lewis Street Bridge in Monroe to Wallace River. Fishing from any floating device prohibited November 1 through last day in February from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open (~~(August 16)~~) September 1 through December 31 mouth to Lewis Street Bridge in Monroe. Daily limit ~~((4))~~ 2 salmon (~~((of which no more than 2 may be coho or chum or a combination of coho and chum))~~). Release chinook and pink. Open June 1 through July 31 Lewis Street Bridge in Monroe to Wallace River. Daily limit 2 hatchery chinook. Open September 1 through December 31 Lewis Street Bridge to Wallace River. Daily limit ~~((4))~~ 2 salmon (~~((of which no more than 2 may be coho or chum or a combination of coho and chum))~~). Release chinook and pink.

From the mouth of the Wallace River to the forks: June 1 through last day in February season, except closed June 1 to 8:00 a.m. August 1 in those waters one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds. Nonbuoyant lure restriction and night closure August 1 through November 30. Fishing from any floating device prohibited in the area one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds August 1 through last day in February. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through December 31. Daily limit ~~((4))~~ 2 salmon (~~((of which no more than 2 may be coho or chum or a combination of coho and chum))~~). Release chinook and pink.

Skykomish River, North Fork (Snohomish County):

From mouth to one thousand feet downstream from Bear Creek Falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1

through November 30. Trout: Minimum length fourteen inches.

From one thousand feet below Bear Creek Falls to Deer Falls: Closed waters.

Skykomish River, South Fork (King/Snohomish counties):

From mouth to six hundred feet downstream from the Sunset Falls Fishway: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From a point six hundred feet downstream of the Sunset Falls Fishway to the Sunset Falls Fishway: Closed waters.

From Sunset Falls to source: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional December 1 through last day in February season. Release all fish other than whitefish.

Slate Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Smith Creek (near North River) (Pacific County): June 1 through last day in February season, except sturgeon. Single point barbless hooks, and night closure August 16 through November 30 upstream to the Highway 101 Bridge. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be an adult wild coho. Release adult chinook. Sturgeon: Open year-round from mouth to Highway 101 Bridge.

Snake River: Year-round season. Closed to the taking of all trout April 1 through June 15. Trout: Daily limit six, minimum length ten inches, no more than three over twenty inches. Release all steelhead June 16 through August 31. Barbless hooks required when fishing for steelhead. Sturgeon: Unlawful to retain sturgeon in mainstem and tributaries upstream from Lower Granite Dam. Bass: Fish twelve to seventeen inches in length may be retained. Up to but not more than 3 bass over fifteen inches in length may be retained. Walleye: Daily limit 10 fish. No minimum size. No more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Channel catfish: No daily limit.

Closed waters: Within four hundred feet of the base of any dam and within a four hundred foot radius around the fish ladder entrance at Lyons Ferry Hatchery, within a two hundred foot radius upstream of the fish ladder exit above Lower Granite Dam, and within an area one thousand two hundred feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and one hundred feet out into the river from said river bank.

Snipe Lake (Grant County): April 1 through September 30 season.

Snohomish River (Snohomish County), including all channels, sloughs, and interconnected waterways, but excluding

all tributaries: June 1 through last day in February season, except sturgeon. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only ~~((August 16))~~ September 1 through December 31. Daily limit ~~((4))~~ 2 salmon ~~((of which no more than 2 may be coho or chum or a combination of coho and chum))~~. Release chinook and pink. Sturgeon: Open year-round from mouth to Highway 2 Bridge.

Snoqualmie River (King County):

From mouth to the falls: June 1 through last day in February season, except waters within the Puget Power tunnel at the falls and within fifty feet of any point on Puget Power's lower Plant # 2 building (north bank) are closed waters. June 1 through November 30 selective gear rules, except fishing from a floating device equipped with an internal combustion motor allowed. Fishing from any floating device prohibited November 1 through last day in February from the mouth of Tokul Creek downstream to the boat ramp at Plumb access, about one-quarter mile. Night closure September 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. Daily limit 2 fish. Release chinook and pink.

From Snoqualmie Falls upstream, including the North and South Forks: Selective gear rules. Trout: Minimum length ten inches. Additional November 1 through May 31 season. Selective gear rules. All species: Release all fish.

Snoqualmie Middle Fork from mouth to source including all tributaries except Pratt and Taylor rivers: Year-round season. Selective gear rules. All species: Release all fish.

Snow Creek (Jefferson County), including all tributaries: Closed waters.

Snyder Creek (Klickitat County): Trout: Release all trout.

Sol Duc River (Clallam County): Open year-round. May 1 through May 31 release all fish except up to two hatchery steelhead per day may be retained. Selective gear rules from the concrete pump station at the Sol Duc Hatchery to the Highway 101 Bridge downstream of Snider Creek November 1 through April 30, and from the Highway 101 Bridge to Olympic National Park June 1 through October 31. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead from mouth to concrete pump station at Sol Duc Hatchery. December 1 through April 30, from mouth to the concrete pump station at the Sol Duc Hatchery, one wild steelhead per day may be retained. Salmon: Open only ~~((March))~~ February 1 through November 30 from mouth to concrete pump station. Daily limit 6 fish of which no more than 2 may be adult salmon ~~((March))~~ February 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. ~~((March))~~ February 1 through August 31 release wild adult coho and ~~((unmarked))~~ wild adult chinook. ~~((Unmarked chinook are chinook with unclipped adipose and ventral fins.))~~ September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or 1 adult chinook and 1 adult wild coho.

Sooes River (Suez River) (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Soos Creek (King County), from mouth to bridge near hatchery residence: June 1 through August 31 season except salmon. Trout: Minimum length fourteen inches. Salmon: Open only October ~~((8))~~ 7 through October ~~((30))~~ 29 to fishing by juveniles only. Night closure October 8 through October 30. Terminal gear restricted to one single point hook. Daily limit two coho salmon.

Bridge near hatchery residence to Salmon hatchery rack: June 1 through August 31 season. Trout: Minimum length fourteen inches.

South Bend Mill Pond (Pacific County): Juveniles only.

South Prairie Creek (Pierce County), mouth to Page Creek: Closed waters.

Spada Lake (Reservoir) (Snohomish County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Maximum length twelve inches.

Spada Lake (Reservoir) tributaries (Snohomish County): Closed waters.

Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County): Year-round season.

Spearfish Lake (Klickitat County): Last Saturday in April through last day in February season.

Spectacle Lake (Okanogan County): April 1 through September 30 season.

Spirit Lake (Skamania County): Closed waters.

~~((Spring Lake (Columbia County): Trout: No more than 2 trout over 13 inches in length may be retained.))~~

Spokane River (Spokane County):

From SR 25 Bridge upstream to the upstream boundary at Plese Flats Day Use Area (Riverside State Park), except Long Lake, formed by Long Lake Dam (see also Long Lake): Year-round season except walleye. Trout: Daily limit five, no more than two over twenty inches in length. Walleye: Daily limit ~~((five))~~ eight, no minimum length, no more than one over ~~((eighteen))~~ twenty-two inches in length. April 1 through May 31 release all walleye. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon. Small mouth bass: Small mouth bass do not count as part of the bass daily limit. Small mouth bass 12 to 17 inches in length may be retained. No minimum size. Daily limit 10 bass, no more than one bass greater than 14 inches in length may be retained.

From the upstream boundary at Plese Flats Day Use Area (Riverside State Park) upstream to the Monroe Street Dam: Year-round season. Selective gear rules. Trout: Daily limit one. Release wild trout. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon.

From Monroe Street Dam upstream to Upriver Dam: Year-round season. Salmon: Landlocked salmon rules apply.

From Upriver Dam upstream to the Idaho/Washington state line: June 1 through March 15 season. Selective gear rules, except fishing from a floating device equipped with an internal combustion motor permitted. All species: Release all fish.

Sprague Lake (Adams/Lincoln counties):

Waters south of the lakeside edge of the reeds and waters of Cow Creek south to Danekas Road: July 1 through September 15 season. Crappie: Daily limit ten, minimum length nine inches. Walleye: Minimum size 12 inches in length. Daily limit 8 walleye, not more than 1 of which may be greater than 22 inches in length.

Spring Creek (Klickitat County): Trout: Daily limit five.

Spring Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Spring Lakes (Grant County): March 1 through July 31 season.

Squalicum Lake (Whatcom County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two.

Stan Coffin Lake (Grant County): Bass: Release all bass.

Starvation Lake (Stevens County): Last Saturday in April through May 31 season. Additional June 1 through October 31 season. Selective gear rules. All species: Release all fish.

Steel Lake (King County): Last Saturday in April through October 31 season.

Stehekin River (Chelan County), from the mouth to Agnes Creek: July 1 through October 31 season. Selective gear rules. Trout: Minimum length fifteen inches. Release cutthroat. Additional March 1 through June 30 season. Selective gear rules. All species: Release all fish.

Stettall Creek (Whatcom County), from its mouth to mouth of Bucket Creek (one and one-half miles upstream): Closed waters.

Stevens Creek (Grays Harbor County), mouth to Highway 101 Bridge: June 1 through September 30 and December 1 through last day in February season. Trout: Minimum length fourteen inches.

Stevens, Lake (Snohomish County): Chumming permitted. Kokanee: Kokanee not included in trout daily limit. Kokanee daily limit ten fish.

Stevens Lake (Mason County): Last Saturday in April through October 31 season.

Stickney Lake (Snohomish County): Last Saturday in April through October 31 season.

Stillaguamish River (Snohomish County):

From mouth to Marine Drive, including all sloughs: Year-round season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1

through December 31. Daily limit 2 salmon. Release chinook and pink salmon.

From Marine Drive to the forks, except from the barrier dam (downstream of I-5) downstream two hundred feet which is closed waters: June 1 through last day in February season. Night closure August 1 through November 30. Selective gear rules June 1 through November 30 except fishing from a floating device equipped with an internal combustion motor allowed. Game fish: June 1 through November 30 release all fish except up to two hatchery steelhead per day may be retained. Trout: Minimum length fourteen inches December 1 through last day in February. Salmon: Open only September 1 through December 31. Daily limit 2 salmon. Release chinook and pink salmon.

Stillaguamish River, North Fork (Snohomish County), from mouth to Swede Heaven Bridge: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Fishing from any floating device prohibited upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge). Fishing from any floating device equipped with a motor prohibited downstream from the Highway 530 Bridge. June 1 through November 30: All species: Release all fish except hatchery steelhead. June 1 through November 30 fly fishing only. December 1 through last day in February: Trout: Minimum length fourteen inches.

Stillaguamish River, South Fork (Snohomish County):

From mouth to four hundred feet downstream of the outlet to fishway at Granite Falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From four hundred feet below the outlet of the end of the fishway to Mt. Loop Highway bridge above Granite Falls: Closed waters.

From Mt. Loop Highway Bridge above Granite Falls to source: June 1 through November 30 season. Nonbuoyant lure restriction and night closure August 1 through November 30.

Storm Lake (Snohomish County): Last Saturday in April through October 31 season.

Stratford/Brook Lake (Grant County): February 1 through September 30 season.

Stump Lake (Mason County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Suittle River (Skagit County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sullivan Creek (Pend Oreille County), from Mill Pond upstream and tributaries: Selective gear rules. Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Sullivan Lake (Pend Oreille County): Trout: Daily limit 2 trout, except kokanee not counted in daily trout limit. Kokanee daily limit ten.

Sultan River (Snohomish County), from its mouth to a point four hundred feet downstream from the diversion dam at river mile 9.7: June 1 through last day in February season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sultan River, North and South Forks (Snohomish County): Closed waters.

Summit Lake (Stevens County): Last Saturday in April through October 31 season.

Summit Lake (Thurston County): Last Saturday in April through October 31 season.

Sunday Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Sutherland Lake (Clallam County): Chumming permitted.

Swale Creek (Klickitat County): Trout: Release all trout.

Swamp Creek (tributary to Sammamish River) (Snohomish/King counties): ~~((Closed waters.))~~ June 1 through August 31 season. Juveniles only.

Swan Lake (Ferry County): Last Saturday in April through October 31 season.

Swan's Mill Pond (Stossel Creek) (King County): June 1 through October 31 season.

Swauk Creek (Kittitas County): Selective gear rules.

Swift Reservoir (Skamania County): Last Saturday in April through October 31 season. From posted markers below Eagle Cliff Bridge to Bridge: Selective gear rules except fishing from a floating device equipped with an internal combustion motor allowed. Salmon: Landlocked salmon rules apply.

Swofford Pond (Lewis County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Tacoma Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Tahuya River (Mason County): Selective gear rules and release all fish except salmon. Salmon: Open only September 16 through October 31 mouth to marker one mile above North Shore Road Bridge. Daily limit 2 coho salmon.

Taneum Creek (Kittitas County): Selective gear rules.

Tanwax Lake (Pierce County): Last Saturday in April through October 31 season. Crappie: Daily limit ten, minimum length nine inches.

Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within four hundred feet of the screen at Dingle Basin: Year-round season.

Tarboo Lake (Jefferson County): Last Saturday in April through November 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Salmon: Landlocked salmon rules apply.

Tate Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Taylor River (tributary to the Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Teal Lakes (North and South) (Grant County): April 1 through September 30 season.

Teal Lake (Jefferson County): Last Saturday in April to August 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Additional September 1 through March 30 season. Selective gear rules. All species: Release all fish.

Teaway River, including North Fork (Kittitas County): Selective gear rules.

Tenas Lake (Mason County): Last Saturday in April through October 31 season.

Tennant Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15.

Terrell, Lake (Whatcom County): Fishing from any floating device prohibited the first Saturday after Labor Day through the following Friday and from October 1 through January 31 except fishing from floating dock permitted.

Thomas Lake (Stevens County): Last Saturday in April through October 31 season.

Thornton Creek (tributary to Lake Washington) (King County): ~~((Closed waters.))~~ June 1 through August 31 season. Juveniles only.

Thread Lake (Adams County): April 1 through September 30 season.

Tibbetts Creek (tributary to Lake Sammamish) (King County): ~~((Closed waters.))~~ June 1 through August 31 season. Juveniles only.

Tieton River (Yakima County): Lawful to fish to base of Tieton (Rimrock) Dam. Additional December 1 through March 31 season: Whitefish gear rules apply.

Tieton River, North Fork (Yakima County), upstream from Rimrock Lake: Closed waters: Spillway channel. June 1 through August 15 season.

Tieton River, South Fork (Yakima County): From mouth to bridge on USFS Rd. 1070 (approximately 12.5 miles): Closed waters.

Tiger Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Tilton River (Lewis County), from mouth to West Fork: June 1 through March 31 season. Trout: Daily limit five, no more than one over twelve inches in length. Release cutthroat. Release rainbow trout except rainbow trout having a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Open only June 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult fish. Release wild coho.

Tilton River, East, North, South and West Forks (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Toad Lake (Whatcom County): Last Saturday in April through October 31 season.

Tokul Creek (King County):

From mouth to the Fish Hatchery Road Bridge: December 1 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. Nonbuoyant lure restriction. Trout: Minimum length fourteen inches.

From Fish Hatchery Road Bridge to posted cable boundary marker located approximately ~~((seven))~~ four hundred feet ~~((upstream))~~ downstream of the ~~((mouth))~~ hatchery intake: January 15 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. Nonbuoyant lure restriction. Trout: Minimum length 14 inches.

From the posted cable boundary marker located approximately ~~((seven))~~ four hundred feet ~~((upstream))~~ downstream of the ~~((mouth))~~ hatchery intake to the railroad trestle: Closed waters.

Tolt River (King County):

From mouth to the USGS trolley cable near the confluence of the North and South Forks: June 1 through last day in February season. June 1 through November 30, selective gear rules. Trout: Minimum length fourteen inches.

From the USGS trolley cable to the falls in Sec. 21, Twp 26N., R 8 E. on the North Fork, and to the dam on the South Fork: Closed waters.

From falls upstream on North Fork: Selective gear rules. All species: Release all fish.

From dam upstream on South Fork: Selective gear rules. Trout: Minimum length ten inches.

Touchet River (Columbia/Walla Walla counties):

Bass: Bass 12 to 17 inches in length may be retained. Up to but not more than 3 greater than 15 inches may be retained as part of the daily limit.

From confluence of north and south forks upstream, including Robinson and Wolf Forks: Selective gear rules. Bass: Statewide rules apply. Trout: Release all steelhead. Tributaries other than North Fork, South Fork, Robinson Fork, and Wolf Fork: Closed waters.

North Fork: Upstream of Spangler Creek June 1 through August 31 season.

South Fork: Upstream from Griffin Creek June 1 through August 31 season.

Wolf Fork: Upstream from Coates Creek June 1 through August 31 season.

From mouth to confluence of north and south forks: Additional season: November 1 through April 15. Barbless

hooks required. All species: Release all fish except hatchery steelhead and brown trout. Trout: Daily limit three fish.

Toutle River (Cowlitz County):

From mouth to forks, and North Fork from the mouth to the posted deadline below the fish collection facility: June 1 through November 30 season. Nonbuoyant lure restriction and night closure September 1 through October 15 on North Fork from confluence with South Fork to mouth of Green River. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release all chinook October 1 through November 30 in North Fork upstream from Kidd Valley Bridge.

From the posted deadline below the fish collection facility upstream to the headwaters, including all tributaries, but excepting Castle and Coldwater Lakes: Closed waters.

Toutle River, South Fork (Cowlitz County), mouth to source: Closed waters: All tributaries. June 1 through November 30 season. All species: Release all fish except hatchery steelhead. Trout: Minimum length twenty inches. Mouth to 4100 Road Bridge: Additional December 1 through March 31 season. Selective gear rules. All species: Release all fish except hatchery steelhead.

Trapper Lake (Chelan County): Trout: Daily limit two.

Trout Creek (tributary to Wind River) (Skamania County): Closed waters.

Trout Lake (Ferry County): Last Saturday in April through October 31 season.

Trout Lake (tributary to Big White Salmon River) (Klickitat County): June 1 through October 31 season.

Tucannon River (Columbia/Walla Walla counties): Closed waters: All tributaries.

From the mouth upstream to Turner Road Bridge: Additional November 1 through April 15 season. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Turner Road Bridge upstream to the Tucannon Hatchery Bridge: Selective gear rules June 1 through October 31. Additional season November 1 through April 15. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Tucannon Hatchery Bridge upstream to 500 feet above the Rainbow Lake intake: Closed waters.

From 500 feet above the Rainbow Lake intake to the Cow Camp Bridge: Selective gear rules. Release steelhead.

From Cow Camp Bridge upstream: Closed waters.

Tucquala Lake (Kittitas County): June 1 through October 31 season.

Tunnel Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Twin Lake (Jefferson County): Last Saturday in April through October 31 season.

Twin Lakes (Chelan County) and tributaries and outlet stream to junction with the Napeequa River: Closed waters.

Twisp River (Okanogan County), from mouth to War Creek: June 1 through August 15 season. Selective gear rules. All species: Release all fish. War Creek to South Fork Twisp River: Closed waters.

Tye River (King County): Foss River to Alpine Falls June 1 through October 31 season: Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through last day in February season. Release all fish other than whitefish. From Alpine falls upstream: Trout: Minimum size ten inches.

U Lake (Mason County): Last Saturday in April through October 31 season.

Umtanum Creek (Kittitas County): Selective gear rules.

Uncle John Creek (Mason County): Closed waters.

Union Creek (Yakima County): From mouth upstream to falls (approximately 1/4 mile): Closed waters.

Union River (Mason County): Mouth to North Shore Road Bridge. All species: Release all fish except sturgeon.

From North Shore Road Bridge to lower bridge on Old Belfair Highway: June 1 through August 15 season. Selective gear rules. All species: Release all fish except sturgeon.

From lower bridge on Old Belfair Highway upstream to watershed boundary: Selective gear rules. All species: Release all fish except sturgeon.

From watershed boundary to source, including all tributaries: Closed waters.

Upper Wheeler Reservoir (Chelan County): Closed waters.

Valley Creek (Clallam County): Juveniles only.

Vance Creek (Mason County): Trout: Minimum length fourteen inches.

Vance Creek/Elma Ponds (Grays Harbor County): Pond One: Last Saturday in April through November 30 season. Juveniles, holders of a senior license and holders of a department disability license only. Salmon: Landlocked salmon rules apply. Pond Two: Last Saturday in April through November 30 season. Salmon: Landlocked salmon rules apply.

Vancouver Lake and all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County): Closed waters: April 1 through May 30 the Vancouver Lake flushing channel is closed and it is closed to fishing from the lake shoreline within 400 feet east and west of the channel exit. Chumming permitted. Trout: Daily limit two, minimum length twelve inches. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Vanes Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Van Winkle Creek (Grays Harbor County): Mouth to 400 feet below outlet of Lake Aberdeen Hatchery: Game fish:

Minimum length 14 inches. Salmon: Open only September 1 through January 31. Daily limit 6 fish of which not more than 2 may be adult fish. Release chum, adult chinook and wild adult coho.

Vic Meyers (Rainbow) Lake (Grant County): Last Saturday in April through September 30 season.

Vogler Lake (Skagit County): Last Saturday in April through October 31 season. Fly fishing only. All species: Release all fish.

Voight Creek (Pierce County): From mouth to Highway 162 Bridge: Closed waters.

Wagners Lake (Snohomish County): Last Saturday in April through October 31 season.

Wahkiacus Creek (Klickitat County): Trout: Release all trout.

Waitts Lake (Stevens County): Last Saturday in April through last day in February season.

Walker Lake (King County): Last Saturday in April through October 31 season.

Wallace River (Snohomish County):

From its mouth to 200 feet upstream of the water intake of the salmon hatchery: June 1 through last day in February season. Closed waters: From the first Burlington-Northern Railroad bridge (below Highway 2) to a point two hundred feet upstream of the water intake of the salmon hatchery during the period June 1 through August 31. Fishing from any floating device prohibited November 1 through last day in February. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through November 30. Daily limit 2 coho.

From 200 feet upstream of the water intake of the salmon hatchery to mouth of Olney Creek: November 1 through last day in February season. Fishing from any floating device prohibited. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Walla Walla River (Walla Walla County):

From mouth to the Touchet River: Year-round season. Trout: Barbless hooks required when fishing for steelhead. Trout: Release trout April 1 through May 31. Daily limit three hatchery steelhead. Bass: No minimum or maximum size. No more than three fish over fifteen inches in length may be retained.

From the Touchet River upstream to state line: Trout: All tributaries except Mill Creek, maximum length twenty inches. Bass: No minimum or maximum size. No more than three fish over fifteen inches in length may be retained. Additional season November 1 through April 15. All species: Barbless hooks required and release all fish except hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Walupt Lake (Lewis County): Closed waters: All inlet streams. Last Saturday in April through October 31 season.

Selective gear rules except fishing from a floating device equipped with an internal combustion motor allowed. Trout: Minimum length ten inches.

Wannacut Lake (Okanogan County): Last Saturday in April through October 31 season.

Wapato Lake (Chelan County): Last Saturday in April through October 31 season. Trout: Release all trout. From August 1 through October 31: Selective gear rules except fishing from a device equipped with an internal combustion motor permitted.

Wapato Lake (Pierce County): Juveniles only.

Ward Lake (Ferry County): Last Saturday in April through October 31 season.

Ward Lake (Thurston County): Last Saturday in April through October 31 season.

Warden Lake and Warden Lake, South (Grant County): Last Saturday in April through September 30 season.

Washburn Island Pond (Okanogan County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Washburn Lake (Okanogan County): Last Saturday in April through October 31 season. Trout: Daily limit two.

Washington, Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream (King County): Fishing from floating device prohibited one hundred yards either side of the floating bridges. Chumming permitted. Trout: December 1 through last day in February, daily limit 5, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit 5, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. Salmon: Open only September 16 through October 31 north of Highway 520 Bridge and east of Montlake Bridge. Daily limit two coho salmon.

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): West of Fremont Bridge: Fishing from floating device prohibited. East of Fremont Bridge: Chumming permitted.

From west boundary to a north-south line 400 feet east of the eastern end of the northern wing wall of Chittenden Locks: Closed waters.

From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary: Open year-round. Trout: December 1 through last day in February daily limit five, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit five, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. July 1 through November 30, daily limit five, no minimum length. Kokanee/sockeye less than fifteen inches in

length are kokanee and fifteen inches and over in length are sockeye salmon.

~~((Washington Lake, tributaries (King County) except the Cedar River and that portion of the Sammamish River downstream from the 68th Street Bridge: June 1 through August 31 season. Juveniles only.))~~

Washougal River (Clark County): Night closure year-round.

From mouth to bridge at Salmon Falls: June 1 through March 15 season. Nonbuoyant lure restriction and stationary gear restriction July 1 through October 31. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained. Salmon: Open only August 1 through March 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. ~~((Release hatchery coho October 16 through December 31.))~~ Upstream of Little Washougal River, release chinook October 1 through November 30.

From mouth to Mt. Norway Bridge: Additional March 16 through May 31 season. Selective gear rules. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

From bridge at Salmon Falls to its source, including tributaries: Closed waters.

Washougal River, West (North) Fork (Clark/Skamania counties):

From mouth to the water intake at the department hatchery: Closed waters.

From intake at department hatchery to source: June 1 through March 15 season. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

Watson Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Waughop Lake (Pierce County): Salmon: Landlocked salmon rules apply.

Wenas Lake (Yakima County): Trout: Daily limit five, of which not more than two may be brown trout.

Wenaha River tributaries within Washington: June 1 through August 31 season.

Wenatchee Lake (Chelan County): Selective gear rules except fishing from a floating device equipped with an internal combustion motor allowed. Trout except kokanee: Daily limit two, minimum length twelve inches. Release kokanee. Kokanee/sockeye under sixteen inches will be considered kokanee while those sixteen inches and over will be considered sockeye salmon.

Wenatchee River, including Lake Jolanda (Chelan County):

December 1 through March 31 season, from mouth to Highway 2 Bridge at Leavenworth only. Whitefish gear rules apply.

West Evans Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

West Twin River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Whatcom Creek (Whatcom County):

From mouth to stone bridge at Whatcom Falls Park: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through December 31. Closed waters: Woburn Street Bridge upstream to the stone bridge. Trout: Minimum length fourteen inches. Salmon: Open only August 1 through December 31 from mouth to markers below Dupont Street. Daily limit 6 fish of which not more than 2 may be adult salmon.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Last Saturday in April through October 31 season. Juveniles only. Nonbuoyant lure restriction and night closure August 1 through October 31. Trout: No minimum length.

Whatcom, Lake (Whatcom County): Last Saturday in April through October 31 season, except those waters between the Electric Avenue Bridge and the outlet dam are closed waters: Trout: Release cutthroat trout.

Whatcom, Lake, tributaries (Whatcom County): Closed waters.

Wheeler Creek (Klickitat County): Trout: Release all trout.

White River (Chelan County), from mouth upstream to White River Falls: Closed waters.

White (Stuck) River (Pierce County):

From mouth to R Street Bridge in Auburn: October 1 through last day in February season: Nonbuoyant lure restriction and night closure October 1 through November 30. Trout: Minimum length fourteen inches.

From R Street Bridge to Highway 410 Bridge at Buckley: October 1 through October 31 season. Closed waters: Puget Power canal, including the screen bypass channel, above the screen at Dingle Basin. Nonbuoyant lure restriction and night closure. Trout: 14 inch minimum size.

From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) to its source: July 1 through October 31 season. Nonbuoyant lure restriction and night closure October 1 through October 31. Selective gear rules July 1 through October 31. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through January 31 season. Whitefish gear rules apply.

Whitechuck River (Snohomish County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

White Salmon River (Klickitat/Skamania counties):

From mouth to powerhouse: Open year-round. Bank fishing only downstream from the Highway 14 Bridge. August 1 through December 31: Nonbuoyant lure restriction. Trout: Minimum length fourteen inches. Salmon and steelhead: Open April 1 through June 30, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead. Release wild coho and wild chinook. Salmon: Open July 1 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho. October 1 through Decem-

ber 31 release chinook upstream from posted markers upstream of Highway 14 Bridge.

From powerhouse to within four hundred feet of Northwestern Dam: November 16 to April 30 season except salmon and steelhead. Trout: Minimum length fourteen inches. Release trout April 1 through April 30. Salmon: Open November 16 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho. November 16 through December 31 release chinook. Salmon and steelhead: Open April 1 through June ((15)) 30, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead. Release wild coho and wild chinook.

From gas pipeline crossing above Northwestern Lake to Gilmer Creek: Selective gear rules. Trout: Minimum length twelve inches.

Wide Hollow Creek (Yakima County): Trout: Daily limit five, no minimum length.

Widgeon Lake (Grant County): April 1 through September 30 season.

Wildberry Lake (Mason County): Last Saturday in April through October 31 season.

Wildcat Lake (Kitsap County): Last Saturday in April through October 31 season.

Wilderness Lake (King County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Willame Lake (Lewis County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length fifteen inches.

Willapa River (Pacific County): Mouth to Highway 6 Bridge: June 1 through March 31 season. All game fish: Release all game fish except that up to two hatchery steelhead may be retained per day. All species: August 16 through November 30 night closure, single point barbless hooks and stationary gear restriction. Fishing from a floating device prohibited November 1 through March 31 from the bridge on Willapa Road to Fork Creek. Highway 6 Bridge to Fork Creek: June 1 through July 15 and October 16 through March 31 season. Night closure, single point barbless hooks, and stationary gear restriction October 16 through November 30 ((mouth to Fork Creek)). November 1 through March 31 fishing from any floating device prohibited from the bridge on Willapa Road to Fork Creek.

All game fish: Release all fish except that up to two hatchery steelhead may be retained. Salmon: Open only August 1 through January 31 from mouth to Highway 6 Bridge approximately 2 miles below mouth of Trap Creek and open October 16 through January 31 from Highway 6 Bridge to Fork Creek. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than one may be a wild adult coho and not more than two may be adult chinook and not more than two may be chum.

Sturgeon: Open ((October 16 through July 15)) year round from mouth to Highway 6 Bridge.

Upstream from Fork Creek: Selective gear rules. August 16 through October 31, nonbuoyant lure restriction and night closure. All species: Release all fish except up to two hatchery steelhead per day may be retained.

South Fork: June 1 through last day in February season. Selective gear rules June 1 through October 31. Nonbuoyant lure restriction and night closure August 16 through November 30. All species: Release all fish except up to two hatchery steelhead may be retained.

Williams Creek (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Williams Lake (Spokane County): Last Saturday in April through September 30 season.

Williams Lake (Stevens County): December 1 through March 31 season.

Wilson Creek (two branches within Ellensburg city limits) (Kittitas County): Open year-round. Juveniles only. Trout: Daily limit five, no minimum length.

Winchester Wasteway (Grant County): Within Winchester Game Reserve: February 1 through September 30 season.

Wind River (Skamania County):

Mouth to four hundred feet below Shipherd Falls: July 1 through March 15 season, except salmon and steelhead. May 1 through June 30: Nonbuoyant lure restriction and night closure. August 1 through October 31: Nonbuoyant lure restriction. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained. Salmon and steelhead: Open March 16 through June 30 daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead. Release wild coho and wild chinook. Trout: Minimum length fourteen inches. Salmon: Open August 1 through October 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho. Release chinook from Burlington-Northern Railroad Bridge upstream.

From four hundred feet below to one hundred feet above Shipherd Falls fish ladder: Closed waters.

From one hundred feet above Shipherd Falls to source, including all tributaries: May 1 through June 30 season. Closed waters: From 400 feet below to 100 feet above the Coffey Dam and from a boundary marker approximately 800 yards downstream from Carson National Fish Hatchery upstream, including all tributaries. Night closure and nonbuoyant lure restriction. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained. Salmon and steelhead: Daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead. Additional season September 16 through November 30. Selective gear rules. All species: Release all fish.

Winston Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Wishkah River (Grays Harbor County), including all forks: Closed waters: Mainstem from four hundred feet below out-

let of dam at Wishkah Rearing Ponds (formerly Mayr Bros.) to dam. Trout: Minimum length fourteen inches. Release wild cutthroat. Mouth to West Fork: June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Selective gear and all species: Release all fish except up to two hatchery steelhead may be retained per day, March 1 through March 31. Salmon: Open only October 1 through December 31 from mouth to 200 feet below the weir at the Long Live the Kings/Mayr Brothers facility. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

From the West Fork to four hundred feet below outlet: June 1 through March 31 season. Trout: Minimum length fourteen inches.

Wolf Creek, mouth to mouth of south fork (Okanogan County): Closed waters.

Wood Lake (Mason County): Last Saturday in April through October 31 season.

Woodland Creek (Thurston County): Trout: Minimum length fourteen inches.

Wooten Lake (Mason County): Last Saturday in April through October 31 season.

Wye Lake (Kitsap County): Last Saturday in April through October 31 season.

Wynoochee River (Grays Harbor County): Trout: Minimum length fourteen inches. Mouth to 7400 line bridge above mouth of Schafer Creek: June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Salmon: Open only October 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon, except daily limit may contain no more than 1 wild adult coho December 1 through January 31. Release adult chinook.

7400 line bridge upstream: Additional December 1 through March 31 season. Selective gear rules. Fishing from a floating device prohibited. All species: Release all fish except up to two hatchery steelhead may be retained.

Wynoochee Reservoir (Grays Harbor County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches. Salmon: Landlocked salmon rules apply.

Yakima River (Yakima County): Release all steelhead in mainstem and tributaries. Channel catfish: No daily limit.

From mouth to 400 feet below Prosser Dam: Chumming permitted. Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. Nonbuoyant lure restriction and night closure.

From mouth to Highway 223 Bridge: Bass: Bass 12 to 17 inches in length may be retained. No daily limit for bass, but not more than 3 bass greater than 15 inches in length may be retained.

From Highway 223 Bridge to 400 feet below Sunnyside Dam: Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. Nonbuoyant lure restriction and night closure.

From mouth to thirty-five hundred feet below Roza Dam: Year-round season. Closed waters: From Yakima Avenue-Terrace Heights Bridge upstream 400 feet. March 1 through November 30, closed from thirty-five hundred feet below Roza Dam to Roza Dam. Trout: Minimum length twelve inches and maximum length twenty inches. Release all trout April 1 through May 31. Thirty-five hundred feet below Roza Dam to four hundred feet below Roza Dam: December 1 through last day in February season. Whitefish gear rules apply.

From Roza Dam to four hundred feet below Easton Dam and from Lake Easton to the base of Keechelus Dam: Year-round season. Fishing from floating devices equipped with motors allowed only from the U.S. Bureau of Reclamation restricted area signs at Roza Dam upstream to the boat launch ramp on the Roza Access Area (approximately one-half mile). Selective gear rules except bait and one single point barbed hook three-sixteenths or smaller point to shank may be used December 1 through last day in February. Trout: From Roza Dam to 400 feet below Easton Dam: Release all trout. Lake Easton to the base of Keechelus Dam. Release all trout except eastern brook trout. Eastern brook trout: No daily limit and no minimum size.

Yakima Sportsmen's Park Ponds (Yakima County): Juveniles only.

Yale Reservoir (Cowlitz County): Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Yellowjacket Creek (tributary to Cispus River) (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Yellowjacket Ponds (Lewis County): Last Saturday in April through last day in February season. Trout: No more than one over twelve inches in length.

Yokum Lake (Pend Oreille County): Last Saturday in April through October 31 season.

AMENDATORY SECTION (Amending Order 05-168, filed 8/3/05, effective 9/3/05)

WAC 232-28-620 Coastal salmon—Saltwater seasons and daily limits. It shall be unlawful to take, fish for or possess salmon taken by angling for personal use except from the following coastal areas, during the seasons, in the quantities, for the sizes provided in WAC 220-56-180, and for the species designated in this section. Open when a daily limit is provided:

(1) Catch Record Card Area 1:

(a) May 1 through July 2 - Closed.

(b) July 3 through September 30 - Open Sundays through Thursdays only - Daily limit of 2 salmon, of which not more than one may be a chinook salmon. Release wild coho.

(c) October 1 through April 30 - Closed.

(d) Closed in the Columbia River Mouth Control Zone 1 during all open periods, see WAC 220-56-195.

(2) Catch Record Card Area 2 and Catch Record Card Area 2-2 west of the Buoy 13 line:

(a) May 1 through ~~((June 25))~~ July 2 - Closed.

(b) Area 2 (~~((June 26))~~ July 3 through September ~~((+8))~~ 17 except closed to salmon fishing August 1 through September ~~((+8))~~ 17 in the Grays Harbor Control Zone described in WAC 220-56-195(11) and Area 2-2 west of the Buoy 13 (~~((June 26 through July 31))~~ line - Open Sundays through Thursdays only. Daily limit 2 salmon, of which not more than one may be a chinook salmon. Release wild coho.

(c) Area 2 September ~~((+9))~~ 18 through April 30 and Area 2-2 west of Buoy 13 (~~((August 1))~~ September 18 through April 30 - Closed.

(3) Grays Harbor (Catch Record Card Area 2-2 east of the Buoy 13 line):

(a) May 1 through September 15 - Closed.

(b) September 16 through November 30 - Daily limit of 2 salmon. Release chinook salmon September 16 through September 30 and October 16 through November 30. October 1 through October 15 the daily limit may contain no more than one chinook.

(c) December 1 through April 30 - Closed.

(d) Notwithstanding the provisions of this subsection, Westport Boat Basin and Ocean Shores Boat Basin: Open only August 16 through January 31 - Daily limit of six salmon not more than four of which may be adult salmon.

(4) Willapa Bay (Catch Record Card Area 2-1):

(a) May 1 through ~~((June 25))~~ July 2 - Closed.

(b) ~~((June 26))~~ July 3 through ~~((August 15))~~ July 31 - Open concurrent with Area 2 when Area 2 is open for salmon angling. Area 2 rules apply.

(c) August ~~((+6))~~ 1 through ~~((January 31))~~ August 15 - Daily limit of six salmon, not more than two of which may be adult salmon.

(d) August 16 through January 31 - Daily limit 6 salmon, not more than 3 of which may be adult salmon, and of the adult salmon not more than 2 may be chinook.

(e) February 1 through April 30 - Closed.

(5) Catch Record Card Area 3:

(a) May 1 through June ~~((30))~~ 29 - Closed.

(b) ~~((July 1))~~ June 30 through September ~~((+8))~~ 17 - Open Tuesday through Saturday only. Daily limit of 2 salmon, of which not more than one may be a chinook salmon. Release wild coho.

(c) September ~~((+9))~~ 18 through April 30 - Closed.

(d) Notwithstanding the provisions of this subsection, waters north of 47°50'00"N latitude and south of 48°00'00"N latitude open September ~~((24))~~ 23 through October ~~((9))~~ 8 - Daily limit two salmon, of which not more than one may be a chinook salmon. Release wild coho.

(6) Catch Record Card Area 4:

(a) May 1 through June ~~((30))~~ 29 - Closed.

(b) ~~((July 1))~~ June 30 through September ~~((+8))~~ 17 - Open Tuesdays through Saturdays only. Daily limit of 2 salmon, of which not more than one may be a chinook salmon. Release wild coho salmon. Waters east of a true north-south line through Sail Rock closed July 1 through July 31. Release chinook salmon caught east of the Bonilla-Tatoosh line August 1 through September ~~((+8))~~ 17. Release chum salmon August 1 through September ~~((+8))~~ 17.

(c) September ~~((+9))~~ 18 through April 30 - Closed.

AMENDATORY SECTION (Amending Order 05-168, filed 8/3/05, effective 9/3/05)

WAC 232-28-621 Puget Sound salmon—Saltwater seasons and daily limits. It is unlawful to fish for or possess salmon taken by angling for personal use except from the following Puget Sound areas, during the seasons, in the quantities, and for the species designated in this section and sizes as defined in WAC 220-56-180. Open when a daily limit is provided. Puget Sound waters west of the mouth of the Sekiu River are managed concurrent with ocean waters as provided for in WAC 232-28-620.

(1) Catch Record Card Area 5:

(a) May 1 through June 30 - Closed.

(b) July 1 through August ~~((10))~~ 31 - Daily limit ~~((4))~~ 2 salmon ~~((not more than 2 of which may be salmon other than pink salmon))~~. Release chum, wild chinook and wild coho.

(c) ~~((August 11))~~ September 1 through September 30 - Daily limit of ~~((4))~~ 2 salmon ~~((not more than 2 of which may be salmon other than pink salmon))~~. Release chum, chinook and wild coho.

(d) October 1 through October 31 - Closed.

(e) November 1 through November 30 - Daily limit of 2 salmon, not more than one of which may be a chinook salmon.

(f) December 1 through February 15 - Closed.

(g) February 16 through April 10 - Daily limit 1 salmon.

(h) April 11 through April 30 - Closed.

(2) Catch Record Card Area 6:

(a) May 1 through June 30 - Closed.

(b) July 1 through August ~~((10))~~ 31 - Daily limit ~~((4))~~ 2 salmon ~~((not more than 2 of which may be salmon other than pink salmon))~~. Release chum, wild chinook and wild coho. Release all chinook east of a true north-south line through the Number 2 Buoy immediately east of Ediz Hook.

(c) ~~((August 11))~~ September 1 through September 30 - Daily limit of ~~((4))~~ 2 salmon ~~((not more than 2 of which may be salmon other than pink salmon))~~. Release chum, chinook and wild coho.

(d) Waters of Port Angeles Harbor west of a line from the tip of Ediz Hook to the ITT Rayonier Dock are closed July 1 through ~~((August))~~ October 31.

(e) October 1 through October 31 - ~~((Closed))~~ Daily limit of 2 salmon not more than 1 of which may be a chinook salmon, except waters of Dungeness Bay inside a line from Dungeness Spit Lighthouse to the Number 2 Red Buoy then to the Port Williams Boat Ramp are open with a daily limit of 2 coho salmon. Release all other salmon. Waters inside the line described in this subsection are closed at all times except during October.

(f) November 1 through ~~((November 30))~~ Daily limit of 2 salmon, not more than one of which may be a chinook salmon.

~~((g))~~ December 1 through February 15 - Closed.

~~((h))~~ (g) February 16 through April 10 - Daily limit 1 salmon.

~~((i))~~ (h) April 11 through April 30 - Closed.

(3) Catch Record Card Area 7:

(a) May 1 through June 30 - Closed.

(b) July 1 through July 31 - Daily limit of ~~((4))~~ 2 salmon, not more than one of which may be a chinook salmon ~~((and~~

~~not more than two of which may be salmon other than pink salmon))~~. Closed to salmon fishing in the Southern Rosario Strait and Eastern Strait of Juan de Fuca closure area described in WAC 220-56-195(7).

(c) August 1 through September 30 - Daily limit of ~~((4))~~ 2 salmon, not more than one of which may be a chinook salmon ~~((and not more than two of which may be salmon other than pink salmon))~~. Release chum and wild coho. Closed to salmon fishing in the Southern Rosario Strait and Eastern Strait of Juan de Fuca closure area described in WAC 220-56-195(7).

(d) Waters of Bellingham Bay described in WAC 220-56-195(1) closed July 1 through August 15. August 16 through October 31 - Daily limit 4 salmon, not more than 2 of which may be chinook salmon. November 1 through June 30 - Same rules as Area 7.

(e) October 1 through October 31 - Daily limit of 2 salmon, not more than one of which may be a chinook salmon.

(f) Waters of Samish Bay described in WAC 220-56-195(4) closed July 1 through October 15.

(g) November 1 through November 30 - Daily limit 2 salmon. Release chinook salmon.

(h) December 1 through January 31 - Closed.

(i) February 1 through March 31 - Daily limit of 1 salmon.

(j) April 1 through April 30 - Closed.

(4) Catch Record Card Area 8-1:

(a) May 1 through July 31 - Closed.

(b) August 1 through September 30 - Daily limit of ~~((4))~~ 2 salmon ~~((not more than 2 of which may be salmon other than pink salmon))~~. Release chinook.

(c) October 1 through April 30 - Daily limit 2 salmon. Release wild chinook.

(5) Catch Record Card Area 8-2:

(a) May 1 through July 31 - Closed, except 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 - June ~~((3))~~ 2 through June ~~((17))~~ 16 and June ~~((19))~~ 18 through July 31, open only Friday through 11:59 a.m. Monday of each week - Daily limit of 2 salmon.

(b) August 1 through September 30 - Daily limit ~~((4))~~ 2 salmon ~~((of which not more than 2 may be salmon other than pink salmon))~~ and release chinook, except 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 - August 1 through September ~~((27))~~ 25, open only Friday through 11:59 a.m. Monday of each week - Daily limit of 2 salmon ~~((and except waters of Port Susan described in WAC 220-56-195(10) closed August 1 through August 31 and release pink salmon September 1 through September 30))~~.

(c) October 1 through April 30 - Daily limit 2 salmon. Release wild chinook.

(6) Catch Record Card Area 9:

(a) May 1 through July ~~((31))~~ 15 - Closed.

(b) ~~((August 1))~~ July 16 through September 30 - Daily limit of ~~((4))~~ 2 salmon ~~((of which not more than 2 may be salmon other than pink salmon))~~. Release chum and chinook.

(c) October 1 through October 31 - Daily limit of 2 salmon. Release chinook.

(d) November 1 through November 30 - Daily limit 2 salmon, of which not more than one may be a chinook.

(e) December 1 through January 31 - Closed.

(f) February 1 through April 15 - Daily limit 1 salmon.

(g) April 16 through April 30 - Closed.

(h) Edmonds Fishing Pier: Open year-round - Daily limit 2 salmon, not more than one of which may be a chinook salmon. Release chum August 1 through September 30.

(7) Catch Record Card Area 10:

(a) May 1 through (~~June 15~~) May 31 - Closed.

(b) June (~~16~~) 1 through June 30 - Open only north of a line from Point Monroe to Meadow Point. Catch and release.

(c) July 1 through September 30 - Daily limit (~~(4)~~) 2 salmon (~~(not more than 2 of which may be salmon other than pink salmon)~~). Release chum August 1 through September 15. Release chinook. Waters of Shilshole Bay southeast of a line from Meadow Point to West Point closed July 1 through August 31. Waters of Elliott Bay east of a line from West Point to Alki Point closed July 1 through August (~~(23)~~) 31, except waters east of a line from Pier 91 to Duwamish Head open July (~~(8)~~) 14 through (~~(11:59 a.m.)~~) August (~~(22)~~) 20, and open only on Friday through (~~(Monday)~~) Sunday of each week - Daily limit (~~(4)~~) 2 salmon (~~(not more than 2 of which may be salmon other than pink salmon)~~). Release chum August 1 through August (~~(22)~~) 20.

(d) 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 - Daily limit 2 salmon July 1 through September 30. Release chum August 1 through September 15.

(e) October 1 through October 15 - Daily limit of 2 salmon. Release chinook salmon.

(f) October 16 through November 30 - Daily limit of 2 salmon, not more than one of which may be a chinook salmon.

(g) December 1 through January 31 - Daily limit 1. Waters of Agate Pass west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point (~~(closed)~~) fly fishing only, lead core lines prohibited and catch and release January 1 through January 31.

(h) February 1 through April 30 - Closed.

(i) Elliott Bay Fishing Pier at Terminal 86, Seacrest Pier, Waterman Pier, Bremerton Boardwalk, and Illahee State Park Pier: Open year-round - Daily limit 2 salmon, not more than one of which may be a chinook salmon. Release chum August 1 through September 15.

(j) East Duwamish waterway - Waters between a line projected east along the path of SW Hanford Street and a line projected east from the south tip of Harbor Island - July 1 through October 31 terminal gear restricted to bait suspended above the bottom by a float.

(8) Catch Record Card Area 11:

(a) May 1 through May 31 - Closed.

(b) June 1 through June 30 - Daily limit of 2 salmon. Waters of Commencement Bay east of a line from the Cliff House Restaurant to the Sperry Ocean Dock closed.

(c) July 1 through September 30 - Daily limit of (~~(4)~~) 2 salmon (~~(not more than 2 of which may be salmon other than~~

~~pink salmon)~~). Waters of Commencement Bay east of a line from the Cliff House Restaurant to the Sperry Ocean Dock closed July 1 through August (~~(42)~~) 11.

(d) October 1 through October 31 - Daily limit of 2 salmon.

(e) November 1 through December 31 - Daily limit of 2 salmon, not more than one of which may be a chinook salmon.

(f) January 1 through February 15 - Closed.

(g) February 16 through April 10 - Daily limit of 1 salmon.

(h) April 11 through April 30 - Closed.

(i) Dash Point Dock, Les Davis Pier, Des Moines Pier, Redondo Pier and Point Defiance Boathouse Dock: Open year-round - Daily limit 2 salmon, not more than one of which may be a chinook salmon.

(9) Catch Record Card Area 12:

(a) May 1 through June 30 - Closed.

(b) July 1 through October 15 in waters south of Ayock Point - Daily limit 4 salmon, of which no more than two may be chinook salmon. Release chum.

(c) July 1 through August 31 in waters north of Ayock Point except waters of Quilcene Bay north of a true east line from Whitney Point to the Toandos Peninsula - Closed.

(d) September 1 through October 15 in waters north of Ayock Point and August 16 through October 15 in waters of Quilcene Bay north of a true east line from Whitney Point to the Toandos Peninsula - Daily limit 4 coho salmon. Release all salmon except coho.

(e) October 16 through December 31 - Daily limit 4 salmon, of which no more than one may be a chinook salmon.

(f) January 1 through February 15 - Closed.

(g) February 16 through April 10 - Daily limit 1 salmon.

(h) April 11 through April 30 - Closed.

(i) July 1 through December 31 the Hoodspout Hatchery Zone is managed separately from the remainder of Area 12. See WAC 220-56-124.

(10) Catch Record Card Area 13:

(a) May 1 through (~~(May 31)~~) June 30 - Daily limit 2 salmon. Carr Inlet north of a line from Penrose Point to Green Point - Closed.

(b) (~~(June 1 through June 30 - Closed.~~

~~(e))~~) July 1 through October 31 - Daily limit 2 salmon. Release wild coho. Waters of Carr Inlet north of a line from Penrose Point to Green Point closed July 1 through July 31, except open to fly fishing only for hatchery coho.

(~~(c)~~) (c) Waters at the mouth of Minter Creek within 1,000 feet of the outer oyster stakes are closed July 1 through September 30.

(~~(d)~~) (d) Waters of Budd Inlet south of the Fourth Avenue Bridge are closed. 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 on the western shore are closed July 16 through October 31. Waters north of the Thriftway Market-railroad bridge line and south of a line projected due west from the KGY radio tower - night closure and nonbuoyant lure restriction July 16 through October 31.

~~((f))~~ (e) November 1 through December 31 - Daily limit of 2 salmon, not more than one of which may be a chinook salmon.

~~((g))~~ (f) January 1 through ~~(April 30)~~ January 31 - Daily limit 1 salmon. ~~(Waters of Carr Inlet north of a line from Penrose Point to Green Point closed April 16 through April 30.~~

~~((h))~~ (g) February 1 through last day in February - Closed.

(h) March 1 through April 30 - Daily limit 1 salmon. Waters of Carr Inlet north of a line from Penrose Point to Green Point closed April 16 through April 30.

(i) Fox Island Public Fishing Pier: Open year-round - Daily limit 2 salmon, not more than one of which may be a chinook salmon. Release wild coho July 1 through October 31.

WSR 06-11-174

EXPEDITED RULES

**UTILITIES AND TRANSPORTATION
COMMISSION**

[Commission Docket A-060475—Filed May 24, 2006, 11:06 a.m.]

Title of Rule and Other Identifying Information: The rule making would revise adoption-by-reference dates in Title 480 WAC to incorporate the most recent versions of adopted federal rules and other adopted publications and correct reference, grammatical, and punctuation errors.

Affected WAC chapters include chapters 480-04, 480-14, 480-15, 480-70, 480-73, 480-90, 480-100, 480-120, and 480-121 WAC.

Proposed Adoption by Reference Date Changes and Other Administrative Changes Docket No. A-060475			
Action	WAC No.	Rule Title	Proposed Changes^a
Chapter 480-14 WAC, Motor carriers excluding household goods carriers and common brokers			
Amend	480-14-999	Adoption by reference.	1. Adoption by reference dates changed as follows: <ul style="list-style-type: none"> • North American Standard Out-of-Service Criteria (CVSA^b) April 1, 2006 - No significant change. • Title 49 Code of Federal Regulations, October 1, 2005 - Part 395, see Note 1.
Chapter 480-15 WAC, Household goods carriers			
Amend	480-15-999	Adoption by reference.	1. Adoption by reference dates changed as follows: <ul style="list-style-type: none"> • North American Standard Out-of-Service Criteria April 1, 2006 - No significant change. • Title 49 Code of Federal Regulations October 1, 2005 - Part 395, see Note 1.
Chapter 480-70 WAC, Solid waste collection companies			
Amend	480-70-999	Adoption by reference.	1. Adoption by reference dates changed as follows: <ul style="list-style-type: none"> • North American Standard Out-of-Service Criteria April 1, 2006 - No significant change. • Title 40 Code of Federal Regulations July 1, 2006 - No significant change. • Title 49 Code of Federal Regulations October 1, 2005 - Part 395, see Note 1.
Chapter 480-73 WAC, Hazardous liquid pipeline companies			
Amend	480-73-999	Adoption by reference.	1. Adoption by reference dates changed as follows: <ul style="list-style-type: none"> • Title 18 Code of Federal Regulations April 1, 2006 - No significant change.
Chapter 480-90 WAC, Gas companies—Operations			
Amend	480-90-999	Adoption by reference.	1. Adoption by reference dates changed as follows: <ul style="list-style-type: none"> • Title 18 Code of Federal Regulations April 1, 2006 - No significant change. • NARUC^c, The Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies - as of 1985

			No change to current rule.
Chapter 480-100 WAC, Electric companies			
Amend	480-100-999	Adoption by reference.	<p>1. Adoption by reference dates changed as follows:</p> <ul style="list-style-type: none"> • Title 18 Code of Federal Regulations April 1, 2006 - No significant change. • NARUC, The Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies - as of 1985 No change to current rule. • National Electrical Code^d - as of 2005 See Note 2. • ANSI C12.1, Code for Electricity Metering, 2001 - as of 2001 No change to current rule.
Chapter 480-120 WAC, Telecommunications companies			
Amend	480-120-999	Adoption by reference.	<p>1. Adoption by reference dates changed as follows:</p> <ul style="list-style-type: none"> • American National Standards for Telecommunications - "Network Performance Parameters for Dedicated Digital Services - Specifications" - (ANSI T1.510-1999) - as of December 29, 1999 and reaffirmed 2004 No change to current rule. • The Institute of Electrical and Electronic Engineers (IEEE) Standard Telephone Loop Performance Characteristics as of March 22, 1984 and reaffirmed October 26, 1999 No change to current rule - See Note 3 . • National Electrical Safety Code January 1, 2002 - No change to current rule. • Title 47 Code of Federal Regulations, except Sections 64.2003 through 64.2009 October 1, 1998 - No change to current rule - See Note 4. • Title 47 Code of Federal Regulations, Sections 64.2003 through 64.2009 October 1, 2004 - No significant change.
Chapter 480-121 WAC, Registration, competitive classification and price lists of telecommunications companies			
Amend	480-121-063	Regulatory requirements that may be waived for competitively classified telecommunications companies.	1. Corrected WAC references and numbering in subsection (1).
Chapter 480-04 WAC, Public access to information and records			
Amend	480-04-100	Copying and service charges.	1. Updated reference to administrative policy concerning commission's schedule of charges for copies - See Note 5.

Note

1. 49 C.F.R. Part 395 Federal Motor Carrier Safety Administration: Hours of Service of Drivers. Effective: October 1, 2005 (Docket No. FMCSA-2004-19608).

Rule requires all divers [drivers] of property-carrying commercial motor vehicles (CMVs) in interstate commerce to take at least ten consecutive hours off duty before driving

(change from eight consecutive hours), limits driving time to eleven consecutive hours (change from ten consecutive hours) within a fourteen-hour, nonextendable window after coming on duty, and prohibits driving after the driver has been on duty sixty hours in seven consecutive days, or seventy hours in eight consecutive days. Drivers may restart the sixty- or seventy-hour "clock" by taking thirty-four consecutive hours off duty.

Rule creates a new regulatory regime for drivers of CMVs that do not require a CDL, provided they [they] operate within a one hundred fifty-mile radius [radius] of their work-reporting location. These drivers are not required to keep logbooks, though their employers must keep accurate time records, and the driver must use a sixteen-hour driving window twice a week. Driving time may not exceed the normal eleven hours, but the longer operational window twice a week enables short-haul carriers to meet unusual scheduling demands.

Rule requires CMV drivers using the sleeper berth provision to take at least eight consecutive hours in the sleeper berth, plus two consecutive hours either in the sleeper berth, off duty, or any combination of the two.

2. National Electrical Code - as of 2005.

Major revisions in the 2005 NEC work to improve protection of people and property. Revisions include expanded requirements for ground-fault circuit-interrupters (GFCI) call for wider use of these devices in homes, businesses, and public spaces, new requirements for arc-fault circuit-interrupters (AFCI), first-time Article 409 introduces rules for industrial control panels, first-time Article 506 presents a zone hazardous area classification system for combustible dusts and ignitable fibers and flyings, first-time Article 682 covers natural and artificially made bodies of water not classified as swimming pools or fountains, first-time Article 353 governs installations using HDPE conduit, reorganized electrical calculation requirements in Article 220: Branch Circuit, Feeder and Service Calculations, and new requirements for identification of ungrounded branch circuit and feeder conductors [to] protect electricians and maintenance personnel.

3. *The Institute of Electrical and Electronic Engineers (IEEE) Standard Telephone Loop Performance Characteristics as of March 22, 1984 and reaffirmed September 16, 1992.*

This standard covers the general parameters and characteristics associated with telephone loops from the subscriber signaling and analog voice frequency interface to the local Class 5 switch interface. It includes only those business and residential lines in the North American public switched network where no special performance requirements are involved. This standard provides common denominators for subscriber line performance, independent of facility types, construction processes or equipment, and circuit provisioning methods. IEEE 820-1984 is the latest version for loop performance. There have not been any updates to the "Loop Standards."

4. 47 C.F.R., except Sections 64.2003 through 64.2009, as of October 1, 1998.

At this time, staff will continue using the 1998 FCC Part 32 because it contains the required level of detail that fills our needs. Updated versions of Part 32 do not include some accounts and has combined other accounts. Also, the FCC has opened a rule making regarding accounting rules. Staff would prefer to maintain the current accounting requirements until the FCC's accounting rule changes are solidified, and until the potential effect of changes to intercarrier compensation on accounting needs can be determined, before making changes to the UTC's accounting rules. If the FCC decides to change the accounting rules in a significant way, then the

UTC would be able to carefully analyze how its needs can be met through maintaining the federally-required uniform system of accounts, whatever it might turn out to be, and then can decide what additional accounting requirements it may have.

5. Administrative Policy 5.1c.

In June 2005, all administrative policies were renumbered to be more efficient.

^a Substantive changes highlighted in the notes at the end of this chart are those federal rules and national standards that staff identified as having a substantive impact on industries regulated by the commission. Changes to the adopted material that have gone into effect that staff determined would have a minor impact on the regulated industries and are listed with notation of no significant change. For informational purposes we include other referenced documents in the chart with a notation of no change to current rule, if dates have not changed or if dates have changed but staff chooses to keep current reference.

^b Commercial Vehicle Safety Alliance's North American Standard Out-of-Service Criteria (CVSA).

^c National Association of Regulatory Utility Commissioners (NARUC).

^d National Fire Protection Association (NFPA).

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Executive Secretary, Docket No. A-060475, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, AND RECEIVED BY July 24, 2006.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposal would revise the adoption-by-reference dates to reflect the current version of adopted material and make other minor administrative changes in Title 480 WAC.

Reasons Supporting Proposal: The commission adopts by reference several parts in Titles 18, 40, 47, and 49 of the Code of Federal Regulations and other state rules and national standards. Commission rules need to reflect the most current versions of the adopted material.

Statutory Authority for Adoption: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington utilities and transportation commission, governmental.

Name of Agency Personnel Responsible for Drafting: Sharyn Bate, Regulatory Analyst, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, (360) 664-1295; Implementation and Enforcement: Carole J. Washburn, Executive Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504-7250, (360) 664-1295.

May 24, 2006

C. Robert Wallace
for Carole J. Washburn
Executive Secretary

AMENDATORY SECTION (Amending Docket No. A-050271, General Order No. R-521, filed 10/10/05, effective 11/10/05)

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 branch of the Washington state 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, ((2005)) 2006.

(b) This publication is referenced in WAC 480-14-360 (Equipment—Inspection—Ordered out-of-service for repairs), WAC 480-14-370 (Equipment—Drivers—Safety), and WAC 480-14-390 (Hazardous materials regulations).

(c) The North American Out-of-Service Criteria is a copyrighted document. Copies are available from CVSA in Washington, D.C.

(2) **Title 49 Code of Federal Regulations**, cited as 49 CFR, including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on October 1, ((2004)) 2005.

(b) This publication is referenced in WAC 480-14-040 (Definitions), WAC 480-14-070 (Federal regulations, 49 CFR, Part 390—General applicability and definitions), WAC 480-14-250 (Insurance requirements; cause for suspension or cancellation), ((WAC 480-14-360 (Equipment—Inspection—Ordered out-of-service for repairs),)) WAC 480-14-370 (Equipment—Drivers—Safety), WAC 480-14-380 (Hours of service—On duty—Federal safety regulations), WAC 480-14-390 (Hazardous materials regulations), and WAC 480-14-400 (Transportation of radioactive materials—Driving and parking rules).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <http://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending Docket No. A-050271, General Order No. R-521, filed 10/10/05, effective 11/10/05)

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 branch of the Washington state 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, ((2005)) 2006.

(b) This publication is referenced in WAC 480-15-560 (Equipment safety requirements).

(c) The North American Out-of-Service Criteria is a copyrighted document. Copies are available from CVSA in Washington, D.C.

(2) **Title 49 Code of Federal Regulations**, cited as 49 CFR, including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on October 1, ((2004)) 2005.

(b) This publication is referenced in WAC 480-15-560 (Equipment 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, <http://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending Docket No. A-050271, General Order No. R-521, filed 10/10/05, effective 11/10/05)

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 branch of the Washington state 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, ((2005)) 2006.

(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 in Washington, D.C.

(2) **Title 40 Code of Federal Regulations**, cited as 40 CFR, including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on July 1, ((2005)) 2006.

(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, <http://bookstore.gpo.gov/>, and from various third-party vendors.

(3) **Title 49 Code of Federal Regulations**, cited as 49 CFR, including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on October 1, ((2004)) 2005.

(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, <http://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending Docket No. A-050271, General Order No. R-521, filed 10/10/05, effective 11/10/05)

WAC 480-73-999 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 date, references within this chapter, and availability of the resources are as follows:

(1) **Title 18 Code of Federal Regulations**, cited as 18 CFR, is published by the United States Government Printing Office.

(2) The commission adopts the version in effect on April 1, ((2005)) 2006.

(3) This publication is referenced in WAC 480-73-130 (Accounting system requirements), WAC 480-73-150 (Retaining and preserving records and reports), and WAC 480-73-160 (Annual reports).

(4) Copies of Title 18 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <http://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending Docket No. A-050271, General Order No. R-521, filed 10/10/05, effective 11/10/05)

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 branch of the Washington state 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 CFR, including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on April 1, ((2005)) 2006.

(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 obligation), 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 Online Bookstore, <http://bookstore.gpo.gov/>, and from various third-party vendors.

(2) The **Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies** is published by the National Association of Regulatory Utility Commissioners (NARUC).

(a) The commission adopts the version in effect in 1985.

(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 Companies* is a copyrighted document. Copies are available from NARUC, in Washington, D.C.

AMENDATORY SECTION (Amending Docket No. A-050271, General Order No. R-521, filed 10/10/05, effective 11/10/05)

WAC 480-100-999 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 date, references within this chapter, and availability of the resources are as follows:

(1) **Title 18 Code of Federal Regulations**, cited as 18 CFR, including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on April 1, ((2005)) 2006.

(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 obligation), 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 Online Bookstore, <http://bookstore.gpo.gov/>, and from various third-party vendors.

(2) The **Regulations to Govern the Preservation of Records of Electric, Gas, and Water Companies** is published by the National Association of Regulatory Utility Commissioners (NARUC).

(a) The commission adopts the version in effect in 1985.

(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 Companies* is a copyrighted document. Copies are available from NARUC in Washington, D.C.

(3) The **National Electrical Code** is published by the National Fire Protection Association (NFPA).

(a) The commission adopts the version published in ((2002)) 2005.

(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 in Quincy, Massachusetts.

(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 2001.

(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. Copies are available from Global Engineering Documents in Englewood, Colorado.

AMENDATORY SECTION (Amending Docket No. A-050271, General Order No. R-521, filed 10/10/05, effective 11/10/05)

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 branch of the Washington state 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 - Specifications*" (ANSI T1.510-1999) is published by the American National Standards Institute (ANSI).

(a) The commission adopts the version in effect on December 29, 1999, and reaffirmed 2004.

(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 - 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** (ANSI/IEEE Std 820-1984) is published by the ANSI and the IEEE.

(a) The commission adopts the version in effect on March 22, 1984, and reaffirmed (~~September 16, 1992~~) October 26, 1999.

(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 version in effect on January 1, 2002.

(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 CFR, is published by the United States Government Printing Office, except sections 64.2003 through 64.2009.

(a) The commission adopts the version in effect on October 1, 1998.

(b) This publication is 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).

(c) Copies of Title 47 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <http://bookstore.gpo.gov/>, and from various third-party vendors.

(5) Sections 64.2003 through 64.2009 of **Title 47 of the Code of Federal Regulations**, cited as 47 CFR §§ 64.2003 through 64.2009, are published by the United States Government Printing Office.

(a) The commission adopts the version in effect on October 1, (~~2004~~) 2005.

(b) This publication is referenced in WAC 480-120-202 (Customer Proprietary Network Information).

(c) Copies of Sections 64.2003 through 64.2009 of Title 47 of the Code of Federal Regulations are available from the U.S. Government Online Bookstore, <http://bookstore.gpo.gov/>, and from third-party vendors.

AMENDATORY SECTION (Amending Docket No. A-021178 and TO-030288, General Order No. R-522, filed 8/5/05, effective 9/5/05)

WAC 480-121-063 Regulatory requirements that may be waived for competitively classified telecommunications companies. (1) The following regulatory requirements are waived for competitively classified companies:

(a) RCW 80.04.300 (Budgets to be filed by companies—Supplementary budgets);

(b) RCW 80.04.310 (Commission's control over expenditures);

(c) RCW 80.04.320 (Budget rules);

(d) RCW 80.04.330 (Effect of unauthorized expenditure—Emergencies);

(e) RCW 80.04.360 (Earnings in excess of reasonable rate—Consideration in fixing rates);

(f) RCW 80.04.460 (Investigation of accidents);

(g) RCW 80.04.520 (Approval of lease of utility facilities);

(h) RCW 80.36.100 (Tariff schedules to be filed and open to public);

(i) RCW 80.36.110 (Tariff changes—Statutory notice—Exception);

(j) Chapter 80.08 RCW (Securities) (except RCW 80.08.140, State not obligated);

(k) Chapter 80.12 RCW (Transfers of property);

(l) Chapter 80.16 RCW (Affiliated interests);

(m) WAC 480-80-101 Tariff requirements through WAC 480-80-143 Special contracts for gas, electric, and water companies;

- (n) Chapter 480-140 WAC (Commission general—Budgets);
- (o) Chapter 480-143 WAC (Commission general—Transfers of property);
- (p) WAC 480-120-102 (Service offered);
- (q) WAC 480-120-339 (Streamlined filing requirements for Class B telecommunications company rate increases);
- (r) WAC ~~((480-120-311))~~ 480-120-399 (Access charge and universal service reporting);
- (s) WAC 480-120-344 (Expenditures for political or legislative activities);
- (t) WAC 480-120-352 (Washington Exchange Carrier Association (WECA));
- (u) WAC 480-120-369 (Transferring cash or assuming obligation);
- (v) WAC 480-120-375 (Affiliated interests—Contracts or arrangements);
- (w) ~~((WAC 480-120-395 (Affiliated interest and subsidiary transactions report);~~
- ~~(x)))~~ WAC 480-120-389 (Securities report); and
- ~~((x)))~~ (x) WAC 480-120-395 (Affiliated interest and subsidiary transactions report).

This rule supersedes all waivers of regulatory requirements for competitively classified companies granted by the commission at the time of a company's competitive classification. However, subsequent to the adoption of this rule, the commission may revoke the waiver of any regulatory requirement set forth in (a) through ~~((x)))~~ (x) of this subsection or may waive any regulatory requirement not included in (a) through ~~((x)))~~ (x) of this subsection.

(2) The commission may by order revoke waivers of regulatory requirements if it determines that revocation is necessary to protect the public interest.

(3) In addition, the commission may waive regulatory requirements for telecommunications companies that it has classified as competitive if it determines that competition with the regulatory waiver will serve the same purposes as public interest regulation.

AMENDATORY SECTION (Amending General Order R-510, Docket No. A-010648, filed 11/24/03, effective 1/1/04)

WAC 480-04-100 Copying and service charges. The commission will provide copies of public records upon request.

(1) The commission may charge a published fee for copying public records, if you request copies. The commission may, by order, within the requirements of RCW 42.17-300, establish and change prices and establish the maximum number of various kinds of copies that will be provided without charge.

(2) The commission's schedule of charges for copies, except as provided in WAC 480-07-145 (3)(b), is published in Administrative Policy ~~((1-60e))~~ 5-1c, which is available from the commission's web site or by contacting the commission's records center. Out-of-state customers and governmental agencies are not charged sales tax.

(3) WAC 480-07-145 (3)(b) fixes the charge for copies when a party to an adjudicative proceeding fails to file the

number of copies required to meet the commission's internal distribution needs.

WSR 06-11-175
EXPEDITED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed May 24, 2006, 11:11 a.m.]

Title of Rule and Other Identifying Information: Chapter 180-31 WAC, State assistance in providing school plant facilities—Interdistrict cooperation in financing school plant construction; chapter 180-32 WAC, State assistance in providing school plant facilities—Interdistrict transportation cooperatives; and chapter 180-33 WAC, State assistance in providing school plant facilities—Modernization.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO William T. Panos, Director, School Facilities and Organization, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, AND RECEIVED BY July 24, 2006.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The statutory authority to adopt rules governing state assistance in providing school plant facilities to school districts was transferred from the Washington state board of education (SBE) to the office of superintendent of public instruction (OSPI) by legislation passed during the 2006 legislative session (E2SHB 3098, sections 301 through 335).

The proposed amendatory changes to the WAC chapters referenced above serve only to indicate the transfer of authority from the SBE to the OSPI and will not result in any changes to the existing requirements under the amended chapters or chapters referenced therein.

Reasons Supporting Proposal: E2SHB 3098, Sections 301 - 335.

Statutory Authority for Adoption: RCW 28A.525.020.

Statute Being Implemented: E2SHB 3098, sections 301 - 335.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Superintendent of public instruction, school facilities and organization, governmental.

Name of Agency Personnel Responsible for Drafting: Charles Schreck, Office of Professional Practices, Office of Superintendent of Public Instruction, (360) 725-6130; Implementation: Marty Daybell, General Administration and Operations, Office of Superintendent of Public Instruction,

(360) 725-6002; and Enforcement: William T. Panos, School Facilities and Organization, Office of Superintendent of Public Instruction, (360) 725-6261.

May 24, 2006
Dr. Terry Bergeson
Superintendent

AMENDATORY SECTION (Amending WSR 98-19-144, filed 9/23/98, effective 10/24/98)

WAC 180-31-005 Authority. This chapter is adopted pursuant to RCW 28A.525.020 relating to authority of the ~~((state board of education))~~ superintendent of public instruction to prescribe rules and regulations governing the administration, control, terms, conditions and disbursements of allotments to school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school plant facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, and 28A.525.162 through 28A.525.178.

AMENDATORY SECTION (Amending WSR 01-08-040, filed 3/30/01, effective 4/30/01)

WAC 180-31-012 Waiver of rules to facilitate alternative public works contracting procedures. The provisions of this chapter may be deemed waived in accordance with WAC ~~((180-25-012))~~ 392-341-012.

AMENDATORY SECTION (Amending WSR 98-19-144, filed 9/23/98, effective 10/24/98)

WAC 180-31-020 Cooperative plan subject to ~~((state board))~~ the superintendent of public instruction approval. Any interdistrict financial plan for construction or modernization of school facilities utilizing state moneys in the financing of the proposed project, shall require approval by the ~~((state board of education))~~ superintendent of public instruction prior to carrying into effect the provisions of such plan. ~~((State board of education))~~ The superintendent of public instruction approval is only required for projects utilizing state moneys.

AMENDATORY SECTION (Amending WSR 98-19-144, filed 9/23/98, effective 10/24/98)

WAC 180-31-025 Application provisions. For projects utilizing state moneys, the host district shall submit a written application to the superintendent of public instruction which shall include but not be limited to the following documents and data:

(1) A joint resolution by the board of directors of all participating school districts which shall:

(a) Confer contractual authority and subsequent ownership on the board of directors in which jurisdiction the school facility is to be located (host district) or, in the event of modernization, the board of directors in which jurisdiction the facility is located (host district);

(b) Designate such board of directors of the host district as the legal applicant. Evidence shall be submitted that the said resolution has been incorporated in the official record of

the board of directors of each participating school district; and

(c) Certify that the facility shall be used for the purpose for which it was constructed unless an exception is granted by the ~~((state board of education))~~ superintendent of public instruction.

(2) Copy of contracts(s) between applicant district and participating school districts prepared in accordance with provisions in WAC ~~((180-31-030))~~ 392-345-030.

(3) A statement defining the education program or services to be offered and the number and grade level(s) by district of all students to be housed in the proposed new or modernized facility.

(4) A description of the proposed project including size in terms of square feet and the estimated cost of construction including professional services, sales tax, site acquisition and site development.

(5) An area map indicating location of schools within the participating school districts and the location of the proposed new or modernized school facility.

(6) A statement certifying that a separate account has been established into which participating districts make deposits in order to pay for all future minor repair and renovation costs.

AMENDATORY SECTION (Amending Order 13-83, filed 10/17/83)

WAC 180-31-030 Interdistrict cooperative agreements. Interdistrict agreements between applicant and participating districts shall contain and set forth a description of the following elements:

(1) Financial terms by which each cooperating district will participate in the cost of construction or modernization and operation of the school facility;

(2) Administration of the school facility and of the program or services to be offered therein and specific services to be utilized by each participating school district;

(3) Duration of the interdistrict cooperation agreement; and

(4) Procedures for dissolution of cooperative operation of the school facility including but not limited to the following:

(a) Ownership of all capital equipment and school facilities;

(b) Distribution of assets or the payments to be made to the participating districts; and

(c) Minimum period of operation prior to dissolution consideration and approval by the ~~((state board of education))~~ superintendent of public instruction in accordance with provisions hereinafter in WAC ~~((180-31-040))~~ 392-345-040.

AMENDATORY SECTION (Amending WSR 98-19-144, filed 9/23/98, effective 10/24/98)

WAC 180-31-035 Approval of program or services by superintendent of public instruction. Approval by the superintendent of public instruction of the educational program or services to be offered in the proposed new or modernized facility and the proposed administration of such program or services shall be a prerequisite for approval by the

~~((state board of education))~~ superintendent of public instruction of an interdistrict cooperative financial plan for construction of new or modernization of facilities when state moneys are provided.

AMENDATORY SECTION (Amending WSR 98-19-144, filed 9/23/98, effective 10/24/98)

WAC 180-31-040 Dissolution provisions. (1) Procedures for the dissolution of the operation of school facilities pursuant to an interdistrict cooperative agreement shall not be instituted prior to the expiration of ten years after the date of ~~((state board of education))~~ the superintendent of public instruction approval of the financial plan for the construction of such school facilities when such facilities were constructed with state moneys: Provided, That a request for dissolution prior to such ten-year period may be approved when, in the judgment of the ~~((state board of education))~~ superintendent of public instruction, there is substantiation of sufficient cause therefor.

(2) Any plan for dissolution as described in subsection (1) of this section shall be submitted to the ~~((state board of education))~~ superintendent of public instruction for review and approval prior to proceeding with dissolution action.

AMENDATORY SECTION (Amending WSR 98-19-144, filed 9/23/98, effective 10/24/98)

WAC 180-31-045 Interdistrict cooperation in financing school construction—Project construction approval required—Rules and regulations governing. A project to be constructed under interdistrict cooperative financing pursuant to provisions of RCW 28A.335.160 shall be subject to approval by the ~~((state board of education))~~ superintendent of public instruction only when state funds are involved in the financing thereof and shall be in conformity with the applicable rules and regulations hereinafter prescribed. The applicant school district shall be responsible for compliance with said rules and regulations.

(1) Projects financed with state assistance.

(a) All rules and regulations promulgated by the ~~((state board of education))~~ superintendent of public instruction relating to school building construction shall govern the approval of an application for state assistance in financing an interdistrict cooperative project except such rules deemed by the superintendent of public instruction to be inapplicable to the said construction: Provided, That in the interest of program improvement and/or improvement in equalization of educational opportunities, the pertinent requirements relating to eligibility on the basis of number of unhoused children may be waived as shall be determined by the ~~((state board of education))~~ superintendent of public instruction.

(b) In determining the amount of state assistance, the principle to be applied shall be that each participating district, otherwise eligible for state assistance, shall receive such assistance on the basis of the computed area ratio. The amount that each participating district shall provide may be the percentage proportion that the value of its taxable property bears to the total value of taxable property of all participating districts or such other amounts as set forth in the con-

tract submitted as are accepted and approved by the ~~((state board of education))~~ superintendent of public instruction.

(2) Application for additional state assistance. In the financing of interdistrict cooperative projects, applications for state assistance, in addition to the amount determined allocable under basic state support level provisions, shall be judged by the ~~((state board of education))~~ superintendent of public instruction on the basis of the need for said facilities for the expressed purpose of:

(a) Providing educational opportunities, including vocational skills programs not otherwise provided;

(b) Avoiding unnecessary duplication of specialized or unusually expensive educational programs or facilities; or

(c) Improving racial balance within and among participating districts.

(3) Determination of amount of additional state assistance. When in the judgment of the ~~((state board of education))~~ superintendent of public instruction an expressed need exists for an interdistrict cooperative project to achieve one or more of the expressed purposes as set forth in subsection (2) of this section and additional state assistance in financing said joint construction is necessary to meet such need, additional state assistance may be allowed in an amount to be determined by the ~~((state board))~~ superintendent of public instruction: Provided, That the total amount allotted shall not exceed ninety percent of the total project cost determined eligible for state matching purposes: Provided further, That the total funds available to the ~~((state board))~~ superintendent of public instruction for the biennial period are sufficient to meet statewide needs for state assistance in providing necessary school facilities to individual school districts as well as for this purpose.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified as follows:

Old WAC Number	New WAC Number
180-31-005	392-345-005
180-31-010	392-345-010
180-31-012	392-345-012
180-31-015	392-345-015
180-31-020	392-345-020
180-31-025	392-345-025
180-31-030	392-345-030
180-31-035	392-345-035
180-31-040	392-345-040
180-31-045	392-345-045

AMENDATORY SECTION (Amending WSR 98-19-145, filed 9/23/98, effective 10/24/98)

WAC 180-32-005 Authority. This chapter is adopted pursuant to RCW 28A.525.020 which authorizes the ~~((state board of education))~~ superintendent of public instruction to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of moneys to

school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, and 28A.525.162 through 28A.525.178.

AMENDATORY SECTION (Amending Order 15-83, filed 10/17/83)

WAC 180-32-010 Purpose. The purpose of this chapter is to set forth provisions applicable prior to a district's application for state assistance in the construction of interdistrict transportation cooperative facilities. Except as otherwise noted in this chapter, the rules and regulations which apply to state assistance in financing school facilities set forth below shall apply to the construction of interdistrict transportation cooperatives:

(1) Basic state support: WAC (~~(180-27-040, 180-27-060, and 180-27-070 through 180-27-125)~~) 392-343-040, 392-343-060, and 392-343-070 through 392-343-125.

(2) Procedural regulations: WAC (~~(180-29-055)~~) 392-344-055 through ((180-29-170)) 392-344-170.

AMENDATORY SECTION (Amending WSR 01-08-040, filed 3/30/01, effective 4/30/01)

WAC 180-32-012 Waiver of rules to facilitate alternative public works contracting procedures. The provisions of this chapter may be deemed waived in accordance with WAC (~~(180-25-012)~~) 392-341-012.

AMENDATORY SECTION (Amending Order 15-83, filed 10/17/83)

WAC 180-32-015 Interdistrict transportation cooperative members—Definition. As used in this chapter:

(1) "Participating member" means a district in a cooperative which anticipates making full use of all the services offered by the cooperative and provides its agreed share of matching funds required by the (~~(state board of education)~~) superintendent of public instruction. A participating member must be a member of the cooperative for at least ten years.

(2) "Contract member" means a district which contracts to use the services of the cooperative as outlined in the initial agreement for at least three years. At a minimum, contracts for service shall include lubrication, oil and filter changes on a regular basis.

(3) "Applicant district" means the school district in which the proposed interdistrict transportation cooperative facility is to be located or in which the facility proposed for modernization is located. It shall be the responsibility of said applicant district to submit the application for financial plan approval.

AMENDATORY SECTION (Amending WSR 98-19-145, filed 9/23/98, effective 10/24/98)

WAC 180-32-020 Interdistrict transportation cooperative—Cooperative plan subject to (~~(state board of education)~~) the superintendent of public instruction approval. Any financial plan for construction of an interdis-

trict transportation cooperative utilizing state moneys in the financing of the proposed project, shall require approval by the (~~(state board of education)~~) superintendent of public instruction prior to implementing the provisions of such plan. (~~(State board of education)~~) The superintendent of public instruction approval is only required for projects utilizing state moneys.

AMENDATORY SECTION (Amending WSR 98-19-145, filed 9/23/98, effective 10/24/98)

WAC 180-32-025 Application provisions. For projects utilizing state moneys, the host school district shall submit a written application to the superintendent of public instruction which shall include but not be limited to the following documents and data:

(1) A joint resolution by the board of directors of all participating school districts which shall:

(a) Confer contractual authority and subsequent ownership on the board of directors in which jurisdiction the facility is to be located or, in the event of modernization, in which jurisdiction the facility is located (host district);

(b) Designate such board of directors as the legal applicant; and

(c) A copy of the official record of the board of directors of each participating school district indicating that the resolution has been formally adopted.

(2) Copy of contract(s) between districts prepared in accordance with chapter (~~(180-31)~~) 392-345 WAC.

(3) A written description of services to be offered in the proposed interdistrict transportation cooperative, including number of districts involved and whether or not cooperating members are participating districts or contract districts; the number of buses from each participating and contract district to be serviced, and number of bus miles traveled per year for each participating and contract district.

(4) A description of the proposed project including square footage and the estimated cost of construction including professional services, sales tax, site costs, and site development.

(5) An area map indicating location of the facility in relationship to the participating and contract school districts.

(6) A statement certifying that a separate account has been established into which participating districts make deposits in order to pay for all future minor repair and renovation costs.

AMENDATORY SECTION (Amending Order 15-83, filed 10/17/83)

WAC 180-32-030 Interdistrict agreements. Interdistrict agreements between participating and contract districts shall contain and set forth descriptions of the following elements:

(1) Financial terms by each cooperating district shall participate in the cost of construction or modernization and operation of the facility.

(2) The district administering the facility and the program or services to be offered therein and specific services to be utilized by each participating school district.

(3) Duration of the interdistrict cooperation agreement.

(4) Procedures for dissolution of cooperative operation of the facility including but not limited to the following:

(a) Ownership of all capital equipment and facilities;
 (b) Distribution of assets or the payments to be made to the participating districts; and

(c) Minimum period of operation prior to dissolution consideration and approval by the ~~((state board of education))~~ superintendent of public instruction in accordance with chapter ~~((480-34))~~ 392-345 WAC.

AMENDATORY SECTION (Amending WSR 98-19-145, filed 9/23/98, effective 10/24/98)

WAC 180-32-035 Approval—~~((State board of education))~~ The superintendent of public instruction. Approval by the superintendent of public instruction of services to be offered in the proposed interdistrict transportation cooperative and the proposed district administration of such program or services shall be a prerequisite for approval by the ~~((state board of education))~~ superintendent of public instruction of an interdistrict cooperative financial plan for construction of new facilities or modernization of existing facilities when state moneys are provided.

AMENDATORY SECTION (Amending WSR 98-19-145, filed 9/23/98, effective 10/24/98)

WAC 180-32-040 Dissolution provisions. (1) Procedures for the dissolution of the operation of interdistrict cooperatives under an interdistrict cooperative agreement shall not be instituted prior to the expiration of ten years after the date of ~~((state board of education))~~ the superintendent of public instruction approval of the financial plan for the construction of such school facilities when such facilities were constructed with state moneys: Provided, That a request for dissolution prior to the expiration of ten years may be approved when in the judgment of the ~~((state board of education))~~ superintendent of public instruction there is substantiation of sufficient cause therefor.

(2) Any plan for dissolution as described in subsection (1) of this section shall be submitted to the ~~((state board of education))~~ superintendent of public instruction for review and written approval prior to proceeding with dissolution action.

AMENDATORY SECTION (Amending Order 15-83, filed 10/17/83)

WAC 180-32-060 Design team—Architect/engineering services. Architect/engineering service fees for matching purposes shall be determined pursuant to WAC ~~((180-27-070))~~ 392-343-070.

AMENDATORY SECTION (Amending Order 15-83, filed 10/17/83)

WAC 180-32-070 Interdistrict transportation cooperatives—State assistance. In the financing of an approved interdistrict transportation cooperative, the ~~((state board of education))~~ superintendent of public instruction shall provide

ninety percent of the total approved project cost determined eligible for state matching purposes.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified as follows:

Old WAC Number	New WAC Number
180-32-005	392-346-005
180-32-010	392-346-010
180-32-012	392-346-012
180-32-015	392-346-015
180-32-020	392-346-020
180-32-025	392-346-025
180-32-030	392-346-030
180-32-035	392-346-035
180-32-040	392-346-040
180-32-045	392-346-045
180-32-050	392-346-050
180-32-060	392-346-060
180-32-065	392-346-065
180-32-070	392-346-070

AMENDATORY SECTION (Amending WSR 98-19-138, filed 9/23/98, effective 10/24/98)

WAC 180-33-005 Authority. This chapter is adopted pursuant to RCW 28A.525.020 which authorizes the ~~((state board of education))~~ superintendent of public instruction to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of moneys to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school facilities are RCW 28A.525.030, 28A.525-040, and 28A.525.162 through 28A.525.178.

AMENDATORY SECTION (Amending WSR 01-08-040, filed 3/30/01, effective 4/30/01)

WAC 180-33-012 Waiver of rules to facilitate alternative public works contracting procedures. The provisions of this chapter may be deemed waived in accordance with WAC ~~((180-25-012))~~ 392-341-012.

AMENDATORY SECTION (Amending WSR 91-12-058, filed 6/5/91, effective 7/6/91)

WAC 180-33-013 Annually determined building replacement value. The annually determined building replacement value for any building in any year is the state determined maximum area cost allowance for July of that year times the gross square footage determined under WAC ~~((180-27-040))~~ 392-343-040.

AMENDATORY SECTION (Amending WSR 05-23-046, filed 11/9/05, effective 12/10/05)

WAC 180-33-015 Eligibility for state financial assistance. (1) In order to be eligible for state financial assistance, a modernization project shall have as its principal purpose one or more of the following:

(a) Bringing a facility into compliance with current building and health codes when so required by state or local health or safety officials;

(b) Changing the grade span grouping by facility by the addition, deletion, or combination thereof of two or more grades within the affected facility;

(c) The reduction of the number of operating school facilities in a district by combining the remaining school facilities through modernization and new capital construction so as to achieve more cost effective and efficient operation in the combined school facility or facilities. In order to be eligible for state financial assistance, such a project shall result in additional space for at least 100 additional pupils and the following enrollment in any combined facility:

- (i) Elementary school facility—500 pupils;
- (ii) Middle or junior high school facility—700 pupils;
- (iii) Senior high school facility—850 pupils;

Provided, That modernization projects in school districts with a high school enrollment of less than 850 pupils need not comply with the enrollment figures set forth above: Provided further, That unless the district demonstrates the existence of unhouseed students, state financial assistance for the new construction component of a combined modernization and new construction project shall be limited to the provision of WAC ((180-33-040)) 392-347-040; or

(d) Meeting the educational program of the facility.

(2) School districts shall certify that a proposed modernization project will extend the life of the modernized school facility by at least twenty years.

(3) School districts shall be ineligible for state assistance for modernization of any school facility accepted by the school district board of directors prior to January 1, 1993, where the principal purpose of that modernization project is to:

(a) Restore building systems and subsystems that have deteriorated due to deferred maintenance;

(b) Perform piecemeal work on one section or system of a school facility;

(c) Modernize a facility or any section thereof which has been constructed within the previous twenty years;

(d) Modernize a facility or any section thereof which has received state assistance under the authority of this chapter within the previous twenty years;

(e) To modernize a senior high school facility in a district with a senior high school where there is existing space available to serve the students involved or affected in a neighboring senior high school without, in the judgment of the ((state board of education)) superintendent of public instruction, an undue increase in the cost of transporting the students to and from school, decrease in educational opportunity, or proportional increase in the cost of instruction pursuant to chapter ((180-25)) 392-341 WAC.

(4) School facilities accepted by the school district board of directors after January 1, 1993, shall be ineligible for state

assistance for modernization of the facility or any section thereof where:

(a) The facility was constructed and occupied within the previous thirty years;

(b) The facility received state assistance under the authority of this chapter within the previous thirty years.

AMENDATORY SECTION (Amending WSR 01-19-042, filed 9/14/01, effective 10/15/01)

WAC 180-33-020 Formula for determining the amount of state assistance. State assistance in an approved modernization project shall be derived by applying the percentage of state assistance determined pursuant to provisions of RCW 28A.525.166 and WAC ((180-27-025)) 392-343-025 to the eligible cost which shall be calculated by multiplying the approved square foot area of the modernization project by the area cost allowance for the fiscal year funded, less any deductions as set forth in WAC ((180-33-023)) 392-347-023 if applicable, by the factor in WAC ((180-33-040)) 392-347-040 set forth, any cost in excess thereof shall be financed entirely by the school district.

AMENDATORY SECTION (Amending WSR 01-09-012, filed 4/6/01, effective 5/7/01)

WAC 180-33-023 State assistance in post 1992 facilities. State assistance for modernization of school facilities accepted by the school district board of directors after January 1, 1993, shall be limited according to the following conditions:

(1) A school facility shall be ineligible for state assistance if the total expenditures for maintenance of plant and equipment for that facility during the fifteen-year period immediately preceding the project application was below one-half of one percent of the total of the annually determined building replacement values during the same period;

(2) The allowable cost per square foot used to determine the amount of state assistance in any modernization project where the total expenditures for maintenance of plant and equipment for that facility during the fifteen-year period immediately preceding the project application was at least one-half but less than two percent of the total of the annually determined building replacement values during the same period shall be reduced as follows:

(a) The allowable cost per square foot shall be reduced by twenty-two and one-half percent where the above expenditure is at least one-half but less than one percent;

(b) The allowable cost per square foot shall be reduced by fifteen percent where the above expenditure is at least one but less than one and one-half percent;

(c) The allowable cost per square foot shall be reduced by seven and one-half percent where the above expenditure is at least one and one-half but less than two percent;

(3) No reduction in the allowable cost per square foot shall be applied to any modernization project where the total expenditures for maintenance of plant and equipment for that facility during the fifteen-year period immediately preceding the project application was two percent, or greater, of the total of the annually determined building replacement values during the same period;

(4) A district shall not be allowed to replace a school facility through new construction in lieu of modernization under WAC ((180-33-042)) 392-347-042 where the total expenditures for maintenance of plant and equipment for that facility during the fifteen-year period immediately preceding the project application was below two percent of the total of the annually determined building replacement values during the same period.

(5) For the purpose of this section "maintenance of plant and equipment" shall be general fund expenditures charged to maintenance and operations activities 61-supervision and 64-maintenance and capital projects fund expenditures charged to type code 22-remodeling and 42-capital improvements as defined in the *Accounting Manual for Public School Districts*.

AMENDATORY SECTION (Amending WSR 05-19-109, filed 9/20/05, effective 10/21/05)

WAC 180-33-025 Space eligible for state financial assistance in modernization. Space allowance and enrollment projection provision for state matching purposes.

(1) In planning for modernization in any school facility, under the provisions of WAC ((180-33-015)) 392-347-015 (1)(a) and (b), a school district shall estimate capacity needs on the basis of a cohort survival enrollment as per WAC ((180-27-045)) 392-343-045. Any space above and beyond a school district's estimated capacity needs as calculated on the basis of a five-year cohort survival or adjusted cohort survival enrollment shall not be eligible for state financial assistance in modernization.

(2) The changes to this section shall take effect January 1, 2006: Provided, That those districts having authorized bond issues and/or excess tax levies for their building funds for specific school construction projects as identified in ballot propositions on or before July 1, 2006, may, when requesting ((state board of education)) the superintendent of public instruction consideration of state assistance for such projects, determine, in computing the amount of eligible space for modernization, the state will match the entire facility of three quarters of the overall square footage of the school districts' facilities is eligible for state financial assistance: Provided further, That the provision shall not be applicable to new construction in lieu of modernization facility projects authorized by this chapter.

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-33-030 Certification of continued use. Any school facilities modernized under WAC ((180-33-015)) 392-347-015 must be used for at least five years beyond the completion of modernization. School directors will pass a resolution and submit it to the ((state board of education)) superintendent of public instruction that the modernized facility will be used for instructional purposes for five years after the completion of the project. If the school facility is not used for instructional purposes during this five-year period, the amount of state money allocated and spent for the modernization project must be returned to the state school building construction fund. The five-year use requirement and the

five year prohibition against additional modernization funding shall be waived in the event that a facility is rendered permanently unusable before the end of the five-year period by an unforeseen natural event. The definition of "unforeseen natural event" shall be as set forth in RCW 28A.150.290.

AMENDATORY SECTION (Amending WSR 05-19-110, filed 9/20/05, effective 10/21/05)

WAC 180-33-035 Minimum project—Forty percent of replacement costs. (1) State assistance in modernization of school facilities shall be limited to projects which may include an entire facility or one or more complete buildings within a facility for which the estimated cost of major structural change is not less than forty percent of the estimated cost of replacement. The estimated cost of major structural change shall not include the estimated capital costs associated with restoring building systems or subsystems due to deterioration as determined in the study and survey to be caused by deferred maintenance. The estimated cost of replacement shall be derived from multiplication of the total square foot area of the facility or facilities proposed for modernization by the area cost allowance for the fiscal year funded as in WAC ((180-27-045)) 392-343-045 set forth.

(2) The ((state board of education)) superintendent of public instruction may grant a waiver from subsection (1) of this section in the event of an unanticipated increase in the area cost allowance that might cause prior approved projects expecting state assistance to become disqualified for such assistance.

AMENDATORY SECTION (Amending WSR 05-19-111, filed 9/20/05, effective 10/21/05)

WAC 180-33-040 Maximum costs eligible for state matching purposes—One hundred percent of replacement cost. State assistance for modernization projects shall not exceed one hundred percent of the cost of new construction of a comparable school facility based on the prevailing level of state support as defined in chapter ((180-27)) 392-343 WAC. Costs exceeding one hundred percent shall be paid by the local district.

AMENDATORY SECTION (Amending WSR 01-14-019, filed 6/26/01, effective 7/27/01)

WAC 180-33-042 Replacement option. A district with space eligible for modernization pursuant to WAC ((180-33-015)) 392-347-015 and ((180-33-025)) 392-347-025 may elect to replace such space through new construction in lieu of modernization. In such case, the district shall apply for a new school facility in accordance with applicable rules and regulations pertaining to new school plant facilities and the local board shall certify that after the new construction is finally completed:

(1) The existing building or space to be replaced will not be used for district instructional purposes; and

(2) The existing building or space will be ineligible for any future state financial assistance.

Further, if the existing building or space is subsequently returned by the district to instructional purposes in whole or

in part, the district shall become ineligible for any state construction financial assistance for a period of ten years from the date that the ~~((executive director or the chief executive officer of the state board notifies the board during the course of an open public meeting or))~~ superintendent of public instruction sends written notice to members of the local board ~~((of))~~ recognizing the return of the building in whole or in part to instructional purposes. Districts exercising this election shall be limited in state assistance to the provision of WAC ~~((180-33-040))~~ 392-347-040. In the event the district elects to replace a facility and construct a new facility with more space than the facility being replaced, the additional space, in order to be eligible for state assistance shall meet the eligibility requirements for new construction or the new construction component requirement of WAC ~~((180-33-015))~~ 392-347-015 (1)(c): Provided, That no new construction in lieu of modernization project may qualify for additional state assistance pursuant to WAC ~~((180-27-115))~~ 392-343-115 unless the facility being replaced would have qualified pursuant to such section for additional state assistance as a modernization project.

(3) The ~~((state board of education))~~ superintendent of public instruction may waive the provisions of this section for a period it determines is appropriate to the particular situation. A waiver request must be submitted in writing to the superintendent of public instruction. The superintendent of public instruction shall review the waiver request and ~~((make a written recommendation to the state board of education to))~~ approve or deny the request. The waiver request shall include, but not be limited to, the following information:

- (a) Description of the district's planning process;
- (b) Rationale why the need for the waiver request was not anticipated;
- (c) The requested length of time of the waiver;
- (d) The availability of funding for proposed projects;
- (e) List of specific projects and timelines;
- (f) List of the specific student groups that will use the facility;
- (g) Rationale why this is the best use of facilities and public funds;
- (h) Assurance that the facility meets health and safety standards for occupancy.

AMENDATORY SECTION (Amending Order 16-83, filed 10/17/83)

WAC 180-33-045 Architect and engineering services. In the allocation of state funds for an approved modernization project, architectural and engineering services eligible for state matching purposes shall not exceed one and one-half times the architectural and engineering services as in chapter ~~((180-27))~~ 392-343 WAC set forth.

AMENDATORY SECTION (Amending Order 16-83, filed 10/17/83)

WAC 180-33-050 Study and survey of school district as prerequisite. A survey of facilities proposed for modernization conducted under the direction of the superintendent of public instruction as per chapter ~~((180-25))~~ 392-341 WAC

shall be a prerequisite for consideration of an application for state participation in financing of a modernization project.

AMENDATORY SECTION (Amending Order 16-83, filed 10/17/83)

WAC 180-33-055 Regulations governing. In addition to the regulations hereinbefore in chapter ~~((180-33))~~ 392-347 WAC prescribed; all regulations governing the basic assistance program prescribed in chapters ~~((180-25, 180-26, 180-27, and 180-29))~~ 392-341, 392-342, 392-343, and 392-344 WAC shall govern administration of state participation in financing modernization of school facilities: Provided, That compliance with those regulations not pertinent to modernization projects as determined by the superintendent of public instruction shall not be required.

AMENDATORY SECTION (Amending Order 16-83, filed 10/17/83)

WAC 180-33-060 Procedural requirements. The superintendent of public instruction shall determine procedures and forms for the administration of state participation in financing modernization of school facilities, such procedures and forms to be in addition to or in lieu of procedural requirements prescribed in chapter ~~((180-29))~~ 392-344 WAC.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified as follows:

Old WAC Number	New WAC Number
WAC 180-33-005	WAC 392-347-005
WAC 180-33-007	WAC 392-347-007
WAC 180-33-010	WAC 392-347-010
WAC 180-33-012	WAC 392-347-012
WAC 180-33-013	WAC 392-347-013
WAC 180-33-015	WAC 392-347-015
WAC 180-33-020	WAC 392-347-020
WAC 180-33-023	WAC 392-347-023
WAC 180-33-025	WAC 392-347-025
WAC 180-33-030	WAC 392-347-030
WAC 180-33-035	WAC 392-347-035
WAC 180-33-040	WAC 392-347-040
WAC 180-33-042	WAC 392-347-042
WAC 180-33-045	WAC 392-347-045
WAC 180-33-050	WAC 392-347-050
WAC 180-33-055	WAC 392-347-055
WAC 180-33-060	WAC 392-347-060

WSR 06-11-176
EXPEDITED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed May 24, 2006, 11:13 a.m.]

Title of Rule and Other Identifying Information: Chapter 180-25 WAC, State assistance in providing school plant facilities—Preliminary provisions; chapter 180-26 WAC, State assistance in providing school plant facilities—Educational specifications and site selection; chapter 180-27 WAC, State assistance in providing school plant facilities—Basic state support; and chapter 180-29 WAC, State assistance in providing school plant facilities—Procedural regulations.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO William T. Panos, Director, School Facilities and Organization, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, AND RECEIVED BY July 24, 2006.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The statutory authority to adopt rules governing state assistance in providing school plant facilities to school districts was transferred from the Washington state board of education (SBE) to the office of superintendent of public instruction (OSPI) by legislation passed during the 2006 legislative session (E2SHB 3098, sections 301 through 335).

The proposed amendatory changes to the WAC chapters referenced above serve only to indicate the transfer of authority from the SBE to the OSPI and will not result in any changes to the existing requirements under the amended chapters or chapters referenced therein.

Reasons Supporting Proposal: E2SHB 3098, sections 301 - 335.

Statutory Authority for Adoption: RCW 28A.525.020.

Statute Being Implemented: E2SHB 3098, sections 301 - 335.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Superintendent of public instruction, school facilities and organization, governmental.

Name of Agency Personnel Responsible for Drafting: Charles Schreck, Director, Office of Professional Practices, Office of Superintendent of Public Instruction, (360) 725-6130; Implementation: Marty Daybell, Deputy Superintendent, General Administration and Operations, Office of Superintendent of Public Instruction, (360) 725-6002; and Enforcement: William T. Panos, Director, School Facilities

and Organization, Office of Superintendent of Public Instruction, (360) 725-6261.

May 24, 2006
 Dr. Terry Bergeson
 Superintendent

AMENDATORY SECTION (Amending WSR 98-19-139, filed 9/23/98, effective 10/24/98)

WAC 180-25-005 Authority. This chapter is adopted pursuant to RCW 28A.525.020 which authorizes the ((state board of education)) superintendent of public instruction to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of moneys to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school facilities are RCW 28A.525.030, 28A.525.-040, 28A.525.050, 28A.525.162 through 28A.525.178.

AMENDATORY SECTION (Amending WSR 01-08-040, filed 3/30/01, effective 4/30/01)

WAC 180-25-012 Waiver of rules to facilitate alternative public works contracting procedures. (1) Subject to factual determinations by the superintendent of public instruction, the provisions of chapters ((180-25)) 392-341 through ((180-33)) 392-347 WAC which supplement statutory requirements are hereby deemed waived to the extent any provision would prevent or delay the implementation of alternative public works contracting procedures pursuant to chapter 39.10 RCW.

(2) At the request of school district officials, the superintendent of public instruction or her/his designee shall factually determine on a case-by-case basis which provisions would prevent or delay the implementation of alternative public works contracting procedures, and advise officials in writing of the extent to which one or more provisions of chapters ((180-25)) 392-341 through ((180-33)) 392-347 WAC are hereby deemed to have been waived.

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-25-015 Definition—School facilities. As used in this chapter, and in chapters ((180-26)) 392-342 through ((180-33)) 392-347 WAC, the term "school facilities" means school plant facilities, school plant projects, school buildings, common school facilities and the grounds as those terms are utilized in chapter 28A.525 RCW. Any structure not placed on a permanent foundation shall be excluded from this definition.

AMENDATORY SECTION (Amending Order 9-83, filed 10/17/83)

WAC 180-25-020 District application—Study and survey. Prior to ((state board of education)) the superintendent of public instruction consideration of state assistance in providing school facilities, the board of directors of a school district shall file with the superintendent of public instruction

an application for each school facility project, whether new construction or modernization of an existing facility, and shall request the superintendent of public instruction to study and survey existing and proposed school facilities within the district.

AMENDATORY SECTION (Amending WSR 98-19-139, filed 9/23/98, effective 10/24/98)

WAC 180-25-025 State study and survey—Content.

The study and survey to be conducted by the superintendent of public instruction with the cooperation of the local school district shall include the following:

(1) An inventory and area analysis of existing school facilities within the district, a description of the types and kinds of systems and subsystems used in those facilities and their physical condition;

(2) A long-range (i.e., minimum of six years) educational and facilities plan setting forth the projected facility needs and priorities of the district based on the educational plan;

(3) Demographic data including population projections and projected economic growth and development;

(4) The ability of such district to provide capital funds by local effort;

(5) The existence of a school housing emergency;

(6) The need to improve racial balance and/or to avoid creation or aggravation of racial imbalance;

(7) The type and extent of new and/or additions to existing school facilities required and the urgency of need for such facilities;

(8) A cost/benefit analysis on the need to modernize and/or replace existing school facilities in order to meet current educational needs and the current state building code;

(9) The need and the estimated capital cost to restore, to design specifications, the major systems and subsystems in the facilities that have deteriorated due to deferred maintenance.

(10) A determination of the district's time line for completion of the school facilities project;

(11) An inventory of accessible unused or underutilized school facilities in neighboring school districts and the physical condition of such school facilities;

(12) The need for adjustments of school attendance areas among or within such districts; and

(13) Such other matters as the superintendent of public instruction deems pertinent to ~~((a))~~ decision ~~((by the state board of education))~~ making in the allocation of funds for school facilities. Cooperation by the applicant school district in conducting the study and survey is a requisite for the superintendent of public instruction to complete the study and survey and to establish the eligibility of the district for state assistance in school facility construction.

AMENDATORY SECTION (Amending WSR 92-16-058, filed 8/3/92, effective 9/3/92)

WAC 180-25-030 State study and survey—Local involvement. When in the judgment of the superintendent of public instruction information is not readily available to complete the state study and survey or the superintendent of pub-

lic instruction determines that an existing study and survey, although completed within the previous six years, is out of date, the superintendent of public instruction shall ~~((request the state board of education to))~~ approve a district's request for state assistance to offset all or a portion of the cost of acquiring such information ~~((If the state board of education concurs that such information is incomplete or the state study and survey is out of date, the state board of education shall approve such request unless the state board of education determines))~~ unless it is determined that there is no possibility that the district will be eligible for state assistance within the next seventy-two months. Such assistance shall be based on a minimum flat grant for each enrollment category plus a variable allocation based on the district's estimated gross square footage of existing school facilities and in accordance with the following schedule:

Headcount Enrollment Categories

Enrollment of 1 to 500—Minimum grant plus square footage allocation

Enrollment of 501 to 3,000—Minimum grant plus square footage allocation

Enrollment of 3,001 to 10,000—Minimum grant plus square footage allocation

Enrollment of above 10,000—Minimum grant plus square footage allocation

The dollar amount for the minimum grants and the square footage allocations for these categories shall be established annually by the ~~((state board of education))~~ superintendent of public instruction.

AMENDATORY SECTION (Amending Order 24-85, filed 11/27/85)

WAC 180-25-035 State study and survey—~~((State board of education review))~~ Superintendent of public instruction. The state study and survey, together with recommendations prepared by the superintendent of public instruction, if any, shall be transmitted to the board of directors of the affected school district(s) ~~((affected))~~ for written comment by such district or districts ~~((prior to transmittal of such study and survey to the state board of education))~~. Once the superintendent of public instruction has received the written comments of the district(s) affected, including a request for one or more project approvals pursuant to WAC ~~((480-25-040))~~ 392-341-040, the state study and survey and the preliminary recommendations of the superintendent of public instruction, together with any written comments by the school district board of directors, shall ~~((be transmitted to the state board of education for review and))~~ undergo a final review by the superintendent of public instruction prior to action pursuant to WAC ~~((180-25-040))~~ 392-341-040.

AMENDATORY SECTION (Amending Order 24-85, filed 11/27/85)

WAC 180-25-037 Out of date state study and survey. The state board of education, commencing January 1, 1985, or the superintendent of public instruction, commencing June

7, 2006, shall not grant approval of state assistance pursuant to WAC ((180-25-040)) 392-341-040 to a district without consideration of a state study and survey conducted within the preceding six years that addresses such project.

AMENDATORY SECTION (Amending WSR 98-19-139, filed 9/23/98, effective 10/24/98)

WAC 180-25-040 State study and survey—((State board of education)) Superintendent of public instruction approval or denial. Upon receipt of a request for one or more project approvals and after review of the state study and survey, together with recommendations and comments, the ((state board of education)) superintendent of public instruction shall in accordance with WAC ((180-25-045)) 392-341-045 take one of the following actions:

(1) Deny approval of state assistance for the construction and/or modernization of school facilities; or

(2) Grant approval of state assistance for the construction and/or modernization of school facilities by authorizing the maximum area allowance eligible for state financial assistance for each school plant project approved and for which the superintendent of public instruction shall issue an appropriate SPI form and state any conditions that may or may not be applicable including whether ((the state board of education has approved or denied)) eligibility was approved or denied for additional state assistance pursuant to WAC ((180-27-115)) 392-343-115 for one or more approved school plant projects or whether such decision ((by the state board of education)) for any approved school plant project has been deferred due to insufficient factual information for a determination or due to a request by the district to present the necessary factual information ((at a subsequent state board of education meeting)) to the superintendent of public instruction. Upon receipt of the ((state board of education)) superintendent of public instruction approval, the school district is authorized to prepare educational specifications pursuant to chapter ((180-26)) 392-342 WAC. Project approval shall become null and void one year from the date of ((state board)) the superintendent of public instruction action unless the district:

(a) Obtains local capital funds to provide the districts share of the estimated cost;

(b) Completes the educational specifications pursuant to chapter ((180-26)) 392-342 WAC; and

(c) Selects a site pursuant to chapter ((180-26)) 392-342 WAC.

AMENDATORY SECTION (Amending Order 1-86, filed 2/4/86)

WAC 180-25-043 ((State board of education)) Superintendent of public instruction commitment at project approval. ((State board of education)) The superintendent of public instruction project approval pursuant to WAC ((180-25-040)) 392-341-040 defines the type of project and the maximum allowable square footage in which the state conditionally agrees to participate. There is no commitment whatsoever by the ((state board of education)) superintendent of public instruction or the state to any project or to any amount of state assistance. The ((state board of education)) superin-

tendent of public instruction reserves the right to amend and/or repeal any rule(s) respecting state assistance in school building construction. Such rule changes may be made regardless of the negative and/or positive impact of such changes upon the eligibility of any project for state assistance and/or the extent of eligibility of any project for state assistance.

AMENDATORY SECTION (Amending WSR 98-19-139, filed 9/23/98, effective 10/24/98)

WAC 180-25-045 Approval criteria for state assistance. The ((state board of education)) superintendent of public instruction shall conditionally agree to state assistance for a school facility or facilities for a school district that demonstrates the following:

(1) The existence of unhoused students which for the purpose of this section shall mean current or projected enrolled students who are in excess of the capacity calculated for existing facilities within the district pursuant to chapter ((180-27)) 392-343 WAC: Provided, That current or projected enrolled students shall not be designated as unhoused for a high school district of application which has a student enrollment of four hundred or less in grades nine through twelve, if the students involved or affected can be served without undue inconvenience in a neighboring school, or schools of larger size and the neighboring school district has indicated a willingness to serve, and has the capacity to house the applying district high school students; and

(2) The ability of the district to provide any necessary capital funds by local effort: Provided, That the existence of unhoused students provision of subsection (1) of this section shall not be required for approval of the following school facilities projects: Interdistrict cooperative centers authorized by chapter ((180-31)) 392-345 WAC, interdistrict transportation cooperatives authorized by chapter ((180-32)) 392-346 WAC, and modernization and new construction authorized by chapter ((180-33)) 392-347 WAC.

AMENDATORY SECTION (Amending WSR 98-19-139, filed 9/23/98, effective 10/24/98)

WAC 180-25-055 Conditions applicable to district's authority to proceed. The authorization by the ((state board of education)) superintendent of public instruction pursuant to WAC ((180-25-040)) 392-341-040 for the district to proceed for particular school facilities is subject to the conditions of WAC ((180-29-107)) 392-344-107. Therefore, districts receiving approval by the ((state board of education)) superintendent of public instruction pursuant to WAC ((180-25-040)) 392-341-040 are on notice that until approval is granted pursuant to WAC ((180-29-107)) 392-344-107 (i.e., the issuance of an appropriate SPI form by the superintendent of public instruction) the particular school facilities do not have secured funding status.

AMENDATORY SECTION (Amending WSR 90-01-075, filed 12/19/89, effective 12/19/89)

WAC 180-25-075 Eligibility for state assistance for new construction—Contents of survey. The survey

required in WAC ~~((180-25-070))~~ 392-341-070 shall include at a minimum:

- (1) A listing of contiguous school districts.
- (2) Name and title of each person contacted regarding availability of facilities.
- (3) A listing of available facilities including location.

AMENDATORY SECTION (Amending WSR 90-01-075, filed 12/19/89, effective 12/19/89)

WAC 180-25-080 Eligibility for state assistance for new construction—Application to superintendent of public instruction—Necessary documentation. As part of the application submitted to the superintendent of public instruction, the district applying for state assistance for new construction shall include:

- (1) A copy of the survey conducted pursuant to WAC ~~((180-25-070))~~ 392-341-070.
- (2) A board resolution certifying one of the following:
 - (a) No suitable space is available in any contiguous district;
 - (b) Space is available in a contiguous district but the facilities do not meet needs of the applicant district. The applicant district shall provide substantial evidence to support the unsuitability of the available facility;
 - (c) Space is available in a contiguous district but good faith negotiations did not lead to an agreement between the applicant district and the district containing the available facility. The applicant district shall provide substantial evidence to support the lack of lease agreement including a history of the negotiations and proposed offers by each district.
- (3) Other information deemed pertinent by the applicant district.

AMENDATORY SECTION (Amending WSR 90-01-075, filed 12/19/89, effective 12/19/89)

WAC 180-25-085 Eligibility for state assistance for new construction—Review of survey of available and suitable school plant facilities in contiguous school districts. The superintendent of public instruction shall review and approve the applicant school boards certification and supporting documentation submitted pursuant to WAC ~~((180-25-080))~~ 392-341-080, if the certification is complete, technically accurate, and complies with all applicable rules and regulations. Until this certification and supporting documentation is approved by the superintendent of public instruction, the school district's application for state assistance will not be ~~((forwarded to the state board of education))~~ given further consideration.

AMENDATORY SECTION (Amending WSR 90-01-075, filed 12/19/89, effective 12/19/89)

WAC 180-25-090 Eligibility for state assistance for new construction—Approval by ~~((state board of education))~~ the superintendent of public instruction of applicant's school district certification. ~~((Upon presentation by))~~ The superintendent of public instruction ~~((, the state board of education))~~ shall approve an applicant school district's certification of the unavailability of suitable school plant facilities

in contiguous school districts if it is established to the ~~((state board of education's))~~ superintendent of public instruction's satisfaction that vacant, available, and suitable school plant facilities neither exist nor are scheduled to exist within the foreseeable future in a contiguous school district.

AMENDATORY SECTION (Amending Order 24-85, filed 11/27/85)

WAC 180-25-200 Forms. Commencing January 1, 1986, forms applicable to provisions of this chapter for school facilities requested after such date shall be as follows:

- (1) Applications for a state study and survey by a district pursuant to WAC ~~((180-25-020))~~ 392-341-020 shall be designated as SPI Form D-1.
- (2) Planning grants to districts pursuant to WAC ~~((180-25-030))~~ 392-341-030 shall be awarded to such districts through SPI Form D-2.
- (3) Applications for approval of a school project by a district pursuant to WAC ~~((180-25-040))~~ 392-341-040 shall be designated as SPI Form D-3.
- (4) Project approval for districts pursuant to WAC ~~((180-25-040))~~ 392-341-040 shall be awarded to such district through SPI Form D-4.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified as follows:

Old WAC Number	New WAC Number
WAC 180-25-005	WAC 392-341-005
WAC 180-25-010	WAC 392-341-010
WAC 180-25-012	WAC 392-341-012
WAC 180-25-015	WAC 392-341-015
WAC 180-25-020	WAC 392-341-020
WAC 180-25-025	WAC 392-341-025
WAC 180-25-030	WAC 392-341-030
WAC 180-25-035	WAC 392-341-035
WAC 180-25-037	WAC 392-341-037
WAC 180-25-040	WAC 392-341-040
WAC 180-25-043	WAC 392-341-043
WAC 180-25-045	WAC 392-341-045
WAC 180-25-055	WAC 392-341-055
WAC 180-25-060	WAC 392-341-060
WAC 180-25-065	WAC 392-341-065
WAC 180-25-070	WAC 392-341-070
WAC 180-25-075	WAC 392-341-075
WAC 180-25-080	WAC 392-341-080
WAC 180-25-085	WAC 392-341-085
WAC 180-25-090	WAC 392-341-090
WAC 180-25-200	WAC 392-341-200

AMENDATORY SECTION (Amending WSR 98-19-140, filed 9/23/98, effective 10/24/98)

WAC 180-26-005 Authority. This chapter is adopted pursuant to RCW 28A.525.020 relating to authority of the ~~((state board of education))~~ superintendent of public instruction to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of allocations to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, and 28A.525.162 through 28A.525.178.

AMENDATORY SECTION (Amending WSR 01-08-040, filed 3/30/01, effective 4/30/01)

WAC 180-26-012 Waiver of rules to facilitate alternative public works contracting procedures. The provisions of this chapter may be deemed waived in accordance with WAC ~~((180-25-012))~~ 392-341-012.

AMENDATORY SECTION (Amending WSR 99-24-046, filed 11/24/99, effective 12/25/99)

WAC 180-26-040 District authority to proceed. Upon completion of the educational specifications and the site review by the superintendent of public instruction as provided for in WAC ~~((180-26-020))~~ 392-342-020, the school district is authorized to proceed as follows:

- (1) Commence with the design of the school facility in accordance with the district's educational specifications.
- (2) Complete the energy conservation report pursuant to WAC ~~((180-27-075))~~ 392-343-075.
- (3) Complete a value engineering study and constructability review pursuant to WAC ~~((180-27-080))~~ 392-343-080.
- (4) Contract for building commissioning pursuant to WAC ~~((180-27-080))~~ 392-343-080.
- (5) Contract for construction management pursuant to WAC ~~((180-27-102))~~ 392-343-102.

AMENDATORY SECTION (Amending WSR 01-19-042, filed 9/14/01, effective 10/15/01)

WAC 180-26-050 Option to request preliminary funding status prior to proceeding pursuant to WAC ~~((180-26-040))~~ 392-342-040. As used in chapters ~~((180-26-180-27,))~~ 392-342, 392-343, and ~~((180-29))~~ 392-344 WAC, the term "preliminary funding status" shall mean the project shall be considered for approval pursuant to WAC ~~((180-29-107))~~ 392-344-107 prior to projects without such preliminary funding status and shall be eligible for state assistance pursuant to the ~~((state board of education))~~ superintendent of public instruction rules pertaining to eligible square footage, area cost allowance for the fiscal year funded, and priorities in effect at the time such status is granted. Any district may request the superintendent of public instruction to grant preliminary funding status for any project with secured local capital funds and authority to proceed pursuant to WAC ~~((180-26-040))~~ 392-342-040. The superintendent of public

instruction shall grant such approval if in the judgment of the superintendent of public instruction such project will receive approval pursuant to WAC ~~((180-29-107))~~ 392-344-107 within one year.

AMENDATORY SECTION (Amending WSR 01-19-042, filed 9/14/01, effective 10/15/01)

WAC 180-26-057 ~~((State board of education))~~ The superintendent of public instruction project commitment at preliminary funded status. When preliminary funding status for a project is requested and granted pursuant to WAC ~~((180-26-050))~~ 392-342-050, the ~~((state board of education))~~ superintendent of public instruction commitment is limited to the eligibility of the project for state assistance, the eligible square footage, the area cost allowance for the fiscal year funded and the priority standing of the project as determined pursuant to the state building assistance rules in effect at that time. This commitment is effective only for the initial one-year period set forth at WAC ~~((180-26-060))~~ 392-342-060. The ~~((state board of education))~~ superintendent of public instruction reserves the right to amend and/or repeal any rule(s) respecting state assistance in school building construction. Such rule changes may be made regardless of the impact upon the eligibility of any project and/or the extent of eligibility of any project for state assistance.

AMENDATORY SECTION (Amending WSR 91-12-055, filed 6/5/91, effective 7/6/91)

WAC 180-26-060 Loss of preliminary funding status. All districts granted preliminary funding status for a project pursuant to WAC ~~((180-26-050))~~ 392-342-050 shall request approval to bid such project pursuant to WAC ~~((180-29-107))~~ 392-344-107 within one year of receiving preliminary funding status or shall have such status withdrawn. A district with a project so withdrawn may reapply pursuant to WAC ~~((180-26-050))~~ 392-342-050 for such status.

AMENDATORY SECTION (Amending Order 24-85, filed 11/27/85)

WAC 180-26-200 Forms. Commencing January 1, 1986, forms applicable to the provisions of this chapter for school facilities projects after such date shall be as follows:

(1) Applications for preliminary funding status pursuant to WAC ~~((180-26-050))~~ 392-342-050 shall be designated as SPI Form D-5.

(2) Grants of preliminary funding status pursuant to WAC ~~((180-26-050))~~ 392-342-050 shall be given to districts through SPI Form D-6.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified as follows:

Old WAC Number	New WAC Number
WAC 180-26-005	WAC 392-342-005
WAC 180-26-010	WAC 392-342-010

WAC 180-26-012	WAC 392-342-012
WAC 180-26-015	WAC 392-342-015
WAC 180-26-020	WAC 392-342-020
WAC 180-26-025	WAC 392-342-025
WAC 180-26-040	WAC 392-342-040
WAC 180-26-050	WAC 392-342-050
WAC 180-26-057	WAC 392-342-057
WAC 180-26-060	WAC 392-342-060
WAC 180-26-200	WAC 392-342-200

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-005 Authority. This chapter is adopted pursuant to RCW 28A.525.020 relating to authority of the (~~state board of education~~) superintendent of public instruction to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of allotments to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school plant facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, and 28A.525.162 through 28A.525.178.

AMENDATORY SECTION (Amending Order 11-83, filed 10/17/83)

WAC 180-27-010 Purpose. The purpose of this chapter is to set forth provisions applicable to basic state support and assistance in the construction of school facilities, including (~~state board of education~~) the superintendent of public instruction approval criteria. The limitations set forth represent the level of state support within moneys available and are not to be interpreted as maximum criteria to meet the educational requirements of all school districts, the determination of such criteria being the prerogative of respective school districts.

AMENDATORY SECTION (Amending WSR 01-08-040, filed 3/30/01, effective 4/30/01)

WAC 180-27-012 Waiver of rules to facilitate alternative public works contracting procedures. The provisions of this chapter may be deemed waived in accordance with WAC (~~(180-25-012)~~) 392-341-012.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-016 Rules determining eligibility and timing of state assistance. The eligibility for and the amount of state assistance shall be determined as outlined in WAC (~~(180-27-020)~~) 392-343-020. The prioritization and timing for receipt of state assistance for eligible projects shall be determined by WAC (~~(180-27-500)~~) 392-343-500.

AMENDATORY SECTION (Amending WSR 01-19-042, filed 9/14/01, effective 10/15/01)

WAC 180-27-020 Related factors and formula for determining amount of state assistance. (1) The amount of state assistance to a school district to provide school facilities shall be determined on the basis of component factors, as hereinafter set forth in this chapter, relating to:

- (a) The number of unhoused students;
- (b) Space allocations;
- (c) Reduction of the number of operating schools as per chapter (~~(180-33)~~) 392-347 WAC;
- (d) Area cost allowance for the fiscal year funded;
- (e) Allowances for furniture and equipment purchases;
- (f) The amount of insurance, federal, or other nontax source local moneys applied to a school facilities project;
- (g) Certain specified costs which must be financed directly by the school district; and
- (h) The amount of fees for professional services.

(2) State assistance for an approved project shall be derived by multiplying the percentage of state assistance determined pursuant to RCW 28A.525.166 by the following:

(a) The eligible construction cost which shall be calculated by multiplying the approved square foot area of the project as set forth in WAC (~~(180-27-035)~~) 392-343-035 by the area cost allowance as set forth in WAC (~~(180-27-060)~~) 392-343-060;

(b) The cost of preparing educational specifications as set forth in WAC (~~(180-27-065)~~) 392-343-065;

(c) The cost of architectural and engineering services as set forth in WAC (~~(180-27-070)~~) 392-343-070;

(d) The cost of preparing and reviewing the energy conservation report as set forth in WAC (~~(180-27-075)~~) 392-343-075;

(e) The cost of a value engineering study, a constructability review, and building commissioning as set forth in WAC (~~(180-27-080)~~) 392-343-080;

(f) The construction cost savings—sharing incentive as set forth in WAC (~~(180-27-085)~~) 392-343-085;

(g) The cost of furniture and equipment as set forth in WAC (~~(180-27-095)~~) 392-343-095;

(h) The cost of special inspections and testing as set forth in WAC (~~(180-27-100)~~) 392-343-100; and

(i) The cost of construction management as set forth in WAC (~~(180-27-102)~~) 392-343-102.

Any cost in excess of the maximum allowable shall be financed entirely by the school district.

AMENDATORY SECTION (Amending WSR 90-01-076, filed 12/19/89, effective 12/19/89)

WAC 180-27-023 Emerging high school district eligibility. If a new secondary program is being established in a nonhigh district pursuant to chapter (~~(180-56)~~) 392-348 WAC, the district shall make application and be eligible for state funding assistance of new construction for school facilities to serve the projected high school enrollment.

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-27-025 State matching percentage—General. (1) The percentage of state assistance for which a school district is eligible, if otherwise qualified under prevailing statutory provisions and rules and regulations of the ((~~state board of education~~)) superintendent of public instruction, shall be determined in accordance with the matching formula set forth in RCW 28A.525.166.

(2) In the event the percentage of state assistance to any school district computed in accordance with RCW 28A.525.-166(2) is less than twenty percent and such school district otherwise is eligible for state assistance under statutory provisions and ((~~state board of education~~)) the superintendent of public instruction regulations, the percentage for such district shall be twenty percent of the matchable cost of the project.

(3) In addition to the computed percent of state assistance as stated above, a school district as provided in RCW 28A.525.166(3), shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed percent of state assistance for each average percent of student growth for the past three years, with a maximum addition of twenty percent. In no case shall the state dollars matched exceed one hundred percent of the maximum allowable cost of the project.

AMENDATORY SECTION (Amending WSR 99-24-127, filed 12/1/99, effective 1/1/00)

WAC 180-27-030 Applicable state matching percentage for project. Pursuant to provisions of RCW 28A.525.-168, the percentage of state assistance used for the allocation of state moneys shall be the highest amount prevailing at the time of:

(1) Passage of bonds and/or levies by the voters of the school district to meet the requirement for local funding;

(2) ((~~State board of education~~)) The superintendent of public instruction project approval; or

(3) Superintendent of public instruction approval to bid.

In the event that a district is otherwise eligible to receive approval to bid one or more projects but a lack of state matching funds precludes the issuance of such approval(s), the district shall retain the higher percentage of state assistance as provided for in this section for such approval(s). This provision shall apply to all projects having received project approval by the state board of education after September 1, 1997, or by the superintendent of public instruction after June 6, 2006.

AMENDATORY SECTION (Amending WSR 00-04-007, filed 1/20/00, effective 2/20/00)

WAC 180-27-032 Growth impact fees and mitigation payments. Notwithstanding the financial requirements of WAC ((~~180-27-030~~)) 392-343-030, districts may use growth impact fees as provided for in RCW 82.02.020, 82.02.050 through 82.02.100, 58.17.060 and 58.17.110 to assist in capital construction projects. The impact fees collected pursuant to the above cited statutes, may be used by the district as local

match funding for state assisted capital projects and may not be substituted for the amount of state assistance that would otherwise be provided for school capital projects. Mitigation payments as provided for in RCW 43.21C.060 of the State Environmental Policy Act may be used by the district as local match funding and may not be substituted for the amount of state assistance that would otherwise be provided for school capital projects.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-045 Space allocations—Enrollment projection provisions. In planning for construction of all school facilities, a school district shall estimate capacity needs on the basis of the following:

(1) A three or five-year cohort survival enrollment projection for growth districts, whichever is greater;

(2) A three or five-year cohort survival enrollment projection for a declining district, whichever is lesser;

(3) Actual enrollment of preschool students with disabilities; and

(4) Supplemental information regarding district growth factors which may include but not be limited to the following types of information:

(a) County live birth rates;

(b) New housing starts;

(c) Utility/telephone hookups; and

(d) Economic/industrial expansion.

For the purpose of this section, kindergarten students and students with disabilities shall be counted as provided under WAC ((~~180-27-035~~)) 392-343-035 and all other grade one through twelve students shall be counted as October count day full-time equivalent students as reported to the superintendent of public instruction: Provided, That a school district which has or has had an annual average full-time equivalent enrollment of over five hundred, and which applied for and received additional state basic education allocation moneys based upon an enrollment increase after the first of the month enrollment count, may use the average of the two highest monthly full-time equivalent enrollment counts during the school year.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-050 Space allocations—Computing building capacity. The net total area of a school facility eligible for state matching purposes shall be calculated as follows:

(1) The capacity of existing buildings within the district based on the school district's assigned grade spans shall be computed in accordance with the tables set forth in WAC ((~~180-27-035~~)) 392-343-035 and the square foot area analysis set forth in WAC ((~~180-27-040~~)) 392-343-040.

(2) The number of students projected at each grade span shall be multiplied by appropriate numbers of square feet as set forth in WAC ((~~180-27-035~~)) 392-343-035. (Note: The area generated at each grade level determines district eligibility, if any.)

(3) The amount of housing the district is eligible to construct at each grade span is determined by subtracting the area computed in subsection (2) of this section from the existing housing capacity at each grade span in the school district. Using this formula, over housing at the secondary grade level, grades nine through twelve, or elementary grade level, kindergarten through eight, will not negatively affect unboxed eligibility at the elementary grade level or secondary grade level respectively.

(4) Appropriate grade assignment is a local determination.

AMENDATORY SECTION (Amending Order 2-85, filed 1/25/85)

WAC 180-27-053 State moneys for studies and surveys. State moneys for school district studies and surveys conducted pursuant to chapter ~~((180-25))~~ 392-341 WAC shall be available even though the ~~((state board of education))~~ superintendent of public instruction deems it necessary to order a priority approval process pursuant to WAC ~~((180-27-054))~~ 392-343-054. At the beginning of each biennium, the superintendent of public instruction shall estimate the amount of moneys necessary for allocation to districts for studies and surveys and not make such moneys available for any other purpose. In the event the estimated amount proves to be insufficient, the superintendent shall set aside additional moneys.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-054 Implementation of priority approval process. In the event the ~~((state board of education))~~ superintendent of public instruction determines that projected revenues, as calculated by the ceiling established in WAC ~~((180-27-056))~~ 392-343-056(2), are insufficient to meet school construction needs of school districts for the ensuing state fiscal year, the ~~((state board of education))~~ superintendent of public instruction shall by order ~~((the implementation of))~~ implement a priority approval process on final approval ~~((by the superintendent of public instruction))~~ of additional school construction projects pursuant to WAC ~~((180-29-107))~~ 392-344-107. Such priority approval process shall remain in effect until the order is rescinded by the ~~((state board of education))~~ superintendent of public instruction.

AMENDATORY SECTION (Amending WSR 99-24-127, filed 12/1/99, effective 1/1/00)

WAC 180-27-056 Funding during the period of a priority approval process order by ~~((state board of education))~~ the superintendent of public instruction. During the period of a priority approval process imposed by order of the ~~((state board of education))~~ superintendent of public instruction school construction projects shall receive final approval pursuant to WAC ~~((180-29-107))~~ 392-344-107 as follows:

(1) On or after July 1 following the ~~((state board of education))~~ superintendent of public instruction order for the implementation of a priority approval process the superintendant

of public instruction shall rank all projects for which final approval has been requested pursuant to WAC ~~((180-29-107))~~ 392-344-107 as per the applicable priority list in WAC ~~((180-27-500))~~ 392-343-500. Only school construction projects with ~~((state board of education))~~ the superintendent of public instruction approval under WAC ~~((180-25-045))~~ 392-341-045 and secured local capital funds by January 31 of the previous state fiscal year and eligible for final approval pursuant to WAC ~~((180-29-107))~~ 392-344-107 by June 30 of the previous state fiscal year shall be placed on the priority list.

(2) Each fiscal year the superintendent of public instruction shall give final approval to school construction projects on the priority list pursuant to WAC ~~((180-29-107))~~ 392-344-107 based on the level and conditions of legislative appropriations. For the purpose of this subsection the term "estimated revenue available for the state fiscal year" shall mean the estimated revenue from the common school construction fund for the current state fiscal year and the subsequent state fiscal year, the result of which is divided by two.

(3) In the event the ~~((state board of education))~~ superintendent of public instruction does not rescind the order for the implementation of a priority approval process by the close of the state fiscal year, school construction projects remaining on the priority list without final approval and, therefore, without secured funding status pursuant to WAC ~~((180-29-107))~~ 392-344-107 shall be combined with new school construction projects that have secured local capital funds by January 31 of the state fiscal year and that are eligible, pursuant to WAC ~~((180-29-107))~~ 392-344-107, for final approval by the close of the state fiscal year, and a new priority list shall be established on or after July 1 of the next state fiscal year and such remaining and new school construction projects shall be eligible for final approval pursuant to the provisions of subsections (1) and (2) of this section.

AMENDATORY SECTION (Amending WSR 95-16-076, filed 7/28/95, effective 8/28/95)

WAC 180-27-05605 Additional funding during a period of a priority approval process. Notwithstanding the provisions of WAC ~~((180-27-056))~~ 392-343-056, if within any state fiscal year, that is the second year of a biennium, there is funding authority and revenue in excess of what is required for the priority list established pursuant to WAC ~~((180-27-056))~~ 392-343-056, then there may be a subsequent priority list established in the same state fiscal year for the purpose of funding or encumbering funding only for those projects for which preliminary funded status had been granted prior to July 1 of that state fiscal year. The priority order shall be as per WAC ~~((180-27-500))~~ 392-343-500 through ~~((180-27-535))~~ 392-343-535.

AMENDATORY SECTION (Amending WSR 90-24-068, filed 12/5/90, effective 1/5/91)

WAC 180-27-05607 Funding for specifically appropriated projects during a period of a priority approval process. Notwithstanding the provisions of WAC ~~((180-27-056))~~ 392-343-056, if the State Capital Appropriations Act for any biennium makes a special, specific appropriation for

a particular project or priority category, such projects, or projects within the priority category, shall be exempt from the time lines established by WAC ~~((180-27-056))~~ 392-343-056 and may receive final approval pursuant to WAC ~~((180-29-107))~~ 392-344-107 at any time, provided that the requirements of chapter ~~((180-29))~~ 392-344 WAC have been complied with.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-057 State assistance—Deferred payment. In the event state moneys are not sufficient for a school district project, a school district may proceed at its own financial risk. At such time state moneys become available, reimbursement may be made for the project provided the provisions of chapter ~~((180-29))~~ 392-344 WAC have been complied with.

AMENDATORY SECTION (Amending WSR 90-24-068, filed 12/5/90, effective 1/5/91)

WAC 180-27-059 Application of priority system to projects with and without preliminary funding status. All projects with preliminary funding status pursuant to WAC ~~((180-26-050))~~ 392-342-050 shall be approved pursuant to WAC ~~((180-29-107))~~ 392-344-107 prior to projects without such status.

AMENDATORY SECTION (Amending WSR 01-19-042, filed 9/14/01, effective 10/15/01)

WAC 180-27-060 Determining the area cost allowance. (1) The area cost allowance for state assistance shall apply to the cost of construction of the total facility and grounds, including state sales and use taxes generally levied throughout the state of Washington and excluding those local option sales and use taxes levied by political subdivisions.

(2) The area cost allowance used in calculating state financial assistance for construction of school facilities shall be determined by the superintendent of public instruction using the prior year's area cost allowance, plus a construction inflation factor.

(3) The superintendent of public instruction's office shall work with ~~((the state board of education and other))~~ appropriate parties to develop ~~((and recommend to the state board for approval))~~ a method for determining the annual construction inflation factor. ~~((This recommendation shall be presented to the state board of education for approval at its October 2001 meeting, or as soon thereafter as is practical.))~~

AMENDATORY SECTION (Amending WSR 01-19-042, filed 9/14/01, effective 10/15/01)

WAC 180-27-063 Annual review ~~((and report by the superintendent of public instruction to the state board of education))~~ of actual construction costs of school projects. The superintendent of public instruction on an annual basis shall review actual construction costs of school projects ~~((and report findings to the state board of education))~~ for consideration and possible action.

AMENDATORY SECTION (Amending WSR 01-19-042, filed 9/14/01, effective 10/15/01)

WAC 180-27-065 Educational specifications. (1) Only school facility projects which are complete new facilities or modernization projects pursuant to chapter ~~((180-33))~~ 392-347 WAC are eligible for state assistance in the preparation of education specifications.

(2) The construction of interdistrict transportation cooperatives, or additions of less than fifteen thousand square feet to existing facilities, unless combined with modernization, are not eligible.

(3) The amount of state assistance for which a district is eligible for the preparation of educational specifications shall be the state matching percentage multiplied by the greater of the following:

(a) One quarter of one percent of the area cost allowance multiplied by the square foot area for the fiscal year funded; or

(b) Ten thousand dollars.

AMENDATORY SECTION (Amending WSR 01-09-011, filed 4/6/01, effective 5/7/01)

WAC 180-27-070 Architectural and engineering services. School districts shall select their architectural and engineering consultants in accordance with chapter 39.80 RCW. As required by RCW 39.80.050, the district shall negotiate a contract with the most qualified consultants at a price which the school district determines is fair and reasonable. In making its determination, the district shall take into account the estimated value of the services to be rendered based upon the scope and complexity of the project.

The allocation of state moneys for matching purposes for a school facility project shall be based on architectural and engineering services as defined by the latest edition of the *American Institute of Architects Handbook of Professional Practice* and calculated by the percentage(s) in relation to the square foot area of construction as calculated in WAC ~~((180-27-040))~~ 392-343-040 and project type, as set forth below:

(1) **New construction projects:**

Architectural and Engineering Team Fee Matching Limitations

Square Feet of Construction	Percent of Construction Cost
0 - 3,699	10.0
3,700 - 7,349	9.0
7,350 - 10,999	8.75
11,000 - 14,649	8.5
14,650 - 18,299	8.25
18,300 - 25,699	8.0
25,700 - 36,699	7.75
36,700 - 54,999	7.5
55,000 - 73,399	7.25
73,400 - 100,999	7.0
101,000 - 128,449	6.75

Square Feet of Construction	Percent of Construction Cost
128,450 - 155,999	6.5
156,000 - 183,499	6.25
183,500 & above	6.0

(2) Modernization projects:

For modernization projects, the limits of state participation shall be one and one-half times the amount calculated for new construction.

(3) Combination projects:

For those projects which include a combination of new construction and modernization, the limits of state participation shall be prorated as set forth in subsection (1) and (2) of this section.

AMENDATORY SECTION (Amending WSR 01-19-042, filed 9/14/01, effective 10/15/01)

WAC 180-27-080 Value engineering studies, constructability reviews, and building commissioning—Requirements and definition. At the appropriate time in the design process for a school facility approved by the (~~state board of education~~) superintendent of public instruction, the district shall prepare a value engineering study, complete a constructability review, and perform building commissioning for all projects greater than fifty thousand square feet. Value engineering studies, constructability reviews, and building commissioning shall be optional for projects larger than fifteen thousand square feet but less than fifty thousand square feet. Any project which includes fifteen thousand square feet or less shall be exempt from this requirement. For the purpose of this section, a value engineering study is defined as a cost control technique which is based on the use of a systematic, creative analysis of the functions of the facility with the objective of identifying unnecessary high costs or functions and/or identifying cost savings that may result in high maintenance and operation costs. The study shall consist of a forty-hour workshop involving a minimum of a five-person team pursuant to WAC (~~(180-29-065)~~) 392-344-065. A constructability review is defined as a cost control technique which is based on the review of project documents by mechanical, electrical, structural, construction, and design professionals prior to a request for bids. The purpose of a constructability review is to identify potential claim or problem areas and deficiencies that may occur as a result of errors, ambiguities, omissions, discrepancies, and conflicts in design documents. The study shall consist of a forty-hour workshop involving a minimum of a five-person team pursuant to WAC (~~(180-29-066)~~) 392-344-066. Building commissioning is defined as the process of verifying that the installation and performance of selected building systems meet or exceed the specified design criteria and therefore satisfy the design intent. Building commissioning shall include a physical inspection, functional performance testing, listing of noted deficiencies, and a final commissioning report. Building commissioning shall be performed by a professional agent or authority not contractually or otherwise financially associated with the project design team or contractor. A district shall be eligible for state assistance for a value engineering

study, a constructability review, and building commissioning for each qualifying project. The maximum amount of assistance for each component of the study package shall be the state matching percentage multiplied by the greater of the following:

(1) Two-fifths of one percent of the area cost allowance multiplied by the square foot area for the fiscal year funded; or

(2) Twenty thousand dollars.

AMENDATORY SECTION (Amending Order 25-85, filed 11/27/85)

WAC 180-27-085 Construction cost savings—Sharing incentive. The purpose of this section is to set forth provisions designed to further enhance cost effectiveness in the construction of exclusively new school facilities.

(1) Districts become eligible for a cost saving incentive equal to sixty percent of the state share of the construction cost savings if the cost of new construction at bid is less than the approved state matchable construction cost, as set forth in WAC (~~(180-27-020)~~) 392-343-020 (2)(a).

(2) The state matched fee for basic architectural and engineering services shall not be reduced if the project is bid and is awarded below the approved state matchable construction cost (WAC (~~(180-27-070)~~) 392-343-070) or the cost contracted for between the school district and architect/engineer, whichever is less.

(3) Any project attached to or adjacent to or otherwise designed to operate in conjunction with an existing facility and which contains additional area equal to or less than fifty percent of the area in the existing facility shall be classified as an addition and shall not be eligible for the cost saving incentive option authorized in this section.

(4) Districts shall not be eligible for a cost-saving incentive where the entire project, or any part of the project, qualifies for state support under chapter (~~(180-33)~~) 392-347 WAC.

(5) Receipt of a portion of the state share of construction cost savings shall not reduce the district's future eligibility and entitlement to state assistance in providing school facilities and shall not result in the district receiving more than one hundred percent of the cost of construction.

AMENDATORY SECTION (Amending WSR 01-19-042, filed 9/14/01, effective 10/15/01)

WAC 180-27-095 Support level—Furniture and equipment allowances. (1) A matchable allowance for furniture and equipment purchases shall be added to total construction cost of an approved school facilities project. The amount of state assistance for which a district is eligible shall be the eligible square foot area of the project multiplied by the area cost allowance for the fiscal year funded and that product multiplied by:

- (a) Two percent for elementary schools;
- (b) Three percent for middle and junior high schools;
- (c) Four percent for high schools;
- (d) Five percent for facilities for students with disabilities;
- (e) Five percent for interdistrict cooperative occupational skill centers; and

(f) Seven percent for interdistrict transportation cooperatives.

(2) For those projects where the eligible square footage is allocated to grade spans which do not conform to those listed above, the equipment allowance shall be allocated based on eligibility as established in WAC ((180-27-035)) 392-343-035.

AMENDATORY SECTION (Amending WSR 01-19-042, filed 9/14/01, effective 10/15/01)

WAC 180-27-115 Support level—Additional assistance. State assistance in addition to the amount determined pursuant to WAC ((180-27-020)) 392-343-020 may be allowed for the purposes and in accordance with the requirements set forth in this section: Provided, That in no case shall the state assistance exceed one hundred percent of the amount calculated for matching purposes: In each of the following exceptions, either at the time the project is approved pursuant to WAC ((180-25-040)) 392-341-040 or at any time prior to receiving secured funding status pursuant to WAC ((180-29-107)) 392-344-107, written school district application for additional assistance and ((state board of education)) the superintendent of public instruction approval is required:

(1) A school facility subject to abatement and an order to vacate.

A school district required to replace a school facility determined to be hazardous to the safety and health of school children and staff—as evidenced by reports of architects or engineers licensed to practice in the state of Washington, the health agency having jurisdiction, and/or the fire marshal and building official having jurisdiction—shall be eligible for additional assistance if the voters of the school district authorize the issuance of bonds and/or the levying of excess taxes to meet the statutory limits. If the ((state board of education)) superintendent of public instruction determines that the voters of the school district have authorized the issuance of bonds to its legal limit, the ((board)) superintendent of public instruction shall provide state financial assistance for the remaining cost of the building to a level not exceeding the area cost allowance for the fiscal year funded: Provided, That at any time thereafter when the ((state board of education)) superintendent of public instruction finds that the capital financial position of such district has improved, the amount of the additional allocation provided pursuant to this subsection shall be recovered by deducting an amount equal to all or a portion of such additional allocation from any future state school facility construction funds which might otherwise be provided to such district.

(2) Interdistrict cooperative centers.

In the financing of interdistrict cooperative projects as set forth in chapter ((180-31)) 392-345 WAC, the ((state board of education)) superintendent of public instruction shall allocate at seventy-five percent of the total approved project cost determined eligible for state matching purposes if the planned school facility meets the following criteria:

(a) Provides educational opportunities, including vocational skills programs, not otherwise provided; or

(b) Avoids unnecessary duplication of specialized or unusually expensive educational programs or facilities.

(3) School housing emergency.

A school district found by the ((state board of education)) superintendent of public instruction to have a school housing emergency requiring an allocation of state moneys in excess of the amount allocable under the statutory formula may be considered for an additional allocation of moneys: Provided, That the school district must have authorized the issuance of bonds to its legal capacity to meet the statutory and ((state board of education)) the superintendent of public instruction fiscal requirements for state assistance in providing school facilities.

The total amount of state moneys allocated shall be the total approved project cost determined eligible for state matching purposes multiplied by the districts' regular match rate as calculated pursuant to RCW 28A.525.166 plus twenty percent and not to exceed ninety percent in total: Provided further, That at any time thereafter when the ((state board of education)) superintendent of public instruction finds that the capital financial position of such district has improved, the amount of the additional allocation provided pursuant to this subsection shall be recovered by deducting an amount equal to all or a portion of such additional allocation from any future state school facility construction funds which might otherwise be provided to such district.

(4) Improved school district organization.

If two or more school districts reorganize into a single school district and the construction of new school facilities results in the elimination of a small high school with a full-time equivalent enrollment in grades 9-12 of less than four hundred students and/or an elementary school with a full-time equivalent enrollment of less than one hundred students, the ((state board of education)) superintendent of public instruction shall match the total approved cost of the project at seventy-five percent.

(5) Racial imbalance.

Any school district that contains a school facility which is racially imbalanced as defined in WAC ((180-26-025)) 392-342-025 shall receive state assistance under this subsection in the amount of an additional ten percentage points above the matching percentage as calculated pursuant to RCW 28A.525.116 (b) and (c) which will not exceed a total of ninety percent of the total approved cost of construction: Provided, school construction projects for racial balance that meet the following conditions shall be provided state assistance at seventy-five percent of the square foot cost allowance for the fiscal year funded under the provisions of this subsection as they existed prior to the amendment of this subsection in 1993:

(a) Voter approved local matching funds were authorized before December 31, 1992;

(b) The superintendent of public instruction approved a comprehensive desegregation plan with specific construction and modernization projects under additional state assistance criterion in effect at that time, which will be identified on or before September 15, 1993; and

(c) The superintendent of public instruction confirms at the time of project approval pursuant to WAC ((180-25-040)) 392-341-040 the continued existence of racial balance needs.

In the case of a school district which contains a racially imbalanced school facility the district must demonstrate that,

as a result of new construction or modernization, the particular school facility will no longer be racially imbalanced, that the combined minority enrollment in the particular school facility will be reduced by more than ten percentage points, and that the above stated results will be obtained as a direct result of increased enrollment of nonminority students in the particular school facility: Provided, That the particular school facility shall remain racially balanced for a period of at least five years after the date of actual building occupancy: Provided further, That if the ~~((state board of education))~~ superintendent of public instruction finds that the school facility does not remain racially balanced for five years then the amount of additional state assistance provided pursuant to this subsection shall be recovered by deducting an amount equal to all of the additional allocation from any future state school facility construction funds which might otherwise be provided to such district.

(6) Any project that has received approval for additional state assistance under provisions of this section as they existed prior to the amendment of this section in 1993 shall retain authorization for additional assistance under the provisions in effect at the time of such approval.

AMENDATORY SECTION (Amending WSR 04-23-009, filed 11/4/04, effective 12/5/04)

WAC 180-27-120 Costs to be financed entirely with school district funds. The cost of the following areas, facilities, and items shall not be eligible for the state matching purposes:

- (1) The cost of area in excess of the space allocations as set forth in WAC ~~((+80-27-035))~~ 392-343-035;
- (2) Acquisition cost of site;
- (3) Maintenance and operation;
- (4) Alterations, repair, and demolitions, except alterations necessary to connect new construction to an existing building;
- (5) Central administration buildings;
- (6) Stadia/grandstands;
- (7) Costs incidental to advertising for bids, site surveys, soil testing for site purchase, and costs other than those connected directly with the construction of facilities;
- (8) Bus garages, except interdistrict cooperatives;
- (9) Sales and/or use taxes levied by local governmental agencies other than those sales and/or use taxes levied by the state of Washington;
- (10) All costs in excess of state support level factors established by the ~~((state board of education))~~ superintendent of public instruction for state participation in financing school construction; and/or
- (11) All costs associated with the purchase, installation, and relocation of portable classrooms.

AMENDATORY SECTION (Amending Order 11-83, filed 10/17/83)

WAC 180-27-125 Unforeseen costs. The ~~((state board of education))~~ superintendent of public instruction shall not provide additional assistance for unforeseen circumstances related to the construction project after the filing of construction contract(s) with the superintendent of public instruction

except those required by change to the state building code as set forth in chapter 19.27 RCW.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-425 Removal from instructional space inventory—Replacement. A school facility shall be removed from the superintendent of public instruction's instructional space inventory after it has been replaced with a school facility accepted by the school district board of directors on a square footage basis through one of the following actions:

- (1) The replacement school facility is wholly financed with local district funds; or
- (2) The replacement school facility is constructed with state funding assistance authorized under the authority of chapter ~~((+80-33))~~ 392-347 WAC.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-500 State assistance—Priorities after June 30, 1992. The priority system for the funding of school construction projects after June 30, 1992, shall be as follows: For all new construction and modernization projects for school districts, there will be a unique priority score determined by the elements and formulas contained in WAC ~~((+80-27-505))~~ 392-343-505 through ~~((+80-27-520))~~ 392-343-520. The total score shall be used to rank all projects that have secured local funding and state board of education approval after January 26, 1991, or the superintendent of public instruction approval after June 6, 2006, and are otherwise eligible for state funding assistance. The elements are divided into three groups:

- (1) Common elements;
- (2) New construction for growth elements; and
- (3) Modernization or new-in-lieu of modernization elements.

In the case of a combined project (i.e., new construction for growth and modernization), the respective scores in each group will be prorated on the basis of each group's related gross square footage in the total project.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-505 State assistance—Common priority elements. The four priority elements that are common to all projects are as follows:

- (1) Type of space - Ten possible points. In this element the net assignable square feet (NASF) of a project are identified by planned space inventory category. Category One is space used for scheduled instruction and libraries (classrooms, laboratories, PE teaching space, libraries, and learning resource centers). Category Two is space used in support of instruction (assembly, student services, office space, and classroom/lab service and support). Category Three space is cafeteria/food service, spectator seating, covered play areas, and general support space. The formula for determining points prorates the NASF with weightings of ten for Category

One, seven for Category Two, and four for Category Three as shown below.

NASF of Category One	X	10 points = X
NASF of Category Two	X	7 points = X
NASF of Category Three	X	4 points = X

Then: The sum of X divided by the sum ofNASF equals points.

(2) Local priority - Five points. For this element, five maximum points are awarded to the district's first priority project. Each priority from there has one point deducted from it, to a minimum of zero points awarded.

(3) Joint funding - Five possible points. A binding agreement between the school district and another governmental entity for the joint financing of new construction or modernization of space which is not otherwise eligible for state assistance.

Total Project Cost Up to \$1,000,000	Required Joint Funding 25% of total project cost
Between \$1,000,000 and \$2,000,000	\$275,000
Between \$2,000,000 and \$3,000,000	\$300,000
Between \$3,000,000 and \$4,000,000	\$325,000
Between \$4,000,000 and \$5,000,000	\$350,000
Between \$5,000,000 and \$6,000,000	\$375,000
Between \$6,000,000 and \$7,000,000	\$400,000
Between \$7,000,000 and \$8,000,000	\$425,000
Between \$8,000,000 and \$9,000,000	\$450,000
Between \$9,000,000 and \$10,000,000	\$475,000
\$10,000,000 and over	\$500,000

(4) Modified calendar or schedule - Five possible points. For this element, up to five points utilizing the table below will be awarded to a project in a district which has adopted a modified school calendar or schedule that enables more students to use school buildings each year over what current state capacity standards at WAC ((180-27-035)) 392-343-035 recognize for state assistance purposes. The modified calendar or schedule shall utilize either extended school day or additional days for instruction in the year. The enrollment percentage shall be calculated on the same grade span groupings as for eligibility in WAC ((180-27-050)) 392-343-050. For the purpose of this subsection, the enrollment shall include all students enrolled at the facility as opposed to only those students in attendance.

Enrollment Percentage Increase Over Capacity	Priority Points
20 to above	5
16 to 19.9	4
12 to 15.9	3
8 to 11.9	2
4 to 7.9	1
Below 4	0

The scores for this group of elements will be determined after district compliance with the requirements of WAC ((180-29-107)) 392-344-107.

AMENDATORY SECTION (Amending WSR 92-16-058, filed 8/3/92, effective 9/3/92)

WAC 180-27-510 State assistance—New construction for growth priority factors. The three factors that are related to new construction for growth are as follows:

(1) Projected percent unhoused - Fifty-five possible points. The district percent unhoused five years in the future is based on the projection of enrollment per WAC ((180-27-045)) 392-343-045 for two grade categories, including pre-school special education, compared to the formula capacity of existing space based on WAC ((180-27-035)) 392-343-035 as computed per WAC ((180-27-050)) 392-343-050.

If the projected district percent unhoused for the applicable grade category is equal to or greater than forty percent, full points are awarded. If the projected district percent unhoused is less than five percent but greater than zero percent, then a minimum of fifteen points are awarded. If the projected percent unhoused is between five percent and forty percent, then the forty remaining points (55-15) are proportionately awarded.

(2) Mid-range projection - Five possible points. This factor is to recognize the degree of immediacy of a district's capacity problem. The district's point score in subsection (1) of this section is first multiplied by .091 to reflect the relationship between the fifty-five possible points in subsection (1) of this section and the five points in this subsection. This produces the maximum points a project can be awarded in this factor. The actual points are determined by the relationship between the district's unhoused percentage three years in the future divided by the unhoused percentage five years in the future. For example, if a district received 43.57 points in subsection (1) of this section due to a projected thirty percent unhoused condition and its three-year projection is that it will be twenty-four percent unhoused, it will receive 3.17 points (i.e., ((42.57 x .091) x (24 percent/30 percent)) = 3.17).

(3) Number of years unhoused - Five possible points. This factor is to recognize the duration of an unhoused problem. One point is awarded for each year the district has had an unhoused condition in the applicable grade category during the past five years, up to the five points maximum.

The scores shall be determined at the time of project approval per WAC ((180-25-045)) 392-341-045. These scores shall be carried for a period of twenty-four months, at which time new scores shall be determined utilizing the then most current enrollment projections and facts. A district may request a redetermination of scores at any time.

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-515 Modernization or new-in-lieu of modernization priority elements. The three priority elements that are related to modernization or new-in-lieu projects are as follows:

(1) Health & safety - Twenty possible points. A maximum of sixteen points are awarded based on the evaluation

contained in the Building Condition Evaluation Form (BCEF) (WAC ((+80-27-535)) 392-343-535) and are awarded as follows:

15 - 19 percent = 16 points, 20 - 24 percent = 15 points, 25 - 29 percent = 14 points, etc., until 95 percent at which no points are awarded.

The health and safety condition points are combined with an additional:

Two points if school does not meet seismic code requirements.

Two points if school is not asbestos free.

(2) Condition of building - Thirty possible points. The score is based on the Building Condition Evaluation Form (WAC ((+80-27-535)) 392-343-535) analysis for all categories other than access for persons with disabilities. If the building condition score is thirty-one or less, then the maximum thirty points are awarded to the project. If the condition score is ninety-one or more, then no points are awarded. If the condition score is from thirty-two to ninety, the condition score is subtracted from ninety-one and multiplied by fifty percent to determine the points. In cases where projects affect multiple buildings, the BCEF score is weighted by the proportion of gross square feet (GSF) affected.

(3) Cost/benefit factor - Ten minus points possible. If the proposed project is a modernization and the BCEF score is less than forty, one point is deducted for each point the BCEF score is less than forty up to a total possible deduction of ten points.

If the proposed project is a new-in-lieu of modernization and the BCEF score is greater than sixty, one point is deducted for each point the BCEF score is higher than sixty to a total possible deduction of ten points.

The scores shall be determined at the time of project approval per WAC ((+80-25-045)) 392-341-045. These scores shall be carried until the district requests a redetermination.

AMENDATORY SECTION (Amending WSR 92-16-058, filed 8/3/92, effective 9/3/92)

WAC 180-27-525 State assistance—Priorities for co-ops. For cooperative projects approved by the ((state board of education)) superintendent of public instruction under the authority of chapters ((+80-31)) 392-345 and ((+80-32)) 392-346 WAC, the following priority scores shall be assigned with similar projects ranked in order of date of approval with the earliest date ranked highest:

Type of Interdistrict	Priority Score
Cooperative Facility	
Vocational Skill Centers	25
Transportation Centers	10
Other Cooperative Facilities	20

AMENDATORY SECTION (Amending WSR 98-19-143, filed 9/23/98, effective 10/24/98)

WAC 180-27-530 Type of school space—Determination. In order to determine the inventory space category of net assignable square feet for priority scoring purposes in WAC ((+80-27-505)) 392-343-505, the category use for which the space is designated by the district shall be the assigned category. When inventory space has been designated and scheduled for multiple purposes, the category for priority scoring purposes shall be the primary scheduled use.

AMENDATORY SECTION (Amending WSR 92-16-058, filed 8/3/92, effective 9/3/92)

WAC 180-27-535 Existing building condition—Evaluation. Building condition and health and safety evaluations for purposes of determining priority scores and completing building inventories shall be conducted and reported to the superintendent of public instruction, utilizing an evaluation model and reporting forms for building type, history, equipment, condition, health and safety factors, and portables on site that shall be adopted and subject to revision from time to time by the ((state board of education)) superintendent of public instruction. The information provided by the district on these forms shall be subject to review by ((the state board of education,)) the staff or agents of the superintendent of public instruction, or to audit by the state auditor. Compliance with this requirement for all schools in a district is a requirement for the receipt of any state construction assistance for projects approved after January 26, 1991.

AMENDATORY SECTION (Amending WSR 99-24-127, filed 12/1/99, effective 1/1/00)

WAC 180-27-600 Emergency repair grant applications—Definitions—"Emergency repair," "imminent health and safety hazards," and "local funding." As used in WAC ((+80-27-605)) 392-343-605 through ((+80-27-615)) 392-343-615:

(1) The term "emergency repair" means a repair to a school building necessitated by causes specified in any current biennial appropriation.

(2) The term "imminent health and safety hazard" means a threat of immediate physical injury to the occupants of a building.

(3) The term "local funding" means insurance settlements, litigation proceeds in excess of costs, any unreserved general fund balance in excess of \$200/FTE student for first class districts or \$500/FTE student for second class districts as reported in the most recently available annual fiscal report (F196), any unobligated, unreserved capital fund balance, any capital funds reserved for uninsured risk, and any unused voter-approved bond capacity. Districts shall not be required to pass bond or levy issues or incur nonvoted debt in order to qualify for these funds.

AMENDATORY SECTION (Amending WSR 99-24-127, filed 12/1/99, effective 1/1/00)

WAC 180-27-605 Emergency repair grant applications—Contents of applications. The ~~((state board of education))~~ superintendent of public instruction may allocate any funds specifically appropriated for this purpose by the legislature to school districts for emergency repair projects for school buildings which present imminent health and safety hazards for building occupants in accordance with the following process and eligibility criteria:

(1) A school district board of directors shall approve and present to the superintendent of public instruction a written application for emergency repair funding on a form provided by the superintendent of public instruction.

(2) The application and accompanying documentation shall include, but not be limited to:

(a) Certification of the unrestricted balance, if any, of the district's general fund and capital projects fund and that all avenues of local funding have been exhausted;

(b) A determination and description of available alternative housing options for occupants of the building;

(c) A detailed description of the nature of the emergency repair;

(d) A detailed description of the nature and extent of the imminent health and safety hazards that exist, and the extent they would be alleviated by the emergency repair;

(e) Evidence that the district is aggressively pursuing civil remedies against the responsible party or parties as appropriate;

(f) Certification by a health official, fire official, building official, labor and industries official or other independent and competent authority that an imminent health and safety hazard to building occupants of a specified nature and extent exists unless the emergency repairs are made; and

(g) The estimated cost of the emergency repairs based upon an estimate made by two or more independent, qualified cost estimators.

(h) A plan for repayment of the grant.

AMENDATORY SECTION (Amending WSR 99-24-127, filed 12/1/99, effective 1/1/00)

WAC 180-27-610 Emergency repair grant applications—~~((State board of education))~~ The superintendent of public instruction approval/disapproval. The superintendent of public instruction shall ~~((recommend to the state board of education))~~ determine whether or not an application shall be funded and, if so, the amount to be funded. The ~~((state board of education))~~ superintendent of public instruction shall make the final decisions respecting emergency repair applications and grants.

AMENDATORY SECTION (Amending WSR 99-24-127, filed 12/1/99, effective 1/1/00)

WAC 180-27-615 Emergency repair grant applications—Repayment conditions. Grants of emergency repair moneys shall be conditioned upon the written commitment and plan of the school district board of directors to repay the grant by waiving the school district's current or future eligi-

bility for state building assistance under chapters ~~((180-25))~~ 392-341 through ~~((180-33))~~ 392-347 WAC, or with insurance payments, or with any judgment(s) that have been awarded, or with other means and sources of repayment. Any such written commitment and plan for repayment may subsequently be modified by mutual agreement between the school district board of directors and the ~~((state board of education))~~ superintendent of public instruction.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified as follows:

Old WAC Number	New WAC Number
180-27-005	392-343-005
180-27-010	392-343-010
180-27-012	392-343-012
180-27-015	392-343-015
180-27-016	392-343-016
180-27-017	392-343-017
180-27-018	392-343-018
180-27-019	392-343-019
180-27-020	392-343-020
180-27-023	392-343-023
180-27-025	392-343-025
180-27-030	392-343-030
180-27-032	392-343-032
180-27-035	392-343-035
180-27-040	392-343-040
180-27-045	392-343-045
180-27-050	392-343-050
180-27-053	392-343-053
180-27-054	392-343-054
180-27-056	392-343-056
180-27-05605	392-343-05605
180-27-05607	392-343-05607
180-27-057	392-343-057
180-27-059	392-343-059
180-27-060	392-343-060
180-27-063	392-343-063
180-27-065	392-343-065
180-27-070	392-343-070
180-27-075	392-343-075
180-27-080	392-343-080
180-27-085	392-343-085
180-27-095	392-343-095
180-27-100	392-343-100
180-27-102	392-343-102
180-27-105	392-343-105
180-27-110	392-343-110

180-27-115	392-343-115
180-27-120	392-343-120
180-27-125	392-343-125
180-27-405	392-343-405
180-27-410	392-343-410
180-27-415	392-343-415
180-27-420	392-343-420
180-27-425	392-343-425
180-27-500	392-343-500
180-27-505	392-343-505
180-27-510	392-343-510
180-27-515	392-343-515
180-27-525	392-343-525
180-27-530	392-343-530
180-27-535	392-343-535
180-27-600	392-343-600
180-27-605	392-343-605
180-27-610	392-343-610
180-27-615	392-343-615

AMENDATORY SECTION (Amending WSR 98-19-141, filed 9/23/98, effective 10/24/98)

WAC 180-29-005 Authority. This chapter is adopted pursuant to RCW 28A.525.020 relating to authority of the ~~((state board of education))~~ superintendent of public instruction to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of allotments to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provision of chapter 28A.525 RCW currently applicable to state assistance for school plant facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, and 28A.525.162 through 28A.525.178.

AMENDATORY SECTION (Amending Order 12-83, filed 10/17/83)

WAC 180-29-010 Purpose. The purpose of this chapter is to set forth the procedures governing all applications for state assistance, allocations of state funds, and disbursements by school districts and the superintendent of public instruction for school facility projects approved for state assistance by the ~~((state board of education))~~ superintendent of public instruction. The superintendent of public instruction shall prescribe and furnish forms for the purposes set forth in this chapter.

AMENDATORY SECTION (Amending WSR 01-08-040, filed 3/30/01, effective 4/30/01)

WAC 180-29-012 Waiver of rules to facilitate alternative public works contracting procedures. The provisions of this chapter may be deemed waived in accordance with WAC ~~((180-25-012))~~ 392-341-012.

AMENDATORY SECTION (Amending WSR 98-19-141, filed 9/23/98, effective 10/24/98)

WAC 180-29-021 Deadline for submission of agenda items. All items related to the approval of school facilities and requiring action by the ~~((state board of education))~~ superintendent of public instruction shall be submitted to the superintendent of public instruction no later than sixty days prior to the date of any regular ~~((state board of education))~~ superintendent of public instruction meeting at which action is expected.

AMENDATORY SECTION (Amending WSR 98-19-141, filed 9/23/98, effective 10/24/98)

WAC 180-29-025 ~~((State board of education))~~ Superintendent of public instruction review. Upon completion of the study and survey by the superintendent of public instruction and review by district board of directors, the study and survey ~~((shall be submitted to the state board of education, accompanied by recommendations from the superintendent of public instruction))~~ and an application for state assistance from the district for the project(s) to be considered ~~((by the board))~~ shall be reviewed by the superintendent of public instruction. ~~((State board of education))~~ Superintendent of public instruction approval of a proposed project(s) shall establish the maximum matchable area and estimated amount of state financial assistance based upon the information furnished in the study and survey.

AMENDATORY SECTION (Amending WSR 98-19-141, filed 9/23/98, effective 10/24/98)

WAC 180-29-035 Site. (1) The district shall provide the superintendent of public instruction with certification from the district board of directors that the site will not create or aggravate racial imbalance.

(2) Review of the site by the superintendent of public instruction as required by chapter ~~((180-26))~~ 392-342 WAC shall be completed prior to issuance of preliminary funding status.

AMENDATORY SECTION (Amending WSR 99-24-126, filed 12/1/99, effective 1/1/00)

WAC 180-29-040 Educational specifications. Prior to the commencement of the design of the proposed school facility, the school district shall cause to be prepared the educational specifications pursuant to chapter ~~((180-26))~~ 392-342 WAC.

AMENDATORY SECTION (Amending Order 12-83, filed 10/17/83)

WAC 180-29-045 Notice to proceed with design. After completion of the educational specifications review process as set forth in WAC ~~((180-29-040))~~ 392-344-040 and after approval of the site, the superintendent of public instruction shall transmit to the school district a notice to proceed with the design of the school facility.

AMENDATORY SECTION (Amending Order 12-83, filed 10/17/83)

WAC 180-29-050 Educational specifications contracts. Contracts between the school district and the educational specifications consultant, if any, shall stipulate the amount of fee and the consultant's duties, i.e., scope of work, to be performed as required in chapter ((180-26)) 392-342 WAC set forth.

AMENDATORY SECTION (Amending Order 12-83, filed 10/17/83)

WAC 180-29-055 Architect-engineer contracts. Architects and engineers employed on approved school facility projects involving state school building moneys shall be licensed to practice in the state of Washington. Contract(s) between the school district and the architects and engineers shall stipulate the maximum amount of the fee and the duties, i.e., scope of work, to be performed as required in chapter ((180-27)) 392-343 WAC.

AMENDATORY SECTION (Amending Order 12-83, filed 10/17/83)

WAC 180-29-060 Energy conservation report contracts. Contracts between the school district and the energy conservation consultant, if not included in the architect-engineer contract for professional services, shall stipulate the amount of fee and the consultant's duties, i.e., scope of work, to be performed as required by chapter ((180-27)) 392-343 WAC set forth.

AMENDATORY SECTION (Amending Order 12-83, filed 10/17/83)

WAC 180-29-065 Value engineering contracts. Value engineering consultants employed on approved school facilities projects shall include a value engineering team coordinator/leader qualified by the Society of American Value Engineers to manage and coordinate a value engineering study. Contracts between the school district and the value engineering consultant shall stipulate the amount of the fee and the consultant's duties, i.e., scope of work, to be performed as in chapter ((180-27)) 392-343 WAC set forth.

AMENDATORY SECTION (Amending WSR 99-24-126, filed 12/1/99, effective 1/1/00)

WAC 180-29-066 Constructability review contracts. Consultants performing constructability reviews on approved school facilities shall utilize an independent multidiscipline team and shall have a minimum of five years of experience providing constructability reviews of equivalent size projects. Contracts between the school district and the consultant shall stipulate the amount of the fee and the consultant's duties to be performed as in chapter ((180-27)) 392-343 WAC.

AMENDATORY SECTION (Amending WSR 99-24-126, filed 12/1/99, effective 1/1/00)

WAC 180-29-067 Building commissioning contracts. Consultants performing building commissioning on approved school facilities shall incorporate the attributes of the building commissioning association in their commissioning program. Contracts between the school district and the consultant shall stipulate the amount of the fee and the consultant's duties to be performed as in chapter ((180-27)) 392-343 WAC.

AMENDATORY SECTION (Amending WSR 00-04-008, filed 1/20/00, effective 2/20/00)

WAC 180-29-068 Construction management. A school district shall employ or contract for professional construction management pursuant to chapter ((180-27)) 392-343 WAC. Construction managers shall have recent demonstrable experience on projects of similar size and type. Construction managers hired as employees of the district shall have employment agreements clearly stipulating the duties and responsibilities of the employee. Contracts between the school district and outside consultants shall stipulate the amount of the fee and the consultant's duties to be performed as in chapter ((180-27)) 392-343 WAC.

AMENDATORY SECTION (Amending WSR 99-24-126, filed 12/1/99, effective 1/1/00)

WAC 180-29-075 Contracts—Filing. The school district shall submit to the superintendent of public instruction one copy of the following contracts for projects approved by the ((state board of education)) superintendent of public instruction for state assistance:

- (1) Educational specifications (WAC ((180-29-050)) 392-344-050)
- (2) Architect-engineer (WAC ((180-29-055)) 392-344-055)
- (3) Energy conservation report (WAC ((180-29-060)) 392-344-060)
- (4) Value engineering (WAC ((180-29-065)) 392-344-065)
- (5) Constructability review (WAC ((180-29-066)) 392-344-066)
- (6) Building commissioning (WAC ((180-29-067)) 392-344-067)
- (7) Construction management (WAC ((180-29-068)) 392-344-068).

AMENDATORY SECTION (Amending WSR 00-18-060, filed 9/1/00, effective 10/2/00)

WAC 180-29-085 Construction and other documents—Submittal. (1) For the purpose of determining that the provisions set forth in chapters ((180-25)) 392-341 through ((180-29)) 392-344 WAC have been complied with prior to the opening of bids of any project to be financed with state moneys, the school district shall have on file with the superintendent of public instruction the following:

(a) One copy of the construction documents forwarded by others;

(b) Cost estimate of construction on a form approved by the superintendent of public instruction, completed and signed by the architect-engineer;

(c) Signed copy or photocopy of letters of approval by other governmental agencies in accordance with WAC ((180-29-090)) 392-344-090;

(d) Area analysis on a form approved by the superintendent of public instruction in accordance with chapter ((180-27)) 392-343 WAC;

(e) Complete listing of construction special inspections and/or testing to be performed by independent sources that are included in the project pursuant to WAC ((180-27-100)) 392-343-100;

(f) One copy of the value engineering and constructability review reports as accepted by the school district board of directors. The reports shall include the following:

(i) A brief description of the original design;

(ii) A brief description of the value engineering or constructability review methodology used;

(iii) The areas analyzed;

(iv) The design alternatives proposed;

(v) The cost changes proposed;

(vi) The alternates accepted; and

(vii) A brief statement explaining why each alternate not accepted was rejected;

(g) Completed Building Condition Evaluation Forms (BCEF) as required by WAC ((180-27-535)) 392-343-535 for every school facility in the district.

(2) If the above documents reflect an increase in square foot size from the application approved by the ((state board of education)) superintendent of public instruction as per WAC ((180-29-030)) 392-344-030 which will result in an increase in state support, a new application must be submitted to the ((state board of education)) superintendent of public instruction.

AMENDATORY SECTION (Amending WSR 98-23-035, filed 11/10/98, effective 12/11/98)

WAC 180-29-090 Construction documents—Other governmental agency approval. The construction documents shall be submitted for the approval of the following other governmental agencies:

(1) Fire marshal or fire chief having jurisdiction when permitted by the state fire marshal;

(2) Department of labor and industries or local jurisdiction when permitted by the department of labor and industries (electrical);

(3) Health agency having jurisdiction;

(4) Department of ecology or the local agency having jurisdiction for environmental approvals (when applicable); and

(5) Building official having jurisdiction.

Approvals shall be in respect to compliance with pertinent rules and regulations established by said agencies.

Written approvals of the construction documents by the agencies shall be submitted to the superintendent of public

instruction in accordance with WAC ((180-29-085)) 392-344-085.

AMENDATORY SECTION (Amending WSR 91-12-055, filed 6/5/91, effective 7/6/91)

WAC 180-29-107 Bid opening—Superintendent of public instruction approval. (1) A school district shall not open bids until receiving written approval of the superintendent of public instruction. Such approval shall not be granted if more than one year has passed since the project received preliminary funding status pursuant to WAC ((180-26-050)) 392-342-050.

(2) The superintendent of public instruction shall grant approval if moneys are available for state assistance and the required documents pursuant to WAC ((180-29-075, 180-29-080, 180-29-085, 180-29-090, 180-29-095, and 180-29-100)) 392-344-075, 392-344-080, 392-344-085, 392-344-090, 392-344-095, and 392-344-100 are complete.

(3) If the superintendent of public instruction determines that the required documents are incomplete, the superintendent of public instruction shall hold the project and notify the school district in writing as to the incomplete items.

(4) If moneys are not available for state assistance in construction, the school district shall notify the superintendent of public instruction that they are proceeding with their own moneys with the expectation that they will be reimbursed as per WAC ((180-27-057)) 392-343-057.

AMENDATORY SECTION (Amending WSR 98-19-141, filed 9/23/98, effective 10/24/98)

WAC 180-29-1075 ((State board of education)) Superintendent of public instruction commitment when district is authorized to open bids. When a district is granted approval to open bids pursuant to WAC ((180-29-107)) 392-344-107, the ((state board of education)) superintendent of public instruction is committed as provided at WAC ((180-29-107)) 392-344-107 as well as to all other state building assistance determinations including but not limited to additional state assistance and professional fees determined pursuant to state building assistance rules and regulations in effect at the time such approval to open bids is granted. This commitment is subject to the district's compliance with the time limitation for requesting an authorization for contract award as set forth in WAC ((180-29-108)) 392-344-108.

AMENDATORY SECTION (Amending WSR 89-22-008, filed 10/20/89, effective 11/20/89)

WAC 180-29-108 Condition precedent to approval to bid. Any project for which the superintendent of public instruction authorizes a district to open bids pursuant to WAC ((180-29-107)) 392-344-107 shall request an authorization for contract award pursuant to WAC ((180-29-110)) 392-344-110 within ninety calendar days of receipt of approval pursuant to WAC ((180-29-107)) 392-344-107: Provided, That the ninety-day period shall be automatically extended for an additional ninety calendar days if:

(1) The lowest legally acceptable base bid, exclusive of alternates, received by a district exceeds the cost estimate submitted to the superintendent of public instruction pursuant to WAC ((180-29-085)) 392-344-085 by ten percent or more; and

(2) Prior to the expiration on or after June 15, 1989, of the initial ninety-day period the district has rejected, or hereafter rejects, all bids in order to solicit new bids.

A district which fails to request an authorization for contract award pursuant to WAC ((180-29-110)) 392-344-110 within the time period allowed by this section shall have its authority to proceed withdrawn. Districts with such projects withdrawn may reinstate an application for state assistance by first reapplying for project approval pursuant to WAC ((180-25-040)) 392-341-040.

AMENDATORY SECTION (Amending WSR 98-19-141, filed 9/23/98, effective 10/24/98)

WAC 180-29-115 Authorization for contract award.

(1) Upon receipt of the items as per WAC ((180-29-110)) 392-344-110, the superintendent of public instruction shall:

- (a) Analyze the bids;
- (b) Determine the amount of state moneys allocable; and
- (c) Make an allocation of state moneys for construction and other items as per chapter ((180-27)) 392-343 WAC.

(2) Authorization for contract award and allocation of state moneys shall be contingent upon the following:

- (a) The contract price for the construction has been established by competitive bid(s); and
- (b) The school district has available sufficient local funds pursuant to chapter ((180-25)) 392-341 WAC.

AMENDATORY SECTION (Amending WSR 95-08-030, filed 3/29/95, effective 4/29/95)

WAC 180-29-125 Award of contract(s). Upon receipt of authorization to award contract(s) from the superintendent of public instruction, the board of directors of the school district shall award contract(s) for construction of the school facility project no later than the expiration of the time period permitted by the terms and conditions of the bid(s) for the award of contract(s). Immediately following the awarding of contract(s), the board of directors of the school district shall forward to the superintendent of public instruction one copy of each properly executed contract, one copy of the contractor's cost breakdown, and one copy of the contract(s) payment schedule. Such cost breakdown and payment schedule shall be displayed on a form issued and approved by the superintendent of public instruction in accordance with WAC ((180-29-085)) 392-344-085 (1)(b). All state assistance-related approvals granted by the ((state board of education and the)) superintendent of public instruction under this chapter shall lapse and be null and void if a school district fails to award contract(s) within the time period permitted by the terms and conditions of the bid(s), unless noncompliance is waived for extraordinary reasons by the ((state board of education)) superintendent of public instruction.

AMENDATORY SECTION (Amending WSR 94-13-019, filed 6/3/94, effective 7/4/94)

WAC 180-29-130 Disbursement of moneys—Sequence of payments. The order in which funds shall be disbursed for school facility construction shall be as follows:

(1) Prior to payment from state moneys, the school district shall make payments on all claims submitted until such time as the total amount of school district moneys obligated by the district have been expended.

(2) When local moneys have been expended as in subsection (1) of this section, payments from state moneys shall then be made: Provided, That for projects authorized for state funding pursuant to WAC ((180-29-115)) 392-344-115(2) after June 30, 1993, payment shall be made after receipt of written certification by the school district board of directors that the school facility project authorized for state matching funds has been or will be completed according to the purposes for which the state matching funds are being provided.

AMENDATORY SECTION (Amending WSR 94-14-028, filed 6/28/94, effective 7/29/94)

WAC 180-29-135 Disbursement of moneys—General provisions applicable to payments. Disbursement of moneys shall be in accordance with the following provisions:

(1) Payments to contractor(s) by school district. Payments to contractors shall be on the basis of work completed. Contractors shall submit to the school district monthly estimates of work completed which shall be supported by the architect/engineer's certificate for payment. No payments shall be made without certification from the architect/engineer that such work has been completed.

(2) Payments to others. Payments to others as per chapter ((180-27)) 392-343 WAC shall be made in accordance with the contract provisions for those services.

(3) Retainage. The provisions of chapter 60.28 RCW relating to public works contracts and of WAC ((180-29-147)) 392-344-147 shall govern retainage on contract payments.

AMENDATORY SECTION (Amending WSR 94-14-028, filed 6/28/94, effective 7/29/94)

WAC 180-29-147 Retained percentage law related requirements. (1) State school building assistance is conditioned upon a school district's compliance with the cash, or bond in lieu of cash, retained percentage requirements of chapter 60.28 RCW and this section. A school district may elect to administer compliance with all requirements of chapter 60.28 RCW or, in part, designate the ((state board of education acting through the)) superintendent of public instruction as agent of the school district for purposes of administering retained percentage moneys reserved under RCW 60.28.011.

(2) Under RCW 60.28.011, a school district either:

(a) Must provide for the reservation of five percent of all moneys earned by a contractor either by the district, deposited by the district in an interest-bearing account or placed in escrow as provided in RCW 60.28.011(4); or

(b) Must accept a bond submitted by the contractor from any portion of the retainage in a form acceptable to the superintendent of public instruction and the school district and from a bonding company which meets the standards established at subsection (4)(b) of this section and by the school district, unless the school district can demonstrate good cause for refusing to accept the bond.

As a general rule, the (~~state board of education~~) superintendent of public instruction prefers and recommends the cash retainage option for reasons which include the security and ease of enforcement which the cash option affords.

(3) Cash retainage.

(a) If the school district reserves five percent of all moneys earned by the contractor in a retainage trust fund administered by the school district in accordance with RCW 60.28.011(1), moneys deposited in that trust fund (whether retained by the district, deposited by the district in an interest-bearing account, or placed in escrow), may be paid to the contractor without prior written consent by the superintendent of public instruction. The superintendent of public instruction shall make available to the school district model procedures and forms for setting up the trust fund selected by the contractor under RCW 60.28.011(4).

(b) At the request of the school district, the (~~state board of education acting through the~~) superintendent of public instruction may be designated as agent of the school district for cash retainage and will:

(i) Administer the retained percentage trust fund in accordance with RCW 60.28.011, inclusive of depositing, releasing and accounting for such moneys;

(ii) Establish and administer the retained percentage trust fund in accordance with the terms of chapter 60.28 RCW, and such terms as may be established by the superintendent of public instruction to ensure compliance with chapter 60.28 RCW, the security of trust fund moneys and efficient administration; and

(iii) Ensure that no moneys lawfully deposited in the retained percentage trust fund shall be paid to the contractor without the prior written consent of the superintendent of public instruction, except for the payment of interest earnings as may be required by law.

(4) If at the request of the contractor the bond in lieu of cash retained percentage option is implemented the following conditions apply:

(a) The bond shall be in terms and of a form approved and established by the superintendent of public instruction to ensure that the bond adequately addresses the purposes of chapter 60.28 RCW; and

(b) The bond shall be signed by a surety that is:

(i) Registered with the Washington state insurance commissioner; and

(ii) On the currently authorized insurance list published by the Washington state insurance commissioner.

(c) Whatever additional requirements for the bonding company as may be established by the school district.

(5) The release of retainage, whether cash or bond-in-lieu, shall be conditioned upon satisfactory compliance with the provisions of WAC (~~(180-29-165)~~) 392-344-165.

AMENDATORY SECTION (Amending WSR 98-19-141, filed 9/23/98, effective 10/24/98)

WAC 180-29-155 Final acceptance of project by architect/engineer. Upon final completion of the project by contractor(s), the architect/engineer shall inspect the project to determine compliance with the construction documents. The architect/engineer, upon determining that the project has been completed satisfactorily, shall make such recommendation through the issuance of a certificate of completion to the school district board of directors. Separate certificates of completion shall be written for each contract awarded. Certificates of completion shall provide a statement of work completed including the gross square footage of new and/or modernized construction per WAC (~~(180-27-019)~~) 392-343-019.

AMENDATORY SECTION (Amending WSR 99-24-126, filed 12/1/99, effective 1/1/00)

WAC 180-29-160 Acceptance of project by school district. Based upon board acceptance of a building commissioning report when required and an inspection of the project and the certificate(s) of completion signed by the architect/engineer, the school district board of directors shall accept the project as complete or reject the project as incomplete. Until the superintendent of public instruction receives a school district board resolution officially accepting the project as complete and a copy of the commissioning report with board acceptance, no release of retainage shall be made in accordance with WAC (~~(180-29-165)~~) 392-344-165.

AMENDATORY SECTION (Amending WSR 92-24-027, filed 11/24/92, effective 12/25/92)

WAC 180-29-165 Documents required for release of retainage by school district. Release of retainage on contracts shall be subject to receipt by the superintendent of public instruction of the following documents:

(1) These documents shall be required no later than thirty days after official acceptance:

(a) Properly executed state invoice voucher as per the requirements of WAC (~~(180-29-145)~~) 392-344-145;

(b) Architect/engineer certificate(s) of completion;

(c) School district board of directors' resolution of final acceptance signed by the authorized agent of the school district.

(2) These documents shall be required no later than sixty days after official acceptance:

(a) Certification by the authorized agent of the school district that the district has on file all affidavits of wages paid in compliance with RCW 39.12.040;

(b) After expiration of forty-five days following acceptance of the project by the school district, a signed statement by the authorized agent of the school district that no lien(s) is on file with the school district or a certified list of each lien is on file with the school district. A copy of each lien shall be forwarded to the superintendent of public instruction;

(c) Either a permanent or temporary occupancy permit by building official of the jurisdiction. Also required are

release documents as defined in chapter 60.28 RCW, RCW 50.24.130, and 51.12.050.

AMENDATORY SECTION (Amending WSR 94-14-028, filed 6/28/94, effective 7/29/94)

WAC 180-29-170 Liens. In the event that liens are filed with the school district, the provisions of RCW 60.28.010 through 60.28.060 shall apply. If the district holds a cash retainage under WAC (~~(180-29-147)~~) 392-344-147 (2)(a), the amount of each lien plus three thousand dollars or twenty-five percent of the claim, whichever is greater, for potential attorney fees, plus ten percent of the lien claim for court costs, shall be withheld from the retainage until any lien has been removed.

AMENDATORY SECTION (Amending WSR 98-19-141, filed 9/23/98, effective 10/24/98)

WAC 180-29-200 Forms. In addition to forms prescribed in WAC (~~(180-25-200 and 180-26-200)~~) 392-341-200 and 392-342-200, commencing January 1, 1986, forms applicable to the provisions of this chapter for school facility projects shall be as follows:

(1) Applications for secured funding status pursuant to WAC (~~(180-29-107)~~) 392-344-107 shall be designated as SPI Form D-7.

(2) Grants of secured funding status pursuant to WAC (~~(180-29-107)~~) 392-344-107 shall be given to districts through SPI Form D-8.

(3) Grants of authority for school districts to proceed without secured funding status pursuant to WAC (~~(180-29-107)~~) 392-344-107 shall be given to districts through SPI Form D-8-1.

(4) Applications for authority to enter into contracts pursuant to WAC (~~(180-29-110)~~) 392-344-110 shall be designated as SPI Form D-9.

(5) Grants of authority to enter into contracts pursuant to WAC (~~(180-29-115)~~) 392-344-115 shall be given to districts through SPI Form D-10.

(6) Grants of authority for school districts to enter into contracts without secured funding status pursuant to WAC (~~(180-29-115)~~) 392-344-115 shall be given to districts through SPI Form D-10-1.

(7) Applications for SPI to release retainage pursuant to WAC (~~(180-29-165)~~) 392-344-165 shall be designated as SPI Form D-11.

(8) Grants of release of final retainage pursuant to WAC (~~(180-29-165)~~) 392-344-165 shall be given through SPI Form D-12.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified as follows:

Old WAC Number	New WAC Number
180-29-005	392-344-005
180-29-010	392-344-010
180-29-012	392-344-012

180-29-021	392-344-021
180-29-025	392-344-025
180-29-035	392-344-035
180-29-040	392-344-040
180-29-045	392-344-045
180-29-050	392-344-050
180-29-055	392-344-055
180-29-060	392-344-060
180-29-065	392-344-065
180-29-066	392-344-066
180-29-067	392-344-067
180-29-068	392-344-068
180-29-075	392-344-075
180-29-080	392-344-080
180-29-085	392-344-085
180-29-090	392-344-090
180-29-095	392-344-095
180-29-100	392-344-100
180-29-105	392-344-105
180-29-107	392-344-107
180-29-1075	392-344-1075
180-29-108	392-344-108
180-29-110	392-344-110
180-29-115	392-344-115
180-29-120	392-344-120
180-29-125	392-344-125
180-29-130	392-344-130
180-29-135	392-344-135
180-29-140	392-344-140
180-29-145	392-344-145
180-29-147	392-344-147
180-29-150	392-344-150
180-29-155	392-344-155
180-29-160	392-344-160
180-29-165	392-344-165
180-29-170	392-344-170
180-29-200	392-344-200

WSR 06-11-178

EXPEDITED RULES

OFFICE OF THE

INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2006-06—Filed May 24, 2006, 11:16 a.m.]

Title of Rule and Other Identifying Information: Regulatory improvement.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kacy Scott, Insurance Commissioner's Office, P.O. Box 40255, Olympia, WA 98504-0255, e-mail Kacys@oic.wa.gov, fax (360) 586-3109, AND RECEIVED BY July 25, 2006.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These proposed amendments make changes to sections of Title 284 WAC to avoid duplication of filings. Foreign and alien insurers currently file their audited financial statements with the NAIC and the office of the insurance commissioner (OIC). This amendment will eliminate the requirement that they file with the OIC. The OIC has access to these reports at any time from the NAIC. An outdated reference is also removed.

Reasons Supporting Proposal: These proposed amendments further the insurance commissioner's commitment to update Title 284 WAC to improve its clarity and efficiency.

Statutory Authority for Adoption: RCW 48.02.060, 48.44.050, and 48.46.200.

Statute Being Implemented: RCW 48.05.250, 48.44.095, and 48.46.080.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Mike Kreidler, Insurance Commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: Dennis Julnes, P.O. Box 40258, Olympia, WA 98504-0259, (360) 725-7209; **Implementation and Enforcement:** Jim Odiorne, P.O. Box 40255, Olympia, WA 98504-0259, (360) 725-7214.

May 24, 2006
Mike Kreidler
Insurance Commissioner

AMENDATORY SECTION (Amending Matter No. R 2002-07, filed 10/23/02, effective 11/23/02)

WAC 284-07-100 Purpose and scope. (1) The purpose of this regulation, WAC 284-07-100 through 284-07-230, is to improve the Washington state insurance commissioner's surveillance of the financial condition of insurers by requiring an annual examination by independent certified public accountants of the financial statements reporting the financial position and the results of operations of insurers.

(2) Every insurer, as defined in WAC 284-07-110, shall be subject to this regulation. Insurers having direct premiums written of less than one million dollars in any calendar year and less than one thousand policyholders or certificate holders of directly written policies nation-wide at the end of such calendar year shall be exempt from this rule for such year (unless the commissioner makes a specific finding that com-

pliance is necessary for the commissioner to carry out statutory responsibilities) except that insurers having assumed premiums pursuant to contracts and/or treaties of reinsurance of one million dollars or more will not be so exempt.

(3) Foreign or alien insurers filing audited financial reports in another state, pursuant to such other state's requirement of audited financial reports which has been found by the commissioner to be substantially similar to the requirements herein, are exempt from this rule if:

(a) A copy of the Audited Financial Report, Report on Significant Deficiencies in Internal Controls, and the Accountant's Letter of Qualifications which are filed with such other state are filed with the ~~((commissioner))~~ NAIC in accordance with the filing dates specified in WAC 284-07-120, 284-07-190 and 284-07-200, respectively; and

(b) A copy of any Notification of Adverse Financial Condition Report filed with such other state is filed with the ~~((commissioner))~~ NAIC within the time specified in WAC 284-07-180.

Canadian insurers may submit accountants' reports as filed with the Canadian Dominion Department of Insurance.

(4) This rule shall not prohibit, preclude, or in any way limit the commissioner from ordering, conducting, or performing examinations of insurers under the rules, regulations, practices, and procedures of the insurance commissioner.

(5) After January 1, 2003, all reports and filings required by WAC 284-07-100 through 284-07-230 must be filed electronically with the commissioner. ~~((This includes the audit report for the insurer's financial statements for the year ended December 31, 2002.))~~ Insurers must electronically transmit the report or filing in PDF or other format as noted on the commissioner's web site. The commissioner has the discretion to allow an insurer to file paper copies of reports and filings required by WAC 284-07-100 through 284-07-230. The insurer must demonstrate that filing in electronic form will create an undue financial hardship for the insurer. Applications for permission to file in hard copy must be received by the commissioner at least ninety days before the statement of annual statement is due.

(6) To comply with statutory or other requirements that reports or filings be signed or verified, insurers and accountants may:

(a) Use a method of electronic signature verification that has been approved by the commissioner; or

(b) File a paper copy of the signature or verification at the time of the electronic transmission of the report or filing.

(7) The report or filing and the appropriate signatures and/or verifications must both be received to complete a filing. The date of receipt of the later of the two parts of the filing is considered the receipt date of the report or filing.