

**WSR 09-11-030**  
**PROPOSED RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed May 11, 2009, 11:43 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-06-039.

Title of Rule and Other Identifying Information: WAC 392-121-106 Definition—Enrolled student.

Hearing Location(s): Office of the Superintendent of Public Instruction, Old Capitol Building, 600 South Washington, Olympia, WA, on June 23, 2009, at 9:00 a.m.

Date of Intended Adoption: June 24, 2009.

Submit Written Comments to: Mitch Thompson, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200, e-mail Mitch.Thompson@k12.wa.us, fax (360) 725-6306, by June 22, 2009.

Assistance for Persons with Disabilities: Contact Clarice Nnanabu by June 22, 2009, TTY (360) 664-3631 or (360) 725-6271.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: There has come into question conflicts between WAC 392-121-108(1) and 392-121-106(4). This change will clear the conflict.

Reasons Supporting Proposal: There has come into question conflicts between WAC 392-121-108(1) allowing for twenty days of absence and WAC 392-121-106(4) which states that a student cannot be counted if they haven't attended within the first four days of the current school term. The conflict arises within the second school term where the student may not have been absent for twenty days, but WAC 392-121-106(4) prohibits the district from counting the student. This simply changes the wording to say current school year rather than current school term which would then allow for the district to exercise the twenty day absence rule.

Statutory Authority for Adoption: RCW 28A.150.290 (1).

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

Name of Proponent: Office of superintendent of public instruction, governmental.

Name of Agency Personnel Responsible for Drafting: Mitch Thompson, Old Capitol Building, 600 South Washington, Olympia, WA, (360) 725-6306; Implementation: Calvin W. Brodie, Old Capitol Building, 600 South Washington, Olympia, WA, (360) 725-6301; and Enforcement: Jennifer Priddy, Old Capitol Building, 600 South Washington, Olympia, WA, (360) 725-6292.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

A cost-benefit analysis is not required under RCW 34.05.328.

May 11, 2009  
 Randy I. Dorn  
 State Superintendent

AMENDATORY SECTION (Amending Order 95-03, filed 4/25/95, effective 5/26/95)

**WAC 392-121-106 Definition—Enrolled student.** As used in this chapter, "enrolled student" means a person residing in Washington state who:

(1) Is eligible to enroll in the school district's education programs because he or she:

(a) Resides in the school district with or without an address (RCW 28A.225.010, 28A.225.160 and 28A.225.-215);

(b) Resides on a United States reservation, national park, national forest, or Indian reservation contiguous to the school district (RCW 28A.225.170);

(c) Resides in a school district not offering the grade for which they are eligible to enroll such as a nonhigh district (RCW 28A.225.210);

(d) Has been released from the school district he or she resides in and has been accepted by the school district claiming enrollment (RCW 28A.225.225 and 28A.225.230);

(e) Will be attending the school district as part of an interdistrict cooperative program (RCW 28A.225.250); or

(f) Will be attending school in a school district in another state per a reciprocity agreement pursuant to RCW 28A.-225.260.

(2) After the close of the prior school year has presented himself or herself, or has been presented, to the school district's appropriate official to be entered on the school district's rolls for the purpose of attending school in grades kindergarten through twelve;

(3) Is under twenty-one years of age at the beginning of the school year;

(4) Actually participated on a school day during the first four school days of the current school term (semester or quarter), or on a school day during the current school (~~term~~) year on or prior to the date being counted, in a course of study offered by the school district as defined in WAC 392-121-107; and

(5) Does not qualify for any of the enrollment exclusions set forth in WAC 392-121-108.

**WSR 09-11-079**  
**PROPOSED RULES**  
**EXECUTIVE ETHICS BOARD**

[Filed May 18, 2009, 10:05 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-13-001.

Title of Rule and Other Identifying Information: WAC 292-110-010 Use of state resources.

Hearing Location(s): 1110 Capitol Way, Video Conference Room, 4th Floor, Olympia, WA 98504, on July 10, 2009, at 9:00 a.m.

Date of Intended Adoption: July 10, 2009.

Submit Written Comments to: Melanie de Leon, P.O. Box 40149, Olympia, WA 98504-0149, e-mail melanied@atg.wa.gov, fax (360) 586-3955, by July 3, 2009.

Assistance for Persons with Disabilities: Contact Ruthann Bryant by July 3, 2009, (360) 586-3265.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Further clarifies RCW 42.52.160. Allows that all forms of technology (computers, e-mail, internet and telephones) are treated alike. This amendment also reinforces the fact that all communications made on a state-owned device may be subject to the Public Records Act.

The amendment also clarifies that public resources may not be used to support an outside business or group, including a private business or political party. However, public resources may be used to support a nonprofit organization if provided for by law or authorized by an agency director.

Reasons Supporting Proposal: The board receives many questions regarding the use of state resources. By amending the rule, we believe that agency employees will gain a better understanding of the rules and regulations of the Ethics in Public Service Act.

Statutory Authority for Adoption: RCW 42.52.360 (2)(b).

Statute Being Implemented: Chapter 42.52 RCW.

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

Name of Proponent: [Executive ethics board], governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Melanie de Leon, 1110 Capitol Way, Suite 403, Olympia, WA 98504, (360) 586-6759.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no impact on small business.

A cost-benefit analysis is not required under RCW 34.05.328. There is no fiscal impact on the state.

May 15, 2009  
Melanie de Leon  
Executive Director

AMENDATORY SECTION (Amending WSR 02-07-074, filed 3/18/02, effective 4/18/02)

**WAC 292-110-010 Use of state resources.** (1) **State-ment of principles - stewardship.** The proper stewardship of state resources, including funds, facilities, tools, property, and employees and their time, is a responsibility that all state officers and employees share. Accordingly, state employees may not use state resources for personal benefit or gain or for the benefit or gain of other individuals or outside organizations. ~~((Personal benefit or gain may include a use solely for personal convenience, or a use to avoid personal expense.))~~ Responsibility and accountability for the appropriate use of state resources ultimately rests with the individual state officer ~~((and))~~ or state employee, or with the state officer or state employee who authorizes such use. ~~((Employees and officials are cautioned that their own personal use of state resources should never interfere with another state official or employee, or obligate another employee to make personal use of state resources. In addition,))~~ State officers and employees ~~((have an affirmative duty to))~~ should ensure that any per-

sonal use of state resources permitted by this section is the most efficient in terms of overall time and resources.

(2) **The following are permitted uses((:)):**

(a) Use of state resources that is reasonably related to the conduct of official state duties ~~((does not violate RCW 42.52.160. In addition))~~, or which is otherwise allowed by statute.

~~(b) An agency head or designee may authorize a use of state resources that is related to an official state purpose, but not directly related to an individual employee((s))'s official duty((, for example, conducting an agency combined fund campaign. Such uses shall be specifically authorized in writing and any use shall strictly conform to specific agency guidance.~~

~~(3) **Permitted uses under limited circumstances.** Extensive or repeated personal misuse of state resources, including state time, significantly undermines public trust in state government. Nevertheless, a very limited personal use of state resources that supports organizational effectiveness would not undermine public trust and confidence.~~

(c) An agency may authorize a specific use that promotes organizational effectiveness or enhances the job-related skills of a state officer or state employee. ~~((In addition, and notwithstanding the prohibition in RCW 42.52.160(1), but subject to subsection (6) of this section,))~~

(d) A state officer or employee may make an occasional but limited use of state resources only if each of the following conditions are met:

~~((a))~~ (i) There is little or no cost to the state;

~~((b))~~ (ii) Any use is brief ~~((in duration, occurs infrequently, and is the most effective use of time or resources;~~

~~(c) The use does not interfere with the performance of the officer's or employee's official duties;~~

~~(d) The use does not disrupt or distract from the conduct of state business due to volume or frequency;~~

~~((e))~~;

(iii) Any use occurs infrequently;

(iv) The use does not ~~((disrupt other state employees and does not obligate them to make a personal use of state resources))~~ interfere with the performance of any officer's or employee's official duties; and

~~((f))~~ (v) The use does not compromise the security or integrity of state property, information, or software.

~~((4))~~ (3) **Permitted use of computers ~~((and))~~, electronic mail, ~~((and))~~ the internet, and other technologies.**

A state officer or employee may use ~~((state computers and other))~~ equipment ~~((to access computer networks or other data bases, including))~~ such as the telephone, the internet, and electronic mail provided such use conforms to ethical standards under subsection ~~((3))~~ (2) of this section, and the use is not otherwise prohibited under subsection ~~((6))~~ (5) of this section. ~~((A state officer or employee may use state computers and other equipment to access the internet only if the officer's or employee's agency has adopted a policy governing internet access that is consistent with subsections (3) and (6) of this section.~~

~~((5))~~ (4) **No expectation of privacy.** Technologies such as electronic mail, facsimile transmissions, the internet, and voice mail ~~((are technologies that))~~ may create an electronic record. This is what separates these from other forms of com-

munication such as a telephone conversation. ~~((An))~~ The ethics rules do not distinguish between the various forms of communication. Electronic records ~~((is))~~ are reproducible and ~~((is))~~ therefore ~~((not))~~ cannot be considered private. Such records may be subject to disclosure under the Public ~~((disclosure law))~~ Records Act, or may be disclosed for audit or legitimate state operational or management purposes.

~~((6))~~ (5) Prohibited uses. ~~((The state Constitution, state and federal laws, and the Ethics in Public Service Act strictly prohibit certain private activity and certain uses of state resources. Any use of state resources to support such activity clearly undermines public confidence in state government and reflects negatively on state employees generally. This rule explicitly prohibits at all times the following private uses of state resources.))~~

(a) Any use for the purpose of conducting an outside business ~~((or))~~, private employment, or other activities conducted for private financial gain;

(b) Any use for the purpose of supporting, promoting the interests of, or soliciting for an outside organization or group, including, but not limited to ~~((a))~~, a private business, ~~((a non-profit organization,))~~ or a political party ~~((or))~~, or supporting or promoting the interests of a nonprofit organization, unless provided for by law or authorized by an agency head or designee ~~((or))~~;

(c) Any use for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Such a use of state resources is specifically prohibited by RCW 42.52.180, subject to the exceptions in RCW 42.52.180(2);

(d) Any use for the purpose of participating in or assisting in an effort to lobby the state legislature, or a state agency head. Such a use of state resources is specifically prohibited by RCW 42.17.190, subject to the exceptions in RCW 42.17.190(3);

(e) Any use related to conduct that is prohibited by a federal or state law or rule, or a state agency policy; and

(f) Any private use of any state property that has been removed from state facilities or other official duty stations, even if there is no cost to the state.

~~((7))~~ (6) Reimbursement for personal use. Establishing a system for reimbursement for private or personal use of state resources undermines the purpose of the Ethics in Public Service Act and imposes significant administrative burdens on state agencies. However, the board recognizes that in some limited situations, such as officers or employees working at remote locations, a system of reimbursement may be appropriate. Any system of reimbursement must be established by the agency in advance, and must result in little or no cost to the state, including administrative costs. To be ~~((valid))~~ permitted under this ~~((rule))~~ section, the board must approve any reimbursement system implemented by an agency.

~~((8))~~ (7) Agency policies encouraged. State agencies are encouraged to adopt policies applying these principles to their unique circumstances. Agency policies that are approved by the board qualify for "safe harbor" under WAC 292-120-035. Nothing in this ~~((rule))~~ section is intended to limit the ability of an agency to adopt policies that are more restrictive. However, violation of a more restrictive agency

policy by itself will not constitute a violation of RCW 42.52.160, even if it would constitute a violation of agency policy.

~~((9))~~ (8) Frequently asked questions and examples. The board maintains a list of frequently asked questions and examples that provide additional guidance regarding this ~~((rule))~~ section. State officers and employees are encouraged to review this document at the board's web site ~~((www.wa.gov/ethics))~~ www.ethics.wa.gov or to request a copy of the document through the board's office.

Washington State Executive Ethics Board  
~~((2425 Bristol Court SW))~~  
 P.O. Box 40149  
 Olympia, WA 98504-0149  
 Or by electronic mail at: [ethics@atg.wa.gov](mailto:ethics@atg.wa.gov)

**WSR 09-11-089**  
**PROPOSED RULES**  
**GAMBLING COMMISSION**

[Filed May 18, 2009, 12:16 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-08-050.

Title of Rule and Other Identifying Information: Amending WAC 230-17-137 Guidelines for imposing penalties in disciplinary actions.

Hearing Location(s): Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, on August 14, 2009, at 9:00 a.m.

Date of Intended Adoption: August 14, 2009.

Submit Written Comments to: Susan Arland, P.O. Box 42400, Olympia, WA 98504-2400, e-mail [SusanA@wsgc.wa.gov](mailto:SusanA@wsgc.wa.gov), fax (360) 486-3625, by August 1, 2009.

Assistance for Persons with Disabilities: Contact Gail Grate, executive assistant, by August 1, 2009, TTY (360) 486-3637 or (360) 486-3453.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Housekeeping change to subsection (1)(l) to change "commissioners" to "presiding officer."

When this rule was adopted in February 2009, an inadvertent typographical error in subsection (1)(l) listed the "commissioners" rather than the "presiding officer" as the person that may consider the factors listed in the rule when determining administrative penalties.

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Washington state gambling commission, governmental.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Mark Harris, Assistant Director, Lacey, (360) 486-3579.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement has not been prepared pursuant to RCW 19.85.025 because the change would not impose additional costs on businesses.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state gambling commission is not an agency that is statutorily required to prepare a cost-benefit analysis under RCW 34.05.328.

May 18, 2009  
Susan Arland  
Rules Coordinator

AMENDATORY SECTION (Amending Order 641, filed 2/17/09, effective 3/20/09)

**WAC 230-17-137 Guidelines for imposing penalties in disciplinary actions.** (1) Without in any manner limiting the authority granted to the commission under chapter 9.46 RCW or other applicable law to impose the level and type of discipline it may deem appropriate, at the request of any party, the presiding officer may consider the following factors, along with such others as he or she deems relevant, in determining the administrative penalty to be assessed for the violation of a statute or rule:

(a) The risk posed to the public health, safety, or welfare by the violation;

(b) Whether there are special policy implications relating to the violation, for example, those regarding underage gambling;

(c) Whether, and how, the violations impacted players, for example, failure to pay a player, and player-supported jackpot violations;

(d) Whether the applicant, licensee, or permittee:

(i) Knew, or reasonably should have known, the action complained of was a violation of any law, regulation, or condition of their license;

(ii) Previously received a verbal warning, written warning, notice of infraction, notice of violation and settlement (NOVAS), or administrative charges from the commission for similar violations;

(iii) Made, or attempted to make, a financial gain from the violation;

(iv) Had an existing compliance program related to the violation; or

(v) Has subsequently initiated remedial measures to prevent similar violations from reoccurring;

(e) Whether the violations were intentional, willful, or grossly negligent;

(f) Whether requiring the applicant, licensee or permittee to implement a written self-enforcement and compliance program would assist in ensuring future compliance with relevant laws, regulations, and license conditions;

(g) If the violation was caused by an officer or employee of the applicant, licensee, or permittee:

(i) Whether the individual who caused the violation acted within the scope of authority granted to him or her by the applicant, licensee or permittee; or

(ii) Whether the individual violated company policies, procedures, or other standards;

(h) The adequacy of any relevant training programs the applicant, licensee or permittee previously offered or made available to its employees;

(i) Whether and the extent to which the applicant, licensee or permittee cooperated with the commission during the investigation of the violation;

(j) The penalties imposed on other applicants, licensees or permittees for similar violations;

(k) Whether the applicant, licensee, or permittee reasonably relied upon professional advice from an accountant or other recognized professional, which was relevant to the conduct or action resulting in the violation; or

(1) Any other aggravating or mitigating circumstances the ~~((commissioners))~~ presiding officer deems relevant.

(2) A party intending to rely on any aggravating or mitigating factors must raise them at the initial hearing before the presiding officer in order to preserve them for any subsequent hearings before a reviewing officer.

(3) In the spring of 2011, staff will report to the commission on the impacts of this rule, if any.

**WSR 09-11-090**  
**PROPOSED RULES**  
**GAMBLING COMMISSION**

[Filed May 18, 2009, 12:17 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-08-059.

Title of Rule and Other Identifying Information: Amending WAC 230-15-040 Authorizing new games or changing game rules.

Hearing Location(s): Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, on August 14, 2009, at 9:00 a.m.

Date of Intended Adoption: August 14, 2009.

Submit Written Comments to: Susan Arland, P.O. Box 42400, Olympia, WA 98504-2400, e-mail SusanA@wsgc.wa.gov, fax (360) 486-3625, by August 1, 2009.

Assistance for Persons with Disabilities: Contact Gail Grate, executive assistant, by August 1, 2009, TTY (360) 486-3637 or (360) 486-3453.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The petitioner is requesting that the maximum number of games allowed within a single hand of cards be increased from three to six. He has stated verbally to staff that he wants the rule change because he plans to request approval of a new type of card game. His request was filed for discussion at the May 2009 commission meeting.

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Galaxy Gaming, Inc., private.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-

3446; and Enforcement: Mark Harris, Assistant Director, Lacey, (360) 486-3579.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement has not been prepared pursuant to RCW 19.85.025 because the change would not impose additional costs on businesses.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state gambling commission is not an agency that is statutorily required to prepare a cost-benefit analysis under RCW 34.05.328.

May 18, 2009  
Susan Arland  
Rules Coordinator

AMENDATORY SECTION (Amending Order 632, filed 10/14/08, effective 1/1/09)

**WAC 230-15-040 Requirements for authorized card games.** (1) In order for a game to be authorized, the game must:

(a) Be played with standard playing cards or with electronic card facsimiles approved by the director or the director's designee; and

(b) Offer no more than ~~((three))~~ six separate games with a single hand of cards. We consider bonus features and progressive jackpots separate games. If a player does not have to place a separate wager to participate, we do not consider it a separate game. An example of this is an "envy" or "share the wealth" pay out when another player achieves a specific hand; and

(c) Not allow side bets between players.

(2) Card game licensees may use more than one deck of cards for a specific game. They also may remove cards to comply with rules of a specific game, such as Pinochle or Spanish 21.

(3) Players must:

(a) Compete against all other players on an equal basis for nonhouse-banked games or against the house for house-banked games. All players must compete solely as a player in the card game; and

(b) Receive their own hand of cards and be responsible for decisions regarding such hand, such as whether to fold, discard, draw additional cards, or raise the wager; and

(c) Not place wagers on any other player's or the house's hand or make side wagers with other players, except for:

(i) An insurance wager placed in the game of Blackjack; or

(ii) An "envy" or "share the wealth" wager which allows a player to receive a prize if another player wins a jackpot or odds-based wager; or

(iii) A tip wager made on behalf of a dealer.

(4) Mini-Baccarat is authorized when operated in the manner explained for Baccarat in the most current version of *The New Complete Hoyle, Revised* or *Hoyle's Encyclopedia of Card Games*, or similar authoritative book on card games we have approved. However:

(a) Card game licensees may make immaterial modifications to the game; and

(b) Subsection (3) of this section does not apply; and

(c) The number of players is limited under WAC 230-15-055.

(5) A player's win or loss must be determined during the course of play of a single card game.

## WSR 09-11-095

### PROPOSED RULES

### DEPARTMENT OF ECOLOGY

[Order 04-02—Filed May 18, 2009, 5:05 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-07-185.

Title of Rule and Other Identifying Information: Chapter 173-517 WAC, Water resources management program for the Quilcene-Snow water resources inventory area (WRIA 17).

Hearing Location(s): Fort Worden Commons, 210 Battery Way, Port Townsend, WA, on June 25, 2009, at 6:30 p.m.

Date of Intended Adoption: August 28, 2009.

Submit Written Comments to: Department of Ecology Water Resources webpage at <http://www.ecy.wa.gov/programs/wr/instream-flows/quilsnowbasin.html>, Ann Wessel, Department of Ecology, Water Resources Program, P.O. Box 47600, Olympia, WA 98504-7600, e-mail [awes461@ecy.wa.gov](mailto:awes461@ecy.wa.gov), fax (360) 407-6574, by 5:00 p.m., July 10, 2009.

Assistance for Persons with Disabilities: Contact Judy Beitel by June 16, 2009. Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call (877) 833-6341.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The primary purpose of the rule is to adopt instream flows and protect instream resources in the Quilcene-Snow watershed (WRIA 17). The local watershed planning unit recommended continuing efforts to gather information and reach consensus on instream flows. Jefferson County commissioners approved recommendations in the watershed plan on January 10, 2005. The planning unit achieved consensus on instream flow values for seven streams (Big Quilcene, Little Quilcene, Tarboo, Thorndyke, Snow, Salmon, and Chimacum) on January 25, 2005. The key rule elements include:

- Setting instream flow levels on 13 streams in the watershed to protect aquatic resources, including habitat for threatened and endangered salmonids;
- Closing subbasins to future surface water and unmitigated groundwater withdrawals with the exception of seasonal water use from Chimacum Creek and the Big Quilcene River (and use of the reserves, below);
- Establishing limited reserves of water for future use and specifying conditions of use for the reserves;
- Establishing a conservation standard for new permit-exempt well use to benefit in-stream resources and better manage limited supply; and
- Allowing the collection and use of rooftop rainwater.

Reasons Supporting Proposal: The proposal furthers the state of Washington's water management goals and statutory

obligations, contains many elements recommended by the local watershed planning group and ensures that water will be available for exempt well use well into the future.

Statutory Authority for Adoption: Chapters 90.54, 90.22, 90.82, 90.03, and 90.44 RCW.

Statute Being Implemented: Chapters 90.03, 90.22, 90.-44, 90.54, 90.82 RCW.

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

Name of Proponent: Department of ecology, governmental.

Name of Agency Personnel Responsible for Drafting: Ann Wessel, Headquarters, Department of Ecology, (360) 407-6785; Implementation and Enforcement: Tom Loranger, Southwest Regional Office, Department of Ecology, (360) 407-6058.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

#### Small Business Economic Impact Statement

**Introduction:** The Washington state department of ecology (ecology) is proposing chapter 173-517 WAC, Water resource program for the Quilcene-Snow watershed, water resources inventory area (WRIA 17).

The purpose of this small business economic impact statement (SBEIS) is to identify and evaluate the various requirements and costs that the proposed rule might impose on businesses. In particular, the SBEIS examines whether the costs on businesses from the proposed rule impose a disproportionate impact on the state's small businesses. RCW 19.85.040 describes the specific purpose and required content of an SBEIS.<sup>1</sup>

To meet chapter 19.85 RCW, ecology is developing and issuing this SBEIS as part of our rule adoption process. Ecology intends to use the information in the SBEIS to ensure that the proposed rules are consistent with legislative policy.

**Rule Proposal:** The key elements of the proposed rule include:

- Setting instream flow levels in the watershed to protect aquatic resources, including habitat for threatened and endangered salmonids, and protect existing water users.
- Closing most subbasins to new year-round withdrawals.
- Establishing water reserves to provide a reliable water supply through 2025.
- Specifying conditions for accessing the water reserves to benefit in-stream resources and better manage limited supply.
- Establishing a conservation standard for new permit-exempt well withdrawals.
- Allowing rain catchment for on-site water use.

The proposed instream flows are designed to protect fish habitat. This makes less water available for future uses during low-flow portions of the year (July 1 through October 31). To provide a reliable, year-round supply of water for future uses, it is necessary to reserve water that would be available even when the instream flows are not met. To do this, RCW 90.54.020 (3)(a) requires that ecology determine

that there is an overriding consideration of the public interest (OCPI) to establish reserves for future out-of-stream uses.

The proposed reserves give more access to reliable water supplies for permit-exempt uses in the watershed and permitted uses in three subbasins, consistent with RCW 90.54.020(8) and the Growth Management Act (GMA). The reserves ensure a year-round, reliable water supply to meet demands estimated to occur through 2025. Future users of the reserves can obtain their water primarily from groundwater sources.

Water uses, established after the instream flow rule and that do not use reserves, are junior water rights and may be interrupted when instream flows are not met.

**Analysis of Compliance Costs for Washington Businesses:** We have assessed the impacts of the proposed rule by comparing water right management under the proposed rule to current practices. The current framework or "baseline" includes the use of water by permit-exempt wells (RCW 90.44.050) and any administrative procedures for considering applications for both new water rights and changes to existing water rights. Baseline administrative procedures include technical and legal review to ensure the proposed use meets flow protection requirements of chapters 90.22, 90.54, and 90.82 RCW.

We provide a brief description of compliance requirements below. You can find further details of water management under existing practices and the proposed rule in the cost-benefit analysis.

**Water Right Administration under the Proposed Rule:** The proposed chapter 173-517 WAC will create "instream flows." Instream flows are water rights for instream resources. Once adopted, the instream flows would be protected from impairment by "junior" water rights - those with a later priority date. This means junior water rights must not further deplete surface waters when stream flows do not meet the instream flow levels. The instream flows will not affect senior uses established before the rule. Uses from the reserves will also have uninterruptible water rights.

Ecology and the department of fish and wildlife negotiated the size of the reserves, established to provide water for permit-exempt well use. Water in the reserves would also provide water for new noninterruptible water rights in three subbasins (Little Quilcene, Big Quilcene, and Thorndyke).

As well as setting the instream flows and creating reserves for new uses, the proposed rule clarifies other requirements that might affect future uses. We describe the expected changes to water management below. For more detail on changes to water right administration, see the cost-benefit analysis.

**Surface Water:** The proposed rule would close the watershed to further surface water diversions during periods of low flow. During such periods, water users wanting a new surface water right would need to either:

- Purchase or lease, and transfer an existing water right.
- Suspend water use during periods of low flows.
- Develop storage mechanisms.
- Develop strategies, acceptable to ecology, to mitigate their impacts.
- Get a new water right from the reserve.

However, we do not expect the rule to have a large effect on those that cannot directly access the reserves. These users face similar obstacles to gaining new water rights under current practices. Absent rule making, all new surface water users would need to either mitigate or use stored water during periods of low flow.

**Groundwater Permits:** As with surface water, following adoption of the rule, ecology can also make decisions on groundwater right applications similar to the baseline, except for permitted uses from the proposed reserves in three subbasins. Applications for groundwater in hydraulic continuity with rivers and streams in WRIA 17 would be subject to flow conditions under the baseline or to the instream flows under the proposed rule.

As with surface water, there may be minimal effects to those water users not qualifying for the reserve, but ecology does not expect such effects to change business practices. In particular, many small businesses may still be able to meet demands under the groundwater permit exemption and conservation standard.<sup>2</sup> Groundwater users under the proposed rules are also able to avoid interruption by showing that their use is not in hydraulic continuity with closed surface water bodies.

Overall, the change in groundwater permitting does not significantly affect businesses, unless they qualify for one of the reserves' available water in Big Quilcene, Little Quilcene, or Thorndyke. The proposed rule will reduce the administrative costs of groundwater permitting. The rule closes certain/most groundwater areas, making case-by-case hydraulic connection determinations unnecessary. Applicants can still make these determinations and seek permits via traditional means if they choose.

**Permit-Exempt Groundwater Uses:** Under the proposed rules, permit-exempt well users would gain an uninterrupted water use through the reserves and in coastal management areas. Although exempt from permitting under RCW 90.44.050, permit-exempt wells remain subject to all other state water laws. Permit-exempt well use can be shut off if it impairs senior water rights, although this has not yet occurred in WRIA 17. Nonetheless, permit-exempt well users remain susceptible to future curtailment if withdrawals result in impairment of a senior water right.

The proposed rule reserves water for future permit-exempt wells subject to a restricted conservation standard of use, but are not subject to interruption to protect the created instream flows. The rule provides added assurances to small businesses that would rely on year-round water from permit-exempt wells.

Small businesses that locate outside a service area of municipal water suppliers are most likely to use permit-exempt wells.

**Changes or Transfers of Water Rights:** Ecology will continue to process changes or transfers of existing water rights as permitted by chapters 90.03 and 90.44 RCW. The process is the same with the proposed rule as with the baseline, although future decisions would also consider the potential of impairing the instream flows.

**Reserves of Water:** The use of water under the reserves, and the conditions of use, are part of the proposed rule. The reserves will allow eligible water users the benefit

of having a continuous, reliable source of water during low flow periods, with a few limits. These limits primarily include the finite quantity of the reserves and the restricted amount of the conservation standard, which is a condition of accessing the reserves. The proposed rule also requires measuring water use from the reserves.

**Coastal Management Areas:** The proposed rule establishes coastal management areas to protect streams too small for setting instream flows, but that still provide valuable salmonid habitat. Surface water and connected groundwater are closed in these areas, however, permit-exempt well use is allowed subject to the conservation standard. The proposed rule will allow eligible water users in coastal management areas the benefit of having a continuous, reliable source of water during low flow periods. There is no finite limit as in the subbasins with reserves. Measuring water use is also required as in the reserve management areas.

**Impacts to Businesses in WRIA 17:** The element of the proposed rule that will have the greatest financial impact on businesses is creation of the reserves of water for future uses. The reserves would make water predictably and reliably available for more out-of-stream uses than under the baseline. The proposed reserves can provide water for water systems and permit-exempt uses, even during low flow periods. Businesses located in the Big Quilcene, Little Quilcene, or Thorndyke subbasins, may also be able to secure a reliable water right, which would have been very difficult to do without the rule.

Some businesses may also rely on rainwater collection and use on site, as this use is allowed under the proposed rule.

The proposed rule will not directly affect existing water right holders and is likely to have a positive effect on most of the affected businesses. An exception to this would be businesses that use water in the river - such as canoeing and fishing businesses. There are also potential costs to businesses from the conservation standard restricting permit-exempt well use and the requirements to measure new water uses. The possible impacts are described below.

**Impacts to Businesses Dependent on Stream Flows:** As stated above, the proposed rule creates a series of reserves. Accessing the reserves will allow entities to use water for various uses during low flow periods. In three subbasins, this will slightly reduce the amount of water in streams and could impact in-stream benefits such as ecosystem services, recreation, and so on. For farms that rely on stream flow for stockwatering, businesses that provide guide services such as fishing and bird watching, or those dependent on dilution for waste removal, there could be a very minor negative impact. Most impacts to businesses will be from gaining access to the volumes of water needed out-of-stream for the proposed future or expanding business, not from reduced stream flows.

**Impacts to Existing Permitted Water Rights:** Allowing access to water through the reserve could affect the value of existing permitted water rights held by some businesses. The exact effect will depend on the allowable use, volume, and point of diversion of the existing rights, the existing and desired uses, and the volumes needed. Ecology does not foresee any measureable impacts to existing water rights from this rule.

**Costs to Firms and Required Professional Services:**

Businesses that depend on in-stream activities and potentially those that hold existing permits might incur very small impacts.

- The impacts to in-stream users would be specific to the firm, but is unlikely to be significant since few firms are dependent on instream flows.
- Existing water right holders could be impacted if the proposed rule resulted in changes to the value of their water right. This would ultimately only affect those that want to sell or lease a right, and only for the period until the reserves are fully allocated to new uses. The exact cost is difficult to determine since it depends on many factors and very few if any transfers would happen in this fashion.

Creation of the reserve will be a net benefit for most businesses that need water. Water being unavailable during low flow periods is damaging to any business that needs it for its own use or who are looking to develop residential or commercial properties. Allowing rainwater collection and use on site is also a benefit to some businesses.

For those that do not require water during low flow periods, an interruptible water right is an option under both the current practices and proposed rule in the Chimacum and Big Quilcene subbasins.

In order to have water available during low flow periods under the baseline, uninterrupted water would have to be obtained through purchase, lease, transfers, or on-site storage. On-site storage for a low flow period can cost approximately \$0.75 per gallon for small water systems.<sup>3</sup> This would be typical for a residence connected to a public water system; the proposed rule avoids this cost for those using the reserves. For other users, the cost of storage would likely preclude it as an option. Businesses who are able to locate outside the water service areas in the watershed are able to get uninterrupted water with some restrictions and costs identified below.

**Required Professional Services:** Ecology anticipates no added professional services as a result of requirements from this rule. For water users qualifying for the reserves, the proposed rule reduces the need for small businesses to obtain consulting services. The proposed reserves make a reliable water supply available, without the expense and uncertainty of demonstrating water exists on a case-by-case basis. The same is also true for permit-exempt well use in the coastal management areas.

**Costs of Equipment, Supplies, Labor, and Increased Administrative Costs:** We expect no additional equipment, supplies, labor, or administrative costs from the proposed rule except from required metering. This would include the cost of a meter for their groundwater well and minimal labor for maintaining the meter and reporting measured water use.

**Other Compliance Requirements:** The proposed rule establishes a five hundred-gallon per day maximum and three hundred fifty gpd annual average conservation standard for the use of permit-exempt wells. Group domestic uses are limited to 5,000 gallons per day and the conservation standard for each residence. This standard applies throughout the watershed - including subbasins with reserves and the coastal management areas.

The proposed rule includes an exception to the conservation standard for new permit-exempt wells to be used for small commercial agriculture. The rule would limit such use to no more than 5,000 gallons per day (3,000 gallons per day in the Snow Creek subbasin). The proposed rule would only allow these new permit-exempt agricultural uses in the Salmon Creek and Snow Creek subbasins and most parts of the Miller and Quimper peninsulas.

**Quantification of Costs and Ratios:** It is the purpose of this section to evaluate whether:

- Compliance with the proposed rule will cause businesses to lose sales or revenue.
- The proposed rule will have a disproportionate impact on small businesses.

**Revenue Impacts:** As noted previously, the impacts of the proposed rule would be from the conservation standard on permit-exempt wells, required metering, decreased flows in the river, the creation of reserves, and allowing rainwater collection and use on site. Some potential losses to revenue we felt could be dropped from consideration:

- The reduction of flows in three subbasins is unlikely to significantly affect any firms within the subbasins.
- Existing water right holders might see some loss in the value of existing water rights and this could lower revenues. However, this effect is likely to be relatively small.

Those firms that will be able to access water from the reserves will benefit from easier access to reliable water supplies. We estimate that summer flows will not meet the proposed minimum instream flows most years. New permits issued with stream flow conditions would be interruptible under the baseline, as under the proposed rules. Storage or mitigation would likely be required for all uses absent the reserves. In that sense, the rule will represent a negative cost (net benefit) to firms.

The net benefit to firms is the value of avoiding expensive storage, or purchasing or leasing water rights, or other mitigation options to access water during periods of low flow. This will likely lower costs to some potential water users and to that extent, may increase revenues.

**Distribution of Compliance Costs:** The distribution of compliance costs can be analyzed by evaluating those who would seek water under the permit-exempt well exceptions. To qualify for the reserve, those businesses would need to measure their water use and adhere to the conservation standard for permit-exempt wells. Local ordinances already require those businesses in municipal water services areas to hook up to a municipal supplier.

Small businesses could have added costs under the proposed rule if they pursue interruptible water rights in the Chimacum or Big Quilcene subbasins. However, gaining new allocations of water, that were not readily available before, would be a large net benefit.

**Known Costs and Benefits:** The rule would allow water rights to be issued from the reserves in the Big Quilcene, Little Quilcene, and Thorndyke subbasins. Businesses located in these subbasins may benefit from being able to obtain a permitted water right more easily. Under baseline conditions, few businesses were receiving additional permitted water rights in the watershed.



The rainwater catchment provisions may provide a benefit to small business. It provides an alternate source of water, of greatest benefit to those with a dry or contaminated well. Catchments can also provide additional water for landscaping.

Businesses wanting to use a new permit-exempt well are required to comply with the rule. These businesses must comply with the conservation standard and would have a total social cost of about \$1000 on average.<sup>4</sup>

Businesses beginning new permit-exempt well uses and requesting water right permits from the reserves must mea-

sure their water use. Additional costs for buying and installing a meter for small water systems is estimated to range from \$400 to \$600.<sup>5</sup> Ecology chooses to use \$500 per meter, including any reporting costs.

**Costs Per Employee for Large and Small Businesses:**

There are very few businesses in the affected area of this rule. Ecology found fifty-three small businesses in the potentially affected industries in the watershed. For small businesses in these industries, the average number of employees is 2.5. For the top 10% of potentially affected businesses, the average number of employees is seven.

**Table 1. Proportional Costs to Businesses**

	Average # of Employees			Cost Per Employee	
	Estimated Costs	Small Business	10% Largest	Small Business	10% Largest
<b>Cost of the conservation standard, meters and reporting</b>	\$1500	2.5	7	<b>\$600</b>	<b>\$214</b>

The highest cost per employee for small business is \$600, and for the top 10% of large businesses is \$214.

Overall, the data suggests that the impacts of the proposed rule will impose disproportionate costs to the smaller businesses. However, there is clearly a very large net benefit to those who seek water and qualify for the reserve.

**Conclusions:** Only businesses needing new water supplies outside a public water service area or applying for a water right are required to comply with the rule. Businesses that choose to qualify for the benefits of the reserve or use a permit-exempt well in a coastal management area must measure their water use and may suffer a welfare loss adhering to the conservation standard. Those businesses that choose to seek water through this option would receive a net benefit of uninterrupted water. All businesses of all sizes that qualify to use the reserves will experience net benefits from the rule. When examining only the costs, the rule will have disproportional costs to small businesses.

**Actions Taken to Reduce the Impact on Small Business:** As noted above, it is unlikely that there will be significant adverse impacts on businesses (small or large) as part of this rule making compared to the baseline. Therefore, the proposed rule takes no specific measures to reduce or mitigate these rule impacts. In general, small businesses seeking reserved water through a permit-exempt well may have advantages over larger businesses with needs too large to be satisfied through a permit-exempt well.

**Involvement of Small Businesses in the Development of the Proposed Rules:** The proposed rules have been developed as an outcome of regular communication with a variety of stakeholders including:

- WRIA 17 watershed planning unit
- City of Port Townsend
- Three Klallam Tribes
- Skokomish Tribe
- Clallam County
- Quilcene Chamber of Commerce
- Jefferson County Association of Realtors
- Jefferson County
- Jefferson County PUD #1
- Jefferson County Water Utilities Coordinating Council
- WSU Extension Office

This rule making was an open process allowing all entities to comment and take part in developing the rule. Those taking part included small businesses and organizations representing small businesses. Ecology will also hold public hearings after filing the CR-102 to allow small businesses to provide further input.

**SIC Codes of Impacted Industries:** No industries are required to comply with the proposed rules unless they seek to obtain new water right permits or permit-exempt water rights in the covered area. The following list shows standard industrial codes (SIC) codes for existing developable properties in the Quilcene-Snow watershed.<sup>6</sup> This serves as a representative sample of potential future businesses that may be affected.

**Table 1. Industries potentially affected by proposed rules (North American Industry Classification System<sup>7</sup>)**

Agriculture, forestry, fishing and hunting	Code 11
Mining, Mineral extraction	Code 2123
Residential building construction	Code 2361
Nonresidential building construction	Code 2362
Manufacturing	Code 33
Health Care and Social Assistance	Code 62
Accommodation and Food Services	Code 72

**Expected Jobs Created or Lost:** Ecology recognizes three of the reserves can support substantially more households beyond the exempt uses in these reserves. These users will benefit primarily from uninterrupted water for domestic and other uses.

This extra water is capable of supporting six hundred ninety additional households with an uninterrupted water supply. Assuming \$50,000 revenue from construction of each household, this could generate revenues of \$34,500,000.

If further residential build out uses all of the water from the reserves, it could result in annual labor income of about \$25 million to the area. This could create eight hundred nineteen new family-supporting jobs in the Quilcene-Snow watershed. (See Table 2.)

Office of financial management's NAICS based input/output model<sup>8</sup> provides estimates of interdependence among industrial sectors in the state. Each sector not only produces and sells goods or services, but also purchases goods or services for use within its production process. Ecology expects jobs created through the proposed rule in these areas:

<b>Table 2.</b>	
	<b>Employment</b>
Crop production	6
Animal production	2
Forestry and fishing	2
Logging	2
Mining	3
Electric utilities	2
Gas utilities	0
Other utilities	1
Construction	384
Food manufacturing	4
Textiles and apparel	1
Wood product manufacturing	5
Paper manufacturing	1
Printing	2
Petroleum and products	0
Chemical manufacturing	0
Nonmetallic mineral products manufacturing	11
Primary metals	1
Fabricated metals	4
Machinery manufacturing	1
Computer and electronic product	1
Electrical equipment	0
Aircraft and parts	0
Ship and boat building	0
Other transportation equipment	0
Furniture	2
Other manufacturing	3
Wholesale trade	14
Retail trade	85
Transportation and warehousing	11
Information	8
Finance and insurance	17
Real estate	20
Professional services and management	57
Educational services	10
Health services	67
Arts, recreation, and accommodation	16
Food services and drinking places	36
Other services	42
Total Employment	819

<sup>1</sup> Due to size limits for filing documents with the code reviser, the SBEIS does not contain the appendices that further explain ecology's analysis. Nor does it contain the raw data used in this analysis, or all of ecology's analysis of this data. However, the rule-making file contains this information and it is available upon request.

<sup>2</sup> In the state groundwater code, the "groundwater permit exemption" allows for certain uses of small quantities of groundwater, including domestic, industrial, stockwatering, and noncommercial irrigation of less than one-half acre of land. RCW 90.44.040, *see also* Washington attorney general opinion (2005 Op. Atty Gen. Wash. No. 17).

<sup>3</sup> <http://www.doh.wa.gov/ehp/dw/Publications/331-134-4-30-08.pdf>.

<sup>4</sup> Cost-benefit analysis and "A Methodological Case Study of the Cost of Restricting Outdoor Water Use by Exempt Wells, Zhang, Shidong and Reich, Dave. Northwest Journal of Business and Economics 2005."

<sup>5</sup> [No information supplied by agency.]

<sup>6</sup> Washington state employment security department was the basis for this table.

<sup>7</sup> Ecology has used NAICS codes rather than standard industrial codes (SIC). It is a comparable system, used at the federal and state level, and has replaced SIC codes in common use.

<sup>8</sup> <http://www.ofm.wa.gov/economy/io/default.asp>.

A copy of the statement may be obtained by contacting Department of Ecology Water Resource webpage at <http://www.ecy.wa.gov/programs/wr/instream-flows/quilsnowbasin.html>, or Lanessa Inman, Department of Ecology, P.O. Box 47600, Lacey, WA 98504-7600, phone (360) 407-6862, fax (360) 407-7162, e-mail [linm461@ecy.wa.gov](mailto:linm461@ecy.wa.gov).

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Department of Ecology Water Resource webpage at <http://www.ecy.wa.gov/programs/wr/instream-flows/quilsnowbasin.html>, or Lanessa Inman, Department of Ecology, P.O. Box 47600, Lacey, WA 98504-7600, phone (360) 407-6862, fax (360) 407-7162, e-mail [linm461@ecy.wa.gov](mailto:linm461@ecy.wa.gov).

May 15, 2009  
 Polly Zehm  
 Deputy Director

**Chapter 173-517 WAC**

**WATER RESOURCES MANAGEMENT PROGRAM FOR THE QUILCENE-SNOW WATER RESOURCES INVENTORY AREA (WRIA 17)**

**PART A - GENERAL PROVISIONS**

NEW SECTION

**WAC 173-517-010 Purpose and Introduction.** (1) The purpose of this chapter is to retain rivers, streams, lakes and ponds in the Quilcene-Snow water resource inventory area (WRIA 17) with instream flows and levels necessary to protect and preserve wildlife, fish, stock water, scenic, aesthetic, recreation, water quality and other environmental values and navigational values.

(2) WRIA 17 is located on the northeastern Olympic Peninsula and includes portions of Jefferson and Clallam counties. This chapter excludes part of the Clallam County portion of WRIA 17.

(3) This chapter sets forth the department of ecology's (ecology) policies to guide the protection, use and manage-

ment of WRIA 17 surface water and ground water resources. It establishes instream flows and closures, and sets forth a program for the administration of future water appropriation and use. For the Chimacum subbasin, where water availability is severely limited, a small amount of water is reserved for restricted out of stream use to provide a transition until alternative sources of water can be developed. This chapter also includes provisions regarding the use of rainwater collected from rooftops.

(4) This chapter designates two types of management areas for administering future water appropriation and use:

(a) **Reserve management areas.** This chapter establishes reserves of water within specified reserve management areas.

(b) **Coastal management areas.** This chapter designates coastal management areas and sets limits on future ground water withdrawals in these areas.

(5) This chapter does not release anyone from complying with other relevant laws and rules.

#### NEW SECTION

**WAC 173-517-020 Authority and applicability.** (1) This chapter is adopted under the authority of the Water Resources Act of 1971 (chapter 90.54 RCW), Minimum Water Flows and Levels Act (chapter 90.22 RCW), Watershed Planning Act (chapter 90.82 RCW), Water code (chapter 90.03 RCW), Regulation of public ground waters (chapter 90.44 RCW) and the water resources management program rule (chapter 173-500 WAC).

(2) Except as provided in subsection (3) of this section, this chapter applies to the use and appropriation of:

(a) All surface waters within WRIA 17, including all streams, and their tributaries, that drain to salt water; and

(b) All ground water within WRIA 17, including ground water hydraulically connected to surface water bodies, as well as ground water that drains to salt water.

(3) The following portion of WRIA 17 located in Clallam County, as shown in Map B in WAC 173-517-070, will be addressed through future rule making and is excluded from coverage under this chapter:

- Johnson Creek;
- West Sequim Bay;
- Dean Creek;
- Jimmycomelately Creek;
- Chicken Coop Creek; and
- The portion of Miller Peninsula in Clallam County.

(4) This chapter shall not affect existing water rights, including perfected riparian rights, or other appropriative rights, existing on the effective date of this chapter, unless otherwise provided for in the conditions of the water right in question.

(5) This chapter shall not affect federal or Indian reserved rights. The Jamestown S'Klallam, Port Gamble S'Klallam, Lower Elwha Klallam, and Skokomish Tribes reserve the right to claim a treaty-derived off-reservation instream flow right with senior priority. The extent of such rights can only be determined in other forums outside of this chapter.

(6) This chapter does not limit ecology's authority to establish flow requirements or conditions under other laws, including hydropower licensing under RCW 90.48.260.

#### NEW SECTION

**WAC 173-517-030 Definitions.** For the purposes of this chapter, the following definitions apply. If these definitions differ from those in related rules, the definitions presented here shall apply for this chapter:

(1) "Allocation" means the designating of specific amounts of water.

(2) "Appropriation" means the process of legally acquiring the right to specific amounts of water for beneficial uses, as consistent with ground and surface water codes and other applicable statutes. This term refers to both surface and ground water right permits and to ground water withdrawals exempted from permit requirements under RCW 90.44.050.

(3) "Commercial agriculture" means the production of crops for sale, crops intended for widespread distribution (e.g., markets), and nonfood crops such as hay and lavender. Commercial agriculture includes livestock production and livestock grazing. Commercial agriculture does not include crops grown for household consumption (e.g., household vegetable gardens or fruit trees).

(4) "Consumptive use" means a beneficial use of water that diminishes the amount or quality of water in the water source.

(5) "Domestic use" means use of water associated with human health and welfare requirements, including water used for drinking, bathing, sanitary requirements, cooking, laundering and other incidental household uses, including potable domestic water requirements associated with commercial and industrial purposes.

(6) "Ecology" means the Washington state department of ecology.

(7) "Group domestic system" means domestic use of the ground water exemption for two or more residences.

(8) "Hydraulically connected" means saturated conditions exist that allow water to move between two or more sources of water, either between surface water and ground water or two ground water sources.

(9) "Individual user" means all uses on an individual parcel or adjoining parcels under common ownership that do not qualify as a group domestic system.

(10) "Instream flow" means a stream flow level set in rule to protect and preserve wildlife, fish, scenic, aesthetic, recreation, water quality and other environmental values, and navigational values. The term "instream flow" means a base flow under chapter 90.54 RCW, a minimum flow under chapter 90.03 or 90.22 RCW, or a minimum instream flow under chapter 90.82 RCW.

(11) "Interruptible use" means a use, authorized under a water right, which must cease diversion or withdrawal when stream flows fall below the instream flow levels established in this rule.

(12) "Mitigation plan" means a plan, submitted to and approved by ecology, to offset the impacts of a proposed consumptive use. A mitigation plan may address impacts to a

stream, basin, reach, or other area, for an individual withdrawal or for multiple withdrawals in a subbasin.

(a) A mitigation plan must show that the proposed withdrawal with mitigation in place, will not:

- Impair existing water rights, including instream flow rights;
- Be detrimental to the public interest; or
- Consume water from a closed source.

(b) The plan must include financial assurance, ensure mitigation measures for the duration of the water use and prohibit water provided for the purpose of mitigation from appropriation for any other purpose.

(c) The plan must include a monitoring and reporting plan, including a quality assurance/quality control plan.

(13) "Outdoor irrigation" means watering greenhouse or outdoor plants, lawns, or gardens.

(14) "Permit-exempt withdrawals" or "permit-exempt well" means a ground water withdrawal exempted from permit requirements under RCW 90.44.050, but otherwise subject to the surface and ground water statutes and other applicable laws, including this chapter.

(15) "Reserve" means a one-time, finite allocation of water for future appropriations.

(16) "Stream management unit" means a stream segment, reach, or tributary used to describe the part of the relevant stream to which a particular instream flow level applies.

(17) "Subbasin" means a reserve management area or coastal management area as shown on Map B in WAC 173-517-070.

(18) "Withdrawal" means the appropriation or use of ground water, or the diversion or use of surface water. Withdrawal includes both withdrawals under a water right permit and permit-exempt withdrawals.

#### NEW SECTION

**WAC 173-517-040 Compliance and enforcement.** (1) In accordance with RCW 90.03.605, to assist the public in complying with this chapter, ecology shall prepare and distribute technical and educational information regarding the scope and requirements of this chapter.

(2) When ecology determines that a violation has occurred, it shall:

(a) First attempt to achieve voluntary compliance. One method is to offer information and technical assistance to the person, in writing, showing one or more means to legally accomplish the person's purposes.

(b) If education and technical assistance do not achieve compliance, ecology may issue a notice of violation, a formal administrative order under RCW 43.27A.190, or assess penalties under RCW 43.83B.336, 90.03.400, 90.03.410, 90.03.600, 90.44.120, and 90.44.130.

(3) Nothing in this section is intended to prevent ecology from taking immediate action to cause a violation to be ceased immediately if in the opinion of the department the nature of the violation is causing harm to other water rights or to public or tribal resources.

#### NEW SECTION

**WAC 173-517-050 Appeals.** All of ecology's final written decisions pertaining to permits, regulatory orders, and related decisions made pursuant to this chapter may be appealed to the pollution control hearings board in accordance with chapter 43.21B RCW.

#### NEW SECTION

**WAC 173-517-060 Regulation review.** (1) Ecology reserves the right to review and amend this rule as needed.

(2) Ecology, in consultation with the counties, the city of Port Townsend, Jefferson County PUD #1, tribal governments, other state agencies, and the WRIA 17 planning unit (if active), may initiate a review, and if necessary a modification through rule making, of this chapter as appropriate, including whenever:

- Applicable statutory changes are enacted.
- Significant new information becomes available.
- Significant changes in conditions such as population growth trends, water service areas and ground water levels occur.
- It appears that the collection and use of rainwater is causing impairment or adverse impacts to instream flows or existing water rights.

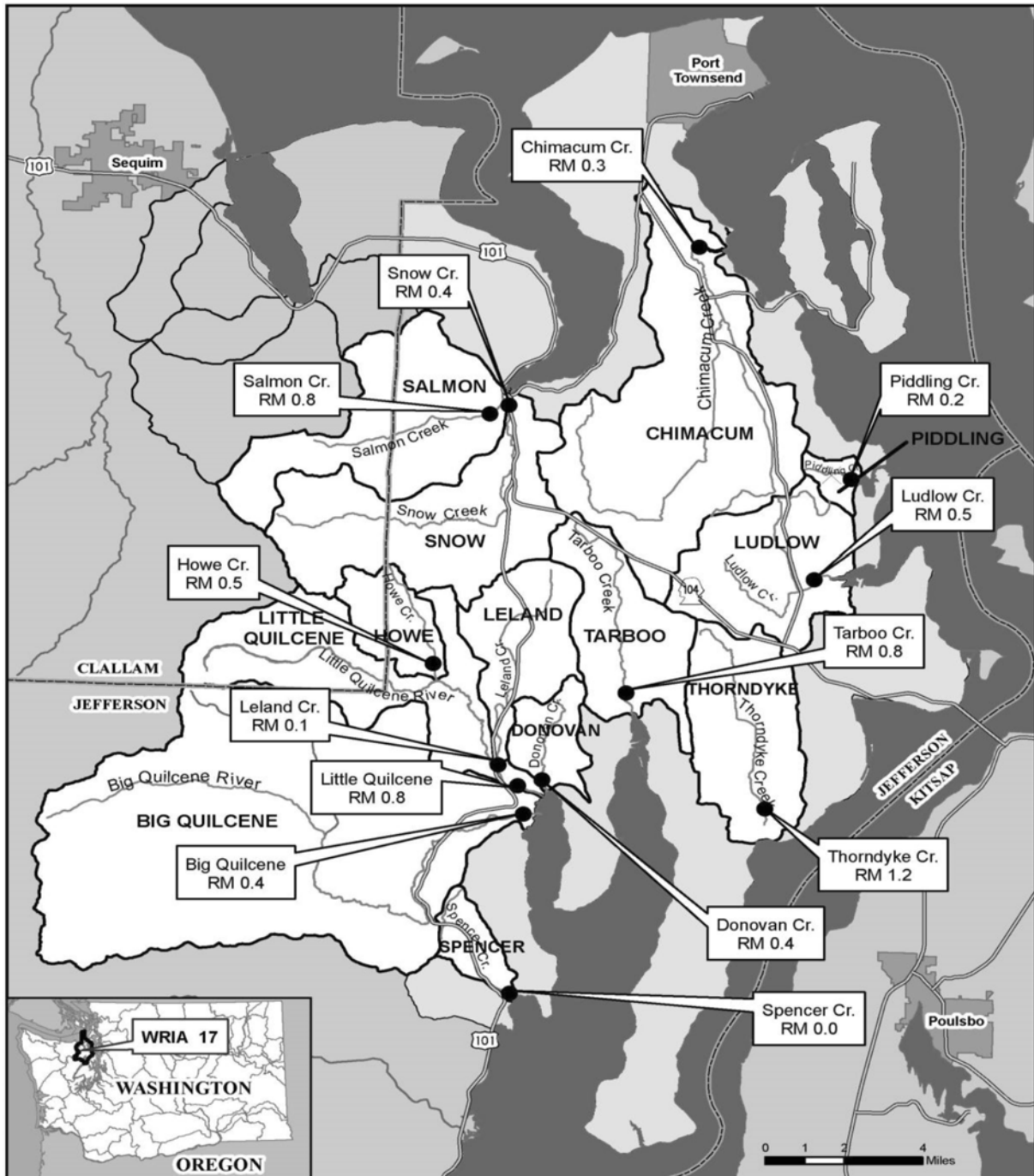
(3) Ecology, in consultation with the counties, Jefferson County PUD #1, tribal governments and the WRIA 17 planning unit (if active), will regularly review the allocated and unallocated amounts for each reserve management area.

#### NEW SECTION

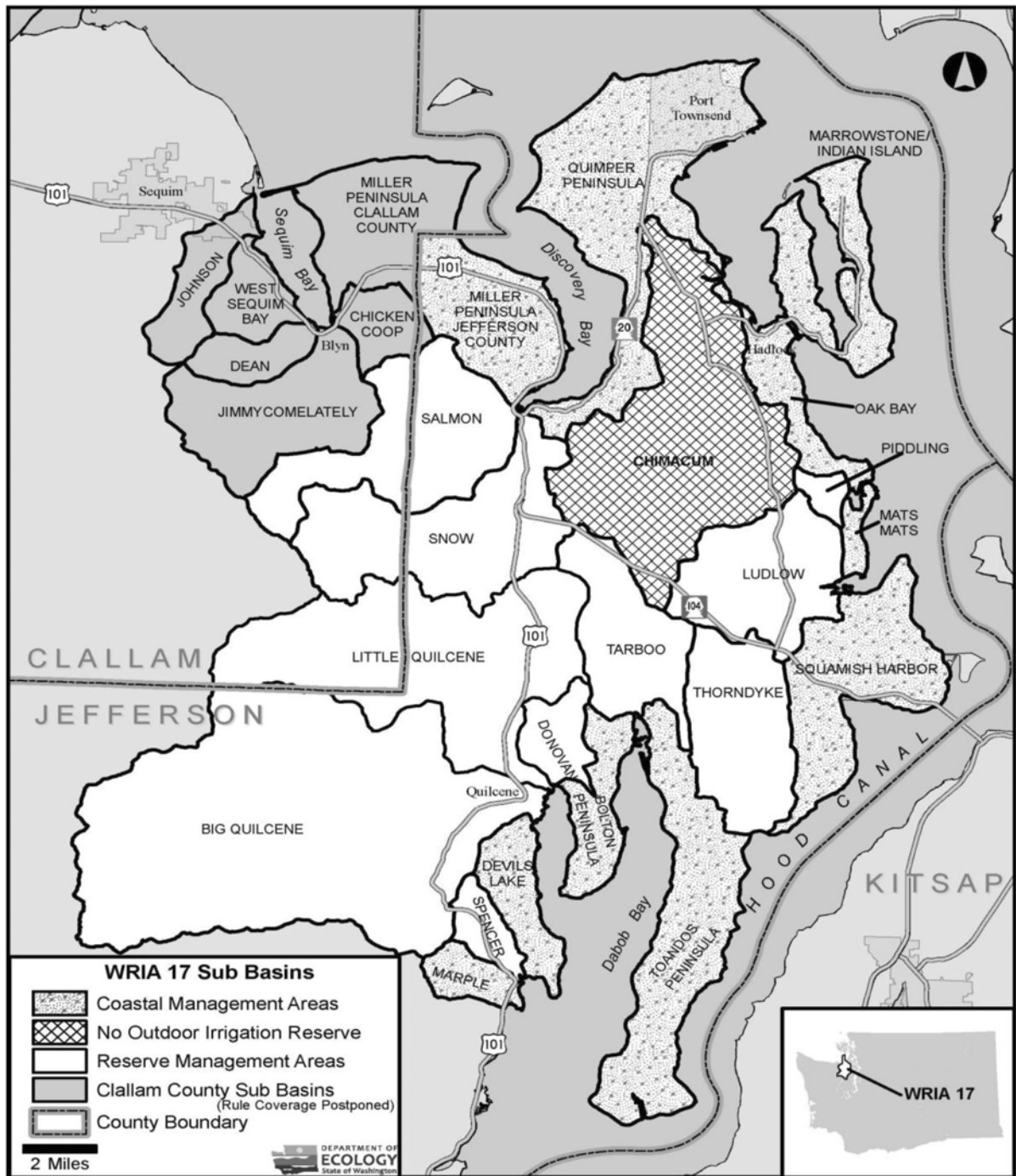
**WAC 173-517-070 Maps.** For the purposes of administering this chapter, three maps are provided. Map A shows the boundaries of the stream management units and the control points. Map B shows reserve management areas, coastal management areas, and the portion of WRIA 17 not covered by this chapter. Map C shows the locations and designates watershed boundaries for three streams identified in WAC 173-517-130 (3)(d).

# Map A

## WRIA 17 Stream Management Units and Control Points

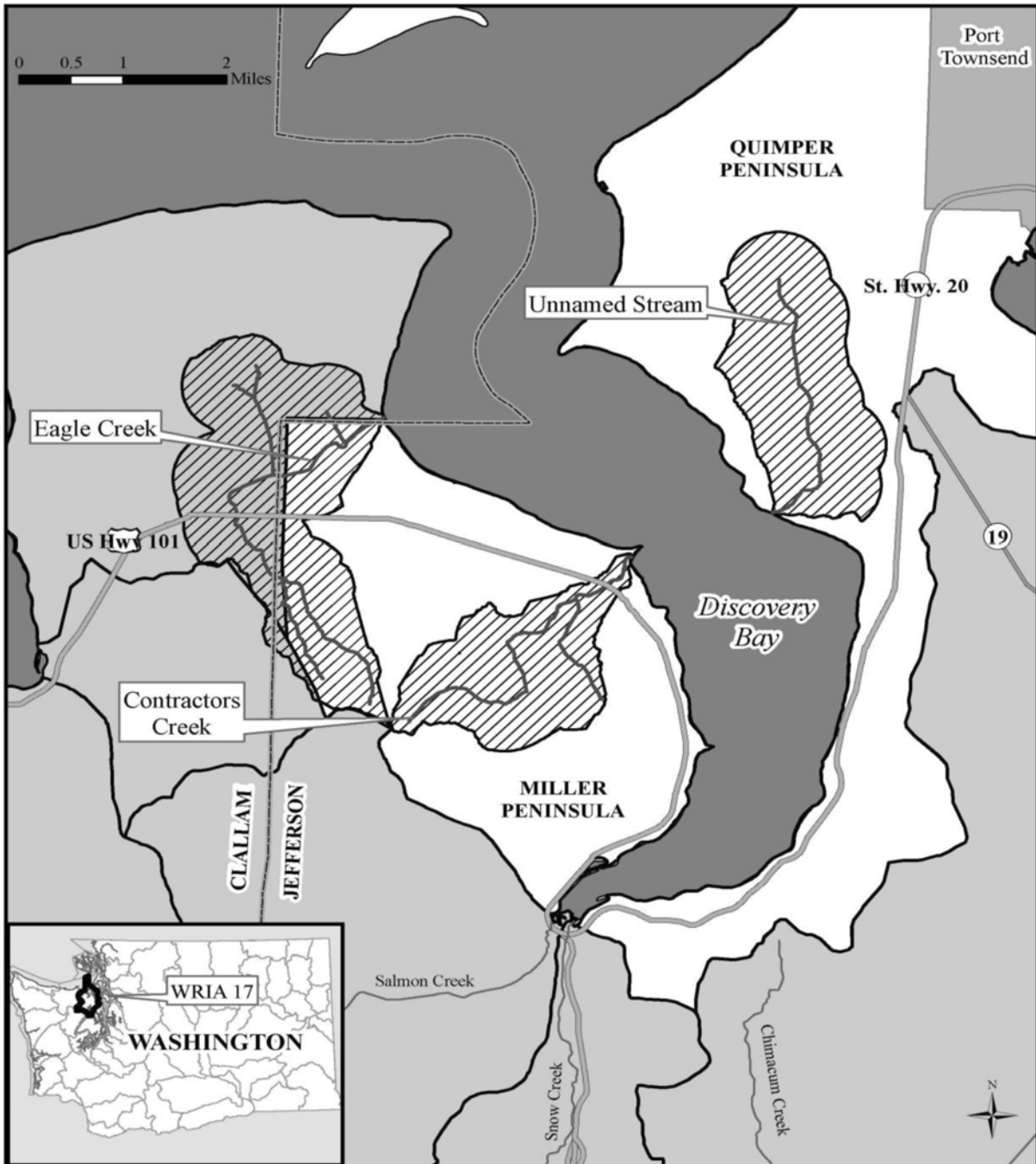


# Map B



### Map C

## WRIA 17 Protected Streams on Miller and Quimper Peninsulas



**PART B - INSTREAM FLOWS AND CLOSURES**

NEW SECTION

**WAC 173-517-080 Establishment of stream management units.** Ecology hereby establishes the following stream management units, with accompanying control points. A control point is a designated location on a stream used to set and measure instream flow levels. Each control point location is identified by estimated river mile and approximate latitude and longitude in Table 1. The control points and boundaries of the stream management units are shown on Map A in WAC 173-517-070.

**Table 1  
Stream Management Unit Information**

<b>Stream Management Unit Name</b>	<b>Control Point by River Mile (RM); Latitude North (Lat) and Longitude West (Long)</b>	<b>Stream Management Reach</b>
Big Quilcene River	RM 0.4 Lat 47° 49' 07" N, Long 122° 52' 17" W	From mouth to headwaters, including tributaries.
Chimacum Creek	RM 0.3 Lat 48° 03' 00" N, Long 122° 47' 07" W	From mouth to headwaters, including tributaries.
Donovan Creek	RM 0.4 Lat 47° 49' 58" N, Long 122° 51' 43" W	From mouth to headwaters, including tributaries.
Howe Creek	RM 0.5 Lat 47° 52' 43" N, Long 122° 55' 24" W	From mouth to headwaters, including tributaries.
Leland Creek	RM 0.1 Lat 47° 50' 18" N, Long 122° 53' 10" W	From mouth to headwaters, including tributaries.
Little Quilcene River	RM 0.8 Lat 47° 49' 48" N, Long 122° 52' 30" W	From mouth to headwaters, including tributaries except Leland and Howe creeks.
Ludlow Creek	RM 0.5 Lat 47° 55' 00" N, Long 122° 43' 00" W	From mouth to headwaters, including tributaries.
Piddling Creek #17.0200	RM 0.2 Lat 47° 57' 27" N, Long 122° 41' 54" W	From mouth to headwaters, including tributaries.

<b>Stream Management Unit Name</b>	<b>Control Point by River Mile (RM); Latitude North (Lat) and Longitude West (Long)</b>	<b>Stream Management Reach</b>
Salmon Creek	RM 0.8 Lat 47° 58' 49" N, Long 122° 53' 49" W	From mouth to headwaters, including tributaries.
Snow Creek	RM 0.4 Lat 47° 59' 02" N, Long 122° 53' 12" W	From mouth to headwaters, including tributaries.
Spencer Creek	RM 0.0 Lat 47° 44' 45" N, Long 122° 52' 33" W	From mouth to headwaters, including tributaries.
Tarboo Creek	RM 0.8 Lat 47° 52' 08" N, Long 122° 49' 03" W	From mouth to headwaters, including tributaries.
Thorndyke Creek	RM 1.2 Lat 47° 49' 24" N, Long 122° 44' 23" W	From mouth to headwaters, including tributaries.

NEW SECTION

**WAC 173-517-090 Instream flows.** (1) Instream flows established in this chapter are flow levels which protect and preserve wildlife, fish, stock water, scenic, aesthetic, recreation, water quality and other environmental values, and navigational values.

(2) Instream flows established in this chapter are water rights, which protect instream values from future consumptive appropriations. The priority date of the instream flows is the effective date of this chapter.

(3) Instream flows will be protected from impairment by any new water rights commenced after the effective date of this chapter and by all future changes and transfers of senior and junior water rights, including both surface and ground water rights. The following water rights are not subject to instream flows:

(a) Water rights existing on the effective date of this chapter as explained in WAC 173-517-020(4).

(b) Water rights appropriated from the reserves of water established in WAC 173-517-150.

(c) Future withdrawals for environmental restoration purposes under WAC 173-517-200, unless included as a permit condition.

(4) Instream flows are expressed in cubic feet per second (cfs), and measured at the control points identified in WAC 173-517-080.

(5) Instream flows are established in Tables 2 through 4 below, for the stream management units identified in WAC 173-517-080.



**Table 2**  
**Instream Flows (in cfs) for Big and Little Quilcene Rivers,**  
**with Ecology Gauge Number and River Mile (RM)**

Month	Big Quilcene River Ecology Gauge #17A060 RM 0.4	Little Quilcene River Ecology Gauge #17D060 RM 0.8
January	120	61
February	120	61
March	190	100
April	190	100
May	190	92

Month	Big Quilcene River Ecology Gauge #17A060 RM 0.4	Little Quilcene River Ecology Gauge #17D060 RM 0.8
June	190	66
July	190	66
August	167	27
September	94	30
October	180	48
November	120	61
December	120	61

**Table 3**  
**Instream Flows (in cfs) for Named Creeks with Ecology Stream Gauges**  
**(including gauge number and River Mile (RM))**

Month	Chimacum Creek Ecology Gauge #17B050 RM 0.3	Salmon Creek Ecology Gauge #17F060 RM 0.8	Snow Creek Ecology Gauge #17E060 RM 0.4	Tarboo Creek Ecology Gauge #17G060 RM 0.8	Thorndyke Creek Ecology Gauge #17H060 RM 1.2
January	25	21	35	20	24
February	25	21	35	20	24
March	46	40	50	25	45
April	46	35	50	16	45
May	32	26	50	8	30
June	10	26	35	8	30
July	10	9	17	8	12
August	10	9	15	8	12
September	17	9	20	8	12
October	20	12	35	8	12
November	25	21	35	20	24
December	25	21	35	20	24

**Table 4**  
**Instream Flows (in cfs) for Other Named Creeks (including River Mile (RM))**

Month	Donovan Creek RM 0.4	Howe Creek RM 0.5	Leland Creek RM 0.1	Ludlow Creek RM 0.5	Piddling Creek RM 0.2	Spencer Creek RM 0.0
January	15.5	17.1	33.1	32.1	5.8	13.3
February	10.2	11.3	21.8	21.2	3.8	8.8
March	29.8	32.6	58.3	56.8	12.4	26.1
April	29.8	32.6	58.3	56.8	12.4	26.1
May	19.7	21.5	38.5	37.9	8.2	17.2
June	19.7	21.5	38.5	37.9	8.2	17.2
July	6.1	6.8	13.9	13.5	2.1	5.2
August	6.1	6.8	13.9	13.5	2.1	5.2
September	6.1	6.8	13.9	13.5	2.1	5.2
October	6.1	6.8	13.9	13.5	2.1	5.2

Month	Donovan Creek RM 0.4	Howe Creek RM 0.5	Leland Creek RM 0.1	Ludlow Creek RM 0.5	Piddling Creek RM 0.2	Spencer Creek RM 0.0
November	15.5	17.1	33.1	32.1	5.8	13.3
December	15.5	17.1	33.1	32.1	5.8	13.3

**NEW SECTION**

**WAC 173-517-100 Closures.** (1) Based on past and current low flows, ecology has determined that no waters are reliably available for new consumptive uses from the streams and tributaries in WRIA 17 listed in Table 5, with the exception of certain times of year in the Big Quilcene River and Chimacum Creek. Therefore, all surface waters listed in Table 5 are closed to any further consumptive appropriation, except as provided in WAC 173-517-110.

Ecology finds that there is some water available above the instream flows at specific locations and times of year in the Big Quilcene River and Chimacum Creek that could be appropriated for storage or other projects that do not require year-round water supplies. These withdrawals require a water right permit from ecology and are subject to the seasonal restrictions in Table 5, the instream flows established in WAC 173-517-090, and the allocation limits defined in WAC 173-517-140.

(2) Based on small stream size and the need to protect instream values, all streams within coastal management areas designated in WAC 173-517-130 are closed to new surface water withdrawals.

(3) Closures in subsections (1) and (2) of this section include future withdrawals from ground water that would have an adverse impact on closed surface water, including permit-exempt withdrawals.

(4) Exceptions to the closures are provided in WAC 173-517-110.

**Table 5  
Surface Water Closures**

Stream Management Unit Name	Affected Reach	Timing
Big Quilcene River	From mouth to headwaters, including tributaries.	June 16 to November 15
Chimacum Creek	From mouth to headwaters, including tributaries.	March 1 to November 30
Donovan Creek	From mouth to headwaters, including tributaries.	All Year
Howe Creek	From mouth to headwaters, including tributaries.	All Year

Stream Management Unit Name	Affected Reach	Timing
Leland Creek	From mouth to headwaters, including tributaries.	All Year
Little Quilcene River	From mouth to headwaters, including tributaries except Leland and Howe creeks.	All Year
Ludlow Creek	From mouth to headwaters, including tributaries.	All Year
Piddling Creek #17.0200	From mouth to headwaters, including tributaries.	All Year
Salmon Creek	From mouth to headwaters, including tributaries.	All Year
Snow Creek	From mouth to headwaters, including tributaries.	All Year
Spencer Creek	From mouth to headwaters, including tributaries.	All Year
Tarboo Creek	From mouth to headwaters, including tributaries.	All Year
Thorndyke Creek	From mouth to headwaters, including tributaries.	All Year

**PART C - FUTURE NEW WATER USE**

**NEW SECTION**

**WAC 173-517-110 Future new water use—Generally.** A new surface or ground water appropriation (including any permit-exempt ground water withdrawal) or other new use may occur only if consistent with the surface and ground

water statutes and the applicable requirements of law and if any one of the following eight conditions (subsections (1) through (8) of this section) apply:

(1) The proposed use is nonconsumptive.

(2) The proposed surface water appropriation would not have an adverse effect on any of the surface waters closed in WAC 173-517-100 (1) and (2).

(3) The proposed ground water withdrawal is located where it would not adversely affect any of the surface waters closed in WAC 173-517-100 (1) and (2), by meeting either condition (a) or (b) of this subsection:

(a) The person or entity seeking to commence a proposed ground water appropriation shows, through scientifically sound studies and technical analysis, that the ground water use would not have an adverse effect on any of the surface waters closed in WAC 173-517-100 (1) and (2), and receives approval of a water right.

(b) The proposed ground water appropriation occurs in a coastal management area designated in WAC 173-517-130, and meets the criteria in that section.

(4) The person or entity seeking to commence the new appropriation chooses to submit a mitigation plan as defined in WAC 173-517-030(12), and such plan is approved by ecology. If monitoring shows the mitigation is not effective, use of water under the appropriation shall then be subject to the instream flows. In the case of a closed basin, the use shall cease until an effective mitigation plan is put in place.

(5) The proposed water appropriation qualifies as an interruptible use and meets the criteria in WAC 173-517-140.

(6) The proposed water appropriation qualifies for the reserves established and conditioned in WAC 173-517-150.

(7) The proposed water appropriation is for an environmental restoration project and meets the criteria in WAC 173-517-200.

(8) The proposed use relies on rainwater collected from the rooftop of a structure that serves another primary purpose (such as a house or barn) and all of the following criteria are met:

(a) The water is collected in barrels, cisterns, or lined impoundments that do not allow mixing with water from unauthorized sources;

(b) The water is used on site; and

(c) The usage is consistent with state and county health and storm water requirements. Ecology reserves the right to regulate water collected from rooftops under applicable laws.

#### NEW SECTION

**WAC 173-517-120 Conservation standard.** Ecology has determined that a conservation standard for new permit-exempt withdrawals authorized under RCW 90.44.050 is necessary to conserve available water and protect instream resources.

(1) For the purposes of this chapter the conservation standard for permit-exempt withdrawals is defined as follows:

(a) Water use from a permit-exempt well must be consistent with Jefferson County or Clallam County code, as applicable, and other applicable laws, including the statute on permit exemptions, RCW 90.44.050.

(b) A permit-exempt well serving an individual user shall not exceed a maximum of 500 gpd or an annual average more than 350 gpd, for all permit-exempt uses authorized under RCW 90.44.050.

(c) A well serving a group domestic system shall not exceed a maximum use of 500 gpd or an annual average more than 350 gpd, for each residence, and shall not exceed a total use of 5,000 gpd for the group. The design and construction of group domestic systems must be consistent with applicable state department of health requirements and applicable Jefferson County or Clallam County requirements.

(2) New permit-exempt well use exceeding 500 gpd for an individual use may occur provided all of the following are met:

(a) Water use greater than 500 gpd must be offset through implementation of an approved mitigation plan as described in WAC 173-517-030(12). If monitoring of a mitigation plan shows the mitigation is not effective, departmental approval of the mitigation plan shall be suspended and the water use shall cease until the department approves a new or revised mitigation plan; and

(b) Total water use shall not exceed 5,000 gpd.

(3) New permit-exempt withdrawals must measure water use in accordance with WAC 173-517-180.

#### NEW SECTION

**WAC 173-517-130 Designated coastal management areas.** (1) It is the policy of the state to protect rivers and streams to retain flows necessary to preserve wildlife, fish, scenic, aesthetic and other environmental values (RCW 90.54.020 (3)(a)). It is also the policy of the state that adequate and safe supplies of water be preserved and protected in potable condition to satisfy human domestic needs and to protect the natural environment (RCW 90.54.020(5) and 90.48.010; WAC 173-200-030). Ecology has determined there are areas within WRIA 17 where future ground water withdrawals could negatively impact the instream values of small streams, or contribute to sea water intrusion.

(2) Therefore ecology designates coastal management areas and establishes limits on future ground water withdrawals and well construction in those areas. The boundaries of these areas are shown on Map B in WAC 173-517-070. Table 6 lists the areas.

(3) Future ground water withdrawals from designated coastal management areas shall be subject to the following limits:

(a) Except for areas served by the city of Port Townsend water supply, future permit-exempt well use may not occur where connection to a public water supplier can be provided in a timely and reasonable manner. Determinations of what it means to provide water service in a timely and reasonable manner shall be consistent with public water system plans if applicable, and applicable state and local laws including, but not limited to, Jefferson County code;

(b) New water use from a permit-exempt well must be consistent with Jefferson County code and other applicable laws;

(c) New water use from a permit-exempt well is limited to the conservation standard defined in WAC 173-517-120, except as allowed in subsection (d) of this section; and

(d) In the Miller Peninsula and Quimper Peninsula designated coastal management areas, expanded permit-exempt well use up to 5,000 gpd for an industrial purpose consisting of commercial agricultural use is allowed if the withdrawal is located outside of three designated watersheds including: Contractors Creek and Eagle Creek on Miller Peninsula and an unnamed stream on Quimper Peninsula (#0215 Admiralty Inlet drainage), as shown on Map C in WAC 173-517-070. Such users must register with ecology or its designee. If the commercial agricultural use should cease, then water use must be limited to the conservation standard defined in WAC 173-517-120.

**Table 6  
Designated Coastal Management Areas**

Bolton Peninsula
Devil's Lake
Marple
Miller Peninsula (Jefferson)
Oak Bay/Mats Mats Bay
Quimper Peninsula
Squamish Harbor
Toandos Peninsula
All islands, including Marrowstone and Indian islands

NEW SECTION

**WAC 173-517-140 Maximum future allocations for interruptible use.** (1) Ecology finds there may be water available in excess of instream flows at certain times of year, which may be appropriated for interruptible uses. This water is only available from the Big Quilcene River from November 16 to June 15 and from Chimacum Creek from December 1 to February 29.

(2) A person or entity seeking a new interruptible appropriation must provide assurances that any negative effects on surface water that may result from withdrawals will be limited to the above locations and times.

(3) In no case shall total cumulative appropriations exceed the allocation limit specified in Table 7 for each river. However, ecology may lower these allocation limits on a case-by-case basis, upon consultation with the state department of fish and wildlife and tribes, whenever more protection of habitat-forming functions is needed.

(4) Interruptible uses must not impair existing water rights and instream flows set in WAC 173-517-090.

**Table 7  
Open Period and Allocation Limit**

Water Source	Open Period	Allocation Limit in Cubic Feet Per Second (cfs) and Gallons Per Day (gpd)
Big Quilcene River	Open Period: November 16 to June 15	Allocation Limit: 15 cfs; 9.69 million gpd
Chimacum Creek	Open Period: December 1 to February 29	Allocation Limit: 3 cfs; 1.94 million gpd

NEW SECTION

**WAC 173-517-150 Reserves of water for future use.**

(1) Ecology has weighed the public interest that supports reserving a limited amount of water for new consumptive uses against the potential for negative impact to instream resources. For the subbasins discussed in this section ecology finds that the public interest advanced by limited reserves clearly overrides the potential for small negative impact to instream resources.

Based on this finding, ecology hereby allocates an amount of water for each reserve management area as indicated in Table 8. These reserves of water are not subject to the instream flows established in WAC 173-517-090 or closures established in WAC 173-517-100. The priority date of an appropriation from a reserve is the effective date of this chapter.

These reserves are available to a user only if the conditions set forth in this section are met, as well as any applicable requirements of law, including, but not limited to, all water resource laws and regulations.

(2) These reserves shall be available for use only after the county with jurisdiction commits to ecology in writing confirming that determinations of adequate potable water for building permits and subdivision approvals will be consistent with this chapter.

(3) Permit-exempt well withdrawals from reserves may not occur where a public water supplier can provide a connection in a timely and reasonable manner. Determinations of what it means to provide water service in a timely and reasonable manner shall be consistent with public water system plans, if applicable, and applicable state and local laws including, but not limited to, Jefferson County or Clallam County code.

(4) Withdrawals from the reserves of water in Donovan, Ludlow, Piddling, Spencer, and Tarboo reserve management areas shall be limited to permit-exempt well use consistent with the conservation standard defined in WAC 173-517-120.

(5) Withdrawals from the reserves of water in Salmon and Snow reserve management areas shall be limited to permit-exempt well use consistent with the conservation standard defined in WAC 173-517-120, or the following: Up to 5,000 gallons per day of the Salmon Creek reserve, and up to

3,000 gallons per day of the Snow Creek reserve may be used for a permit-exempt withdrawal for commercial agriculture.

(a) Each user must register with ecology or its designee before water use for commercial irrigation begins.

(b) If the commercial agricultural use ceases, then the balance of the water returns to the reserve and use of the well shall be consistent with the conservation standard defined in WAC 173-517-120.

(6) Withdrawals from the reserves of water in Little Quilcene (includes Leland and Howe creeks), and Thorndyke reserve management areas shall be limited to permit-exempt well use consistent with the conservation standard defined in WAC 173-517-120, or the uses listed below through approval of a water right permit subject to a public interest evaluation that takes into account water availability for future domestic use in the subbasin:

(a) Municipal or community domestic water supply with domestic hookups consistent with the conservation standard defined in WAC 173-517-120.

(b) Agricultural irrigation.

(c) Industrial.

(7) Withdrawals from the reserve of water in the Big Quilcene reserve management area shall be limited to permit-exempt well use consistent with the conservation standard defined in WAC 173-517-120, or the following:

(a) Permit exempt withdrawal for commercial agriculture.

(i) Each user is limited to 5,000 gpd as a permit-exempt well under RCW 90.44.050.

(ii) Each user must register with ecology or its designee before water use for commercial irrigation begins.

(iii) If the commercial agricultural use ceases, then the balance of the water returns to the reserve and use of the well shall be consistent with the conservation standard defined in WAC 173-517-120.

(b) The uses listed below through approval of a water right permit subject to a public interest evaluation that takes into account water availability for future domestic use in the subbasin:

(i) Municipal or community domestic water supply with domestic hookups consistent with the conservation standard defined in WAC 173-517-120.

(ii) Agricultural irrigation.

(iii) Industrial.

(8) Future withdrawals from the reserve of water in the Chimacum reserve management area shall be limited to domestic permit-exempt well use, and such use shall not include outdoor irrigation, except for the following:

(a) When alternative water supply or a mitigation strategy is approved by ecology and implemented, this restriction on outdoor irrigation for the Chimacum basin no longer applies and permit-exempt well use consistent with the conservation standard defined in WAC 173-517-120 is allowed.

(b) If the report for U.S. Geological Survey ground water model currently under construction for the Chimacum Creek subbasin identifies specific areas where new well pumping will not have any effect on creek flows, withdrawals from new wells in those areas will not be deducted from the reserve and will not be subject to the restriction on outdoor irrigation. Instead, use of new permit-exempt wells will be regulated by the statutory permit exemption found in RCW 90.44.050. If such a change occurs, ecology shall notify the public of these findings through publication of a *Chimacum Creek Water Supply Bulletin*.

(9) The place of use of water taken from the reserve is limited to the reserve management area from which it is withdrawn unless ecology, in consultation with the applicable county, department of fish and wildlife, and the tribes allows specific transfers between subbasins. An applicant for a water right that includes out of subbasin water use must comply with WAC 173-517-210.

(10) When each reserve is fully appropriated, the applicable reserve management areas are hereby closed to any further consumptive appropriation. Under such circumstances water for new uses may be available if:

- Mitigation is provided;
- The use is nonconsumptive;
- Alternative sources of water are available; or
- An existing water right can be changed or transferred.

**Table 8**  
**Reserve Management Areas, Reserve Quantities and Allowed Uses**

Reserve Management Area Water Source (including tributaries)	Reserve Quantity Maximum Average Daily Use in Gallons (gpd)	Allowed Uses of Reserve*
Big Quilcene	200,400 gpd	<ul style="list-style-type: none"> <li>• Permit-exempt uses under the conservation standard per WAC 173-517-120</li> <li>• Permit-exempt withdrawals for agriculture</li> <li>• Water right permits subject to public interest test for domestic availability</li> </ul>
Chimacum	1,940 gpd	<ul style="list-style-type: none"> <li>• Permit-exempt withdrawals for domestic use, no outdoor irrigation</li> </ul>
Donovan	2,326 gpd	<ul style="list-style-type: none"> <li>• Permit-exempt uses under the conservation standard per WAC 173-517-120</li> </ul>
Little Quilcene (includes Leland and Howe creeks)	38,800 gpd	<ul style="list-style-type: none"> <li>• Permit-exempt uses under the conservation standard per WAC 173-517-120</li> </ul>

Reserve Management Area Water Source (including tributaries)	Reserve Quantity Maximum Average Daily Use in Gallons (gpd)	Allowed Uses of Reserve*
		<ul style="list-style-type: none"> <li>• Water right permits subject to public interest test for domestic availability</li> </ul>
Ludlow	7,830 gpd	<ul style="list-style-type: none"> <li>• Permit-exempt uses under the conservation standard per WAC 173-517-120</li> </ul>
Pidling	1,845 gpd	<ul style="list-style-type: none"> <li>• Permit-exempt uses under the conservation standard per WAC 173-517-120</li> </ul>
Salmon	9,050 gpd	<ul style="list-style-type: none"> <li>• Permit-exempt uses under the conservation standard per WAC 173-517-120</li> <li>• Permit-exempt withdrawals for agriculture</li> </ul>
Snow	4,140 gpd	<ul style="list-style-type: none"> <li>• Permit-exempt uses under the conservation standard per WAC 173-517-120</li> <li>• Permit-exempt withdrawals for agriculture</li> </ul>
Spencer	2,200 gpd	<ul style="list-style-type: none"> <li>• Permit-exempt uses under the conservation standard per WAC 173-517-120</li> </ul>
Tarboo	7,110 gpd	<ul style="list-style-type: none"> <li>• Permit-exempt uses under the conservation standard per WAC 173-517-120</li> </ul>
Thorndyke	31,670 gpd	<ul style="list-style-type: none"> <li>• Permit-exempt uses under the conservation standard per WAC 173-517-120</li> <li>• Water right permits subject to public interest test for domestic availability</li> </ul>

\*This table lists the types of allowed uses. See the text of the rule for specific requirements for each use.

**NEW SECTION**

**WAC 173-517-160 Accounting for use under the reserves.** (1) Ecology shall maintain a record of all appropriations from the reserves.

(2) For an appropriation under a permit, ecology will account for water use under the reserve based on authorized quantities under water right permits or certificates, and metering data.

(3) For permit-exempt ground water appropriations from reserves other than Chimacum subbasin, ecology will deduct a standard amount of 250 gpd for each single domestic use. For a permit-exempt agricultural use, ecology will deduct 5,000 gpd for the Big Quilcene and Salmon Creek subbasins and 3,000 gpd for the Snow Creek subbasin. The amounts deducted from the reserves may be adjusted periodically by ecology, to reflect actual use during low flow conditions based on metering data or other measurements.

(4) For permit-exempt ground water appropriations from the Chimacum reserve, ecology will deduct a standard amount of 13 gpd for each single domestic use.

(5) If a water user permanently ceases use of water from a reserve, ecology may credit the water back to the appropriate reserve, upon demonstration, through written certification, that the well or surface water diversion has been decommissioned.

(6) Ecology shall notify the county (or counties) with jurisdiction when it determines that fifty percent, seventy-five percent, and one hundred percent, respectively, of a reserve is appropriated.

(7) If a new appropriation, located in a subbasin with a reserve, is fully offset through implementation of an approved mitigation plan as described in WAC 173-517-030(12), then ecology will not deduct the amount of new water use from the reserve.

**NEW SECTION**

**WAC 173-517-170 Lakes and ponds.** RCW 90.54.020 (3)(a) requires, in part, that the quality of the natural environment shall be protected, and where possible, enhanced, and that lakes and ponds shall be retained substantially in their natural condition.

Any withdrawal from a lake or pond in WRIA 17 requires a water right permit from ecology, and must be consistent with the provisions of this chapter.

**NEW SECTION**

**WAC 173-517-180 Measuring water use.** All future new appropriations of ground water or surface water, including permit-exempt well use, are required to install and maintain a measuring device (water source meter) meeting specifications provided by ecology. The user must report to ecology, by December 31 of each year, meter readings demonstrating water use for the previous water year, October 1 through September 30, as directed by ecology.

NEW SECTION

**WAC 173-517-190 Conveying stock water away from streams.** (1) Ecology recognizes that removing livestock from streams will protect water quality and improve vegetative zones associated with stream banks. The change of water right process (RCW 90.03.380) will not be required in WRIA 17 when small amounts of water consistent with historic practice are diverted (screened and piped) to nearby stock water tanks for consumption by livestock provided that:

(a) If a float or demand type valve is not used, the tank overflow must return to the same source, at or near the point of diversion.

(b) The stock tank must serve no greater number of stock than historically range that parcel of property. The quantity consumed from the stock tank should not exceed the quantity consumed if the stock drank directly from the stream.

(c) Stock water tanks shall be located close to the surface water source, and have as short a bypass reach as possible, not more than is necessary to provide gravity flow.

(d) The purpose in modifying an existing direct access to the stream by stock must be to afford protection to the water body, stream bank, and associated vegetative zone.

(2) The decision to divert stock water from the stream and into a tank does not constitute an adjudication of any claim to the right to the use of the water as between the claimant and the state, or as between one or more water use claimants and another or others.

NEW SECTION

**WAC 173-517-200 Future surface water withdrawals for environmental restoration.** Ecology finds that the public interest advanced by future withdrawals for environmental restoration projects (ERPs), as defined and conditioned in this section, clearly overrides the minimal negative impacts on instream flows.

(1) Ecology may approve a future withdrawal for an ERP only if it meets all the following:

(a) The proposed water use is for a bypass flow for salmonid habitat restoration, or for riparian planting, and the primary purpose of the project is restoration of salmonids;

(b) The proposed project will result in aquatic habitat benefits, and such benefits will exceed any detriment to aquatic habitat that may be caused by reductions in flow at specific locations and times of withdrawal; and

(c) The proposed use qualifies for a temporary permit.

(2) Ecology, in consultation with the department of fish and wildlife and tribes, will evaluate proposed ERPs. ERPs approved by ecology are not subject to closures or instream flows set in this chapter, unless otherwise conditioned by the permit.

NEW SECTION

**WAC 173-517-210 Out of subbasin water use.** (1) Ecology recognizes that rainfall patterns, and the rain shadow effect of the Olympic Mountains, affect water availability in WRIA 17. In addition, population growth patterns in WRIA 17 have historically shown highest growth in areas with less rainfall. For these reasons, ecology recognizes that future

water right applicants may request using water from one subbasin in a different subbasin, and that such out of subbasin water use may have lasting effects on the community. Such use may occur only if consistent with all applicable requirements of state and federal law.

(2) An applicant for a water right that includes out of subbasin water use shall:

(a) Provide the public an opportunity to review and comment on the proposed application. The applicant shall:

- Advertise and convene a public meeting to explain the proposal; and

- Allow for public comment on the potential for the proposed use to be harmful to the public interest.

(b) The applicant shall provide ecology a report which identifies:

- Alternatives examined;
- Any alternatives/modifications that the applicant has rejected and why; and

- Any alternatives/modifications that the applicant accepts and, if relevant, have been made.

(c) The report in (b) of this subsection shall also summarize the comments received through the public meeting in (a) of this subsection on the potential for the proposed use to be harmful to the public interest.

**WSR 09-11-101****PROPOSED RULES****DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed May 19, 2009, 11:18 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 08-10-073.

Title of Rule and Other Identifying Information: Independent medical examinations (IMEs), WAC 296-23-302 Definitions, 296-23-317 What qualifications must a provider meet to become an approved independent medical examination (IME) provider and be assigned an IME provider number?, 296-23-337 For what reasons shall the department's medical director or designee suspend or terminate approval of an independent medical examination (IME) examiner or firm?, and 296-23-387 What are the responsibilities of an independent medical examination (IME) provider regarding testimony?

Hearing Location(s): Tukwila Service Location, 12806 Gateway Drive, Tukwila, WA 98168-1050, on June 23, 2009, at 1:00 p.m.; and at the Hampton Inn, 2010 South Assembly Road, Spokane, WA 99224, on June 29, 2009, at 9:00 a.m.

Date of Intended Adoption: July 21, 2009.

Submit Written Comments to: Department of Labor and Industries, Anita L. Austin, P.O. Box 44322, Olympia, WA 98504-4322, e-mail SUND235@lni.wa.gov, fax (360) 902-4292, due by July 7, 2009.

Assistance for Persons with Disabilities: Contact Anita L. Austin by June 16, 2009, (360) 902-6825 or fax (360) 902-4249.

**Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules:** The proposed changes will improve the quality of the IME examination, the IME report and the worker's satisfaction with the IME process. The purpose of the proposed rules is to ensure the medical providers who become independent medical examiners know and meet the department's requirements. In the proposed rules, the existing requirements were clarified and additional requirements were added.

**Reasons Supporting Proposal:** The proposed rules will demonstrate the department's willingness to address stakeholder concerns regarding the IME process and make the necessary changes. These rules also support the department's continuing efforts to improve quality of the process and the IME examination and report, which ultimately affect the resolution of workers' compensation claims.

**Statutory Authority for Adoption:** RCW 51.04.020, 51-36.080, 7.68.030, and 7.68.080.

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

**Name of Proponent:** Department of labor and industries, governmental.

**Name of Agency Personnel Responsible for Drafting:** Anita L. Austin, Tumwater, Washington, (360) 902-6825; **Implementation and Enforcement:** Robert Malooly, Tumwater, Washington, (360) 902-4209.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

#### Small Business Economic Impact Statement

WAC 296-23-302 Independent medical examinations (IMEs) definitions, 296-23-317 What qualifications must a provider meet to become an approved independent medical examination (IME) provider and be assigned an IME provider number?, 296-23-337 For what reasons shall the department's medical director or designee suspend or terminate approval of an independent medical examination (IME) examiner or firm?, and 296-23-387 What are the responsibilities of an independent medical examination (IME) provider regarding testimony?

**ASSESSING COSTS:** Twenty-five individual IME providers will be impacted by WAC 296-23-317 (2)(a) and (c). These portions of the rule require medical physicians, surgeons, osteopathic physicians and surgeons, and podiatrists to hold a current board certification in their specialty or to have completed a residency and be within five years of obtaining board certification. These providers will either become board certified or be disqualified as IME providers.

**ECONOMIC IMPACT BY SIZE OF BUSINESS:** All impacted providers qualify as small businesses.

**REDUCING COSTS FOR SMALL BUSINESS:** WAC 296-23-317 (2)(a)(ii) and (c)(ii) provide that an IME provider who is not currently board certified can be an IME provider as long as they are within five years of becoming board certified. Thus effected providers need not be immediately disqualified; they can remain IME providers as long as they make efforts to complete board certification within five years.

**SMALL BUSINESS INVOLVEMENT IN THE RULE MAKING:** The IME coalition participated in the rule-making process.

**INDUSTRIES REQUIRED TO COMPLY WITH THE RULE:** Only that portion of the medical care industry that is involved in providing IMEs for L&I patients is required to comply with this rule.

**JOBS EXPECTED TO BE CREATED OR LOST DUE TO THIS RULE:** L&I does not expect that any jobs will be created or lost due to this rule.

A copy of the statement may be obtained by contacting Anita L. Austin, P.O. Box 44322, Olympia, WA 98504-4322, phone (360) 902-6825, fax (360) 902-4249, e-mail [sund235@lni.wa.gov](mailto:sund235@lni.wa.gov).

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Anita L. Austin, P.O. Box 44322, Olympia, WA 98504-4322, phone (360) 902-6825, fax (360) 902-4249, e-mail [sund235@lni.wa.gov](mailto:sund235@lni.wa.gov).

May 19, 2009  
Judy Schurke  
Director

**AMENDATORY SECTION** (Amending WSR 04-04-029, filed 1/27/04, effective 3/1/04)

**WAC 296-23-302 Definitions.** Approved independent medical examination (IME) provider - A doctor or firm whose credentials are approved to conduct an independent medical examination, rating evaluation, or provide IME associated services including but not limited to file preparation, scheduling of examinations and processing billing. An approved IME provider is assigned a unique provider number.

Department - For the purpose of this section, department means the department of labor and industries industrial insurance workers' compensation state fund and self-insured programs.

Direct patient care((-)) - For the purpose of meeting the qualifications of an independent medical examination (IME) provider, direct patient care means face-to-face contact with the patient for the purpose of evaluation and management of care that includes, but is not limited to:

- History taking and review of systems;
- Physical examination;
- Medical decision making;
- Coordination of care with other providers and agencies.

This does not include time spent in independent medical examinations.

Impairment rating examination((-)) - An examination to determine whether or not the injured/ill worker has any permanent impairment(s) as a result of the industrial injury or illness after the worker has reached maximum medical improvement. An impairment rating may be conducted by the attending provider, a medical consultant, or an approved examiner. An impairment rating may be a component of an IME.

Independent medical examination (IME)((-)) - An objective medical-legal examination requested ((by the department or self-insurer)) to establish medical facts about a worker's



physical condition. These examinations may only be conducted by department-approved examiners.

Independent medical examination (IME) provider((-)) - A firm, partnership, corporation, or individual doctor (examiner) who has been approved and given an independent medical examination (IME) provider number by the department to perform IMEs.

Medical director((-)) - A licensed doctor in the firm, partnership, corporation or other legal entity responsible to provide oversight on quality of independent medical examinations, impairment ratings and reports.

Medical Examiners' Handbook((-)) - A handbook distributed by the department containing department policy and information to assist (~~doctors~~) providers who perform independent medical examinations and impairment rating examinations.

Patient related services - Patient related services are defined as one or more of the following professional activities:

- Direct patient care;
- Locum tenens;
- Clinical consultations for treating/attending doctors;
- Clinical or classroom instruction of medical, osteopathic, dental, podiatry, or chiropractic students and/or residents;

- On-call emergency services;
- Volunteer clinician providing patient care services in his or her specialty;

- Participation in clinically based peer review or quality review activities.

Provider number((-)) - A unique number(s) assigned to a provider by the department of labor and industries. The number identifies the provider and is linked to a tax identification number that has been designated by the provider for payment purposes. A provider may have more than one provider number assigned by the department.

Suspension - A department action during which the provider is approved by the department but not available to accept referrals.

Temporarily unavailable - Provider is approved by the department but is temporarily unavailable to accept referrals. Temporarily unavailable applies at the provider's request for personal reasons or by the department as part of an administrative action. Provider remains unavailable until the issue is resolved.

Termination - The permanent removal of a provider from the list of approved IME examiners. All IME provider numbers assigned to the examiner are inactivated.

AMENDATORY SECTION (Amending WSR 04-04-029, filed 1/27/04, effective 3/1/04)

**WAC 296-23-317 What qualifications must a provider meet to ~~(receive)~~ become an approved independent medical examination (IME) provider and be assigned an IME provider number?** In order to ensure ~~((high quality)) that independent medical examinations((-the department shall only approve an IME provider number for persons))~~ are of the highest quality and propriety, examiners, firms, partnerships, corporations, or other legal entities

~~((that)) must apply and meet the following ((qualification)) requirements for department approval:~~

~~(1) ((Providers who wish to bill or get paid for independent medical examinations or related services must apply for and receive an IME provider number. Issuance of an IME provider number does not guarantee IME referrals.~~

~~(2) Providers must have and maintain a current license to practice in the state in which they conduct IMEs and meet at least one of the two following requirements:~~

~~(a) Board certification in their medical specialty; or~~

~~(b) A minimum of an average of eight hours per week over the past two years of direct patient care in their medical specialty (excluding IMEs).~~

~~(3)) For all examiner applicants:~~

~~(a) Have a current, unrestricted, and active professional license to practice in this state or in any other jurisdiction where the applicant would conduct an examination.~~

~~(i) Unrestricted is defined as not currently having a temporary or permanent probation, suspension, revocation or any other limitation of any kind placed on a professional license or privilege to practice by any court, board, or administrative agency in any jurisdiction.~~

~~(ii) If any restriction once existed against the applicant's license, the department must automatically deny the application if the applicant's record has not been clear for at least five years. If after five years the record has been cleared, then the department exclusively reserves the right to grant or deny the application based on the nature of the prior restriction.~~

~~(iii) Exception to the five-year limit may be granted for any restriction or offense deemed by the department to be of a minor or clerical nature.~~

~~(iv) If an applicant has any pending action on their privilege to practice by any court, board, or administrative agency, or by any health care institution such as a hospital in any jurisdiction, the department exclusively reserves the right to grant or deny the application based upon the nature of the action.~~

~~(b) Have no final action by the department to suspend or revoke a previously assigned provider number as a treating or independent medical provider.~~

~~(i) If the applicant has any criminal history, history of a violation of statutes or rules by any administrative agency, court or board in any jurisdiction, the department must automatically deny the application if such history exists within five years of the application. If such history exists but is older than five years, then the department exclusively reserves the right to grant or deny the application based upon the nature of the history.~~

~~(ii) Exception to the five-year limit may be granted for any restriction or offense deemed by the department to be of a minor or clerical nature.~~

~~(c) If an applicant has any pending action in any jurisdiction, the department will not process the application until the matter has been resolved.~~

~~(d) Applicants must attest that all information submitted on the application is true and accurate and must sign under penalty of perjury.~~

~~(e) Other requirements:~~

~~(i) Providers must comply with all federal and state laws, regulations, and other requirements with regard to business~~

operations, including specific requirements for the provision of medical services.

(ii) Providers must adhere to the independent medical examination standards of conduct, and all other laws, rules, and policies. These include but are not limited to the following:

- Provider application agreement;
- Medical Aid Rules and Fee Schedules (MARFS);
- Payment policies;
- Medical Examiners' Handbook.

(iii) Providers must review and sign the IME report and attest to its accuracy.

(iv) Providers must achieve a passing score on the Medical Examiners' Handbook test prior to initial application and every three years thereafter.

(v) Providers must meet one of the following two criteria:

(A) Providers must document a minimum of three hundred eighty-four hours of patient related services (excluding independent medical examinations) per calendar year; or

(B) Providers may complete a minimum of twelve continuing medical education (CME) units of department-approved education and training per year or a total of thirty-six CMEs in three years. This training would focus on improving the provider's skills in completing IMEs or staying current in the provider's specialty. Topics include but are not limited to:

- Report writing;
- Providing testimony;
- Standards of practice;
- Medical ethics;
- Patient care;
- Impairment rating.

(vi) Providers must conduct examinations in a facility designed as a professional office suitable for medical, dental, podiatric, chiropractic or psychiatric examinations where the primary use of the site is for medical services. The site must not be residential, commercial, educational or retail in nature. The site must be clean, sanitary and provide adequate access, climate control, light, space, and equipment. The site must provide for the comfort and safety of the worker and for the privacy necessary to conduct examinations and discuss medical issues. Providers must have a private disrobing area and adequate provision of examination gowns.

(vii) Providers must have telephone answering capability during regular business hours, Monday through Friday, in order to facilitate scheduling of independent examinations

and means for workers to contact the provider regarding their scheduled examination. If the office is open on Saturday, telephone access must be available.

(viii) Providers will agree that either they or the department may inactivate their IME provider number or numbers. If an IME provider number has been inactivated and the provider wishes to resume performing IMEs, they must reapply and meet current requirements.

(ix) Providers must keep the department informed and updated with any new information.

(x) In order to maintain an active IME provider number, providers must reapply every three years.

(2) Additional examiner requirements:

(a) Medical physician and surgeon (MD) or osteopathic physician and surgeon (DO) applicants must: Hold a current board certification in their specialty; or have completed a residency and be within five years of obtaining board certification.

(i) Residency must be in a program approved by the American College of Graduate Medical Education (ACGME) or the American Osteopathic Association (AOA) or equivalent approving body.

(ii) Fellowships will not be accepted in lieu of accredited residency training though they may be used to determine examination specialty qualifications.

(b) Chiropractic physician (DC) applicants must be a chiropractic consultant for the department for at least two years.

(c) Podiatric physician (DPM) applicants must: Have a current board certification in his or her specialty; or have completed a residency and be within five years of obtaining board certification.

(i) Complete a residency program approved by the American Podiatric Medical Association (APMA).

(ii) Fellowships will not be accepted in lieu of accredited residency training though they may be used to determine examination specialty qualifications.

(d) Dentist (doctor of dental science/doctor of dental medicine) (DDS/DMD) applicants must:

(i) Hold current certification in their specialty; or

(ii) Have two years of postdoctoral clinical experience; and

(iii) Complete at least one year of postdoctoral training in a program approved by the American Dental Association Commission on Dental Accreditation (CODA).

Only providers in the following practice specialties who meet all other requirements may perform IMEs(≠):

	<b>Doctors licensed to practice:</b>				
<b>Examiner is:</b>	<b>Medicine &amp; surgery</b>	<b>Osteopathic medicine &amp; surgery</b>	<b>Podiatric medicine &amp; surgery</b>	<b>Chiropractic</b>	<b>Dentistry</b>
<b>In Washington</b>	Yes	Yes	Yes	Yes	Yes
<b><del>((Not in))</del> Outside Washington</b>	Yes	Yes	Yes	No	Yes

~~((4) A provider licensed to practice chiropractic in Washington must also meet all the following requirements:~~

~~(a) Be a chiropractic consultant for the department for at least two years;~~

~~(b) Take an impairment rating course approved by the department; and~~

~~(c) Attend the department's chiropractic consultant and examiners' seminar during the twenty-four months prior to application.~~

(5) Business requirements:

(a) Providers must conduct independent medical examinations only in a professional office suitable for medical, dental, podiatric, chiropractic or psychiatric examinations where the primary use of the examination site is for medical services; not residential, commercial, educational or retail in nature. The site must have, at a minimum, adequate access, climate control, light, space and equipment to provide for the comfort and safety of the injured/ill worker and provide the privacy necessary for workers to discuss their medical issues.

(b) Providers must comply with all federal and state laws, regulations and other requirements with regard to business operations, including specific requirements for business operations for the provision of medical services.

(c) Providers must have a private disrobing area and adequate provision of examination gowns.

(d) Providers must have telephone answering capability during regular business hours, Monday through Friday, in order to facilitate scheduling of independent medical examinations and means for workers to contact the provider regarding their scheduled examination. If the office is open on Saturday, telephone access must be available.

(e) In order to be assigned an IME provider number, an IME firm, partnership, corporation or other legal entity must have a medical director. The medical director must be a licensed provider and be responsible to provide oversight on the quality of independent medical examinations, impairment ratings and reports.) (3) All other provider applicants that derive income from independent medical examinations must:

(a) Comply with all federal and state laws, regulations, and other requirements with regard to business operations including specific requirements for any business operations for the provision of medical services.

(b) Attest that all information submitted on the application is true and accurate and must sign under penalty of perjury.

(c) Have no previous action taken by any federal or state agency for any business previously owned or operated.

(d) Have no previous business or audit action by the department to suspend or revoke an assigned provider number.

(e) In order to be assigned an IME provider number, an IME firm, partnership, corporation or other legal entity, have a medical director. The medical director must be a licensed provider, be responsible to provide oversight on the quality of independent medical examinations, impairment ratings and reports, and be available to resolve any issue that department staff may bring to the medical director's attention.

(f) Conduct examinations in a facility designed as a professional office suitable for medical, dental, podiatric, chiropractic or psychiatric examinations where the primary use of the site is for medical services. The site must not be residential, commercial, educational or retail in nature. The site must be clean, sanitary and provide adequate access, climate control, light, space, and equipment. The site must provide for the comfort and safety of the worker and for the privacy necessary to conduct examinations and discuss medical issues. Providers must have a private disrobing area and adequate provision of examination gowns.

(g) Have telephone answering capability during regular business hours, Monday through Friday, in order to schedule independent medical examinations and communicate with workers about scheduled examinations. If the office is open on Saturday, telephone access must be available.

(h) Facilitate scheduling of providers both for the examination and for any required follow up, including amendments to the report, subsequent reports, or for any testimony required. If the provider fails to participate in scheduling or otherwise causes an undue expense to the department, whether intentionally or not, the department may fine the provider up to five hundred dollars per violation.

(i) Agree to keep the department informed and updated with any new information such as exam site or administrative office locations, phone numbers or contact information.

(j) Agree that either the provider or the department may inactivate their IME provider number or numbers. If an IME provider number has been inactivated and the provider wishes to resume performing IMEs, they must reapply and meet current requirements.

(k) In order to maintain an active IME provider number, the provider must reapply every three years.

AMENDATORY SECTION (Amending WSR 04-04-029, filed 1/27/04, effective 3/1/04)

**WAC 296-23-337 (~~What factors does~~) For what reasons shall the department's medical director (~~consider in suspending~~) or designee suspend or (~~terminating~~) terminate approval of an independent medical examination (IME) (~~provider number~~) examiner or firm?** ((The department's medical director may consider several factors in suspending or terminating an IME provider number. Examples include, but are not limited to:

- (1) Complaints about the provider;
- (2) Disciplinary proceedings or actions;
- (3) Proceedings in any court dealing with the provider's professional conduct, quality of care and criminal actions;
- (4) Ability to effectively convey and substantiate medical opinions and conclusions concerning workers;
- (5) Untimely reports;
- (6) Substandard quality of reports or failure to comply with current department policy on report contents;
- (7) Unavailability or lack of willingness to responsibly communicate with the department or self-insurer;
- (8) Unavailability or lack of willingness to testify on behalf of the department or self-insurer, worker, or employer;
- (9) Failure to stay current in the area of specialty and in the areas of impairment rating, performance of IMEs, industrial injury and occupational disease/illness, industrial insurance statutes, regulations and policies;
- (10) Failure to continue to maintain the criteria to be an IME provider;
- (11) Misrepresentation of information provided to the department;
- (12) Failure to inform the department of changes affecting the provider's status as an IME provider;
- (13) Failure to comply with the department's orders, statutes, rules, or policies; and

(14) Failure to accept the department fee schedule rate for testimony or independent medical examinations.)) In order to ensure high quality independent medical examinations (IMEs), the department's medical director or designee shall terminate, suspend or inactivate approval of examiners, firms, partnerships, corporations, or other legal entities in the situations described below. When an IME examiner or other entity is terminated or suspended, they may not perform IMEs for the department.

(1) AUTOMATIC TERMINATION OF EXAMINERS. The department's medical director or designee shall terminate approval of examiners in situations including, but not limited to the following:

(a) Their license has been revoked in any jurisdiction.

(b) A final order or stipulation to informal disposition has been issued against the examiner by a state authority in any jurisdiction, including, but not limited to the Washington state department of health, when such charges involve conduct or behavior as defined in chapter 18.130 RCW, Uniform Disciplinary Act. These include, but are not limited to:

(i) Sexually inappropriate conduct, behavior or language.

(ii) Behavior that puts patients' safety or well-being at risk.

(c) The examiner has committed perjury or falsified documents provided to the department or insurer.

(d) The examiner has a criminal felony history in any jurisdiction.

(e) The examiner has failed to reapply every three years.

(2) AUTOMATIC SUSPENSION FOR REVIEW. The department's medical director or designee shall suspend approval of examiners in situations listed below. The department will initiate the review within ninety days of notification. The results of the review will determine if further action is necessary, which may include termination.

(a) The examiner has failed to meet all qualifications for approval as an IME provider.

(b) The examiner's license has been restricted in any jurisdiction. Exceptions may be granted for any restriction or offense deemed by the department to be of a minor or clerical nature.

(c) The examiner has lost hospital privileges for cause.

(d) A statement of charges has been filed against the examiner by a state authority in any jurisdiction, including, but not limited to the Washington state department of health, when such charges involve conduct or behavior as defined in chapter 18.130 RCW, Uniform Disciplinary Act. These include, but are not limited to:

(i) Sexually inappropriate conduct, behavior or language.

(ii) Behavior that puts patients' safety or well-being at risk.

(e) The examiner has any pending or history of criminal charges or violation of statutes or rules by any administrative agency, court or board in any jurisdiction.

(3) AUTOMATIC TERMINATION OF NONEXAMINER IME PROVIDERS. The department's medical director or designee shall terminate approval of firms, partnerships, corporations, or other legal entities that derive income from independent medical examinations in situations when they fail to meet all

requirements for approval as an IME provider, including failing to reapply every three years.

(4) AUTOMATIC SUSPENSION OF NONEXAMINER IME PROVIDERS. The department's medical director or designee shall suspend approval of firms, partnerships, corporations, or other legal entities that derive income from independent medical examinations in situations listed below. The department will review the matter to determine if further action is necessary, which may include termination.

(a) The provider has failed to meet all qualifications for approval as an IME provider.

(b) The provider has committed perjury or falsified documents provided to the department or insurer.

(c) The provider's behavior has placed patients' safety or well-being at risk.

(5) NONAUTOMATIC TERMINATIONS AND SUSPENSIONS. In addition to automatic terminations and suspensions described in subsections (1) through (4) of this section, the department's medical director or designee shall consider any of the following factors in determining a change in status for all providers. These status changes include temporarily unavailable, suspension or termination of the approval to conduct IMEs.

These factors include, but are not limited to:

(a) Substantiated complaints or pattern of complaints about the provider.

(b) Other disciplinary proceedings or actions not listed in subsections (1) through (4) of this section.

(c) Other proceedings in any court dealing with the provider's professional conduct, quality of care or criminal actions not listed in subsections (1) through (4) of this section.

(d) Substandard quality of reports, failure to comply with current department policy on report contents, or inability to effectively convey and substantiate medical opinions and conclusions concerning workers.

(e) Untimely reports.

(f) Unavailable or unwilling to responsibly communicate with the department.

(g) Unavailable or unwilling to testify on behalf of the department, worker, or employer.

(h) Failure to cooperate with all attorneys representing a party in industrial insurance litigation at the board of industrial insurance appeals (board) by not cooperating in a timely manner to schedule preparatory activities and/or testimony during business hours and within the dates ordered by the board to complete testimony.

(i) Inability to support examination and report findings in any legal proceeding as evidenced by board decisions finding the testimony less credible.

(j) Failure to stay current in the area of specialty and in the areas of impairment rating, performance of IMEs, industrial injury and occupational disease/illness, industrial insurance statutes, regulations and policies.

(k) Failure to maintain the criteria to be an IME provider.

(l) Misrepresentation of information provided to the department.

(m) Failure to inform the department of changes affecting the provider's status as an IME provider.

(n) Failure to comply with the department's orders, statutes, rules, or policies.

(o) Failure to accept the department fee schedule rate for independent medical examinations.

(p) Any pending action in any jurisdiction.

**AMENDATORY SECTION** (Amending WSR 04-04-029, filed 1/27/04, effective 3/1/04)

**WAC 296-23-387 What are the responsibilities of an independent medical examination (IME) provider regarding testimony?** IME providers must make themselves reasonably available to testify at the board of industrial insurance appeals (board) or by deposition. Reasonably available to all parties means cooperating in the timely scheduling of the pretestimony conference and testimony and being available to testify during business hours (7:00 a.m. to 6:00 p.m.) as ordered by the judge and within the dates ordered by the board to complete testimony. In signing the application to be an independent medical examination provider, the provider agrees to perform examinations and be available to testify and to answer questions about the medical facts of the case at rates established under the authority of Washington industrial insurance law. The department may fine the firm and/or examiner up to five hundred dollars per violation for failure to comply with these requirements, whether the failure was intentional or not.

In addition, failure to comply with ((this)) these requirements may result in suspension or termination of the IME provider number.

**WSR 09-11-105  
PROPOSED RULES  
DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Aging and Disability Services Administration)

[Filed May 19, 2009, 1:06 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-08-052.

Title of Rule and Other Identifying Information: The department is amending WAC 388-515-1507 What are the financial requirements for home and community based (HCB) services when you are eligible for a noninstitutional categorically needy (CN) medicaid program?

Hearing Location(s): Blake Office Park East, Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503 (one block north of the intersection of Pacific Avenue S.E. and Alhadeff Lane. A map or directions are available at <http://www.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6094), on June 23, 2009, at 10:00 a.m.

Date of Intended Adoption: Not earlier than June 24, 2009.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, delivery 4500 10th Avenue S.E., Lacey, WA 98503, e-mail DSHSR-PAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on June 23, 2009.

Assistance for Persons with Disabilities: Contact Jenisha Johnson, DSHS rules consultant, by June 9, 2009, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at [johnsjl4@dshs.wa.gov](mailto:johnsjl4@dshs.wa.gov).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: DSHS is amending WAC 388-515-1507 as follows:

- Including healthcare for workers with disabilities (HWD) eligibility as one of the eligibility programs for HCB services, as approved by the Centers for Medicare and Medicaid Services (CMS); and
- Updating references and changing language for readability.

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 74.04.050, 74.-04.057, 74.08.090, 74.09.500, 74.09.530, Section 1915(c) of the Social Security Act.

Statute Being Implemented: RCW 74.04.050, 74.04.-057, 74.08.090, 74.09.500, 74.09.530, Section 1915(c) of the Social Security Act.

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

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lori Rolley, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-2271.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the rules and determined that no new costs will be imposed on small businesses or nonprofit organizations.

A cost-benefit analysis is not required under RCW 34.05.328. Rules are exempt, per RCW 34.05.328 (5)(b)(vii), relating only to client medical or financial eligibility.

May 15, 2009

Don Goldsby, Manager

Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 08-22-052, filed 11/3/08, effective 12/4/08)

**WAC 388-515-1507 What are the financial requirements for home and community based (HCB) services when you are eligible for a noninstitutional categorically needy (CN) medicaid program?** (1) You are eligible for medicaid under one of the following programs:

(a) Supplemental Security Income (SSI) eligibility described in WAC 388-474-0001. This includes SSI clients under 1619B status;

(b) SSI-related CN medicaid described in WAC 388-475-0100 (2)(a) and (b);

(c) SSI-related healthcare for workers with disabilities program (HWD) described in WAC 388-475-1000. If you are receiving HWD, you are responsible to pay your HWD premium as described in WAC 388-475-1250. This change is effective April 1, 2009;

(d) General assistance expedited medicaid disability (GAX) or general assistance based on aged/blind/disabled criteria described in WAC 388-505-0110(6) and are receiving CN medicaid.

(2) You (~~are not subject to~~) do not have a penalty period of ineligibility for the transfer of an asset as described in WAC 388-513-1363 through 388-513-1366. This does not apply to PACE or hospice services.

(3) You do not have a home with equity in excess of the requirements described in WAC 388-513-1350.

(4) You do not have to meet the initial eligibility income test of having gross income at or below the special income level (SIL).

(5) You do not pay (participate) toward the cost of your personal care services.

(6) If you live in a department contracted facility listed in WAC 388-515-1506 (1)(g), you pay room and board up to the ADSA room and board standard. The ADSA room and board standard is based on the federal benefit rate (FBR) minus the current personal needs allowance (PNA) for HCS CN waivers in an alternate living facility.

(a) If you live in an assisted living (AL) facility, enhanced adult residential center (EARC), or adult family home (AFH) you keep a PNA of sixty-two dollars and seventy-nine cents and use your income to pay up to the room and board standard.

(b) If subsection (6)(a) applies and you are receiving HWD described in WAC 388-475-1000, you are responsible to pay your HWD premium as described in WAC 388-475-1250, in addition to the room and board standard.

(7) If you are eligible for general assistance expedited medicaid disability (GAX) or general assistance based on aged/blind/disabled criteria described in WAC 388-505-0110(6), you do not participate in the cost of personal care and you may keep the following:

(a) When you live at home, you keep the cash grant amount authorized under the general assistance program;

(b) When you live in an AFH, you keep a PNA of thirty-eight dollars and eighty-four cents, and pay any remaining income and general assistance grant to the facility for the cost of room and board up to the ADSA room and board standard; or

(c) When you live in an assisted living facility or enhanced adult residential center, you are only eligible to receive a cash grant of thirty-eight dollars and eighty-four cents, which you keep for your PNA.

(8) Current resource and income standards are located at: <http://www.dshs.wa.gov/manuals/eaz/sections/LongTerm-Care/LTCstandardspna.shtml>.

(9) Current PNA and ADSA room and board standards are located at: <http://www.dshs.wa.gov/manuals/eaz/sections/LongTermCare/lcstandardsPNAchartsufile.shtml>.

**WSR 09-11-107****PROPOSED RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Health and Recovery Services Administration)

[Filed May 19, 2009, 2:01 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-07-061.

Title of Rule and Other Identifying Information: The department is amending WAC 388-424-0006 Citizenship and alien status—Date of entry, 388-424-0010 Citizenship and alien status—Eligibility restrictions for TANF and medical benefits, and 388-424-0016 Citizenship and alien status—Immigrant eligibility restrictions for state medical benefits.

Hearing Location(s): Blake Office Park East, Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503 (one block north of the intersection of Pacific Avenue S.E. and Alhadeff Lane. A map or directions are available at <http://www.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6094), on June 23, 2009, at 10:00 a.m.

Date of Intended Adoption: Not sooner than June 24, 2009.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, delivery 4500 10th Avenue S.E., Lacey, WA 98503, e-mail DSHSR-PAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on June 23, 2009.

Assistance for Persons with Disabilities: Contact Jenisha Johnson, DSHS rules consultant, by June 9, 2009, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at [johnsjl4@dshs.wa.gov](mailto:johnsjl4@dshs.wa.gov).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Recently passed federal legislation allows: (1) States, beginning April 1, 2009, to provide medicaid and state children's health insurance program coverage to legal immigrant children and pregnant women without the five-year delay from the time of their U.S. entry; and (2) Afghan special immigrants to be eligible for temporary assistance for needy families (TANF) and medicaid for up to eight months as allowed under federal law effective March 11, 2009.

Reasons Supporting Proposal: Implementing this rule change will save the state money by allowing DSHS to draw down federal matching funds and will extend assistance to needy immigrant children, pregnant women, and Afghan immigrants.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, and 74.08A-120.

Statute Being Implemented: P.L. No. 111-3 (H.R. 2, Title II, Sec. 214 - Children's Health Insurance Program Reauthorization Act of 2009); P.L. No. 111-08 Omnibus Appropriations Act of 2009, Office of Refugee Resettlement State Letter # 09-17.

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

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting: Kevin Sullivan, P.O. Box 45504, Olympia, WA 98504, (360) 725-1344; Implementation and Enforcement: Karin Kramer, P.O. Box 45534, Olympia, WA 98504, (360) 725-2075.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Does not impact small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. Per RCW 34.05.328 (5)(b)(vii), client eligibility rules for medical assistance are exempt from the provision.

May 15, 2009

Don Goldsby, Manager

Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 07-07-023, filed 3/9/07, effective 4/9/07)

**WAC 388-424-0006 Citizenship and alien status—Date of entry.** (1) A person who physically entered the U.S. prior to August 22, 1996 and who continuously resided in the U.S. prior to becoming a "qualified alien" (as defined in WAC 388-424-0001) is not subject to the five-year bar on TANF, nonemergency medicaid, and SCHIP.

(2) A person who entered the U.S. prior to August 22, 1996 but became "qualified" on or after August 22, 1996, or who physically entered the U.S. on or after August 22, 1996 and who requires five years of residency to be eligible for federal Basic Food, can only count years of residence during which they were a "qualified alien."

(3) A person who physically entered the U.S. on or after August 22, 1996 is subject to the five-year bar on TANF, nonemergency medicaid, and SCHIP unless exempt. The five-year bar starts on the date that "qualified" status is obtained.

(4) The following "qualified aliens," as defined in WAC 388-424-0001, are exempt from the five-year bar:

- (a) Amerasian lawful permanent residents;
- (b) Asylees;
- (c) Cuban/Haitian entrants;
- (d) Persons granted withholding of deportation or removal;
- (e) Refugees;
- (f) Victims of trafficking who have been certified or had their eligibility approved by the office of refugee resettlement (ORR); and
- (g) Lawful permanent residents, parolees, or battered aliens, as defined in WAC 388-424-0001, who are also an armed services member or veteran as described in WAC 388-424-0007.

(5) In addition to subsection (4) of this section, the following "qualified aliens" are also exempt from the five-year bar on nonemergency medicaid and SCHIP:

- (a) Pregnant women;
- (b) Children under nineteen years of age; and
- (c) Children under twenty-one years of age who are residing in a medical institution as described in WAC 388-505-0230.

AMENDATORY SECTION (Amending WSR 08-14-116, filed 6/30/08, effective 8/1/08)

**WAC 388-424-0010 Citizenship and alien status—Eligibility restrictions for ~~((the temporary assistance for needy families program and medical benefits, including)) TANF, nonemergency medicaid, and ((the children's healthcare programs)) SCHIP.~~** (1) To receive TANF, non-emergency medicaid, or ((medical benefits)) SCHIP, you must meet all other eligibility requirements and be one of the following as defined in WAC 388-424-0001:

- (a) A U.S. citizen;
- (b) A U.S. national;
- (c) An American Indian born outside the U.S.;
- (d) A "qualified alien";
- (e) A victim of trafficking;
- (f) A Hmong or Highland Lao; or
- (g) A special immigrant from Iraq or Afghanistan eligible for eight months of federally funded assistance from your date of entry into the United States or from the date you received special immigrant status(~~((or~~
- ~~(h) A special immigrant from Afghanistan eligible for six months of federally funded assistance from your date of entry into the United States or from the date you received special immigrant status)).~~

(2) A "qualified alien" who first physically entered the U.S. before August 22, 1996 as described in WAC 388-424-0006(1) may receive TANF, nonemergency medicaid, and SCHIP ~~((benefits))~~.

(3) A "qualified alien" who first physically entered the U.S. on or after August 22, 1996 cannot receive TANF, non-emergency medicaid, or SCHIP for five years after obtaining status as a qualified alien unless:

(a) He or she is an alien as described ~~((under))~~ in WAC 388-424-0006(4); or

(b) He or she is an alien as described in WAC 388-424-0006(5) applying for nonemergency medicaid or SCHIP.

(4) An alien who is ineligible for TANF ~~((non-emergency medicaid, or SCHIP))~~ because of the five-year bar or because of their immigration status may be eligible for:

- (a) Emergency benefits as described in WAC 388-436-0015 (consolidated emergency assistance program) and WAC 388-438-0110 (alien emergency medical program); or
- (b) State-funded cash or chemical dependency benefits as described in WAC 388-424-0015 (SFA, GA and ADATSA) and medical benefits as described in WAC 388-424-0016; or
- (c) Pregnancy medical benefits as described in WAC 388-462-0015; or
- (d) Children's ~~((health program))~~ healthcare benefits as described in WAC 388-505-0210.

AMENDATORY SECTION (Amending WSR 04-15-004, filed 7/7/04, effective 8/7/04)

**WAC 388-424-0016 Citizenship and alien status—Immigrant eligibility restrictions for state medical benefits. ~~((+))~~** To receive general assistance medical (medical care services) you must meet the alien requirements of general assistance as described in WAC 388-424-0015(2) and be a recipient of general assistance cash.

~~((2) To receive medical benefits for pregnancy, you must be ineligible for other programs as described in WAC 388-462-0015, verify you are pregnant, and be:~~

- ~~(a) A "qualified alien" who is ineligible for TANF due to the five-year bar as described in WAC 388-424-0006(3);~~  
~~(b) PRUCOL as defined in WAC 388-424-0001; or~~  
~~(c) An undocumented alien as defined in WAC 388-424-0001-.)~~

**WSR 09-11-108**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**

[Filed May 19, 2009, 2:35 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule and Other Identifying Information: Adds new sections WAC 36-12-165, 36-13-005, and 36-14-108, titled Event fees to be paid by promoter. A promoter shall pay an event fee equal to 5% of the gross receipts paid for admission to events as required and defined in RCW 67.08-002, 67.08.050, and 67.08.055.

(2) A complimentary ticket may not have a face value of less than the least expensive ticket available for sale to the general public. The number of complimentary tickets not subject to an event fee shall be limited to ten percent of the total tickets sold per event location, not to exceed one thousand tickets. All complimentary tickets exceeding this exemption shall be subject to an event fee.

Hearing Location(s): Department of Licensing, Business and Professions Division, Building 2, Conference Room 209, 405 Black Lake Boulevard S.W., Olympia, WA 98502, on June 23, 2009, at 3:00 p.m.

Date of Intended Adoption: June 23, 2009.

Submit Written Comments to: Lawna Knight, Department of Licensing, Professional Athletics Program, P.O. Box 9026, Olympia, WA 98507, e-mail lknight@dol.wa.gov, fax (360) 664-2550, by June 22, 2009.

Assistance for Persons with Disabilities: Contact Lawna Knight by June 22, 2008 [2009], TTY (360) 664-8885 or (360) 664-6643.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: SB 6126 was passed by the legislators and signed by the governor on May 8, 2009, with an effective date of July 26, 2009. This bill removed event fees in law and requires the department to set these fees in rule. The event fees have been set at the same rate as was in the law.

Reasons Supporting Proposal: Setting the event fees at the same rate in rule will allow the department and industry adequate time to evaluate the need for raising fees in order to make the program self supporting as required by SB 6126 (chapter 429, Laws of 2009).

Statutory Authority for Adoption: Chapter 429, Laws of 2009, (RCW 67.08.015).

Statute Being Implemented: Chapter 429, Laws of 2009, (RCW 67.08.015).

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Fees will become effective on July 26, 2009.

Name of Proponent: Department of licensing, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Trudie Touchette, 405 Black Lake Boulevard S.W., Olympia, WA 98502, (360) 664-6650.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules will not have any different effect on the industry than the current law does now.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to this rule revision. Washington state department of licensing is not a named agency, therefore exempt from the provision.

May 19, 2009

Ralph Osgood

Assistant Director

NEW SECTION

**WAC 36-12-165 Event fees to be paid by promoter.**

(1) A promoter shall pay an event fee equal to five percent of the gross receipts paid for admission to events as required and defined in RCW 67.08.002, 67.08.050, and 67.08.055.

(2) A complimentary ticket may not have a face value of less than the least expensive ticket available for sale to the general public. The number of complimentary tickets not subject to an event fee shall be limited to ten percent of the total tickets sold per event location, not to exceed one thousand tickets. All complimentary tickets exceeding this exemption shall be subject to an event fee.

NEW SECTION

**WAC 36-13-005 Event fees to be paid by promoter.**

(1) A promoter shall pay an event fee equal to five percent of the gross receipts paid for admission to events as required and defined in RCW 67.08.002, 67.08.050, and 67.08.055.

(2) A complimentary ticket may not have a face value of less than the least expensive ticket available for sale to the general public. The number of complimentary tickets not subject to an event fee shall be limited to ten percent of the total tickets sold per event location, not to exceed one thousand tickets. All complimentary tickets exceeding this exemption shall be subject to an event fee.

NEW SECTION

**WAC 36-14-108 Event fees to be paid by promoter.**

(1) A promoter shall pay an event fee equal to five percent of the gross receipts paid for admission to events as required and defined in RCW 67.08.002, 67.08.050, and 67.08.055.

(2) A complimentary ticket may not have a face value of less than the least expensive ticket available for sale to the general public. The number of complimentary tickets not



subject to an event fee shall be limited to ten percent of the total tickets sold per event location, not to exceed one thousand tickets. All complimentary tickets exceeding this exemption shall be subject to an event fee.

**WSR 09-11-109**  
**PROPOSED RULES**  
**DEPARTMENT OF REVENUE**

[Filed May 19, 2009, 2:42 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-08-089.

Title of Rule and Other Identifying Information: WAC 458-40-610 Timber excise tax—Definitions and 458-40-660 Timber excise tax—Stumpage value tables.

Hearing Location(s): Capital Plaza Building, 4th Floor, L&P Large Conference Room, 1025 Union Avenue S.E., Olympia, WA 98504, on June 24, 2009, at 10:00 a.m.

Date of Intended Adoption: June 30, 2009.

Submit Written Comments to: Mark Bohe, P.O. Box 47453, Olympia, WA 98504-7453, e-mail markbohe@dor.wa.gov, fax (360) 586-0127 by June 24, 2009.

Assistance for Persons with Disabilities: Contact Martha Thomas at (360) 725-7497, no later than ten days before the hearing date. Deaf and hard of hearing individuals may call 1-800-451-7985 (TTY users).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: RCW 84.33.091 requires the department to revise the stumpage value tables every six months. The department establishes stumpage value tables to apprise timber harvesters of the timber values used to calculate the timber excise tax. The values in the proposed rule will apply to the second half of 2009. The department is also proposing to move the definition of "forest-derived biomass" currently provided in WAC 458-40-660 into WAC 458-40-610.

Copies of draft rules are available for viewing and printing on our web site at <http://dor.wa.gov/content/FindALawOrRule/RuleMaking/agenda.aspx>.

Reasons Supporting Proposal: The law requires that these stumpage values be updated as of January 1 and July 1 of each year.

Statutory Authority for Adoption: RCW 82.32.300, 82.01.060(2), and 84.33.096.

Statute Being Implemented: RCW 84.33.091.

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

Name of Proponent: Washington state department of revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Mark E. Bohe, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6133; Implementation and Enforcement: Stuart Thronson, 1025 Union Avenue S.E., Suite #300, Olympia, WA, (360) 570-3230.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No small business economic impact statement is required.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Marke Bohe, P.O. Box 47453, Olympia, WA 98504-7453, e-mail markbohe@dor.wa.gov, fax (360) 586-0127. The proposed rule is a significant legislative rule as defined by RCW 34.05.328.

May 19, 2009

Alan R. Lynn

Rules Coordinator

AMENDATORY SECTION (Amending WSR 06-17-186, filed 8/23/06, effective 9/23/06)

**WAC 458-40-610 Timber excise tax—Definitions.** (1) **Introduction.** The purpose of WAC 458-40-610 through 458-40-690 is to prescribe the policies and procedures for the taxation of timber harvested from public and private forest lands as required by RCW 84.33.010 through 84.33.096.

Unless the context clearly requires otherwise, the definitions in this rule apply to WAC 458-40-610 through 458-40-690. In addition to the definitions found in this rule, definitions of technical forestry terms may be found in *The Dictionary of Forestry*, 1998, edited by John A. Helms, and published by the Society of American Foresters.

(2) **Codominant trees.** Trees whose crowns form the general level of the main canopy and receive full light from above, but comparatively little light from the sides.

(3) **Competitive sales.** The offering for sale of timber which is advertised to the general public for sale at public auction under terms wherein all qualified potential buyers have an equal opportunity to bid on the sale, and the sale is awarded to the highest qualified bidder. The term "competitive sales" includes making available to the general public permits for the removal of forest products.

(4) **Cord measurement.** A measure of wood with dimensions of 4 feet by 4 feet by 8 feet (128 cubic feet).

(5) **Damaged timber.** Timber where the stumpage values have been materially reduced from the values shown in the applicable stumpage value tables due to damage resulting from fire, blow down, ice storm, flood, or other sudden unforeseen causes.

(6) **Dominant trees.** Trees whose crowns are higher than the general level of the main canopy and which receive full light from the sides as well as from above.

(7) **Firewood.** Commercially traded firewood is considered scaled utility log grade as defined in subsection ((43)) (14) of this section.

(8) **Forest-derived biomass.** Forest-derived biomass consists of tree limbs, tops, needles, leaves, and other woody debris that are residues from such activities as timber harvesting, forest thinning, fire suppression, or forest health. Forest-derived biomass does not include scalable timber products or firewood (defined in WAC 458-40-650).

(9) **Harvest unit.** An area of timber harvest, defined and mapped by the harvester before harvest, having the same stumpage value area, hauling distance zone, harvest adjustments, harvester, and harvest identification. The harvest identification may be a department of natural resources forest practice application number, public agency harvesting permit number, public sale contract number, or other unique identi-

fier assigned to the timber harvest area prior to harvest operations. A harvest unit may include more than one section, but harvest unit may not overlap a county boundary.

~~((9))~~ **(10) Harvester.** Every person who from the person's own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, fells, cuts, or takes timber for sale or for commercial or industrial use. The term "harvester" does not include persons performing under contract the necessary labor or mechanical services for a harvester. In cases where the identity of the harvester is in doubt, the department of revenue will consider the owner of the land from which the timber was harvested to be the harvester and the one liable for paying the tax.

The definition above applies except when the United States or any instrumentality thereof, the state, including its departments and institutions and political subdivisions, or any municipal corporation therein so fells, cuts, or takes timber for sale or for commercial or industrial use. When a governmental entity described above fells, cuts, or takes timber, the harvester is the first person, other than another governmental entity as described above, acquiring title to or a possessory interest in such timber.

~~((10))~~ **(11) Harvesting and marketing costs.** Only those costs directly and exclusively associated with harvesting merchantable timber from the land and delivering it to the buyer. The term includes the costs of piling logging residue on site, and costs to abate extreme fire hazard when required by the department of natural resources. Harvesting and marketing costs do not include the costs of other consideration (for example, reforestation, permanent road construction), treatment to timber or land that is not a necessary part of a commercial harvest (for example, precommercial thinning, brush clearing, land grading, stump removal), costs associated with maintaining the option of land conversion (for example, county fees, attorney fees, specialized site assessment or evaluation fees), or any other costs not directly and exclusively associated with the harvesting and marketing of merchantable timber. The actual harvesting and marketing costs must be used in all instances where documented records are available. When the taxpayer is unable to provide documented proof of such costs, or when harvesting and marketing costs can not be separated from other costs, the deduction for harvesting and marketing costs is thirty-five percent of the gross receipts from the sale of the logs.

~~((11))~~ **(12) Hauling distance zone.** An area with specified boundaries as shown on the statewide stumpage value area and hauling distance zone maps contained in WAC 458-40-640, having similar accessibility to timber markets.

~~((12))~~ **(13) Legal description.** A description of an area of land using government lots and standard general land office subdivision procedures. If the boundary of the area is irregular, the physical boundary must be described by metes and bounds or by other means that will clearly identify the property.

~~((13))~~ **(14) Log grade.** Those grades listed in the "*Official Log Scaling and Grading Rules*" developed and authored by the Northwest Log Rules Advisory Group (Advisory Group). "Utility grade" means logs that do not meet the minimum requirements of peeler or sawmill grades as defined in

the "*Official Log Scaling and Grading Rules*" published by the Advisory Group but are suitable for the production of firm useable chips to an amount of not less than fifty percent of the gross scale; and meeting the following minimum requirements:

- (a) Minimum gross diameter—two inches.
- (b) Minimum gross length—twelve feet.
- (c) Minimum volume—ten board feet net scale.
- (d) Minimum recovery requirements—one hundred percent of adjusted gross scale in firm useable chips.

~~((14))~~ **(15) Lump sum sale.** Also known as a cash sale or an installment sale, it is a sale of timber where all the volume offered is sold to the highest bidder.

~~((15))~~ **(16) MBF.** One thousand board feet measured in Scribner Decimal C Log Scale Rule.

~~((16))~~ **(17) Noncompetitive sales.** Sales of timber in which the purchaser has a preferential right to purchase the timber or a right of first refusal.

~~((17))~~ **(18) Other consideration.** Value given in lieu of cash as payment for stumpage, such as improvements to the land that are of a permanent nature. Some examples of permanent improvements are as follows: Construction of permanent roads; installation of permanent bridges; stockpiling of rock intended to be used for construction or reconstruction of permanent roads; installation of gates, cattle guards, or fencing; and clearing and reforestation of property.

~~((18))~~ **(19) Permanent road.** A road built as part of the harvesting operation which is to have a useful life subsequent to the completion of the harvest.

~~((19))~~ **(20) Private timber.** All timber harvested from privately owned lands.

~~((20))~~ **(21) Public timber.** Timber harvested from federal, state, county, municipal, or other government owned lands.

~~((21))~~ **(22) Remote island.** An area of land which is totally surrounded by water at normal high tide and which has no bridge or causeway connecting it to the mainland.

~~((22))~~ **(23) Scale sale.** A sale of timber in which the amount paid for timber in cash and/or other consideration is the arithmetic product of the actual volume harvested and the unit price at the time of harvest.

~~((23))~~ **(24) Small harvester.** A harvester who harvests timber from privately or publicly owned forest land in an amount not exceeding two million board feet in a calendar year.

~~((24))~~ **(25) Species.** A grouping of timber based on biological or physical characteristics. In addition to the designations of species or subclassifications defined in Agriculture Handbook No. 451 Checklist of United States Trees (native and naturalized) found in the state of Washington, the following are considered separate species for the purpose of harvest classification used in the stumpage value tables:

(a) **Other conifer.** All conifers not separately designated in the stumpage value tables. See WAC 458-40-660.

(b) **Other hardwood.** All hardwoods not separately designated in the stumpage value tables. See WAC 458-40-660.

(c) **Special forest products.** The following are considered to be separate species of special forest products: Christmas trees (various species), posts (various species), western

redcedar flatsawn and shingle blocks, western redcedar shake blocks and boards.

(d) **Chipwood.** All timber processed to produce chips or chip products delivered to an approved chipwood destination that has been approved in accordance with the provisions of WAC 458-40-670 or otherwise reportable in accordance with the provisions of WAC 458-40-670.

(e) **Small logs.** All conifer logs harvested in stumpage value areas 6 or 7 generally measuring seven inches or less in scaling diameter, purchased by weight measure at designated small log destinations that have been approved in accordance with the provisions of WAC 458-40-670. Log diameter and length is measured in accordance with the Eastside Log Scaling Rules developed and authored by the Northwest Log Rules Advisory Group, with length not to exceed twenty feet.

(f) **Sawlog.** For purposes of timber harvest in stumpage value areas 6 and 7, a sawlog is a log having a net scale of not less than 33 1/3% of gross scale, nor less than ten board feet and meeting the following minimum characteristics: Gross scaling diameter of five inches and a gross scaling length of eight feet.

(g) **Piles.** All logs sold for use or processing as piles that meet the specifications described in the most recently published edition of the *Standard Specification for Round Timber Piles (Designation: D 25)* of the American Society for Testing and Materials.

(h) **Poles.** All logs sold for use or processing as poles that meet the specifications described in the most recently published edition of the *National Standard for Wood Poles—Specifications and Dimensions (ANSI 05.1)* of the American National Standards Institute.

~~((25))~~ **(26) Stumpage.** Timber, having commercial value, as it exists before logging.

~~((26))~~ **(27) Stumpage value.** The true and fair market value of stumpage for purposes of immediate harvest.

~~((27))~~ **(28) Stumpage value area (SVA).** An area with specified boundaries which contains timber having similar growing, harvesting and marketing conditions.

~~((28))~~ **(29) Taxable stumpage value.** The value of timber as defined in RCW 84.33.035(7), and this chapter. Except as provided below for small harvesters and public timber, the taxable stumpage value is the appropriate value for the species of timber harvested as set forth in the stumpage value tables adopted under this chapter.

(a) **Small harvester option.** Small harvesters may elect to calculate the excise tax in the manner provided by RCW 84.33.073 and 84.33.074. The taxable stumpage value must be determined by one of the following methods as appropriate:

(i) **Sale of logs.** Timber which has been severed from the stump, bucked into various lengths and sold in the form of logs has a taxable stumpage value equal to the actual gross receipts for the logs, less any costs associated with harvesting and marketing the timber.

(ii) **Sale of stumpage.** When standing timber is sold and harvested within twenty-four months of the date of sale, its taxable stumpage value is the actual purchase price in cash and/or other consideration for the stumpage for the most recent sale prior to harvest. If a person purchases stumpage, harvests the timber more than twenty-four months after pur-

chase of the stumpage, and chooses to report under the small harvester option, the taxable stumpage value is the actual gross receipts for the logs, less any costs associated with harvesting and marketing the timber. See WAC 458-40-626 for timing of tax liability.

(b) **Public timber.** The taxable stumpage value for public timber sales is determined as follows:

(i) **Competitive sales.** The taxable stumpage value is the actual purchase price in cash and/or other consideration. The value of other consideration is the fair market value of the other consideration; provided that if the other consideration is permanent roads, the value is the appraised value as appraised by the seller. If the seller does not provide an appraised value for roads, the value is the actual costs incurred by the purchaser for constructing or improving the roads. Other consideration includes additional services required from the stumpage purchaser for the benefit of the seller when these services are not necessary for the harvesting or marketing of the timber. For example, under a single stumpage sale's contract, when the seller requires road abandonment (as defined in WAC 222-24-052(3)) of constructed or reconstructed roads which are necessary for harvesting and marketing the timber, the construction and abandonment costs are not taxable. Abandonment activity on roads that exist prior to a stumpage sale is not necessary for harvesting and marketing the purchased timber and those costs are taxable.

(ii) **Noncompetitive sales.** The taxable stumpage value is determined using the department of revenue's stumpage value tables as set forth in this chapter. Qualified harvesters may use the small harvester option.

(iii) **Sale of logs.** The taxable stumpage value for public timber sold in the form of logs is the actual purchase price for the logs in cash and/or other consideration less appropriate deductions for harvesting and marketing costs. Refer above for a definition of "harvesting and marketing costs."

(iv) **Defaulted sales and uncompleted contracts.** In the event of default on a public timber sale contract, wherein the taxpayer has made partial payment for the timber but has not removed any timber, no tax is due. If part of the sale is logged and the purchaser fails to complete the harvesting, taxes are due on the amount the purchaser has been billed by the seller for the volume removed to date. See WAC 458-40-628 for timing of tax liability.

~~((29))~~ **(30) Thinning.** Timber removed from a harvest unit located in stumpage value area 1, 2, 3, 4, 5, or 10:

(a) When the total volume removed is less than forty percent of the total merchantable volume of the harvest unit prior to harvest; and

(b) The harvester leaves a minimum of one hundred undamaged, evenly spaced, dominant or codominant trees per acre of a commercial species or combination thereof.

AMENDATORY SECTION (Amending WSR 09-02-043, filed 12/31/08, effective 1/1/09)

**WAC 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments. (1) Introduction.** This rule provides stumpage value tables and stumpage

value adjustments used to calculate the amount of a harvester's timber excise tax.

(2) **Stumpage value tables.** The following stumpage value tables are used to calculate the taxable value of stumpage harvested from ((January 1 through June 30)) July 1 through December 31, 2009:

**((TABLE 1—Proposed Stumpage Value Table  
Stumpage Value Area 1  
January 1 through June 30, 2009**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$288	\$281	\$274	\$267	\$260
		2	288	281	274	264	260
		3	288	281	274	267	260
		4	238	231	224	217	210
Western Redcedar <sup>(2)</sup>	RC	1	651	644	637	630	623
Western Hemlock <sup>(3)</sup>	WH	1	230	223	216	209	202
		2	230	223	216	209	202
		3	230	223	216	209	202
		4	230	223	216	209	202
Red Alder	RA	1	533	526	519	512	505
		2	473	466	459	452	445
Black Cottonwood	BC	1	38	31	24	17	10
Other Hardwood	OH	1	160	153	146	139	132
Douglas-Fir Poles & Piles	DFL	1	692	685	678	671	664
Western Redcedar Poles	RCL	1	1380	1373	1366	1359	1352
Chipwood <sup>(4)</sup>	CHW	1	10	9	8	7	6
RC Shake & Shingle Blocks <sup>(5)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(6)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>(7)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(7)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.  
<sup>(2)</sup> Includes Alaska Cedar.  
<sup>(3)</sup> Includes all Hemlock, Spruce, true Fir species and Pines, or any other conifer not listed in this table.  
<sup>(4)</sup> Stumpage value per ton.  
<sup>(5)</sup> Stumpage value per cord.  
<sup>(6)</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>(7)</sup> Stumpage value per lineal foot.

**TABLE 2—Proposed Stumpage Value Table  
Stumpage Value Area 2  
January 1 through June 30, 2009**

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$316	\$309	\$302	\$295	\$288
		2	316	309	302	295	288
		3	316	309	302	295	288
		4	252	245	238	231	224
Western Redcedar <sup>(2)</sup>	RC	1	651	644	637	630	623
Western Hemlock <sup>(3)</sup>	WH	1	222	215	208	201	194
		2	222	215	208	201	194
		3	222	215	208	201	194
		4	222	215	208	201	194
Red Alder	RA	1	533	526	519	512	505
		2	473	466	459	452	445
Black Cottonwood	BC	1	38	31	24	17	10
Other Hardwood	OH	1	160	153	146	139	132
Douglas-Fir Poles & Piles	DFL	1	692	685	678	671	664
Western Redcedar Poles	RCL	1	1380	1373	1366	1359	1352
Chipwood <sup>(4)</sup>	CHW	1	10	9	8	7	6
RC Shake & Shingle Blocks <sup>(5)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(6)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>(7)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(7)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.  
<sup>(2)</sup> Includes Alaska Cedar.  
<sup>(3)</sup> Includes all Hemlock, Spruce, true Fir species and Pines, or any other conifer not listed in this table.  
<sup>(4)</sup> Stumpage value per ton.  
<sup>(5)</sup> Stumpage value per cord.  
<sup>(6)</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>(7)</sup> Stumpage value per lineal foot.

**TABLE 3—Proposed Stumpage Value Table  
Stumpage Value Area 3**  
January 1 through June 30, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$364	\$357	\$350	\$343	\$336
		2	364	357	350	343	336
		3	364	357	350	343	336
		4	316	309	302	295	288
Western-Redcedar <sup>(3)</sup>	RC	1	651	644	637	630	623
Western-Hemlock <sup>(4)</sup>	WH	1	241	234	227	220	213
		2	241	234	227	220	213
		3	241	234	227	220	213
		4	241	234	227	220	213
Red-Alder	RA	1	533	526	519	512	505
		2	473	466	459	452	445
Black-Cottonwood	BC	1	38	31	24	17	10
Other-Hardwood	OH	1	160	153	146	139	132
Douglas-Fir Poles & Piles	DFL	1	692	685	678	671	664
Western-Redcedar Poles	RCL	1	1380	1373	1366	1359	1352
Chipwood <sup>(5)</sup>	CHW	1	10	9	8	7	6
RC-Shake & Shingle-Blocks <sup>(6)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(7)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF-Christmas-Trees <sup>(8)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other-Christmas-Trees <sup>(8)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>(1)</sup> Log-scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.

<sup>(2)</sup> Includes Western Larch.

<sup>(3)</sup> Includes Alaska Cedar.

<sup>(4)</sup> Includes all Hemlock, Spruce, true Fir species and Pines, or any other conifer not listed in this table.

<sup>(5)</sup> Stumpage value per ton.

<sup>(6)</sup> Stumpage value per cord.

<sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>(8)</sup> Stumpage value per lineal foot.

**TABLE 4—Proposed Stumpage Value Table  
Stumpage Value Area 4**  
January 1 through June 30, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$365	\$358	\$351	\$344	\$337
		2	365	358	351	344	337
		3	365	358	351	344	337
		4	294	287	280	273	266
Lodgepole-Pine	LP	1	155	148	141	134	127
Ponderosa-Pine	PP	1	134	127	120	113	106
		2	81	74	67	60	53
Western-Redcedar <sup>(3)</sup>	RC	1	651	644	637	630	623
Western-Hemlock <sup>(4)</sup>	WH	1	276	269	262	255	248
		2	276	269	262	255	248
		3	276	269	262	255	248
		4	276	269	262	255	248
Red-Alder	RA	1	533	526	519	512	505
		2	473	466	459	452	445
Black-Cottonwood	BC	1	38	31	24	17	10
Other-Hardwood	OH	1	160	153	146	139	132
Douglas-Fir Poles & Piles	DFL	1	692	685	678	671	664
Western-Redcedar Poles	RCL	1	1380	1373	1366	1359	1352
Chipwood <sup>(5)</sup>	CHW	1	10	9	8	7	6
RC-Shake & Shingle-Blocks <sup>(6)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(7)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF-Christmas-Trees <sup>(8)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other-Christmas-Trees <sup>(8)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>(1)</sup> Log-scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.

<sup>(2)</sup> Includes Western Larch.

<sup>(3)</sup> Includes Alaska Cedar.

<sup>(4)</sup> Includes all Hemlock, Spruce and true Fir species, or any other conifer not listed in this table.

<sup>(5)</sup> Stumpage value per ton.

<sup>(6)</sup> Stumpage value per cord.

<sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>(8)</sup> Stumpage value per lineal foot.

**TABLE 5—Proposed Stumpage Value Table  
Stumpage Value Area 5**  
January 1 through June 30, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber-Quality-Code-Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$296	\$289	\$282	\$275	\$268
		2	296	289	282	275	268
		3	296	289	282	275	268
		4	269	262	255	248	241
Lodgepole Pine	LP	1	155	148	141	134	127
Ponderosa Pine	PP	1	135	127	120	113	106
		2	81	74	67	60	53
Western-Redcedar <sup>(3)</sup>	RC	1	651	644	637	630	623
Western-Hemlock <sup>(4)</sup>	WH	1	211	204	197	190	183
		2	211	204	197	190	183
		3	211	204	197	190	183
		4	211	204	197	190	183
Red-Alder	RA	1	533	526	519	512	505
		2	473	466	459	452	445
Black-Cottonwood	BC	1	38	31	24	17	10
Other-Hardwood	OH	1	160	153	146	139	132
Douglas-Fir Poles & Piles	DFL	1	692	685	678	671	664
Western-Redcedar Poles	RCL	1	1380	1373	1366	1359	1352
Chipwood <sup>(5)</sup>	CHW	1	10	9	8	7	6
RC Shake & Shingle-Blocks <sup>(6)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(7)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF-Christmas-Trees <sup>(8)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other-Christmas-Trees <sup>(8)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.  
<sup>(2)</sup> Includes Western Larch.  
<sup>(3)</sup> Includes Alaska-Cedar.  
<sup>(4)</sup> Includes all Hemlock, Spruce and true Fir species, or any other conifer not listed in this table.  
<sup>(5)</sup> Stumpage value per ton.  
<sup>(6)</sup> Stumpage value per cord.  
<sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>(8)</sup> Stumpage value per lineal foot.

**TABLE 6—Proposed Stumpage Value Table  
Stumpage Value Area 6**  
January 1 through June 30, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber-Quality-Code-Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$187	\$180	\$173	\$166	\$159
Lodgepole Pine	LP	1	155	148	141	134	127
Ponderosa Pine	PP	1	134	127	120	113	106
		2	81	74	67	60	53
Western-Redcedar <sup>(3)</sup>	RC	1	780	773	766	759	752
True-Firs and Spruce <sup>(4)</sup>	WH	1	164	157	150	143	136
Western-White-Pine	WP	1	229	222	215	208	201
Hardwoods	OH	1	50	43	36	29	22
Western-Redcedar Poles	RCL	1	780	773	766	759	752
Small Logs <sup>(5)</sup>	SML	1	25	24	23	22	21
Chipwood <sup>(5)</sup>	CHW	1	10	9	8	7	6
RC Shake & Shingle-Blocks <sup>(6)</sup>	RCF	1	76	69	62	55	48
LP & Other Posts <sup>(7)</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine-Christmas-Trees <sup>(8)</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Other-Christmas-Trees <sup>(9)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.  
<sup>(2)</sup> Includes Western Larch.  
<sup>(3)</sup> Includes Alaska-Cedar.  
<sup>(4)</sup> Includes all Hemlock, Spruce and true Fir species, or any other conifer not listed in this table.  
<sup>(5)</sup> Stumpage value per ton.  
<sup>(6)</sup> Stumpage value per cord.  
<sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>(8)</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.  
<sup>(9)</sup> Stumpage value per lineal foot.

**TABLE 7—Proposed Stumpage Value Table  
Stumpage Value Area 7**  
January 1 through June 30, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$187	\$180	\$173	\$166	\$159
Lodgepole Pine	LP	1	155	148	141	134	127
Ponderosa Pine	PP	1	134	127	120	113	106
		2	81	74	67	60	53
Western Redcedar <sup>(3)</sup>	RC	1	780	773	766	759	752
True Firs and Spruce <sup>(4)</sup>	WH	1	164	157	150	143	136
Western White Pine	WP	1	229	222	215	208	201
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles	RCL	1	780	773	766	759	752
Small Logs <sup>(5)</sup>	SML	1	25	24	23	22	21
Chipwood <sup>(5)</sup>	CHW	1	10	9	8	7	6
RC Shake & Shingle Blocks <sup>(6)</sup>	RCS	1	76	69	62	55	48
LP & Other Posts <sup>(7)</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>(8)</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(9)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.

<sup>(2)</sup> Includes Western Larch.

<sup>(3)</sup> Includes Alaska Cedar.

<sup>(4)</sup> Includes all Hemlock, Spruce and true Fir species, or any other conifer not listed in this table.

<sup>(5)</sup> Stumpage value per ton.

<sup>(6)</sup> Stumpage value per cord.

<sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>(8)</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

<sup>(9)</sup> Stumpage value per lineal foot.

**TABLE 8—Proposed Stumpage Value Table  
Stumpage Value Area 10**  
January 1 through June 30, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$351	\$344	\$337	\$330	\$323
		2	351	344	337	330	323
		3	351	344	337	330	323
		4	280	273	266	259	252
Lodgepole Pine	LP	1	155	148	141	134	127
Ponderosa Pine	PP	1	134	127	120	113	106
		2	81	74	67	60	53
Western Redcedar <sup>(3)</sup>	RC	1	637	630	623	616	609
Western Hemlock <sup>(4)</sup>	WH	1	262	255	248	241	234
		2	262	255	248	241	234
		3	262	255	248	241	234
		4	262	255	248	241	234
Red Alder	RA	1	519	512	505	498	491
		2	459	452	445	438	431
Black Cottonwood	BC	1	24	17	10	3	1
Other Hardwood	OH	1	146	139	132	125	118
Douglas-Fir Poles & Piles	DFL	1	678	671	664	657	650
Western Redcedar Poles	RCL	1	1366	1359	1352	1345	1338
Chipwood <sup>(5)</sup>	CHW	1	10	9	8	7	6
RC Shake & Shingle Blocks <sup>(6)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(7)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>(8)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(9)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.

<sup>(2)</sup> Includes Western Larch.

<sup>(3)</sup> Includes Alaska Cedar.

<sup>(4)</sup> Includes all Hemlock, Spruce and true Fir species, or any other conifer not listed in this table.

<sup>(5)</sup> Stumpage value per ton.

<sup>(6)</sup> Stumpage value per cord.

<sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.

<sup>(8)</sup> Stumpage value per lineal foot.

**TABLE 1—Proposed Stumpage Value Table  
Stumpage Value Area 1**

July 1 through December 31, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$254	\$247	\$240	\$233	\$226
		2	254	247	240	233	226
		3	254	247	240	233	226
		4	254	247	240	233	226
Western Redcedar <sup>(2)</sup>	RC	1	642	635	628	621	614
Western Hemlock <sup>(3)</sup>	WH	1	161	154	147	140	133
		2	161	154	147	140	133
		3	161	154	147	140	133
		4	161	154	147	140	133
Red Alder	RA	1	434	427	420	413	406
		2	388	381	374	367	360
Black Cottonwood	BC	1	69	62	55	48	41
Other Hardwood	OH	1	149	142	135	128	121
Douglas-Fir Poles & Piles	DFL	1	667	660	653	646	639
Western Redcedar Poles	RCL	1	1468	1461	1454	1447	1440
Chipwood <sup>(4)</sup>	CHW	1	9	8	7	6	5
RC Shake & Shingle Blocks <sup>(5)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(6)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>(7)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(7)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.  
<sup>(2)</sup> Includes Alaska-Cedar.  
<sup>(3)</sup> Includes all Hemlock, Spruce, true Fir species and Pines, or any other conifer not listed in this table.  
<sup>(4)</sup> Stumpage value per ton.  
<sup>(5)</sup> Stumpage value per cord.  
<sup>(6)</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>(7)</sup> Stumpage value per lineal foot.

**TABLE 2—Proposed Stumpage Value Table  
Stumpage Value Area 2**

July 1 through December 31, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$282	\$275	\$268	\$261	\$254
		2	282	275	268	261	254
		3	282	275	268	261	254
		4	225	218	211	204	197
Western Redcedar <sup>(2)</sup>	RC	1	642	635	628	621	614
Western Hemlock <sup>(3)</sup>	WH	1	168	161	154	147	140
		2	168	161	154	147	140
		3	168	161	154	147	140
		4	168	161	154	147	140
Red Alder	RA	1	434	427	420	413	406
		2	388	381	374	367	360
Black Cottonwood	BC	1	69	62	55	48	41
Other Hardwood	OH	1	149	142	135	128	121
Douglas-Fir Poles & Piles	DFL	1	667	660	653	646	639
Western Redcedar Poles	RCL	1	1468	1461	1454	1447	1440
Chipwood <sup>(4)</sup>	CHW	1	9	8	7	6	5
RC Shake & Shingle Blocks <sup>(5)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(6)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>(7)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(7)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.  
<sup>(2)</sup> Includes Alaska-Cedar.  
<sup>(3)</sup> Includes all Hemlock, Spruce, true Fir species and Pines, or any other conifer not listed in this table.  
<sup>(4)</sup> Stumpage value per ton.  
<sup>(5)</sup> Stumpage value per cord.  
<sup>(6)</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>(7)</sup> Stumpage value per lineal foot.



**TABLE 3—Proposed Stumpage Value Table**  
**Stumpage Value Area 3**  
 July 1 through December 31, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$342	\$335	\$328	\$321	\$314
		2	342	335	328	321	314
		3	342	335	328	321	314
		4	316	309	302	295	288
Western Redcedar <sup>(3)</sup>	RC	1	642	635	628	621	614
Western Hemlock <sup>(4)</sup>	WH	1	179	172	165	158	151
		2	179	172	165	158	151
		3	179	172	165	158	151
		4	179	172	165	158	151
Red Alder	RA	1	434	427	420	413	406
		2	388	381	374	367	360
Black Cottonwood	BC	1	69	62	55	48	41
Other Hardwood	OH	1	149	142	135	128	121
Douglas-Fir Poles & Piles	DFL	1	667	660	653	646	639
Western Redcedar Poles	RCL	1	1468	1461	1454	1447	1440
Chipwood <sup>(5)</sup>	CHW	1	9	8	7	6	5
RC Shake & Shingle Blocks <sup>(6)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(7)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>(8)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(8)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.  
<sup>(2)</sup> Includes Western Larch.  
<sup>(3)</sup> Includes Alaska-Cedar.  
<sup>(4)</sup> Includes all Hemlock, Spruce, true Fir species and Pines, or any other conifer not listed in this table.  
<sup>(5)</sup> Stumpage value per ton.  
<sup>(6)</sup> Stumpage value per cord.  
<sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>(8)</sup> Stumpage value per lineal foot.

**TABLE 4—Proposed Stumpage Value Table**  
**Stumpage Value Area 4**  
 July 1 through December 31, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$305	\$298	\$291	\$284	\$277
		2	305	298	291	284	277
		3	305	298	291	284	277
		4	298	291	284	277	270
Lodgepole Pine	LP	1	125	118	111	104	97
Ponderosa Pine	PP	1	109	102	95	88	81
		2	64	57	50	43	36
Western Redcedar <sup>(3)</sup>	RC	1	642	635	628	621	614
Western Hemlock <sup>(4)</sup>	WH	1	176	169	162	155	148
		2	176	169	162	155	148
		3	176	169	162	155	148
		4	176	169	162	155	148
Red Alder	RA	1	434	427	420	413	406
		2	388	381	374	367	360
Black Cottonwood	BC	1	69	62	55	48	41
Other Hardwood	OH	1	149	142	135	128	121
Douglas-Fir Poles & Piles	DFL	1	667	660	653	646	639
Western Redcedar Poles	RCL	1	1468	1461	1454	1447	1440
Chipwood <sup>(5)</sup>	CHW	1	9	8	7	6	5
RC Shake & Shingle Blocks <sup>(6)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(7)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>(8)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(8)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.  
<sup>(2)</sup> Includes Western Larch.  
<sup>(3)</sup> Includes Alaska-Cedar.  
<sup>(4)</sup> Includes all Hemlock, Spruce and true Fir species, or any other conifer not listed in this table.  
<sup>(5)</sup> Stumpage value per ton.  
<sup>(6)</sup> Stumpage value per cord.  
<sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>(8)</sup> Stumpage value per lineal foot.

**TABLE 5—Proposed Stumpage Value Table**  
**Stumpage Value Area 5**  
 July 1 through December 31, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$292	\$285	\$278	\$271	\$264
		2	292	285	278	271	264
		3	292	285	278	271	264
		4	282	275	268	261	254
Lodgepole Pine	LP	1	125	118	111	104	97
Ponderosa Pine	PP	1	109	102	95	88	81
		2	64	57	50	43	36
Western Redcedar <sup>(3)</sup>	RC	1	642	635	628	621	614
Western Hemlock <sup>(4)</sup>	WH	1	184	177	170	163	156
		2	184	177	170	163	156
		3	184	177	170	163	156
		4	184	177	170	163	156
Red Alder	RA	1	434	427	420	413	406
		2	388	381	374	367	360
Black Cottonwood	BC	1	69	62	55	48	41
Other Hardwood	OH	1	149	142	135	128	121
Douglas-Fir Poles & Piles	DFL	1	667	660	653	646	639
Western Redcedar Poles	RCL	1	1468	1461	1454	1447	1440
Chipwood <sup>(5)</sup>	CHW	1	9	8	7	6	5
RC Shake & Shingle Blocks <sup>(6)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(7)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>(8)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(8)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.  
<sup>(2)</sup> Includes Western Larch.  
<sup>(3)</sup> Includes Alaska-Cedar.  
<sup>(4)</sup> Includes all Hemlock, Spruce and true Fir species, or any other conifer not listed in this table.  
<sup>(5)</sup> Stumpage value per ton.  
<sup>(6)</sup> Stumpage value per cord.  
<sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>(8)</sup> Stumpage value per lineal foot.

**TABLE 6—Proposed Stumpage Value Table**  
**Stumpage Value Area 6**  
 July 1 through December 31, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$142	\$135	\$128	\$121	\$114
Lodgepole Pine	LP	1	125	118	111	104	97
Ponderosa Pine	PP	1	109	102	95	88	81
		2	64	57	50	43	36
Western Redcedar <sup>(3)</sup>	RC	1	666	659	652	645	638
True Firs and Spruce <sup>(4)</sup>	WH	1	123	116	109	102	95
Western White Pine	WP	1	177	170	163	156	149
Hardwoods	OH	1	86	79	72	65	58
Western Redcedar Poles	RCL	1	666	659	652	645	638
Small Logs <sup>(5)</sup>	SML	1	23	22	21	20	19
Chipwood <sup>(5)</sup>	CHW	1	10	9	8	7	6
RC Shake & Shingle Blocks <sup>(6)</sup>	RCF	1	76	69	62	55	48
LP & Other Posts <sup>(7)</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>(8)</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(9)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

<sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.  
<sup>(2)</sup> Includes Western Larch.  
<sup>(3)</sup> Includes Alaska-Cedar.  
<sup>(4)</sup> Includes all Hemlock, Spruce and true Fir species, or any other conifer not listed in this table.  
<sup>(5)</sup> Stumpage value per ton.  
<sup>(6)</sup> Stumpage value per cord.  
<sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.  
<sup>(8)</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.  
<sup>(9)</sup> Stumpage value per lineal foot.

**TABLE 7—Proposed Stumpage Value Table**  
**Stumpage Value Area 7**  
 July 1 through December 31, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$142	\$135	\$128	\$121	\$114
Lodgepole Pine	LP	1	125	118	111	104	97
Ponderosa Pine	PP	1	109	102	95	88	81
		2	64	57	50	43	36
Western Redcedar <sup>(3)</sup>	RC	1	666	659	652	645	638
True Firs and Spruce <sup>(4)</sup>	WH	1	123	116	109	102	95
Western White Pine	WP	1	177	170	163	156	149
Hardwoods	OH	1	86	79	72	65	58
Western Redcedar Poles	RCL	1	666	659	652	645	638
Small Logs <sup>(5)</sup>	SML	1	23	22	21	20	19
Chipwood <sup>(5)</sup>	CHW	1	10	9	8	7	6
RC Shake & Shingle Blocks <sup>(6)</sup>	RCF	1	76	69	62	55	48
LP & Other Posts <sup>(7)</sup>	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees <sup>(8)</sup>	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(9)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25

- <sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.
- <sup>(2)</sup> Includes Western Larch.
- <sup>(3)</sup> Includes Alaska-Cedar.
- <sup>(4)</sup> Includes all Hemlock, Spruce and true Fir species, or any other conifer not listed in this table.
- <sup>(5)</sup> Stumpage value per ton.
- <sup>(6)</sup> Stumpage value per cord.
- <sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.
- <sup>(8)</sup> Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
- <sup>(9)</sup> Stumpage value per lineal foot.

**TABLE 8—Proposed Stumpage Value Table**  
**Stumpage Value Area 10**  
 July 1 through December 31, 2009

Stumpage Values per Thousand Board Feet Net Scribner Log Scale<sup>(1)</sup>

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir <sup>(2)</sup>	DF	1	\$291	\$284	\$277	\$270	\$263
		2	291	284	277	270	263
		3	291	284	277	270	263
		4	284	277	270	263	256
Lodgepole Pine	LP	1	125	118	111	104	97
Ponderosa Pine	PP	1	109	102	95	88	81
		2	64	57	50	43	36
Western Redcedar <sup>(3)</sup>	RC	1	628	621	614	607	600
Western Hemlock <sup>(4)</sup>	WH	1	162	155	148	141	134
		2	162	155	148	141	134
		3	162	155	148	141	134
		4	162	155	148	141	134
Red Alder	RA	1	420	413	406	399	392
		2	374	367	360	353	346
Black Cottonwood	BC	1	55	48	41	34	27
Other Hardwood	OH	1	135	128	121	114	107
Douglas-Fir Poles & Piles	DFL	1	653	646	639	632	625
Western Redcedar Poles	RCL	1	1454	1447	1440	1433	1426
Chipwood <sup>(5)</sup>	CHW	1	9	8	7	6	5
RC Shake & Shingle Blocks <sup>(6)</sup>	RCS	1	279	272	265	258	251
RC & Other Posts <sup>(7)</sup>	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees <sup>(8)</sup>	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees <sup>(8)</sup>	TFX	1	0.50	0.50	0.50	0.50	0.50

- <sup>(1)</sup> Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-680.
- <sup>(2)</sup> Includes Western Larch.
- <sup>(3)</sup> Includes Alaska-Cedar.
- <sup>(4)</sup> Includes all Hemlock, Spruce and true Fir species, or any other conifer not listed in this table.
- <sup>(5)</sup> Stumpage value per ton.
- <sup>(6)</sup> Stumpage value per cord.
- <sup>(7)</sup> Stumpage value per 8 lineal feet or portion thereof.
- <sup>(8)</sup> Stumpage value per lineal foot.

(3) **Harvest value adjustments.** The stumpage values in subsection (2) of this rule for the designated stumpage value areas are adjusted for various logging and harvest conditions, subject to the following:

(a) No harvest adjustment is allowed for special forest products, chipwood, or small logs.

(b) Conifer and hardwood stumpage value rates cannot be adjusted below one dollar per MBF.

(c) Except for the timber yarded by helicopter, a single logging condition adjustment applies to the entire harvest unit. The taxpayer must use the logging condition adjustment class that applies to a majority (more than 50%) of the acreage in that harvest unit. If the harvest unit is reported over more than one quarter, all quarterly returns for that harvest unit must report the same logging condition adjustment. The helicopter adjustment applies only to the timber volume from the harvest unit that is yarded from stump to landing by helicopter.

(d) The volume per acre adjustment is a single adjustment class for all quarterly returns reporting a harvest unit. A harvest unit is established by the harvester prior to harvesting. The volume per acre is determined by taking the volume logged from the unit excluding the volume reported as chipwood or small logs and dividing by the total acres logged. Total acres logged does not include leave tree areas (RMZ, UMZ, forested wetlands, etc.) over 2 acres in size.

(e) A domestic market adjustment applies to timber which meet the following criteria:

(i) **Public timber**—Harvest of timber not sold by a competitive bidding process that is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber that must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska-cedar. (Stat. Ref. - 36 C.F.R. 223.10)

State, and Other Nonfederal, Public Timber Sales: Western Redcedar only. (Stat. Ref. - 50 U.S.C. appendix 2406.1)

(ii) **Private timber**—Harvest of private timber that is legally restricted from foreign export, under the authority of The Forest Resources Conservation and Shortage Relief Act (Public Law 101-382), (16 U.S.C. Sec. 620 et seq.); the Export Administration Act of 1979 (50 U.S.C. App. 2406(i)); a Cooperative Sustained Yield Unit Agreement made pursuant to the act of March 29, 1944 (16 U.S.C. Sec. 583-583i); or Washington Administrative Code (WAC 240-15-015(2)) is also eligible for the Domestic Market Adjustment.

The following harvest adjustment tables apply from ~~(January)~~ July 1 through (June 30) December 31, 2009:

**TABLE 9—Harvest Adjustment Table  
Stumpage Value Areas 1, 2, 3, 4, 5, and 10**

~~(January 1 through June 30))~~ July 1 through December 31, 2009

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
Class 1	Harvest of 30 thousand board feet or more per acre.	\$0.00
Class 2	Harvest of 10 thousand board feet to but not including 30 thousand board feet per acre.	- \$15.00
Class 3	Harvest of less than 10 thousand board feet per acre.	- \$35.00
II. Logging conditions		
Class 1	Ground based logging a majority of the unit using tracked or wheeled vehicles or draft animals.	\$0.00
Class 2	Cable logging a majority of the unit using an overhead system of winch driven cables.	- \$50.00
Class 3	Applies to logs yarded from stump to landing by helicopter. This does not apply to special forest products.	- \$145.00
III. Remote island adjustment:		
	For timber harvested from a remote island	- \$50.00
IV. Thinning		
Class 1	A limited removal of timber described in WAC 458-40-610 (28)	- \$100.00

**TABLE 10—Harvest Adjustment Table  
Stumpage Value Areas 6 and 7**

~~(January 1 through June 30))~~ July 1 through December 31, 2009

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 8 thousand board feet per acre and less.	- \$8.00
II. Logging conditions		
Class 1	The majority of the harvest unit has less than 40% slope. No significant rock outcrops or swamp barriers.	\$0.00
Class 2	The majority of the harvest unit has slopes between 40% and 60%. Some rock outcrops or swamp barriers.	- \$50.00
Class 3	The majority of the harvest unit has rough, broken ground with slopes over 60%. Numerous rock outcrops and bluffs.	- \$75.00
Class 4	Applies to logs yarded from stump to landing by helicopter. This does not apply to special forest products.	- \$145.00
Note:	A Class 2 adjustment may be used for slopes less than 40% when cable logging is required by a duly promulgated forest practice regulation. Written documentation of this requirement must be provided by the taxpayer to the department of revenue.	
III. Remote island adjustment:		

**WSR 09-11-110**  
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**STATE BOARD OF HEALTH**  
 [Filed May 19, 2009, 5:14 p.m.]

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
	For timber harvested from a remote island	- \$50.00

**TABLE 11—Domestic Market Adjustment**

Class	Area Adjustment Applies	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
Class 1:	SVA's 1 through 6, and 10	\$0.00
Class 2:	SVA 7	\$0.00

Note: The adjustment will not be allowed on special forest products.

(4) **Damaged timber.** Timber harvesters planning to remove timber from areas having damaged timber may apply to the department of revenue for an adjustment in stumpage values. The application must contain a map with the legal descriptions of the area, an accurate estimate of the volume of damaged timber to be removed, a description of the damage sustained by the timber with an evaluation of the extent to which the stumpage values have been materially reduced from the values shown in the applicable tables, and a list of estimated additional costs to be incurred resulting from the removal of the damaged timber. The application must be received and approved by the department of revenue before the harvest commences. Upon receipt of an application, the department of revenue will determine the amount of adjustment to be applied against the stumpage values. Timber that has been damaged due to sudden and unforeseen causes may qualify.

(a) Sudden and unforeseen causes of damage that qualify for consideration of an adjustment include:

- (i) Causes listed in RCW 84.33.091; fire, blow down, ice storm, flood.
- (ii) Others not listed; volcanic activity, earthquake.

(b) Causes that do not qualify for adjustment include:

- (i) Animal damage, root rot, mistletoe, prior logging, insect damage, normal decay from fungi, and pathogen caused diseases; and
- (ii) Any damage that can be accounted for in the accepted normal scaling rules through volume or grade reductions.

(c) The department of revenue will not grant adjustments for applications involving timber that has already been harvested but will consider any remaining undisturbed damaged timber scheduled for removal if it is properly identified.

(d) The department of revenue will notify the harvester in writing of approval or denial. Instructions will be included for taking any adjustment amounts approved.

(5) **Forest-derived biomass** (~~Forest-derived biomass consists of tree limbs, tops, needles, leaves, and other woody debris that are residues from such activities as timber harvesting, forest thinning, fire suppression, or forest health. Forest-derived biomass does not include scalable timber products or firewood (defined in WAC 458-40-650). Forest-derived biomass~~), has a \$0/ton stumpage value.

Original Notice.

Preproposal statement of inquiry was filed as WSR 08-24-036.

Title of Rule and Other Identifying Information: WAC 246-100-202 Sexually transmitted diseases—Duties and authorities.

Hearing Location(s): The Inn at Port Hadlock, 310 Hadlock Bay Road, Port Hadlock, WA 98339, phone (360) 385-7030, toll free 800-785-7030, <http://www.inatporthadlock.com>, on July 8, 2009, at 1:30 p.m.

Date of Intended Adoption: July 8, 2009.

Submit Written Comments to: Bat-Sheva Stein, Department of Health, P.O. Box 47880, Olympia, WA 98504, web site <http://www3.doh.wa.gov/policyreview/>, fax (360) 586-7868, by July 1, 2009.

Assistance for Persons with Disabilities: Contact Bat-Sheva Stein by June 8, 2009, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The revisions to this rule are necessary to prevent ophthalmia neonatorum in newborns. The proposed rule revision would: (1) Revise WAC 246-100-202 [(1)](e) to list medications in the rule so they reflect current practice; (2) incorporate the treatment options within subsection (1)(e) of WAC 246-100-202, and (3) instruct the healthcare provider to document the refusal in the newborn's medical record.

Reasons Supporting Proposal: The proposed revision will update the rule to reflect current medications that are being administered to newborns to prevent ophthalmia neonatorum, and incorporating the treatment section within the rule will make it easier for those wishing to reference the treatment. The proposed rule also adds language that instructs healthcare providers to document when parents or legal guardians refuse the treatment. This will provide consistent guidance to providers on what to do when parents refuse treatment.

Statutory Authority for Adoption: RCW 70.24.130.

Statute Being Implemented: RCW 70.24.130.

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

Name of Proponent: State board of health, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bat-Sheva Stein, 111 Israel Road S.E., Tumwater, WA 98504, (360) 236-3582.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule would not impose more than minor costs on businesses in an industry.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Bat-Sheva Stein, Department of Health, P.O. Box 47880, Olympia, WA 98504, phone (360) 236-3582, fax (360) 586-7868, e-mail [bat-sheva.stein@doh.wa.gov](mailto:bat-sheva.stein@doh.wa.gov). The agency did not complete a cost-benefit analysis under RCW 34.05.328. RCW 34.05.328 (5)(b)(iii)

exempts rules that adopt or incorporate by reference without material change federal statutes or regulations, the rules of other Washington state agencies, or national consensus codes that generally establish industry standards.

May 19, 2009  
Craig McLaughlin  
Executive Director

AMENDATORY SECTION (Amending WSR 05-11-110, filed 5/18/05, effective 6/18/05)

**WAC 246-100-202 Special diseases—Sexually transmitted diseases—Duties and authorities.** (1) Health care providers shall:

(a) Report each case of sexually transmitted disease as required in chapter 246-101 WAC; and

(b) At each medical encounter, when providing treatment for an infectious sexually transmitted disease, provide instruction, appropriate to each patient regarding:

(i) Communicability of the disease; and

(ii) Requirements to refrain from acts that may transmit the disease to another; and

(c) Ensure completion of a prenatal serologic test for syphilis in each pregnant woman pursuant to RCW 70.24.090 including:

(i) Submitting a blood sample for syphilis to a laboratory approved to perform prenatal serologic tests for syphilis, as required in RCW 70.24.090, at the time of the first prenatal visit; and

(ii) Deciding whether or not to omit the serologic test for syphilis if the test was performed elsewhere during the current pregnancy; and

(d) When diagnosing or caring for a patient with gonococcal or chlamydial ophthalmia neonatorum, reporting the case to the local health officer or local health department in accordance with the provisions of chapter 246-101 WAC; and

(e) ~~((When attending or assisting in the birth of any infant or caring for an infant after birth, ensure instillation of a department approved prophylactic ophthalmic agent into the conjunctival sacs of the infant within the time frame established by the department in policy statement of ophthalmia agents approved for the prevention of ophthalmia neonatorum in the newborn, issued June 19, 1981.))~~ Health care providers shall instill a prophylactic ophthalmic agent into both eyes of the newborn as prophylaxis against ophthalmia neonatorum up to two hours after the delivery, whether the delivery occurred vaginally or by Cesarean section. Acceptable ophthalmic prophylactic regimens are application of tetracycline or erythromycin. If the newborn's parent(s) or legal guardian refuses this procedure, the health care provider will document the refusal in the newborn's medical record.

(2) Laboratories, health care providers, and other persons shall deny issuance of a certificate or statement implying an individual is free from sexually transmitted disease.

(3) State and local health officers or their authorized representatives shall have authority to conduct or cause to be conducted an interview and investigation of persons infected

or reasonably believed to be infected with a sexually transmitted disease.

(a) For the purpose of this section, "reasonable belief" and "reasonably believed" shall mean a health officer's belief based upon a credible report from an identifiable individual indicating another person is likely to have a sexually transmitted disease (STD) or to have been exposed to a STD;

(b) Investigations shall be conducted using procedures and measures described in WAC 246-100-036(4).

(4) Local health officers, health care providers, and others shall comply with the provisions in chapter 70.24 RCW, in addition to requirements in chapters 246-100 and 246-101 WAC.

(5) Any person who violates a rule adopted by the board for the control and treatment of a sexually transmitted disease is subject to penalty under RCW 70.24.080.

**WSR 09-11-112**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**

[Filed May 19, 2009, 5:16 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 08-14-142.

Title of Rule and Other Identifying Information: Chapter 246-810 WAC, amending rules to implement 2008 legislation 2SHB 2674 which will abolish the registered counselor credential and creates the certified counselor, certified adviser, and agency affiliated counselor credentials.

Hearing Location(s): Comfort Inn, Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, on June 23, 2009, at 10:00 a.m.

Date of Intended Adoption: June 24, 2009.

Submit Written Comments to: Leann Yount, Program Manager, Registered Counselor Program, P.O. Box 47852, Olympia, WA 98504-7852, web site <http://www3.doh.wa.gov/policyreview/>, fax (360) 236-2901, by June 23, 2009.

Assistance for Persons with Disabilities: Contact Leann Yount by June 23, 2009, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Rules are needed to implement the 2008 legislation (2SHB 2674) that creates eight new counseling credentials and abolishes the registered counselor credential. These rules implement three new counseling credentials as certified counselors, certified advisers, and agency affiliated counselors and will abolish the registered counselor credential on July 2, 2010. The proposed rules establish the educational requirement, examination, supervisory, consultation, disclosure, and continuing education requirements for certified counselors and certified advisers. The proposed rules for the agency affiliated counselors establish the application procedure and the processes for the entities that may employ these counselors.

Reasons Supporting Proposal: Rules are needed to implement 2SHB 2674 (chapter 135 Laws of 2008) to create enforceable standards that will ensure that qualified individuals are credentialed as a certified counselor, certified adviser, or agency affiliated counselor.

Statutory Authority for Adoption: RCW 18.19.050.

Statute Being Implemented: Chapter 18.19 RCW.

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

Name of Proponent: Department of health, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Leann Yount, Department of Health, 310 Israel Road S.E., Tumwater, WA 98501, (360) 236-4856.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule would not impose more than minor costs on businesses in an industry.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Leann Yount, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone (360) 236-4856, fax (360) 236-2901, e-mail leann.yount@doh.wa.gov.

May 19, 2009  
Mary C. Selecky  
Secretary

AMENDATORY SECTION (Amending WSR 06-08-106, filed 4/5/06, effective 5/6/06)

**WAC 246-810-010 Definitions.** ~~((The following terms are defined within the meaning of this chapter.))~~ The definitions in this section apply throughout this chapter unless the content clearly requires otherwise.

~~(1) ("Counselor" means and includes any registered counselor or registered hypnotherapist regulated under chapter 18.19 RCW.~~

~~(2)) "Agency affiliated counselor" means a person registered under chapter 18.19 RCW, and this chapter, who is engaged in counseling and employed by an agency.~~

(2) "Agency" means an agency or facility operated, licensed, or certified by the state of Washington.

(3) "Certified adviser" means a person certified under chapter 18.19 RCW, and this chapter, who is engaged in private practice counseling to the extent authorized in WAC 246-810-021.

(4) "Certified counselor" means a person certified under chapter 18.19 RCW, who is engaged in private practice counseling to the extent authorized in WAC 246-810-0201.

(5) "Client" means an individual who receives or participates in counseling or group counseling.

(6) "Consultation" means the professional assistance and practice guidance that a certified counselor receives from a counseling-related professional credentialed under chapter 18.130 RCW. This may include:

(a) Helping the certified counselor focus on counseling practice objectives;

(b) Refining counseling modalities;

(c) Providing support to progress in difficult or sensitive cases;

(d) Expanding the available decision-making resources; and

(e) Assisting in discovering alternative approaches.

(7) "Counseling" means employing any therapeutic techniques including, but not limited to, social work, mental health counseling, marriage and family therapy, and hypnotherapy, for a fee that offer, assist, or attempt to assist, an individual or individuals in the amelioration or adjustment of mental, emotional, or behavioral problems, and includes therapeutic techniques to achieve sensitivity and awareness of self and others and the development of human potential. For the purpose of this chapter, nothing may be construed to imply that the practice of hypnotherapy is necessarily limited to counseling.

(8) "Counselor" means an individual who engages in the practice of counseling to the public for a fee, including for the purposes of this chapter, agency affiliated counselors, certified counselors, certified advisers, hypnotherapists, and until July 1, 2010, registered counselors.

(9) "Department" means the Washington state department of health.

~~((3))~~ (10) "Fee" as referred to in RCW 18.19.030 means compensation received by the counselor for counseling services provided, regardless of the source.

~~((4)) "Hospital" means any health care institution licensed under chapter 70.41 RCW.~~

~~(5) "Nursing home" means any health care institution licensed under chapter 18.51 RCW.~~

~~(6) "Unprofessional conduct" as used in this chapter means the conduct described in RCW 18.130.180-))~~ (11) "Hypnotherapist" means a person registered under chapter 18.19 RCW, and this chapter, who is practicing hypnosis as a modality.

(12) "Licensed healthcare practitioner" means a licensed practitioner under the following chapters:

(a) Physician licensed under chapter 18.71 RCW.

(b) Osteopathic physician licensed under chapter 18.57 RCW.

(c) Psychiatric registered nurse practitioner licensed under chapter 18.79 RCW.

(d) Naturopathic physician licensed under chapter 18.36A RCW.

(e) Psychologist licensed under chapter 18.83 RCW.

(f) Independent clinical social worker, marriage and family therapist, or advanced social worker licensed under chapter 18.225 RCW.

(13) "Private practice counseling" means the practice of counseling by a certified counselor or certified adviser as specified in WAC 246-810-0201 or 246-810-021.

(14) "Psychotherapy" means the practice of counseling using diagnosis of mental disorders according to the fourth edition of the *Diagnostic and Statistical Manual of Mental Disorders*, and the development of treatment plans for counseling based on diagnosis of mental disorders in accordance with established practice standards.

(15) "Recognized" means acknowledged or formally accepted by the secretary.

(16) "Secretary" means the secretary of the department of health or the secretary's designee.

(17) "Supervision" means the oversight that a counseling-related professional credentialed under chapter 18.130 RCW provides.

(18) "Unprofessional conduct" means the conduct described in RCW 18.130.180.

#### NEW SECTION

##### **WAC 246-810-011 Exempt activities and individuals.**

This chapter does not prevent or restrict:

(1) The practice of a profession by a person who is either registered, certified, licensed, or similarly regulated under the laws of this state and who is performing services within the person's authorized scope of practice, including any attorney admitted to practice law in this state when providing counseling incidental to and in the course of providing legal counsel;

(2) The practice of counseling by an employee or trainee of any federal agency, or the practice of counseling by a student of a college or university, if the employee, trainee, or student is practicing solely under the supervision of and accountable to the agency, college, or university, through which he or she performs such functions as part of his or her position for no additional fee other than ordinary compensation;

(3) The practice of counseling by a person for no compensation;

(4) The practice of counseling by persons offering services for public and private nonprofit organizations or charities not primarily engaged in counseling for a fee when approved by the organizations or agencies for whom they render their services;

(5) Evaluation, consultation, planning, policymaking, research, or related services conducted by social scientists for private corporations or public agencies;

(6) The practice of counseling by a person under the auspices of a religious denomination, church, or organization, or the practice of religion itself;

(7) The practice of counseling by peer counselors who use their own experience to encourage and support people with similar conditions or activities related to the training of peer counselors; and

(8) Counselors who reside outside Washington state from providing up to ten days per quarter of training or workshops in the state, as long as they do not hold themselves out to be registered or certified in Washington state.

#### NEW SECTION

**WAC 246-810-012 Application process.** (1) Applicants for agency affiliated counselor, certified counselor, certified adviser, or hypnotherapist must apply on forms established by the secretary.

(2) The application for agency affiliated counselor, certified counselor, or certified adviser, must include a description of the applicant's orientation, discipline, theory, or technique.

(3) The secretary may require additional documentation to determine whether an applicant meets the qualifications for the credential and if there are any grounds for denial of the credential.

(4) Each applicant must pay the applicable fee as identified in WAC 246-810-990.

#### NEW SECTION

**WAC 246-810-013 State agency employee credentialing requirements.** (1) Until July 1, 2010, a person may not, as a part of his or her position as an employee of a state agency, practice counseling without possessing a registered counselor or an agency affiliated counselor credential unless they are exempt under WAC 246-810-011.

(2) On and after July 1, 2010, a person may not, as a part of his or her position as an employee of a state agency, practice counseling without being registered to practice as an agency affiliated counselor unless they are exempt under WAC 246-810-011.

(3) A person may not, for a fee or as a part of his or her position as an employee of a state agency, practice hypnotherapy without being registered to practice as a hypnotherapist unless they are exempt under WAC 246-810-011.

#### **AGENCY AFFILIATED COUNSELORS**

#### NEW SECTION

**WAC 246-810-015 Agency affiliated credentialing requirements.** Applicants for agency affiliated counselor must be employed by or have an offer of employment from an agency or facility identified in WAC 246-810-016.

#### NEW SECTION

**WAC 246-810-016 Agencies or facilities that can employ agency affiliated counselors.** Entities that may employ an agency affiliated counselor are:

(1) State of Washington departments and agencies as evidenced by being listed in the Agency, Commission & Organization Directory available on the state of Washington web site.

(2) Community and technical colleges governed by the Washington state board for community and technical colleges.

(3) Colleges and universities governed by the Washington state higher education coordinating board.

(4) Hospitals licensed under chapter 70.41 RCW.

(5) Home health care agencies, home care agencies, and hospice care agencies licensed under chapter 70.127 RCW.

(6) Psychiatric hospitals, residential treatment facilities, hospitals, and alcohol and chemical dependency entities licensed under chapter 71.12 RCW.

(7) Other agencies or facilities recognized by the secretary as provided in WAC 246-810-017.

#### NEW SECTION

**WAC 246-810-017 Process to be a recognized agency or facility.** (1) To be recognized, an agency or facility must demonstrate to the satisfaction of the secretary it is operated, licensed, or certified by the state of Washington.

(2) The secretary may:

(a) Require forms and documentation;

(b) Consult with other state agencies and entities in the review of requests for recognition; or

(c) Both.



(3) The department will maintain a list of agencies and facilities recognized under this section.

(4) Recognized agencies or facilities that cease to be operated, licensed, or certified by the state of Washington will no longer be recognized and will be removed from the list of recognized agencies.

#### NEW SECTION

**WAC 246-810-018 An agency affiliated counselor must report an employment change.** Agency affiliated counselors must notify the department within thirty calendar days if they are no longer employed by the agency identified on their application, are now employed with another agency, or both. Agency affiliated counselors may not practice counseling unless they are employed by an agency.

### **CERTIFIED COUNSELORS, CERTIFIED ADVISERS, AND HYPNOTHERAPISTS**

#### NEW SECTION

**WAC 246-810-0201 Practice scope and limits for certified counselors.** The scope of practice of certified counselors consists exclusively of the following:

(1) Appropriate screening of the client's level of functional impairment using the global assessment of functioning as described in the fourth edition of the *Diagnostic and Statistical Manual of Mental Disorders*. Recognition of a mental or physical disorder or a global assessment of functioning score of sixty or less requires that the certified counselor refer the client for diagnosis and treatment to a licensed healthcare practitioner.

(2) If the client has a global assessment of functioning score greater than sixty, a certified counselor may counsel and guide the client in adjusting to life situations, developing new skills, and making desired changes, in accordance with the theories and techniques of a specific counseling method and established practice standards.

(3) If the client has a global assessment of functioning score of sixty or less, a certified counselor may counsel and guide the client in adjusting to life situations, developing new skills, and making desired changes, in accordance with the theories and techniques of a specific counseling method and established practice standards if:

(a) The client has been referred to the certified counselor by a licensed healthcare practitioner and care is provided as part of a plan of treatment developed by the referring practitioner who is actively treating the client. The certified counselor must adhere to any conditions related to the certified counselor's role as specified in the plan of care; or

(b) The certified counselor referred the client for diagnosis and treatment from a licensed healthcare practitioner and the client refused, in writing, to seek diagnosis and treatment from the other provider. The certified counselor may provide services to the client consistent with a treatment plan developed by the certified counselor and the consultant or supervisor with whom the certified counselor has a written consultation or supervisory agreement.

(4) A certified counselor must not be the sole treatment provider for a client with a global assessment of functioning score of less than fifty.

#### NEW SECTION

**WAC 246-810-021 Practice scope and limits for certified advisers.** The scope of practice of certified advisers consists exclusively of the following:

(1) Appropriate screening of the client's level of functional impairment using the global assessment of functioning as described in the fourth edition of the *Diagnostic and Statistical Manual of Mental Disorders*. Recognition of a mental or physical disorder or a global assessment of functioning score of sixty or less requires that the certified adviser refer the client to a licensed healthcare practitioner.

(2) If the client has a global assessment of functioning score greater than sixty, a certified adviser may counsel and guide the client in adjusting to life situations, developing new skills, and making desired changes, in accordance with the theories and techniques of a specific counseling method and established practice standards.

#### NEW SECTION

**WAC 246-810-0221 Qualifications to become a certified counselor.** (1) Prior to July 1, 2010, an applicant for certified counselor who has been a registered counselor for a minimum of five years at the time of application must:

(a) Have held a valid, active registration that is in good standing and is in compliance with any disciplinary process and orders at the time of application for an initial certification;

(b) Show evidence of having completed at least six clock hours of course work which covered risk assessment, ethics, appropriate screening using the global assessment of functioning scale, client referral, and Washington state law;

(c) Pass an examination in risk assessment, ethics, appropriate screening using the global assessment of functioning scale, client referral, and Washington state law; and

(d) Have a written consultation agreement which meets the requirements in WAC 246-810-025 with a credential holder who meets the qualifications to be a consultant in WAC 246-810-026.

(2) Unless eligible for certification under subsection (1)(a) of this section, applicants for a certified counselor must:

(a) Have a bachelor's degree in a counseling-related field, as defined in WAC 246-810-024;

(b) Pass an examination in risk assessment, ethics, and appropriate screening using the global assessment of functioning scale, client referral, and Washington state law; and

(c) Have a written supervisory agreement which meets the requirements in WAC 246-810-025 with a credential holder who meets the qualifications to be a supervisor in WAC 246-810-026.

#### NEW SECTION

**WAC 246-810-023 Qualifications to become a certified adviser.** Applicants for certified adviser must:

(1) Have an associate degree which included a supervised internship in a counseling-related field as defined in WAC 246-810-024;

(2) Pass an examination in risk assessment, ethics, and appropriate screening using the global assessment of functioning scale, client referral, and Washington state law; and

(3) Have a written supervisory agreement which meets the requirements in WAC 246-810-025 with a credential holder who meets the qualifications to be a supervisor in WAC 246-810-026.

#### NEW SECTION

**WAC 246-810-024 Counseling-related degrees that meet the requirements for certified counselor and certified adviser.** (1) A counseling-related bachelor's degree must be from a recognized education program or institution. The degree must have required the equivalent of at least four years of full-time study and at least one third of the courses must have included one or more of subjects listed in subsection (4) of this section.

(2) A counseling-related associate degree must be from a recognized educational program or institution. The degree must have the equivalent of at least two years of full-time study and a supervised internship. At least one fourth of the required courses must have included one or more of subjects listed in subsection (4) of this section.

(3) An advanced or graduate degree from a recognized educational program or institution in any of the subject areas listed in subsection (4) of this section will be accepted as fulfilling the education requirement for certified counselor or certified adviser.

(4) Counseling-related subjects:

- (a) Addiction counseling;
- (b) Adolescent and child counseling;
- (c) Anger management counseling;
- (d) Applied behavioral science;
- (e) Behavior management or behavior modification;
- (f) Biofeedback;
- (g) Child development;
- (h) Clinical social work;
- (i) Community mental health;
- (j) Counseling persons with developmental or intellectual disabilities;
- (k) Counseling ethics;
- (l) Developmental psychology;
- (m) Domestic violence counseling;
- (n) Elder counseling;
- (o) Grief counseling;
- (p) Human development;
- (q) Human services counseling;
- (r) Learning disabilities counseling;
- (s) Marriage and family counseling;
- (t) Mental health counseling;
- (u) Ministerial or pastoral counseling;
- (v) Multicultural counseling;
- (w) Organizational psychology;
- (x) Personality theory;
- (y) Physiological psychology;
- (z) Psychiatry and psychiatric nursing;

(aa) Psychological measurement and research;

(bb) Psychology;

(cc) Psychopathology and abnormal psychology;

(dd) Sexual disorder counseling;

(ee) Social work;

(ff) Special education;

(gg) Stress disorder counseling;

(hh) Substance and chemical abuse counseling; and

(ii) Transpersonal psychology.

(5) The secretary may accept other training programs or experience in the subjects listed in subsection (4) of this section which was obtained outside of the degree program as being equivalent to counseling-related courses.

#### NEW SECTION

**WAC 246-810-025 Supervision and consultation requirements for certified counselors and supervision requirements for certified advisers.** (1) Supervision. Certified counselors who do not meet the requirements in WAC 246-810-0221 (1)(a) and certified advisers must meet the following supervision requirements:

(a) Written agreement. A written agreement between a qualified supervisor and the certified counselor or certified adviser is required and must be reviewed and renewed at least every two years. The agreement must address the agreement duration, expectations, frequency and modalities of supervision, recordkeeping, financial arrangements, client confidentiality, and potential conflict of interest.

(b) Frequency of supervision.

(i) During the first five years of practice, a minimum of two hours of supervision per calendar month is required in any month in which the certified counselor or certified adviser has had forty or more client contact hours.

(ii) After five years of practice, a minimum of one hour of supervision per calendar month is required in any month in which the certified counselor or adviser has forty or more client contact hours.

(iii) A minimum of two hours of supervision in any calendar quarter, regardless of the years in practice and number of client contact hours.

(iv) Up to half of the required supervision time in any year may be supervision of practice in a group setting.

(c) Recordkeeping. A written record of supervision hours and topics must be maintained by both the supervisor and the certified counselor or certified adviser.

(2) Consultation. Certified counselors who meet the requirements of WAC 246-810-0221 (1)(a), must meet the following consultation requirements:

(a) Written agreement. A written agreement between a consultant and the certified counselor is required, and must be reviewed and renewed at least every two years. The agreement must address:

(i) The agreement duration;

(ii) Expectations of both parties;

(iii) Frequency and modalities of consultation;

(iv) Recordkeeping;

(v) Financial arrangements;

(vi) Client confidentiality; and

(vii) Potential conflict of interest.

(b) Frequency. The certified counselor will determine the consultation he or she needs. However, a minimum of one hour of consultation is required during any calendar quarter in which the certified counselor has forty or more client contact hours.

(c) Recordkeeping. A written record of consultation hours and topics must be maintained by the consultant and the certified counselor.

#### NEW SECTION

**WAC 246-810-026 Qualifications to be a certified counselor and certified adviser supervisor, or a certified counselor consultant.** (1) The supervisor or consultant must have held a Washington state credential or credentials in counseling-related fields for a minimum of five years. The credential or credentials must be active and in good standing.

(2) For purposes of this section, counseling-related fields means a credential issued under chapter 18.130 RCW for:

- (a) Certified counselor;
- (b) Hypnotherapist;
- (c) Mental health counselor;
- (d) Marriage and family therapist;
- (e) Independent clinical social work;
- (f) Advanced social work;
- (g) Psychologist;
- (h) Chemical dependency professional;
- (i) Sex offender treatment provider;
- (j) Sex offender treatment provider affiliate;
- (k) Medical physician;
- (l) Physician assistant;
- (m) Osteopathic physician;
- (n) Osteopathic physician assistant;
- (o) Advanced registered nurse practitioner;
- (p) Naturopathic physician; and
- (q) Until July 1, 2010, registered counselor.

Additional credentials may be accepted by the secretary as counseling-related.

(3) The supervisor or consultant must not be a blood or legal relative or cohabitant of the credential holder, or someone who has acted as the credential holder's counselor within the past two years. A supervisor or consultant may not have a reciprocal supervisory or consultant arrangement with another credential holder.

(4) Prior to the commencement of any supervision or consultation, the supervisor or consultant must provide the certified counselor or certified adviser with a declaration on a form provided by the department.

(5) The supervisor must have completed education and training in:

- (a) Supervision or management of individuals who provide counseling or mental health services;
  - (b) Risk assessment;
  - (c) Screening using the global assessment of functioning scale;
  - (d) Professional ethics; and
  - (e) Washington state law.
- (6) The consultant must have completed education and training in:
- (a) Risk assessment;

(b) Screening using the global assessment of functioning scale;

(c) Professional ethics; and

(d) Washington state law.

#### NEW SECTION

**WAC 246-810-027 Continuing education for a certified counselor or certified adviser.** (1) Certified counselors or certified advisers must complete thirty-six credit hours of continuing education every two years as required by chapter 246-12 WAC, Part 7.

(2) At least six of the thirty-six credit hours must be in law and professional ethics related to counseling.

(3) The first date to report the required continuing education begins with a credential holder's renewal date in 2011 for those first credentialed in 2009.

#### NEW SECTION

**WAC 246-810-029 Acceptable continuing education courses for certified counselor and certified adviser.** (1) A continuing education program or course must be relevant to counseling and must contribute to the advancement, extension and enhancement of the professional competence of the credential holder. Relevant courses include those that are related to counseling theory and practice, modality(ies) of the counseling services the credential holder will provide, professional ethics, courses related to risk assessment and screening and referral of clients, and Washington state law applicable to counseling.

(2) Continuing education courses, seminars, workshops, training programs, and institutes must have a featured instructor, speaker(s), or panel approved by an industry-recognized local, state, national, international organization, or institution of higher learning.

(3) Distance learning programs approved by an industry-recognized local, state, national or international organization or educational organization may meet these requirements. The programs must require a test of comprehension upon completion. Distance learning programs are limited to twelve hours per reporting period.

(4) Other learning experiences, such as serving on a panel, board or council, community service, research, peer consultation, or publishing articles for professional publications are acceptable if: The experience contributes to the advancement, extension, and enhancement of the professional competence of the certified counselor or certified adviser. The experience is limited to six hours per reporting period.

#### NEW SECTION

**WAC 246-810-0293 Recognized local, state, national, international organizations, or institutions of higher learning to provide continuing education for certified counselor and certified adviser.** (1) Washington Association for Marriage and Family Therapy;

(2) Washington State Society for Clinical Social Work;

(3) Washington Chapter of the National Association of Social Work;

- (4) American Mental Health Counselors Association;
- (5) American Association for Marriage and Family Therapy;
- (6) Clinical Social Work Federation;
- (7) National Association of Social Workers;
- (8) Washington Mental Health Counselors Association;
- (9) National Board for Certified Counselors;
- (10) Association for Humanistic Psychology;
- (11) The Association for Integrative Psychology;
- (12) Society for Social Work Leadership in Health Care;

or

- (13) Institutions of higher learning that are accredited by a national or regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation;
- (14) Washington Professional Counselor Association;
- (15) State Association and National Association for the Treatment of Sexual Abusers;
- (16) National Association of Alcohol and Drug Addiction Counselors; and
- (17) Other organizations recognized by the secretary and included on a list maintained by the department.

#### NEW SECTION

**WAC 246-810-0295 Continuing education credit for preparing and presenting a lecture or course.** A certified counselor or certified adviser who prepares and presents lectures or education that contributes to the professional competence of other counselors or mental health providers may accumulate the same number of hours obtained for continuing education purposes by attendees. The hours for presenting a lecture or education on a specific topic may only be used for continuing education credit once during each reporting period.

#### NEW SECTION

**WAC 246-810-0297 Continuing education documentation for certified counselor or certified adviser.** Acceptable documentation includes transcripts, signed letters from course instructors, certificate of completion, or other formal certification, as required in chapter 246-12 WAC, Part 7.

The credential holder must provide documentation which demonstrates fulfillment of continuing education requirements if requested by the secretary.

AMENDATORY SECTION (Amending WSR 06-08-106, filed 4/5/06, effective 5/6/06)

**WAC 246-810-031 ~~((Required disclosure information))~~ A disclosure statement must be provided to clients.** (1) ~~((The counselor must provide the following information to each counseling client:))~~ Disclosure statement. All counselors must provide a disclosure statement to each client prior to starting service. The following language must appear on every client's disclosure statement:

- (a) Name of firm, agency, business, or counselor's practice.
- (b) Counselor's business address and telephone number.
- (c) Washington state ~~((registration))~~ credential number.

(d) The counselor's name and type of counseling they provide.

(e) The methods or techniques the counselor uses.

(f) The counselor's education, training, and experience.

(g) The course of ~~((treatment where known))~~ counseling planned if known at the time of providing the disclosure information.

(h) Billing information, including:

(i) Client's cost ~~((per))~~ for each counseling session;

(ii) Billing practices, including any advance payments and refunds.

(2) ~~((Disclosure statement. The counselor must provide a disclosure statement to each client. The following language must appear on every client's disclosure statement:))~~ All counselors in this chapter must provide the following information to each counseling client:

"Counselors practicing counseling for a fee must be ~~((registered))~~ credentialed with the department of health for the protection of the public health and safety. ~~((Registration))~~ Credentialing of an individual with the department does not include a recognition of any practice standards, nor necessarily ~~((implies))~~ imply the effectiveness of any treatment." In addition to the disclosure statement, the counselor must:

(a) Inform clients about the purpose of the Counselor Credentialing Act, chapter 18.19 RCW. The purpose of the law regulating counselors is: (i) To provide protection for public health and safety; and (ii) to empower the citizens of the state of Washington by providing a complaint process against those counselors who would commit acts of unprofessional conduct.

(b) Inform clients they have the right to choose counselors who best suit their needs and purposes. (This subsection does not provide new rights or supersede existing law.)

(c) Inform clients of the limits of confidentiality under RCW 18.19.180.

(d) Provide clients with a list of or copy of the acts of unprofessional conduct in RCW 18.130.180 and the name, address, and contact telephone within the department of health for complaints.

(e) Inform the client that they are not liable for any fees or charges for services rendered prior to receipt of the disclosure statement.

(3) Upon providing the required disclosure information to the client, the counselor and client must sign and date a statement that:

(a) The counselor has provided the client with a copy of the required disclosure information; and

(b) The client has read and understands the information. The date of signature by each party is to be included at the time of signing.

(4) The department of health publishes an informational brochure to educate and assist the public in understanding counselor responsibilities and client rights and responsibilities. The counselor may photocopy and provide the brochure to each client in conjunction with the disclosure information required in this section. The counselor may not rely solely on the brochure published by the department to meet the requirements of this section.

(5) In addition, a certified counselor or certified adviser must provide a written disclosure statement to each client

prior to starting services. The disclosure statement must include:

(a) Disclosure of the consultation arrangement or supervisory agreement as defined in WAC 246-810-025.

(b) Information on the therapeutic orientation of their practice, and a list of resources relevant to the therapeutic orientation.

(c) Disclosure that they are not credentialed to diagnose mental disorders or to conduct psychotherapy as defined in WAC 246-810-010(12).

AMENDATORY SECTION (Amending WSR 97-17-113, filed 8/20/97, effective 9/20/97)

**WAC 246-810-035 ((Recordkeeping and retention.))**  
**Record requirements.** (1) ~~((The))~~ A counselor providing professional services to a client or providing services billed to a third-party payor, ~~((shall))~~ must document services, except as provided in subsection (2) of this section. The documentation ~~((shall))~~ must include:

(a) Client name;  
(b) The fee arrangement and record of payments;  
(c) Dates counseling was received;  
(d) Disclosure form, signed by counselor and client;  
(e) The presenting problem(s), or purpose ~~((or diagnosis))~~ of counseling;

(f) Notation and results of formal consults, including information obtained from other persons or agencies through a release of information;

(g) Progress notes sufficient to support responsible clinical practice for the type of theoretical orientation/therapy the counselor uses.

(2) If a client requests that no treatment records be kept, and the counselor agrees to the request, the request must be in writing and only the following must be retained:

(a) Client name;  
(b) Fee arrangement and record of payments;  
(c) Dates counseling was received;  
(d) Disclosure form, signed by counselor and client;  
(e) Written request that no records be kept.  
(3) The counselor must not agree to the request if maintaining records is required by other state or federal law.

(4) All records must be kept for a period of five years following the last visit. Within this five-year period, all records must be ~~((maintained safely))~~ secured, with properly limited access.

Special provisions must be made for the retention or transfer of active or inactive records ~~((from clients last seen inside of five years;))~~ and for continuity of services in the event of a ~~((counselor going out of business;))~~ counselor's death ~~((or))~~, incapacitation, or cessation of practice. Such special provisions may be made ~~((in a will or))~~ by having another counselor review records with a client and recommend a course of action; or other appropriate means as determined by the counselor.

(5) After the minimum records retention period is met for a client record, the counselor may elect to dispose of the record. Disposal must be done in a secure and confidential manner. This includes:

(a) Shredding;

(b) Deleting, erasing, or reformatting electronic media; and

(c) Other readable forms of media that are defaced or rendered unusable or unreadable.

AMENDATORY SECTION (Amending WSR 97-17-113, filed 8/20/97, effective 9/20/97)

**WAC 246-810-040 ((Reporting of)) Requirements to report suspected abuse or neglect of a child~~((, dependent)) or vulnerable adult~~((, or a developmentally disabled person))~~.~~ ~~((As required by))~~ (1) Chapter 26.44 RCW~~((;))~~ requires that all counselors must report suspected abuse or neglect of a child, ~~((dependent adult, or developmentally disabled person))~~ when they have reasonable cause to believe that such an incident has occurred.**

(2) Chapter 74.34 RCW requires that all counselors report suspected abandonment, abuse, neglect, or financial exploitation of a vulnerable adult when there is reasonable cause to believe that abandonment, abuse, financial exploitation, or neglect has occurred.

(3) The report ~~((shall))~~ must be made to the local law enforcement agency or to the department of social and health services ~~((at the first opportunity, but no longer than forty-eight))~~ within twenty-four hours after there is reasonable cause to believe that the child or vulnerable adult has suffered abuse or neglect ~~((chapter 74.34 RCW)).~~

AMENDATORY SECTION (Amending WSR 97-17-113, filed 8/20/97, effective 9/20/97)

**WAC 246-810-045 Requirements for client fees paid in advance.** (1) ~~((Any))~~ The practice of collecting fees in advance~~((, as well as))~~ and refund policies~~((;))~~ must be disclosed in ~~((accordance with WAC 246-810-034))~~ the disclosure statement to the client before any funds are collected.

(2) Counselors who collect fees in advance of the service provided must separate such funds from operating/expense funds. Failure to properly account for such funds may be a violation of the Securities Act, RCW 21.20.005. ~~((These fees may not be expended by))~~ The counselor may not spend the funds until ~~((such time as))~~ the service is provided. Any funds left in the account, for ~~((which))~~ services ~~((were))~~ not ~~((furnished;))~~ provided must be returned to the client within thirty days of the request ~~((by the client for return of the funds)).~~

(3) Room rental fees or similar expenses ~~((i.e.;))~~ for example as ~~((relates))~~ relating to group therapy, are not considered fees paid in advance.

AMENDATORY SECTION (Amending WSR 08-07-090, filed 3/19/08, effective 4/19/08)

**WAC 246-810-049 Sexual misconduct regulations.** (1) The definitions and prohibitions on sexual misconduct ~~((described))~~ in chapter 246-16 WAC apply to counselors except WAC 246-16-100 (3) and (4).

(2) A counselor shall never engage, or attempt to engage, in the activities listed in WAC 246-16-100(1) with a former patient, former client or former key party.

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

**WAC 246-810-080 What are the requirements for AIDS prevention and information education ((requirements))?** Applicants must complete four clock hours of AIDS education as required in chapter 246-12 WAC, Part 8.

**ADDITIONAL PROVISIONS APPLICABLE ONLY TO REGISTERED COUNSELORS**

NEW SECTION

**WAC 246-810-089 Transitional dates for a registered counselor credential.** (1) The department of health will not issue any new registered counselor credentials after July 1, 2009.

(2) Individuals with a current or prior credential as a registered counselor may renew or reinstate their credential if all fees are paid and requirements are met. No registered counselor credentials will be renewed or reinstated after June 30, 2010.

(3) To continue to practice counseling, all registered counselors must hold a different counseling credential by July 1, 2010.

(4) All registered counselor credentials are abolished on July 1, 2010.

AMENDATORY SECTION (Amending WSR 08-16-008, filed 7/24/08, effective 7/25/08)

**WAC 246-810-990 Counselors fees and renewal cycle.** (1) Under chapter 246-12 WAC, Part 2, a counselor must renew his or her ((registration)) credential every year on the practitioner's birthday. ((The secretary may require payment of renewal fees less than those established in this section if the current level of fees is likely to result in a surplus of funds. Surplus funds are those in excess of the amount necessary to pay for the costs of administering the program and to maintain a reasonable reserve. Notice of any adjustment in the required payment will be provided to practitioners. The adjustment in the required payment shall remain in place for the duration of a renewal cycle to assure practitioners an equal benefit from the adjustment.)) Any separate examination fees are the responsibility of the applicant.

Title	Fee
(2) The following nonrefundable fees will be charged for registered counselor <u>through 6/30/2010:</u>	
((Application and registration	\$130.00))
Renewal	\$117.00
Late renewal penalty	58.50
Expired registration reissuance	65.00
Duplicate registration	15.00
Certification of registration	15.00

(3) The following nonrefundable fees will be charged for registered hypnotherapist:

Title	Fee
Application and registration	95.00
Renewal	130.00
Late renewal penalty	65.00
Expired registration reissuance	65.00
Duplicate registration	15.00
Certification of registration	15.00

(4) The following nonrefundable fees will be charged for certified counselor:

<u>Application and certification</u>	<u>110.00</u>
<u>Examination or reexamination</u>	<u>85.00</u>
<u>Renewal</u>	<u>90.00</u>
<u>Late renewal penalty</u>	<u>50.00</u>
<u>Expired registration reissuance</u>	<u>50.00</u>
<u>Duplicate registration</u>	<u>15.00</u>
<u>Certification of registration</u>	<u>15.00</u>

(5) The following nonrefundable fees will be charged for registered certified adviser:

<u>Application and certification</u>	<u>80.00</u>
<u>Examination and reexamination</u>	<u>85.00</u>
<u>Renewal</u>	<u>65.00</u>
<u>Late renewal penalty</u>	<u>65.00</u>
<u>Expired registration reissuance</u>	<u>65.00</u>
<u>Duplicate registration</u>	<u>15.00</u>
<u>Certification of registration</u>	<u>15.00</u>

(6) The following nonrefundable fees will be charged for registered agency affiliated counselor:

<u>Application registration</u>	<u>50.00</u>
<u>Renewal</u>	<u>40.00</u>
<u>Late renewal penalty</u>	<u>40.00</u>
<u>Expired credential reissuance</u>	<u>40.00</u>
<u>Duplicate registration</u>	<u>15.00</u>
<u>Certification of registration</u>	<u>15.00</u>

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-810-060      Mandatory reporting.

**WSR 09-11-119**  
**PROPOSED RULES**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed May 20, 2009, 8:52 a.m.]

Continuance of WSR 09-08-100.

Preproposal statement of inquiry was filed as WSR 08-11-074.

Title of Rule and Other Identifying Information: New WAC 181-78A-125 describes field placement agreements. WAC 181-78A-132 is a new section describing requirements for out-of-state institutions of higher education wishing to develop field placements within Washington state. These items were originally scheduled for the May 20, 2009, professional educator standards board (PESB) meeting.

Hearing Location(s): St. Martin['s] College Pavilion, Norman Worthington Conference Center, 5300 Pacific Avenue S.E., Lacey, WA 98503, on July 22, 2009, at 8:30 a.m.

Date of Intended Adoption: July 22, 2009.

Submit Written Comments to: David Brenna, Legislative and Policy Coordinator, P.O. Box 47236, Olympia, WA 98504, e-mail david.brenna@k12.wa.us, fax (360) 586-4548, by July 20, 2009.

Assistance for Persons with Disabilities: Contact David Brenna by July 20, 2009, TTY (360) 664-3631 or (360) 725-6238.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: New WAC 181-78A-125 provides rules for educator preparation programs to establish and maintain field placement agreements with all Washington school districts. Agreements to include duties, qualifications, length of placement and authorizing signatures.

New WAC 181-78A-132 provides rules for out-of-state institution developing field placements. Requirements include documentation of the institution's regional status, state approval and, for programs offering degrees, higher education coordinating board approval. Rules further require program description in applications, start date and enrollment projections. Rule includes data and demonstration of regional demand as well as Washington state school district support. The field experience program must be based on Washington state standards for educator preparation. Out-of-state programs must prepare and submit agreements per WAC 181-78A-125, report to the PESB as required and the PESB is required to post information on field experience programs in Washington state developed under this section on their web site.

Statutory Authority for Adoption: RCW 28A.410.210.

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

Name of Proponent: PESB, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David Brenna, P.O. Box 42736, Olympia, WA 98504, (360) 725-6238.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendment does not have an impact on small business and therefore does not meet the requirements for a statement under RCW 19.85.030 (1) or (2).

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting David Brenna, P.O. Box 47236, Olympia, WA 98504, phone (360) 725-6238, fax (360) 586-3631, e-mail david.brenna@k12.wa.us.

May 20, 2009

David Brenna

Legislative and  
Policy Coordinator

NEW SECTION

**WAC 181-78A-125 Field placement agreements.** All educator preparation programs approved by the professional educator standards board shall establish and maintain field placement agreements with all Washington school districts in which candidates are placed for field experiences leading to certification or endorsement.

Each field placement agreement shall include, but not be limited to:

- (1) Qualifications of the proposed site supervisor for each site and qualifications of each school's cooperating teacher/administrator;
- (2) Duties and responsibilities of site supervisor and cooperating teacher/administrator;
- (3) Anticipated length and nature of field experience;
- (4) Signatures from district representative.

NEW SECTION

**WAC 181-78A-132 Programs approved in other states operating field experiences in Washington state.** State approved preparation programs at a regionally accredited college or university in the professional field for which certification is issued that wish to enroll candidates for certification or endorsement in a supervised field experience within Washington state shall comply with the following:

- (1) Application for approval. Each institution must submit a proposal that addresses components adopted and published by the professional educator standards board, including:
  - (a) Verification of regional accreditation;
  - (b) Verification of state approval;
  - (c) Verification of higher education coordinating board approval (if offering degree program);
  - (d) Planned certification or endorsement program;
  - (e) Proposed start date;
  - (f) Projected enrollment;
  - (g) Data indicating need for program related to geographic location or nature of program offered;
  - (h) Indication of Washington school district support for program;
  - (i) Explanation of means by which program will ensure candidates have formalized learning opportunities rooted in Washington state standards.
- (2) Field placement agreements. Institutions must comply with requirements of WAC 181-78A-125.
- (3) Annual data reporting.

(4) The professional educator standards board shall publish on its web site a list of those out-of-state programs approved to offer field experiences within Washington state.

(5) The professional educator standards board shall publish on its web site relevant program approval status information on the out-of-state program from the state in which the program is approved.

(6) Institutions will comply with applicable annual data reporting requirements requested by the professional educator standards board.

**WSR 09-11-122**  
**PROPOSED RULES**  
**GAMBLING COMMISSION**

[Filed May 20, 2009, 9:18 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-04-075.

Title of Rule and Other Identifying Information: Amending WAC 230-05-030 Fees for other businesses, 230-14-065 One flare per punch board or pull-tab series, 230-14-080 Prize limits and percentage of winners required, 230-14-265 Retention requirements for punch boards and pull-tab series and 230-16-052 Standards for flares; and new sections WAC 230-14-320 Defining a cumulative prize pool pull-tab game, 230-14-325 Defining a cumulative prize pool pull-tab board, 230-14-330 Defining a cumulative prize pool pull-tab series, 230-14-335 Operating requirements for cumulative prize pool pull-tab series, 230-16-102 Cumulative prize pool pull-tab games, and 230-16-104 Cumulative prize pool pull-tab series flare.

Hearing Location(s): Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, on August 14, 2009, at 9:00 a.m.

Date of Intended Adoption: August 14, 2009.

Submit Written Comments to: Susan Arland, P.O. Box 42400, Olympia, WA 98504-2400, e-mail SusanA@wsgc.wa.gov, fax (360) 486-3625, by August 1, 2009.

Assistance for Persons with Disabilities: Contact Gail Grate, executive assistant, by August 1, 2009, TTY (360) 486-3637 or (360) 486-3453.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The petitioner is requesting the commission authorize a new type of pull-tab game called a cumulative prize pool pull-tab game. The cumulative prize pool pull-tab game is two or more separate games packaged together, each with a unique serial number. Each separate game awards one chance to open a seal on the cumulative prize pool board (flare).

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Bonanza Press, licensed manufacturer, private.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466;

Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Mark Harris, Assistant Director, Lacey, (360) 486-3579.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement has not been prepared pursuant to RCW 19.85.025 because the change would not impose additional costs on businesses.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington state gambling commission is not an agency that is statutorily required to prepare a cost-benefit analysis under RCW 34.05.328.

May 18, 2009

Susan Arland

Rules Coordinator

AMENDATORY SECTION (Amending Order 621, filed 11/20/07, effective 1/1/08)

**WAC 230-05-030 Fees for other businesses.** All other business license applicants must pay the following fees to us when applying for gambling licenses, miscellaneous changes, or inspection services:

**1. Commercial amusement games**

License	Annual Gross Gambling Receipts	Fee
Class A	Premises only	*\$327/\$150
Class B	Up to \$50,000	\$460
Class C	Up to \$100,000	\$1,184
Class D	Up to \$250,000	\$2,644
Class E	Up to \$500,000	\$4,640
Class F	Up to \$1,000,000	\$7,968
Class G	Over \$1,000,000	\$9,970

\*We reduce the license fee by \$177 when you apply for additional licenses at the same business premises, apply for multiple licenses at the same business premises, or a licensee is renewing an annual license.

**2. Distributor**

License	Annual Gross Sales	Fee
Class A	Nonpunch board/pull-tab only	\$659
Class B	Up to \$250,000	\$1,318
Class C	Up to \$500,000	\$1,980
Class D	Up to \$1,000,000	\$2,644
Class E	Up to \$2,500,000	\$3,446
Class F	Over \$2,500,000	\$4,242

**3. Fund-raising event equipment distributor**

License	Description	Fee
Class A	Rents or leases equipment for fund-raising event or recreational gaming activity up to 10 times per year.	\$260
Class B	Rents or leases equipment for fund-raising event or recreational gaming activity more than 10 times per year.	\$659

**4. Gambling service supplier**

License	Fee
Annual	\$687
Financing, consulting, and management contract review	\$143



5. Linked bingo prize provider

License	Fee
Annual	\$4,414

6. Manufacturer

License	Annual Gross Sales	Fee
Class A	Pull-tab dispensing devices only	\$659
Class B	Up to \$250,000	\$1,318
Class C	Up to \$500,000	\$1,980
Class D	Up to \$1,000,000	\$2,644
Class E	Up to \$2,500,000	\$3,446
Class F	Over \$2,500,000	\$4,242

7. Permits

Type	Description	Fee
Agricultural fair	One location and event only	\$27
Agricultural fair annual permit	Annual permit for specified different events and locations	\$189
Recreational gaming activity		\$59
Manufacturer's special sales permit		\$211
Punch board and pull-tab service business permit	Initial application fee	\$236
Punch board and pull-tab service business permit	Renewal	\$56

8. Changes

Application	Description	Fee
Name		\$27
Location		\$27
Business classification	Same owners	\$59
Exceeding license class	New class fee, less previous fee paid, plus	\$27
Duplicate license		\$27
Corporate stock/limited liability company shares/units		\$59
License transfers		\$59

9. Other fees

Type	Fee
Defective punch board/pull-tab cost recovery fees	Up to \$100
Failing to apply for license class upgrade	Up to fifty percent of the difference between our fees for the licensee's present license class and the new license class or one thousand dollars, whichever is less, plus \$27
Review of gambling equipment, supplies, services, or games	Cost reimbursement

10. Identification stamps

Type	Fee	
<b>(a) Punch boards and pull-tabs</b>		
(i) Standard	Wagers fifty cents and below	\$ .28
	Wagers over fifty cents	\$1.11
(ii) Progressive jackpot pull-tab series	Per series	\$11.19

Type	Fee	
(iii) Pull-tab series with carry-over jackpots and cumulative prize pool pull-tab series	Per series	\$1.11
<b>(b) Pull-tab dispensing devices</b>		
(i) Mechanical and electro-mechanical		\$ .28
(ii) Electronic	Dispensing devices that require initial and ongoing evaluation of electronic components or functions, such as reading encoded data on pull-tabs, accounting for income or prizes	\$112.04 annually
Replacement of identification stamps		\$26
<b>(c) Disposable bingo cards</b>		
(i) Single game sets of individual cards or sheets of cards		\$ .28
(ii) Multigame card packets		\$1.22
(iii) Cards used to play for linked bingo prizes	Fee per 250 cards	\$ .44
(iv) Cards used to play for linked bingo prizes	Fee per 5,000 cards	\$8.96
<b>(d) Coin or token-activated amusement games</b>		
Annually - operated at any Class A amusement game license location		\$28.00
<b>(e) Electronic bingo card daubers</b>		
Annual		\$11.19
<b>(f) Electronic card facsimile table</b>		
Annual		\$381.50

11. Two-part payment plan participation

Annual participation	\$27
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AMENDATORY SECTION (Amending Order 614, filed 8/10/07, effective 1/1/08)

**WAC 230-14-065 ((One)) Flares ((per)) for punch board or pull-tab series.** (1) Punch board and pull-tab licensees must have in public view only one flare per punch board or pull-tab series. Flares must have ((a Washington state identification)) an I.D. stamp number and series number on their face.

(2) Cumulative prize pool pull-tab games must have a cumulative prize pool board and a unique flare for each series.

AMENDATORY SECTION (Amending Order 623, filed 1/14/08, effective 2/14/08)

**WAC 230-14-080 Prize limits and percentage of winners required.** Punch board or pull-tab operators must not possess, display, put out for play, sell, or otherwise transfer punch boards or pull-tab series that:

(1) Have a total payout of less than sixty percent of the total gross gambling receipts of the board or series((~~or~~)), except in cumulative prize pool pull-tab games. In cumula-

tive prize pool pull-tab games, the sixty percent prize payout requirement will be calculated based on the total amount of prizes from the cumulative prize pool board and the instant winners from each series, divided by the number of series contained in the game; and

(2) Offer boards or series, except for progressive series or carry-over jackpots, with a single cash prize that is more than twenty-five hundred dollars; or

(3) Offer a single merchandise prize that is more than twenty-five hundred dollars including markup; or

(4) Have a single pull-tab or punch with multiple winning combinations that are more than the prize limit; or

(5) Offer prizes for purchasing the last pull-tab or last punch (last sale) that are more than:

(a) One hundred dollars cash; or

(b) Merchandise that costs the licensee more than one hundred dollars; or

(c) The highest prize offered, whichever is less; or

(6) Series that have a key to any winning numbers or symbols.

AMENDATORY SECTION (Amending Order 614, filed 8/10/07, effective 1/1/08)

**WAC 230-14-265 Retention requirements for punch boards and pull-tab series.** (1) Punch board and pull-tab operators must keep all punch boards or pull-tab series removed from play, including, at least:

(a) All prize flares; and

(b) All unplayed tabs; and

(c) All winning punches or tabs.

(2) Operators must make the items in subsection (1) of this section available on the licensed premises for us, local law enforcement, or local tax agencies to inspect.

(3) If stored off premises, operators must produce the game for inspection on demand.

(4) Operators must retain punch board or pull-tab series removed from play for:

(a) **Charitable or nonprofit operators** - Four months following the last day of the month in which the board or series was removed from play; and

(b) **Commercial operators** -

(i) Two months following the last day of the month in which they removed the board or series from play; and

(ii) Three months following the day they removed the board or series from play for winning punches or pull-tabs over twenty dollars. Operators must also retain the flare for these games; and

(c) **Carry-over jackpot series** - For four months after the last day of the month in which the carry-over jackpot was won; and

(d) **Progressive pull-tab series** - For one year. After the retention period, operators must destroy unsold progressive pull-tab series tabs in such a way that no one may find and use unopened winning tabs later; and

(e) **Cumulative prize pool pull-tab games** - for four months, following the last day of the month, in which the last seal is opened on the cumulative prize pull-tab game board.

NEW SECTION

**WAC 230-14-320 Defining a cumulative prize pool pull-tab game.** "Cumulative prize pool pull-tab game" means a pull-tab game that contains two or more series. Each series in the game has a unique serial number.

NEW SECTION

**WAC 230-14-325 Defining a cumulative prize pool pull-tab game board.** "Cumulative prize pool pull-tab game board" means the flare for a cumulative prize pool pull-tab game.

NEW SECTION

**WAC 230-14-330 Defining a cumulative prize pool pull-tab series.** "Cumulative prize pool pull-tab series" means individually packaged groups of pull-tabs that make up a cumulative prize pool pull-tab game.

NEW SECTION

**WAC 230-14-335 Operating requirements for cumulative prize pool pull-tab games.** (1) Operators must conduct cumulative prize pool pull-tab games in the same way as other pull-tab series and must follow these additional requirements:

(a) Cumulative prize pool pull-tab game boards must be displayed until the game is permanently pulled from play.

(b) Once a seal card winner from each series is revealed, the seal card winner will pick one unopened seal from the cumulative prize pool pull-tab game board.

(c) If a player buys out a series, their name will be placed on all remaining empty lines on the list displayed on the series flare.

(d) Have more than one series in play at the same time, but may not commingle pull-tab series.

(e) Must not use substitute flares.

(2) Operators must prominently post house rules of how the winner of a series will be chosen if the operator removes a series from play before the list on the series flare is completed. For example, once the seal is open and a player's name is not on that line, house rules could indicate that the name above the winning line would be declared the winner of the series.

AMENDATORY SECTION (Amending Order 623, filed 1/14/08, effective 2/14/08)

**WAC 230-16-052 Standards for flares.** Flares must clearly display the:

(1) Manufacturer of the punch board or pull-tab series. A stamp, seal or label identifying the manufacturer may be substituted if we have been informed; and

(2) Manufacturer assigned series number; and

(3) I.D. stamp; and

(4) Cost of each punch or pull-tab; and

(5) Total number of punches or pull-tabs in the series.

For any newly designed flare or any previously designed flare for pull-tab series with a ticket count over six thousand,

which has not yet been packaged, the number of pull-tabs must be printed in one-half inch size lettering; and

(6) Prizes available and the winning number or symbols. For prizes over twenty dollars, the winning numbers or symbols must be printed so each can be permanently and conspicuously deleted off the flare as each prize is won.

(a) A progressive jackpot meter board, for progressive jackpot series, is a supplement to the flare; and

(b) For cumulative prize pool pull-tab games, the seal card prizes from the cumulative prize pool board are not required to be printed on the series flares.

#### NEW SECTION

**WAC 230-16-102 Cumulative prize pool pull-tab games.** (1) Manufacturers of cumulative prize pool pull-tab games must meet all standards of pull-tab construction, including the seals on the board; and

(2) A cumulative prize pool pull-tab game board must include at a minimum:

- (a) All seal card prizes; and
- (b) Manufacturer's name or logo; and
- (c) Each cumulative prize pool pull-tab series number;

and

- (d) Form number; and
- (e) Cost per play; and
- (f) Game name; and

(3) A cumulative prize pool pull-tab game board must have the same number of seals as the number of series in the game.

#### NEW SECTION

**WAC 230-16-104 Cumulative prize pool pull-tab series flare.** A cumulative prize pool pull-tab series flare must meet the requirements of WAC 230-16-052 and include at a minimum:

- (1) A perforated window or seal; and
- (2) A list for players to write their name on for the chance to open a seal on the cumulative prize pool pull-tab board.

higher education these [whose] programs which would now include school administrators.

Hearing Location(s): St. Martin's Pavilion, Norman Worthington Conference Center, 5300 Pacific Avenue S.E., Lacey, WA 98503, on July 22, 2009, at 8:30 a.m.

Date of Intended Adoption: July 22, 2009.

Submit Written Comments to: David Brenna, Legislative and Policy Coordinator, P.O. Box 47236, Olympia, WA 98504, e-mail david.brenna@k12.wa.us, fax (360) 586-4548, by July 20, 2009.

Assistance for Persons with Disabilities: Contact David Brenna by July 20, 2009, TTY (360) 664-3631 or (360) 725-6238.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Aligns administrator professional certification with teacher certification by authorizing education service districts to develop preparation programs.

Reasons Supporting Proposal: Consistent with state policy for approving preparation programs.

Statutory Authority for Adoption: RCW 28A.410.210.

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

Name of Proponent: Professional educator standards board, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David Brenna, P.O. Box 47236 [47236], Olympia, WA 98504, (360) 725-6238.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendment does not have an impact on small business and therefore does not meet the requirements for a statement under RCW 19.85.030 (1) or (2).

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting David Brenna, P.O. Box 47236, Olympia, WA 98504, phone (360) 725-6238, fax (360) 586-3631, e-mail david.brenna@k12.wa.us.

May 20, 2009

David Brenna

Legislative and  
Policy Coordinator

#### **WSR 09-11-123**

#### **PROPOSED RULES**

#### **PROFESSIONAL EDUCATOR STANDARDS BOARD**

[Filed May 20, 2009, 9:47 a.m.]

Supplemental Notice to WSR 09-08-078.

Preproposal statement of inquiry was filed as WSR 08-08-101.

Title of Rule and Other Identifying Information: Amending WAC 181-78A-500 and 181-78A-507, rule governing the awarding of professional certification the [of] educators. The rule change adds school administrators to the professional certification preparation programs that education service districts may develop for approval. Educational service districts are encouraged to partner with institutions of

AMENDATORY SECTION (Amending WSR 07-04-004, filed 1/24/07, effective 2/24/07)

**WAC 181-78A-500 Professional certificate program approval.** All professional certificate programs for teachers, principals/program administrators, and school counselors, school psychologists, and school social workers shall be approved pursuant to the requirements in WAC 181-78A-520 through 181-78A-540. Only colleges/universities with professional educator standards board-approved residency certificate teacher, principals/program administrator, and school counselor, school psychologist, ~~((and))~~ school social worker preparation programs((-)), and educational service districts are eligible to apply for approval to offer teacher or administrator professional certificate programs. Educational service districts are encouraged to partner with institutions of higher education, local school districts, or consortia of school dis-

tricts to provide teacher or administrator professional certificate programs.

AMENDATORY SECTION (Amending WSR 07-08-050, filed 3/28/07, effective 4/28/07)

**WAC 181-78A-507 Overview—Principal/program administrator professional certificate programs.** By September 1, 2007, all colleges and universities offering a professional certificate program for principals/program administrators must be in compliance with the new program standards. To obtain a professional certificate, the residency principal or assistant principal will need to complete a professional educator standards board-approved professional certificate program, (~~have satisfactory district evaluations for an administrator role,~~) and document three contracted school years of employment as a principal or assistant principal; the residency program administrator will need to complete a professional educator standards board-approved professional certificate program and have satisfactory district evaluations for an administrator role.

The professional certificate for principals/program administrators requires successful demonstration of six standards at the professional certification benchmark levels, or above, and the candidate will need to provide evidence that he/she has had a positive impact on student learning.

The candidate (~~and college or university~~) with the approved program shall develop an individual professional growth plan that shall address the six knowledge and skills standards, focus on activities that enhance student learning, and be informed by the performance evaluation process, and an analysis of the administrative context and assignment.

**WSR 09-11-128**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed May 20, 2009, 10:54 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-03-034.

Title of Rule and Other Identifying Information: WAC 220-56-116, 220-56-124, 220-56-195, 232-28-619, 232-28-620 and 232-28-621, Rules for recreational marine and freshwater salmon fishing.

Hearing Location(s): Natural Resources Building, Room 682, 1111 Washington Street S.E., Olympia, WA 98504, on Thursday, June 25, 2009, at 10:00 a.m. - 12:00 p.m.

Date of Intended Adoption: On or after June 26, 2009.

Submit Written Comments to: Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Lori.preuss@dfw.wa.gov, fax (360) 902-2155, by June 22, 2009.

Assistance for Persons with Disabilities: Contact Susan Yeager by June 22, 2009, at TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These rules incor-

porate the recommendations of the North of Falcon subgroup of the Pacific Fisheries Management Council to take harvestable salmon while protecting species of fish listed as endangered.

Reasons Supporting Proposal: To protect species of fish listed as endangered while supporting recreational salmon fishing.

Statutory Authority for Adoption: RCW 77.12.047 and 77.04.020.

Statute Being Implemented: RCW 77.12.047 and 77.04.020.

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

Name of Proponent: Washington department of fish and wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Steve Thiesfeld, 1111 Washington Street, Olympia, (360) 902-2715; Implementation: Jim Scott, 1111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rule proposals do not affect small businesses. These rules are for recreational fishers, not commercial.

A cost-benefit analysis is not required under RCW 34.05.328. These proposals do not affect hydraulics.

May 20, 2009

Lori Preuss

Rules Coordinator

AMENDATORY SECTION (Amending Order 08-165, filed 7/3/08, effective 8/3/08)

**WAC 220-56-116 Statewide saltwater hook rules. (1)**

It is unlawful to use more than two hooks to fish in saltwater, except for forage fish jigger gear and squid jig gear, and when fishing from the north jetty of the Columbia River.

(2) It is unlawful to use barbed hooks in Marine Areas 5-13, except for forage fish jigger gear.

(3) It is unlawful to use other than one single-point barbless hook to fish for sturgeon.

(4) It is unlawful to use other than single-point barbless hooks to fish for salmon in Marine Areas 1-13, except in the Ocean Shores and Westport Boat Basins, and in Marine Area 2-1 from August 1 through January 31, as provided for in this section.

(5) It is unlawful to fish for or possess salmon taken with terminal gear hooks in violation of (~~nonbuoyant lure restrictions~~) anti-snagging rule in the following saltwater areas during the periods indicated:

(a) Budd Inlet waters south of a line projected true west from the KGY radio station to the mainland and north of the closed zone provided for in WAC 220-56-128 - July 16 through October 31.

(b) Ocean Shores Boat Basin - August 16 through January 31.

(c) Westport Boat Basin - August 16 through January 31.

(6) It is unlawful to use forage fish jig gear (~~or other than one single-point barbless hook~~), and anti-snagging rule and night closure in effect, in the Duwamish Waterway

downstream from the First Avenue South Bridge to an east-west line through Southwest Hanford Street on Harbor Island parallel to Southwest Spokane Street where it crosses Harbor Island - July 1 through October 31.

(7) Use of gear in violation of this section is an infraction, punishable under RCW 77.15.160.

(8) It is unlawful to possess fish or shellfish taken with gear in violation of the provisions of this section. Possession of fish or shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish or shellfish were taken with such gear. Possession of such fish or shellfish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

AMENDATORY SECTION (Amending Order 08-165, filed 7/3/08, effective 8/3/08)

**WAC 220-56-124 Unlawful provisions—Hoodspout Hatchery.** During the period July 1 through December 31, those waters of Catch Record Card Area 12 within a 2,000 foot arc seaward of yellow buoys at the mouth of Finch Creek at the Hoodspout Salmon Hatchery are regulated as provided for in this section:

(1) These waters are open to salmon angling regardless of the status of the surrounding waters of Area 12.

(2) Special daily limit of four salmon, of which no more than two salmon may be chinook salmon greater than 24 inches in length (~~and no more than two may be coho~~). Release chum salmon July 1 through October 15.

(3) It is unlawful to fish for or possess salmon taken from these waters from one hour after sunset to one hour before sunrise.

AMENDATORY SECTION (Amending Order 08-165, filed 7/3/08, effective 8/3/08)

**WAC 220-56-195 Closed areas—Saltwater salmon angling.** The following areas shall be closed to salmon angling during the times indicated:

(1) Bellingham Bay: Those waters of Bellingham, Samish and Padilla Bays southerly of a line projected from the most westerly point of Gooseberry Point to Sandy Point, easterly of a line from Sandy Point to Point Migley thence along the eastern shoreline of Lummi Island to Carter Point, thence to the most northerly tip of Vendovi Island thence to Clark Point on Guemes Island thence following the shoreline to Yellow Bluff on the southwest corner of Guemes Island thence to Yellow Bluff Reef range marker thence to the ferry terminal dock east of Shannon Point and north of the Burlington Railroad Bridges at the north end of Swinomish Slough shall be closed to salmon angling April 1 through April 30 and July 1 through August 15.

(2) Carr Inlet: Those waters of Carr Inlet within 1,000 feet of the outer oyster stakes at the mouth of Minter Creek are closed to salmon angling April 16 through September 30.

(3) Dungeness Bay: Those waters westerly of a line from Dungeness Spit Light to the number 2 red Buoy, and then to the Port Williams boat ramp are closed to salmon

angling May 1 through September 30 and November 1 through April 30.

(4) Samish Bay: Those waters southerly of a line projected true east from Fish Point are closed to salmon angling April 1 through April 30 and August 1 through October 15.

(5) Columbia River Mouth Control Zone 1: Washington waters within Control Zone 1, which Control Zone is described as an area at the Columbia River mouth bounded on the west by a line running northeast/southwest between the red lighted Buoy #4 (46°13'35" N/124°06'50" W) and the green lighted Buoy #7 (46°15'09" N/124°06'16" W); on the east by the Buoy #10 line which bears north/south at 357° true from the south jetty at 46°14'00" N/124°03'07" W to its intersection with the north jetty; on the north by a line running northeast/southwest between the green lighted Buoy #7 to the tip of the north jetty (46°14'48" N/124°05'20" W) and then along the north jetty to the point of intersection with the Buoy #10 line; and on the south by a line running northeast/southwest between the red lighted Buoy #4 and the tip of the south jetty (46°14'03" N/124°04'05" W) and then along the south jetty to the point of intersection with the Buoy #10 line are closed to salmon angling at all times except open to fishing from the north jetty when adjacent waters north of the Control Zone are open to salmon angling or the Buoy 10 fishery is open.

(6) Commencement Bay: Those waters east of a line projected from the Sperry Ocean Dock to landfall below the Cliff House Restaurant on the north shore of Commencement Bay are closed April 1 through April 30 and June 1 through July 31.

(7) Southern Rosario Strait and eastern Strait of Juan de Fuca: Waters of Area 7 in Rosario Strait and the eastern portion of the Strait of Juan de Fuca southerly of a line running true south from the westernmost point on Fidalgo Head to Burrows Island, then westerly and southerly along the shore of Burrows Island to the Burrows Island Lighthouse, then to Bird Rocks, then westerly from Bird Rocks to the southernmost point on Decatur Island, then across Lopez Pass to Lopez Island and following the shore of Lopez Island southerly and westerly to Iceberg Point, then from Iceberg Point to Cattle Point, then south southwest to the Salmon Bank Buoy, and then true south from the Salmon Bank Buoy to the Area 7 boundary - Closed to fishing for salmon July 1 - September 30.

(8) Kydaka Point - waters south of a line from Kydaka Point to Shipwreck Point are closed to fishing for salmon July 1 through September 30.

(9) Port Angeles Harbor - waters westerly of a line from the tip of Ediz Hook to the I.T.T. Rayonier Dock are closed to fishing for salmon from July 1 through August 31.

(10) Grays Harbor Control Zone: Waters within a line from the lighthouse one mile south of the south jetty, thence to Buoy number 2, thence to Buoy number 3, thence to the tip of the north jetty, thence to the exposed end of the south jetty, thence following the south jetty and shoreline to the lighthouse closed to fishing for salmon August 1 through September 30.

AMENDATORY SECTION (Amending Order 09-27, filed 2/25/09, effective 5/1/09)

**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.

(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 anti-snagging rules, 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.

(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.

(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 Barnaby and Nancy creeks: Saturday before Memorial Day through October 31 season. 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. Trout: No more than two over 15 inches in length may be retained per day.

Abernathy Creek (Cowlitz County):

From mouth to a point five hundred feet downstream from salmon hatchery: The first Saturday in June 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): Closed waters: From Highway 410 Bridge at river mile 5.4 to the Mesatchee Creek Trail crossing at river mile 15.8 July 16 through September 15. 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. Anti-snagging rule 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 June 14 through July 31 except closed 12:01 a.m. June 30 through 2:00 p.m. July 2 and 12:01 a.m. July 9 through 2:00 p.m. July 11. Anti-snagging rule and night closure. Daily limit 2 sockeye salmon.))~~

Highway 20 Bridge to Baker River fish barrier dam: Closed waters ~~((except for salmon. Salmon: Open only June 14 through July 31 from Highway 20 Bridge upstream 250 feet. Daily limit 2 sockeye salmon. Anti-snagging rule and night closure))~~.

Banks Lake (Grant County): Chumming allowed. Perch: Daily limit twenty-five. Crappie: Daily limit 10, minimum size 9 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 season, 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): The first Saturday in June through March 31 season. Anti-snagging rule 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. From the Lime Quarry Road to the Longview Fiber Bridge: Selective gear rules the first Saturday in June through March 31. All species: Release all fish, except up to two hatchery steelhead may be retained ~~((each))~~ per 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 chum and adult Chinook. Upstream of Longview Fiber Bridge: Closed waters.

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

Beaver Lake (Clallam County): Selective gear rules. 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): The first Saturday in June 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): The first Saturday in June through August 31 season. Closed waters August 1 through August 31: Waters within 100 feet of the Seabeck Highway NW Bridge. 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: All game fish: Release all fish. From mouth to Rodgers Street selective gear rules the first Saturday in June through August 15 and closed waters August 16 through

October 31. Rodgers Street to the Highway 101 Bridge: Selective gear rules the first Saturday in June through August 15, one single point barbless hook August 16 through October 31, and night closure August 16 through October 31. From electric weir to upper boundary of Falls View Campground: Selective gear rules. 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): The first Saturday in June through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Big Tiffany Lake (Okanogan County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Release all cutthroat.

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 (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. Anti-snagging rule and night closure. Only anglers who permanently use a wheelchair 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 clipped 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: The first Saturday in June 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. July 1 through August 31, 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 wild adult Chinook. September 1 through October 31 the daily limit may contain no more than 2 adult Chinook, release wild adult coho, and selective gear rules. November 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)). Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

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.

Boulder Creek and tributaries (Okanogan County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten, no minimum size. Release all cutthroat.

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 (including the portion flowing through the dry lakebed): 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. May 15 through the last day of Free Fishing Weekend (as defined in WAC 220-55-160): Juveniles only.

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 the first Saturday in June 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): 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: The first Saturday in June 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 wild adult Chinook. September 1 through October 31 the daily limit may contain no more than 2 adult Chinook, release wild adult coho, and selective gear rules. November 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.))~~ July 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

Calawah River, South Fork (Clallam County) from mouth to Olympic National Park boundary: The first Saturday in June 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: Open when the adjacent mainstem Columbia or Washougal rivers are open to fishing for salmon. Daily limit same as most liberal regulation of either area.

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: The first Saturday in June 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. The first Saturday in June through March 31 season. Anti-snagging rule and night closure August 1 through November 30. Trout: The first Saturday in June 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 October 15. 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: September 1 through last day in February season. Anti-snagging rule, night closure and single point barbless hooks September 1 through November 30. Trout: Minimum length fourteen inches. Voight Creek to Highway 162 Bridge: July 1 through August 15 and December 1 through last day in February season: Trout: Minimum length 14 inches. 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: June 1 through July 15 and September 16 through last day in February season. All species: Anti-snagging rule and night closure June 1 through July 15 and 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 15. Daily limit 4 hatchery Chinook, of which no more than 2 may be adult hatchery Chinook. Open September 16 through November 30. Daily limit 4 coho salmon.

From the Rockport-Cascade Road Bridge upstream: The first Saturday in June through last day in February season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.

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. The first Saturday in June through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cedar Creek (Jefferson County): The first Saturday in June 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: The first Saturday in June through August 31 season. Selective gear rules and night closure. Trout: Release all trout. 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. All species: Selective gear rules and night closure. Trout: Release all trout.

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 anti-snagging rule. 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): The first Saturday in June through April 15 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: ((Open September 16 through September 30 from mouth to Lakeside Industries Tower in Aberdeen, approximately 1.25 miles upstream of mouth. Daily limit 6 fish, of which no more than 2 may be adult salmon, and of which only 1 may be a wild adult coho. Release chum and adult Chinook. Bait prohibited and fishing from any floating device prohibited. Open October 1 through October 15 from mouth to high bridge. Daily limit 6 fish, of which no more than 2 may be adult salmon, and of which only 1 may be a wild adult coho. Release chum and adult Chinook. Open October 16 through January 31 from mouth to high bridge. Daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.)) From mouth to Porter Bridge: Open September 16 through January 31. September 16 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult salmon, only 1 may be a wild adult coho. Release chum and adult Chinook. October 16 through January 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook. From Porter Bridge to high bridge on Weyerhaeuser 1000 line: Open October 1 through January 31. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult salmon, only 1 may be a wild adult coho. Release chum and adult Chinook. October 16 through January 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.~~ Sturgeon: Open year-

round, and no night closure from mouth to high bridge on Weyerhaeuser 1000 line.

From the High Bridge on Weyerhaeuser 1000 line, upstream, including all forks and tributaries: The first Saturday in June through April 15 season. Selective gear rules. All species: Release all fish, except up to two hatchery steelhead may be retained per day.

Chehalis River, South Fork (Lewis County), from mouth to Highway Bridge at Boistfort School: The first Saturday in June 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. Anti-snagging rule. Trout: Release all trout.

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

Upstream from Eight Mile Creek to Pasayten Wilderness boundary: Closed waters the first Saturday in June 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: The first Saturday in June 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 the Friday before the first Saturday in June. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Salmon: Open year around. Salmon minimum size 8 inches. January 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho and wild Chinook. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho.

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): The first Saturday in June 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: Land-locked 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: The first Saturday in June 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 Tucquala 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: The first Saturday in June 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: The first Saturday in June 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): The first Saturday in June 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. Trout: Daily limit three fish. 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 McNary 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. 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, upstream to a line projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank: Trout: Release all trout except hatchery steelhead. 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 both Area 1 and Buoy 10 salmon season openings, with barbed hooks allowed; and the daily limit is the more liberal if both areas are open. Salmon and steelhead: Open only August 1 through March 31. August 1 through ~~((September 1))~~ August 31, daily limit 2 salmon or 2 hatchery steelhead or one of each; ~~((of the adult salmon,))~~ only 1 may be a Chinook. Release ~~((chum, sockeye, wild coho, Chinook less than 24 inches in length, and coho less than 16 inches in length))~~ all salmon except Chinook and hatchery coho. Chinook minimum length 24 inches. Coho minimum length 16 inches. September ~~((2))~~ 1 through September 30, daily limit ~~((2 hatchery coho or 2 hatchery steelhead or one of each. Release coho less than 16 inches in length))~~ 3 hatchery coho and hatchery steelhead combined, of which no more than 2 may be hatchery steelhead. Coho minimum length 16 inches. October 1 through December 31, daily limit 6 fish, of which no more than ~~((2))~~ 3 may be a combination of adult hatchery coho or hatchery steelhead ((or one of each)), and of these 3, only 2 may be hatchery steelhead. Release all salmon except hatchery coho. January 1 through March 31, daily limit 6 fish, of which no more than 2 may be adult hatchery Chinook salmon or hatchery steelhead or one of each. Release ~~((chum, sockeye, wild coho and wild))~~ all salmon except hatchery 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 8, June 29 through July 1, and July 6 through December 31. Minimum size when open to retain sturgeon is 38 inches fork length January 1 through April 30, and 41 inches fork length May 9 through July 5. Bottomfish: Daily limits, seasons, size restrictions and gear restrictions are the same as those in the adjacent portion of Marine Area 1.

From a line projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank, upstream to the I-5 Bridge: Trout: Release all trout except hatchery steelhead and hatchery 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 and steelhead: Open only May 16 through March 31. May 16 through ~~((June 15))~~ July 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each. Release all salmon except ~~((hatchery))~~ jack Chinook ~~((June 16 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon or adult steelhead or one of each. Release sockeye, chum, wild coho, and adult Chinook))~~ and sockeye, except adult Chinook may be retained June ~~((21))~~ 22 through ~~((June 28))~~ July 5. August 1 through ~~((August))~~ December 31, daily limit 6 fish, of which no more than 2 may be adult ~~((hatchery coho))~~ salmon or hatchery steelhead or one of each; of the adult salmon, only 1 may be a Chinook. Release all salmon except Chinook and hatchery coho. September ~~((+))~~ 13 through ~~((September 16, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each; and of the adult salmon, only 1 may be an adult Chinook. Release sockeye, chum, wild coho, and Chinook downstream of a line from the boundary marker on lower end of Bachelor Island to the Warrior Rock Lighthouse, and upstream of a line from Light Number 62 on Deer Island to Light Number 63 on the lower end of Martin Island. September 17 through December 31, daily limit 6 fish, of which no more than 2 may be adult hatchery coho or hatchery steelhead or one of each))~~ December 31, release Chinook downstream of a line projected from the Warrior Rock Lighthouse, through Red Buoy #4, to the orange marker atop the dolphin on the Washington shore. January 1 through March 31, daily limit 6 fish, of which no more than 2 may be adult ~~((salmon))~~ Chinook or hatchery steelhead or one of each. Release ~~((sockeye, chum, wild coho, and wild))~~ all salmon except hatchery Chinook. (1) Release sturgeon May 1 through May 8, June 29 through July 1, and July 6 through December 31 downstream from the Wauna powerlines. Minimum size when open to retain sturgeon is 38 inches fork length January 1 through April 30, and 41 inches fork length May 9 through July 5; (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: Salmon

and steelhead: Anti-snagging rule from Bonneville Dam to McNary Dam and all species: Night closure from Bonneville Dam to The Dalles Dam. Trout: Release all trout except hatchery steelhead. 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. Snake River Confluence Protection Area: From the first powerline crossing the Columbia upstream of Sacajawea State Park to the railroad bridge between Burbank and Kennewick: All species: Daily limits, seasons, size restrictions and gear restrictions are the same as those in the adjacent portion of the Snake River. 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, from 400 feet below McNary Dam to the Highway 82 Bridge and from John Day Dam downstream to a line crossing the Columbia at a right angle to the thread of the river from the west end of the grain silo at Rufus, Oregon. (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 August 1 through December 31 from the upstream line of Bonneville Dam and 400 feet below McNary Dam. (5) From the Hamilton Island boat launch (USACE boat restricted zone boundary) to Bonneville Dam, anglers must stop fishing for sturgeon once a daily limit has been retained. Salmon and steelhead: From I-5 Bridge to Bonneville Dam: Open ~~((only))~~ June 16 through December 31 except salmon 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 or hatchery steelhead or one of each. Release all salmon except jack Chinook and sockeye, ~~((chum, wild coho, and adult Chinook,))~~ except adult Chinook may be retained June ~~((21))~~ 22 through ~~((June 28))~~ July 5. August 1 through ~~((August))~~ December 31, daily limit 6 ~~((hatchery))~~ fish, of which no more than 2 may be adult ~~((hatchery coho))~~ salmon or hatchery steelhead or one of each; of the adult salmon, only 1 may be a Chinook. Release all salmon except Chinook and hatchery coho. ~~((September 1 through September 16, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each; and of the adult salmon, only 1 may be an adult Chinook. Release sockeye, chum, and wild coho. September 17 through December 31, daily limit 6 fish, of which no more than 2 may be adult hatchery coho or hatchery steelhead or one of each.))~~ Steelhead: Additional season January 1 through March 31. Daily limit 2. From Bonneville Dam to McNary Dam: Open ~~((only))~~ June 16 through December 31. June 16 through July 31, daily limit 6 fish, of which ((only)) no more than 2 may

be adult salmon or hatchery steelhead or one of each. Release all salmon except jack Chinook and sockeye, except adult Chinook may be retained July 1 through July 31. ~~((Steelhead: Additional season January 1 through March 31. Daily limit 2.))~~ August 1 through December 31, ~~((release chum))~~ daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each. Release all salmon except Chinook and coho. ~~((August 1 through December 31,))~~ Release wild coho from Bonneville Dam to Hood River Bridge. Steelhead: Additional season January 1 through March 31. Daily limit 2. From McNary Dam to the Highway 395 Bridge at Pasco: Open only June 16 through December 31 ~~((5))~~. June 16 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each. Release all salmon except jack Chinook and sockeye, except adult Chinook may be retained July 1 through July 31. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each. Release all salmon except Chinook and coho. Steelhead: Additional season January 1 through March 31. Daily limit 2.

From the Highway 395 Bridge at Pasco to the old Hanford townsite (wooden towers) powerline crossing, in Sec. 30, T13N, R28E except Ringold Area Bank Fishery waters: Closed waters: Ringold Springs Creek (Hatchery Creek). Trout: Release all trout, except up to two hatchery steelhead having both adipose and ventral fin clips may be retained per day, October 1 through October 31. Release all trout, except up to two hatchery steelhead may be retained per day, November 1 through March 31. Salmon: Open only ~~((June 16))~~ July 1 through October 22. Daily limit 6 fish, of which no more than 2 may be adult salmon. Release sockeye. 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 Area Bank Fishery waters (from WDFW markers 1/4 mile downstream from the Ringold wasteway outlet, to WDFW markers 1/2 mile upstream from Spring Creek): Open only April 1 through April 15, except closed for salmon fishing. Fishing allowed only from the bank and only on the hatchery side of the river. Trout: Release all trout, except hatchery steelhead. Salmon: Open only May 1 through May 31. Fishing allowed only from the bank and only on the hatchery side of the river. Daily limit two hatchery Chinook. Night closure and anti-snagging rule.

From the old Hanford townsite (wooden towers) powerline crossing in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24): 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))~~ July 1 through October 22. Daily limit 6 fish of which no more than 2 fish may be adult salmon. Release sockeye.

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~~) July 1 through October 22. Daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye.

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. All species: Anti-snagging rule and night closure from Rocky Reach Dam to the most upriver edge of Turtle Rock. Salmon: Daily limit 6 fish, of which no more than 2 may be adult salmon. Release coho and sockeye. From Priest Rapids Dam to Wells Dam, open only July 1 through October 15. From Wells Dam to Chief Joseph Dam, open only July 1 through July 15 and September 1 through October 15 from Highway 173 Bridge at Brewster to Highway 17 Bridge at Bridgeport, and July 16 through August 31 from Wells Dam 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. Not more than one walleye greater than 22 inches may be retained. Sturgeon: Unlawful to fish for or retain sturgeon.

From bridge at Valley upstream and tributaries: Saturday before Memorial Day through October 31 season. 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): The first Saturday in June 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 chum and adult Chinook.

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

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

Cottonwood Creek (Walla Walla County): Closed waters.

Cougar Creek (tributary to Yale Reservoir) (Cowlitz County): The first Saturday in June 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: The first Saturday in June 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 Mulholland Creek upstream: The first Saturday in June through August 31 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: Open only June 1 through last day in February. January 1 through last day in February and June 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho and wild Chinook. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho.

Cowlitz River (Lewis County):

From mouth to Mayfield Dam: Closed waters: (1) 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. (2) From 400 feet below the Mayfield powerhouse upstream to Mayfield Dam. (3) Within a 100 foot radius of the new Cowlitz Trout Hatchery outfall structure except anglers who permanently use a wheelchair may fish within posted markers when adjacent waters are open. 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. Anti-snagging rule 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. January 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release all salmon except hatchery Chinook and hatchery coho. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release all salmon except hatchery coho and (~~hatchery jack~~) Chinook. Release wild jack Chinook. 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 Friday before the first Saturday in June season. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Salmon: Open year-round from upstream boundary of Lake Scanewa. Salmon minimum size 12 inches. January 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho and wild Chinook. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho.

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: April 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): Trout: Minimum length fourteen inches.

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

Dalton Lake (Franklin County): Trout: No more than two over 13 inches in length may be retained.

Damon Lake (Grays Harbor County): The first Saturday in June 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: Land-locked 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 per day.

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. January 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild Chinook and wild coho. August 1 through December 31, daily limit 6 fish of which no more than ~~((4 may be adult salmon, and of the adult salmon, no more than))~~ 2 may be adult Chinook. Release chum and wild coho. 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): March 1 through October 31 season. Trout: No more than two over thirty inches in length may be retained.

De Roux Creek (Kittitas County): Mouth to the USFS Trail #1392 (De Roux Cr. Trail) stream crossing (approximately one river mile): Closed waters. Upstream of USFS Trail #1392 stream crossing: 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: The first Saturday in June through March 31 season. Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through October 15. 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 October 15. 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. Night closure September 16 through October 31. 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): The first Saturday in June through April 30 season in mainstem Dickey outside Olympic National Park and East Fork Dickey upstream to D5200 road and the first Saturday in June 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. ~~((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 wild adult Chinook. September 1 through October 31 the daily limit may contain no more than 2 adult Chinook, release wild adult coho, and selective gear rules. November 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.))~~ July 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

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: The first Saturday in June through August 31 season mouth to park boundary and November 1 through December 15 season mouth to Highway 101 Bridge. Selective gear rules the first Saturday in June 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): March 1 through September 30 season. Crappie: Daily limit ten, minimum length nine inches.

Dry Creek (Walla Walla County): Upstream from the middle Waitsburg Road: Closed waters.

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: The first Saturday in June 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 the first Saturday in June 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 Little Walla Walla River (Walla Walla 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: The first Saturday in June 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. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon(~~(?)~~), and of the 2 adult fish, only 1 may be an adult wild coho. Release adult Chinook, and chum. October 16 through November 30, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and 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. All species: Catch and release except up to five rainbow trout may be retained.

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: The first Saturday in June through March 15 season. Anti-snagging rule 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))~~ from the first Saturday in June through December 31. ~~((September))~~ First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through ~~((October 15))~~ December 31, daily limit 6 fish, of which no more than ((4)) 2 may be adult ((coho)) Chinook. Release chum, wild coho, and wild Chinook ~~((, and hatchery adult Chinook. October 16 through December 31, daily limit 6 fish, of which no more than 2 may be adult coho. Release chum, wild coho, wild Chinook, and hatchery adult Chinook)).~~

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

Elwha River (Clallam County): Closed waters: From south spillway on Aldwell Dam downstream two hundred feet.

From mouth to two hundred feet below the south spillway on the Aldwell Dam: October 1 through last day in February season. 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. Trout: No more than two over 15 inches in length may be retained per day.

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): 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: 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): The first Saturday in June 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): The first Saturday in June 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: The first Saturday in June through last day in February season. Trout, minimum length fourteen inches.

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. Channel catfish: No daily limit mouth to Oregon state line.

From County Road Bridge upstream to Oregon state line and all tributaries: Selective gear rules the first Saturday in June 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: First Saturday in June through October 15 and November 15 through March 15 season; and from Highway 4 Bridge to mouth of South Fork: First Saturday in June through October 15 and December 1 through March 15 season. Anti-snagging rule, night closure and stationary gear restriction September 1 through October 15. All game fish: Release all fish except hatchery steelhead. Salmon: Open only ((September 1)) from first Saturday in June through October 15 from mouth to South Fork. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through October 15,

daily limit 6 fish, of which no more than ((four may be adult salmon, and of the 4 adults, only)) 2 may be adult Chinook. Release chum, wild coho and unmarked Chinook. Unmarked Chinook are Chinook without either a clipped ventral fin or a clipped adipose fin.

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: The first Saturday in June - October 15 season. All species: Release all fish except up to two hatchery steelhead may be retained per day. Trout: Additional December 1 through March 15 season downstream from hatchery intake footbridge. Release all fish other than hatchery steelhead. Salmon: ((Additional September 1)) Open only from first Saturday in June through October 15 ((season)). September 1 through October 15: Anti-snagging rule, night closure and stationary gear restriction. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through October 15, daily limit 6 fish of which not more than ((4 may be adult salmon, and of the 4 adults, only)) 2 may be adult Chinook. Release chum, wild coho and unmarked Chinook. Unmarked Chinook are Chinook without either a clipped ventral fin or a clipped adipose fin.

Green Lake (Okanogan County): April 1 through November 30: Selective gear rules, 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: The first Saturday in June 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. Anti-snagging rule and night closure September 1 through October 31 from mouth to 400 feet below salmon hatchery rack. All species: When anti-snagging rule in effect, only fish hooked inside the mouth may be retained. Trout: Release all trout except hatchery steelhead. Salmon: Open August 1 through November 30. Daily limit 6 fish, of which not more than ((four)) 2 may be adult ((coho)) Chinook. Release chum, wild coho, and wild jack Chinook((and hatchery)) October 1 through November 30, release adult Chinook.

From 2800 Bridge to source: Closed waters.

Green (Duwamish) River (King County):

From the First Avenue South Bridge to Tukwila International Boulevard/Old Highway 99: The first Saturday in June through July 31 and September ((46)) 1 through February 15 season. In years ending in odd numbers, additional season August 22 through August 31, night closure, bait prohibited, only 1 single-point hook may be used, and hook must measure less than 1/2 inch from point to shank. Anti-snagging

rule 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))~~ when open from August 22 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.))~~ In years ending in odd numbers, open August 22 through December 31. Daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, open September 1 through December 31. Daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

From Tukwila International Boulevard/Old Highway 99 to the Interstate 405 Bridge: The first Saturday in June through July 31 and September 1 through February 15 season. Anti-snagging rule and night closure September 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 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 only 1 may be a Chinook.))~~ In years ending in odd numbers, daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum, and only 1 may be a Chinook. In years ending in even numbers, daily limit 6 salmon, no more than 3 may be adult salmon, and only 1 may be a Chinook.

From the Interstate 405 Bridge to South 277th Street Bridge in Auburn: Open only the first Saturday in June through July 31 and October 1 through February 15. In years ending in odd numbers, additional season September 1 through September 30, night closure, bait prohibited, only 1 single-point hook may be used, and hook must measure less than 1/2 inch from point to shank. Anti-snagging rule 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))~~ when open from September 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.))~~ In years ending in odd numbers, open September 1 through December 31. Daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, open October 1 through December 31. Daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

From the 277th Street Bridge to Auburn-Black Diamond Road Bridge: Open only the first Saturday in June through August 15 and October 16 through last day in February. In years ending in odd numbers, additional season September 16 through October 15, night closure, bait prohibited, only 1 single-point hook may be used, and hook must measure less than 1/2 inch from point to shank. Anti-snagging rule 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 August 15 and ~~((October))~~ when open from September 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.))~~ In years ending in odd numbers, open September 16 through December 31. Daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, open October 16 through December 31. Daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

From the Auburn-Black Diamond Road Bridge to the Tacoma Headworks Dam: The first Saturday in June through last day in February season. Anti-snagging rule 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.))~~ In years ending in odd numbers, daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

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: The first Saturday in June 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. All species: Catch and release except up to five rainbow trout may be retained.

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), outside of Olympic National Park: ~~((May 16 through April 15 season. May 16 through the Friday before the first Saturday in June, open Wednesday through Sunday downstream from Willoughby Creek only. Willoughby Creek upstream to park boundary closed through the Friday before the first Saturday in June. Selective gear rules, except a person can fish from a floating device equipped with an internal combustion motor July 1 through August 31 from Olympic National Park upstream to DNR Oxbow Campground Boat Launch. Selective gear rules July 1 through October 15 from DNR Oxbow Campground Boat Launch to Willoughby Creek, the first Saturday in June through October 15 from Willoughby Creek to Morgan's Crossing Boat Launch, the first Saturday in June 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, downstream of DNR Oxbow Campground Boat Launch, one wild steelhead per day may be retained. Salmon: Open only May 16 through November 30 downstream of 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 16 through August 31 downstream of Willoughby Creek open Wednesday through Sunday only of each week, daily limit may contain no more than one adult salmon, and release wild Chinook. September 1 through October 15 from Willoughby Creek to DNR Oxbow Campground Boat Launch, release wild Chinook.))~~

From Olympic National Park boundary upstream to DNR Oxbow Campground Boat Launch: May 16 through April 15 season. May 16 through the Friday before the first Saturday in June, open Wednesday through Sunday only each week, and catch and release, except up to two hatchery steelhead may be retained on open days. First Saturday in June through April 15, trout: Minimum length fourteen inches. November 1 through February 15, daily limit may include 1 additional hatchery steelhead. December 1 through April 15, one wild steelhead per day may be retained. Salmon: Open May 16 through August 31, Wednesday through Sunday only each week, daily limit 6 fish of which no more than 1 may be an adult salmon, and release wild Chinook. Open September 1 through November 30, daily limit 6 fish of which no more than 2 may be adult salmon.

From DNR Oxbow Campground Boat Launch to Willoughby Creek: May 16 through April 15 season. Selective gear rules August 1 through October 15 and December 1 through April 15. May 16 through the Friday before the first Saturday in June, open Wednesday through Sunday only each week, and catch and release, except up to two hatchery steelhead may be retained on open days. First Saturday in June through April 15, trout: Minimum length fourteen inches. Salmon: Open May 16 through August 31, Wednesday through Sunday only each week, daily limit 6 fish of which no more than 1 may be an adult salmon, and release wild Chinook. Open October 16 through November 30, daily limit 6 fish of which no more than 2 may be adult salmon.

From Willoughby Creek to Morgan's Crossing boat launch site: First Saturday in June through April 15 season. Selective gear rules first Saturday in June through October 15 and December 1 through April 15. Trout: Minimum length fourteen inches. Salmon: Open October 16 through November 30, daily limit 6 fish of which no more than 2 may be adult salmon.

From Morgan's Crossing boat launch site upstream to Olympic National Park boundary below mouth of South Fork Hoh River: First Saturday in June through April 15 season.

Selective gear rules. Trout: Minimum length fourteen inches.

Hoh River South Fork (Jefferson County), outside Olympic National Park: The first Saturday in June 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): The first Saturday in June through March 31 season. Fly fishing only. All species: Release all fish except 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): The first Saturday in June through last day of 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 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 chum, wild coho, and 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 ((Highway 101 Bridge)) Ocean Beach Road. The first Sat-

urday in June through March 31 season, except closed September 1 through September 30. Night closure and single-point barbless hooks required August 16 through August 31 and October 1 through November 30. (~~(Bait prohibited October 1 through October 15-))~~ Trout: Minimum length fourteen inches. Salmon: Open October 1 through January 31. (~~(October 1 through October 15, daily limit of 6 salmon, no more than two of which may be adult salmon. Release chum, wild coho, and adult Chinook. October 16 through January 31-))~~ Daily limit of 6 salmon, ((not)) of which no more than two ((of which)) may be adult salmon, and of the 2 adult salmon, only one may be an adult Chinook. Release chum(~~(-)~~) and wild coho(~~(- and adult Chinook)~~). From Ocean Beach Road to Highway 101: The first Saturday in June through March 31 season, except closed September 1 through September 15. Night closure and single-point barbless hooks required August 16 through August 31 and September 16 through November 30. All species: Bait prohibited September 16 through September 30. Trout: Minimum length fourteen inches. Salmon: Open September 16 through January 31. Daily limit of 6 salmon, of which no more than two may be adult salmon, and of the 2 adult salmon, only one may be an adult Chinook. Release chum and wild coho. From Highway 101 Bridge to forks: The first Saturday in June through last day in February season. Night closure and single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Additional season March 1 through March 31. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained.

Humptulips River, East Fork (Grays Harbor County), from mouth to concrete bridge on Forest Service Road between Humptulips Guard Station and Gridsale: Anti-snagging rule and night closure August 16 through October 31. Trout: Minimum length fourteen inches.

Humptulips River, West Fork (Grays Harbor County), from mouth to Donkey Creek: The first Saturday in June through last day in February season. Anti-snagging rule and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Additional season March 1 through March 31. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained.

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 six miles upstream (including the portion of the creek that flows through the dry lakebed): 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): The first Saturday in June 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): The first Saturday in June 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: The first Saturday in June 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, and chum.

Johns Creek (Mason County): Closed waters.

Johns River (Grays Harbor County): Mouth to Ballon Creek: The first Saturday in June 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. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult salmon, only 1 may be an adult wild coho. Release chum and adult Chinook. October 16 through November 30, daily limit 6 fish, of which

no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

Ballon Creek upstream, including North and South Forks: The first Saturday in June 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 the first Saturday in June 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. Anti-snagging rule and night closure April 1 through October 31 from the mouth to the intake at the lower salmon hatchery. Stationary gear restriction September 1 through October 31 from mouth to the natural gas pipeline at Mahaffey's Campground. All species: When anti-snagging rule in effect only fish hooked inside the mouth may be retained. Fishing from a floating device equipped with ((#)) an internal combustion 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. All game fish: Release all fish year-round except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31, daily limit 6 ((fish)) hatchery Chinook of which no more than ((2)) 1 may be an adult salmon. ((~~Release wild Chinook and wild coho.~~)) August 1 through December 31, daily limit 6 fish of which no more than ((~~4 may be adult salmon, and of the adult salmon only~~)) 2 may be adult Chinook. Release chum, wild ((~~jack~~)) Chinook, and wild coho. ((~~October 1 through December 31, release adult Chinook upstream of 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: The first Saturday in June 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): The first Saturday in June through August 31 season. Juveniles only.

Kennedy Creek (Thurston County), from mouth to four hundred feet below falls: The first Saturday in June through last day in February season. Anti-snagging rule 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 wild coho.

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

Kettle River (Stevens County):

The Saturday before Memorial Day 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. Anti-snagging rule and night closure May 1 through May 31. Anti-snagging rule 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: Open April 1 through May 31 on Sundays, Mondays, Wednesdays and Saturdays only; daily limit 1 hatchery steelhead or 1 salmon. Release wild Chinook. Salmon: Open June 1 through January 31, June 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild Chinook. August 1 through January 31, daily limit 6 fish of which no more than 2 may be adult ((salmon)) Chinook. ((Release wild Chinook June 1 through July 31.))

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. Additional December 1 through March 31 season. Whitefish gear rules apply. 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 and release wild Chinook. August 1 through ((November 30=)) October 31, daily limit 6 fish of which no more than 2 may be adult ((salmon)) Chinook. ((Release Chinook)) November 1 through November 30, daily limit 6 fish. Release Chinook. ((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): Trout: Release all trout 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: Closed waters.

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 the first Saturday in June 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. January 1 through July 31, daily limit six ~~((fish))~~ hatchery Chinook of which not more than ~~((2))~~ 1 may be an adult salmon. ~~((Release sockeye, wild Chinook, and wild coho.))~~ August 1 through ~~((December 31))~~ September 30, daily limit 6 hatchery ~~((coho))~~ salmon, of which no more than ~~((4))~~ 2 may be adult hatchery ~~((coho))~~ Chinook. Release all salmon except hatchery Chinook and hatchery coho. October 1 through December 31, daily limit 6 hatchery coho. 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: The first Saturday in June 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 the Friday before the first Saturday in June 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. Anti-snagging rule and night closure April 1 through November 30 from Johnson Creek to Colvin Creek. When anti-snagging rule is in effect, only fish hooked inside the mouth may be retained. ~~((August))~~ October 1 through December 15, fishing from any floating device prohibited from Johnson Creek to Colvin Creek. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31, daily limit ~~((six fish))~~ 6 hatchery Chinook of which ~~((not more than 2))~~ only 1 may be an adult salmon. ~~((Release sockeye, wild Chinook and wild coho.))~~ August 1 through ~~((December 31))~~ September 30, daily limit 6 hatchery ~~((coho))~~ salmon, of which no more than ~~((4))~~ 2 may be adult hatchery ~~((coho))~~ Chinook. Release all salmon except hatchery Chinook and hatchery coho. October 1 through December 31, daily limit 6 hatchery coho. 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. ~~((August 1 through September 30, fishing from any floating device prohibited.))~~ Anti-snagging rule and night closure April 1 through September 30. When anti-snagging rule 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 and December 16 through December 31. January 1 through July 31, daily limit 6 ~~((fish))~~ hatchery Chinook of which ~~((no more than 2))~~ only 1 may be an adult salmon. ~~((Release sockeye, wild Chinook and wild coho.))~~ August 1 through September 30 ~~((and December 16 through December 31))~~, daily limit 6 hatchery ~~((coho))~~ salmon, of which no more than ~~((4))~~ 2 may be adult hatchery ~~((coho))~~ Chinook. Release all salmon except hatchery Chinook and hatchery coho. December 16 through December 31, daily limit 6 hatchery coho. 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: From the fishing pier to the access road at Swift Dam: Last Saturday in April through October 31 season. Fishing from a floating device prohibited. Trout: No minimum size, daily limit 5.

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

Liberty Lake (Spokane County): March 1 through October 31 season.

Lilliwaup River (Mason County): Mouth to 200 feet below falls: The first Saturday in June 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): The first Saturday in June 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: Saturday before Memorial Day through October 31 season. 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: All species: Selective gear rules and release all fish. Closed waters: Mouth to Highway 101 Bridge September 1 through October 31.

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): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

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 from 6 p.m. Tuesday through 6 p.m. Wednesday, October 1 through October 31. Anti-snagging rule and night closure May 1 through June 30. Anti-snagging rule August 1 through December 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 and wild jack Chinook.

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 (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: The first Saturday in June 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. All species: Release all fish except up to two hatchery steelhead may be retained per day.

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

May Creek (tributary of Lake Washington) (King County): The first Saturday in June 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): Anti-snagging rule 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 2 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): Anti-snagging rule 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): March 1 through October 31 season. Selective gear rules except fishing from a floating device equipped with a motor prohibited. 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.

Mercer Slough (tributary of Lake Washington) (King County): The first Saturday in June 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 County Road 1535 (Burma Road) Bridge: Closed waters. County Road 1535 (Burma Road) Bridge to Foghorn Dam: The first Saturday in June through September

30 season: Selective gear rules. All species: Release all fish. Foghorn Dam to Weeman Bridge: The first Saturday in June through August 15 season. Selective gear rules. All species: Release all fish. Upstream from Weeman Bridge to the falls above Brush Creek: Closed waters the first Saturday in June through October 31. Additional season Gold Creek to falls above Brush Creek: December 1 through March 31. White-fish gear rules apply.

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

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

Mill Creek (Chelan County): Closed waters.

Mill Creek (Cowlitz County): The first Saturday in June 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. Anti-snagging rule 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: The first Saturday in June through March 31 season. All species: Barbless hooks required and release all fish except hatchery steelhead September 1 through March 31. 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 except open to all ages during Free Fishing Weekend (as defined in WAC 220-56-160).

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 the first Saturday in June 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: The first Saturday in June 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): The first Saturday in June through October 31 season. Selective gear rules.

Mooses Pond (Pacific County): The first Saturday in June 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: December 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. 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: The first Saturday in June 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. Additional season March 1 through the Friday before the last Saturday in April. All species: Selective gear rules and release all fish.

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

Murray Creek (Pierce County): Closed waters.

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 the first Saturday in June 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: The first Saturday in June 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. Anti-snagging rule 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 2 may be adult Chinook and no more than 1 may be a wild adult coho. Release ~~((wild coho))~~ chum.

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: The first Saturday in June through last day in February season, except sturgeon. Anti-snagging rule 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: The first Saturday in June through March 31 season, except closed August 1 through September 30 on North Nemah from Highway 101 Bridge upstream to Nemah Hatchery. 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 Nemah to the confluence with Middle Nemah and Middle Nemah and October 1 through November 30 on North Nemah. Anti-snagging rule on North Nemah upstream from bridge on dead end lower Nemah Road and the Middle Nemah from the DNR Bridge on A-line Road upstream 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 open 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 2 adult fish, no more than one may be a wild adult coho. Release chum. North Nemah: Daily limit 6 salmon of which ~~((not))~~ no more than 3 may be adult salmon, and of the 3 adult fish, no more than one may be a wild adult coho and no more than two may be adult Chinook. Release chum.

Newhalem Ponds (Whatcom County): Closed waters.

Newaukum River, main river and South Fork upstream to Highway 508 Bridge near Kearny Creek (Lewis County): The first Saturday in June 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 from 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 chum, wild coho, and adult Chinook.

Newaukum River, Middle Fork, mouth to Taucher Road Bridge (Lewis County): The first Saturday in June 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: The first Saturday in June 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 2 adult fish (~~(not more than)~~), only one may be a wild adult coho. Release chum and 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: July 1 through January 31 season. Anti-snagging rule 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))~~ 3 may be adult salmon, and of the adult salmon only 2 may be any combination of pink, chum and coho. 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. All species: Release all fish except up to two hatchery steelhead may be retained per day. Selective gear rules.

Nooksack River (Whatcom County), from mouth to forks, Middle Fork to Dam and North Fork to Nooksack Falls: The first Saturday in June through last day in February season except closed the first Saturday in June 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. Anti-snagging rule and night closure the first Saturday in June 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 wild coho, release wild Chinook from mouth to FFA barn, and release Chinook from FFA barn to forks and in North Fork. In years ending in odd numbers, release pink salmon.

Nooksack River, South Fork (Skagit/Whatcom counties): From mouth to Skookum Creek: The first Saturday in June 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 the first Saturday in June through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through December 31. Daily limit 2 salmon, except release Chinook and wild coho. In years ending in odd numbers, release pink salmon.

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: Closed waters.

North Creek (tributary of Sammamish River) (Snohomish/King counties): The first Saturday in June 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: The first Saturday in June 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. Anti-snagging rule and night closure 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 2 adult fish (~~(not more than)~~), only one may be a wild adult coho. Release chum and 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/Skamania 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 Limerick): Closed waters.

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

Ohop Creek (Pierce County): July 1 through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead per day may be retained.

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: The first Saturday in June through August 31 season. Trout: Release all trout. Salmon: Open only July 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. All species: Anti-snagging rule and night closure July 1 through October 15.

Closed waters: From Zosel Dam downstream to first Highway 97 Bridge.

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): Trout: Release all trout 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): The first Saturday in June 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): The first Saturday in June 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. Anti-snagging rule 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 2 adult salmon (~~not more than~~), only one may be a wild adult coho. Release chum and 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. 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. Trout: No more than two over 13 inches in length may be retained.

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.

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

Peabody Creek (Clallam County): Juveniles only.



Pearrygin 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: The first Saturday in June 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. 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): Selective gear rules. All species: Release all fish.

Promised Land Pond (Grays Harbor County): The first Saturday in June through October 31 season.

Purdy Creek (Mason County): The first Saturday in June through July 31 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, except closed August 23 from mouth to city of Puyallup outfall structure near junction of Freeman Road and North Levee Road. Single-point barbless hooks, anti-snagging rule and night closure August 1 through November 30 from the mouth to the Carbon River. Trout: Minimum length fourteen inches. Salmon: Open only August 16 through December 31 from mouth to Carbon River, except closed August 23 from mouth to city of Puyallup outfall structure near junction of Freeman Road and North Levee Road. In years ending in even numbers, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild adult Chinook. In years ending in odd numbers, daily limit 6 fish, of which no more than 4 may be adult salmon, and of the adult salmon, no more than 2 may be any 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): The first Saturday in June 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): The first Saturday in June 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 outside of Olympic National Park only. May 1 through the Friday before the first Saturday in June release all game 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 February 1 through November 30. ~~((Daily limit 6 fish of which no more than 2 may be adult salmon February 1 through August 31 and 3 may be adult salmon September 1 through November 30. September 1 through October 31 the daily limit may contain no more than 2 adult Chinook, release wild adult coho, and selective gear rules. November 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. February 1 through August 31 release wild adult coho and wild adult Chinook.)) February 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sock-eye, and chum salmon.~~

Quinault River, Upper (Jefferson County), from mouth at upper end of Quinault Lake to the National Park boundary: The first Saturday in June 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)), of which no more than 2 may be 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: The first Saturday in June through last day in February season. Trout: Minimum length fourteen inches.

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 (Klickitat County): Mouth to the Army Corps of Engineers Park: Year-round season. Daily limits, size restrictions and gear restrictions are the same as those in the adjacent portion of the Columbia River.

Rock Creek (Skamania County): Mouth to falls. Trout: Release all trout 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 waters: (1) March 1 through the Friday immediately preceding Memorial Day weekend from the Little Dalles power line crossing upstream approximately one mile to marked rock point, and from Northport power line crossing upstream to most upstream point of Steamboat Rock; (2) January 1 through May 31 in San Poil arm upstream from outlet of French Johns Lake; and (3) April 1 through Friday before Memorial Day 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.

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.: The first Saturday in June 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): The first Saturday in June 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 Quinalt Indian Reservation: The first Saturday in June 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: The first Saturday in June through March 15 season. From Highway 99 Bridge to department salmon rack: Closed waters. Stationary gear restriction from mouth to Interstate 5 Bridge August 1 through December 31. Anti-snagging rule 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, release wild coho.

Sammamish Lake (King County): Closed to fishing within 100 yards of the mouth of Issaquah Creek August 16 through

November 30. 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 four salmon, of which only two may be Chinook. Release sockeye.

Sammamish River (Slough) (King County), from the 68th Avenue N.E. Bridge to Lake Sammamish: 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 anti-snagging rule and night closure August 16 through November 30. Middle and West Forks upstream from Cougar Smith Road anti-snagging rule and night closure August 16 through October 31.

From mouth to bridge at Schafer Park: The first Saturday in June through March 31 season. Salmon: Open only October 1 through January 31. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon(♂), and of the 2 adult salmon, only 1 may be an adult wild coho. Release chum and adult Chinook. October 16 through January 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

Middle Fork (Turnow Branch), from mouth to Cougar Smith Road: The first Saturday in June through last day in February season.

West Fork, from mouth to Cougar Smith Road: The first Saturday in June through last day in February season.

Sauk River (Skagit/Snohomish counties):

From mouth to the mouth of the White Chuck River: The first Saturday in June through last day in February season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From the mouth of the White Chuck River to headwaters, including North Fork and South Fork upstream to Elliot Creek: Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.

South Fork upstream from Elliot Creek: The first Saturday in June through August 31 season. Selective gear rules.

All species: Release all fish except up to two hatchery steelhead may be retained per day.

From mouth to the Darrington Bridge: Additional March 1 through April 30 season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.

Sawyer, Lake (King County): Chumming permitted. Crappie: Daily limit ten, minimum length nine inches.

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

Scooteney Reservoir (Franklin County): Walleye: Minimum size 12 inches.

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): The first Saturday in June 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): The first Saturday in June 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.

Silver Nail 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: The first Saturday in June 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. Night closure July 9 through August 9. 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 2 salmon except release Chinook.))~~ Open July 9 through August 9, open 12:01 p.m. Thursday through Sunday only each week. Daily limit 2 Chinook salmon, only one of which may be an adult Chinook. In years ending in even numbers, open September 1 through December 31. Daily limit 2 salmon. Release Chinook and chum. In years ending in odd numbers, open August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook and chum.

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek: June 1 through March

15 season. Night closure (~~and anti-snagging~~) rule July 1 through November 30. Anti-snagging rule August 16 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 September 1 through December 31. Daily limit 2 salmon except release Chinook.))~~ Open July 9 through August 9, open 12:01 p.m. Thursday through Sunday only each week. Daily limit 2 Chinook salmon, only one of which may be an adult Chinook. In years ending in even numbers, open September 1 through December 31. Daily limit 2 salmon. Release Chinook and chum. In years ending in odd numbers, open August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook and chum.

From Gilligan Creek to the Dalles Bridge at Concrete: June 1 through March 15 season. Anti-snagging rule 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. Daily limit 2 salmon, except release Chinook.))~~ In years ending in even numbers, open September 16 through December 31. Daily limit 2 salmon. Release Chinook and chum. In years ending in odd numbers, open August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook and chum.

From the Dalles Bridge at Concrete to the Highway 530 Bridge at Rockport: June 1 through March 15 season, except closed June 1 through ~~((June 13, 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. Anti-snagging rule and night closure ~~((June 14))~~ 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 June 14 through July 31, except closed 12:01 a.m. June 30 until 2:00 p.m. July 2, and 12:01 a.m. July 9 until 2:00 p.m. July 11, and, except closed from 200 feet above the mouth of the Baker River to the Highway 530 Bridge at Rockport. Daily limit two sockeye salmon. Release all salmon except sockeye salmon.))~~ Salmon open September 16 through December 31. ((Daily limit 2 salmon, except release Chinook.)) In years ending in even numbers, daily limit 2 salmon. Release Chinook and chum. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook and chum. 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 except up to two hatchery steelhead may be retained.

From the Highway 530 Bridge at Rockport to the Cascade River: June 1 through March 15 season. Anti-snagging rule and night closure June 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 June 1 through July 15. Daily limit four hatchery Chinook salmon, of which only two may be adult hatchery Chinook. Salmon open September 16 through December 31. ~~((Daily limit 2 salmon. Release Chinook.))~~ In years ending in even numbers, daily limit 2 salmon. Release Chinook and chum. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook and chum. Additional season: March 16 through April 30. Selective gear rules, except a person can 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 except up to two hatchery steelhead may be retained.

From Cascade River to Gorge Powerhouse: June 1 through March 15 season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From the Gorge Powerhouse to Gorge Dam: Closed waters.

Skamokawa Creek (Wahkiakum County), mouth to forks just below Oatfield and Middle Valley Road: June 1 through October 31 season. Trout: Release all trout except up to two hatchery steelhead may be retained.

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, anti-snagging rule and single point barbless hooks required August 1 through November 30 mouth to Highway 101. The first Saturday in June through July 31 and October 31 through December 15 season from mouth to Highway 101 Bridge. The first Saturday in June through October 31 season from Highway 101 Bridge to forks. All game fish: Release all fish. Selective gear rules from Highway 101 Bridge to forks. Salmon: Open only August 1 through ~~((September 5, 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. Release chum salmon. Daily limit 6 salmon October 1 through December 15, except daily limit may contain no more than 4 adult fish and release Chinook. October 1 through October 15 release chum salmon.

Skokomish River, North Fork (Mason County):

From mouth to lower dam: The first Saturday in June through October 31 season. All species: Release all fish. Selective gear rules.

Above Lake Cushman, mouth to Olympic National Park boundary: The first Saturday in June through August 31 season. Selective gear rules. Trout: Release all fish.

Skokomish River, South Fork (Mason County):

From mouth to mouth of Church Creek: All species: Release all fish. Selective gear rules.

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): The first Saturday in June 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: The first Saturday in June 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. Release chum, wild coho, and 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. Anti-snagging rule 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 June 1 through July 31 Lewis Street Bridge in Monroe to Wallace River. Daily limit 2 hatchery Chinook. In years ending in even numbers, open September 1 through December 31 mouth to Wallace River. Daily limit 2 salmon. Release Chinook and pink. In years ending in odd numbers, open August 16 through December 31 mouth to Lewis Street Bridge in Monroe and open September 1 through December 31 Lewis Street Bridge to Wallace River. Daily limit 2 salmon plus 2 additional pink. Release Chinook.

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. Anti-snagging rule 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. In years ending in even numbers, daily limit 2 salmon. Release Chinook and pink. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook.

Skykomish River, North Fork (Snohomish County):

From mouth to one thousand feet downstream from Bear Creek Falls: The first Saturday in June through last day in February season. Anti-snagging rule 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: The first Saturday in June through last day in February season. Anti-snagging rule 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: The first Saturday in June 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): The first Saturday in June 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 chum and 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. All species: April 24 through June 15 from Texas Rapids boat launch upstream to the Corps of Engineers boat launch approximately 1 mile upstream of Little Goose Dam: Night closure, barbless hooks only, and hooks must measure 5/8 inch or less from point to shank. 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. 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. Salmon: Open only April 24 through June 15 from Texas Rapids boat launch upstream to the Corps of Engineers boat launch approximately 1 mile upstream of Little Goose Dam. Daily limit 1 hatchery Chinook.

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: The first Saturday in June through last day in February season, except sturgeon. Anti-snagging rule 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: In years ending in even numbers, open only September 1 through December 31. Daily limit 2 salmon. Release Chinook and pink. In years ending in odd numbers: Open only August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook. Sturgeon: Open year-round from mouth to Highway 2 Bridge.

Snoqualmie River (King County):

From mouth to the falls: The first Saturday in June 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. The first Saturday in June 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):

From mouth to concrete pump station at the Sol Duc Hatchery: Open year-round. May 1 through the Friday

before the first Saturday in June, release all game fish except up to two hatchery steelhead per day may be retained. ~~((Selective gear rules from the concrete pump station at the Sol Due Hatchery to the Highway 101 Bridge downstream of Snider Creek November 1 through April 30, and from the Highway 101 Bridge downstream of Snider Creek to Olympic National Park the first Saturday in June 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 Due Hatchery.)) First Saturday in June through April 30, trout: Minimum length fourteen inches. November 1 through last day in February, daily limit may include 1 additional hatchery steelhead. December 1 through April 30, ((from mouth to the concrete pump station at the Sol Due Hatchery,)) one wild steelhead per day may be retained. Salmon: Open only 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 February 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. February 1 through August 31 release wild adult coho and wild adult Chinook. September 1 through October 31 the daily limit may contain no more than 2 adult Chinook, release wild adult coho, and selective gear rules. November 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.)) February 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.~~

From concrete pump station at Sol Due Hatchery to Highway 101 Bridge downstream of Snider Creek: First Saturday in June through April 30 season. Trout: Minimum length fourteen inches. November 1 through April 30: Selective gear rules.

From Highway 101 Bridge downstream of Snider Creek to Olympic National Park boundary: Selective gear rules. Trout: Minimum length fourteen inches.

Sooes River (Suez River) (Clallam County): The first Saturday in June through last day in February season. Trout: Minimum length fourteen inches.

Soos Creek (King County), from mouth to bridge near hatchery residence: The first Saturday in June through August 31 season except salmon. Trout: Minimum length fourteen inches. ~~((Salmon: Open only October 16 through November 30 to fishing by juveniles only. Night closure October 16 through November 30. Terminal gear restricted to one single point hook. Daily limit two coho salmon.))~~

Bridge near hatchery residence to Salmon hatchery rack: The first Saturday in June 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.

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 eight, no minimum length, no more than one over 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.

From the upstream boundary at Plese Flats Day Use Area (Riverside State Park) upstream to the Monroe Street Dam: June 1 through March 15 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: The first Saturday in June 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. Trout: No more than two over twenty inches in length may be retained. Crappie and bluegill: Combined daily limit twenty-five fish. Crappie: Minimum length nine inches.

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

Spring Hill Reservoir (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.

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 cut-throat. Additional March 1 through June 30 season. Selective gear rules. All species: Release all fish.

Stetattle 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: The first Saturday in June 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.

Steves 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. Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only (~~November~~) September 1 through December 31. In years ending in even numbers, daily limit 2 salmon. Release Chinook and pink salmon. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook.

From Marine Drive to the forks, except from the barrier dam (downstream of I-5) downstream two hundred feet which is closed waters: The first Saturday in June through last day in February season. Night closure August 1 through November 30. Selective gear rules the first Saturday in June through November 30 except fishing from a floating device equipped with an internal combustion motor allowed. Game fish: The first Saturday in June 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 (~~November~~) September 1 through December 31. In years ending in even numbers, daily limit 2 salmon. Release Chinook and pink salmon. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook.

Stillaguamish River, North Fork (Snohomish County), from mouth to Swede Heaven Bridge: The first Saturday in June

through last day in February season. Anti-snagging rule 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. The first Saturday in June through November 30: All species: Release all fish except hatchery steelhead. The first Saturday in June 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: The first Saturday in June through last day in February season. Anti-snagging rule 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: The first Saturday in June through November 30 season. Anti-snagging rule 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.

Suiattle 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: The first Saturday in June 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): The first Saturday in June 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): The first Saturday in June 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.

Sylvia Lake (Grays Harbor County): Trout: No more than two over 15 inches in length may be retained per day.

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. Night closure September 16 through October 31. 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): Fishing from a floating device equipped with an internal combustion engine prohibited. Selective gear rules. Trout daily limit one fish.

Teanaway River (Kittitas County): Selective gear rules. Trout: Release all trout.

Teanaway River, North Fork (Kittitas County): Mouth to Beverly Creek including all tributaries: Selective gear rules. Trout: Release all trout. Beverly Creek to impassable waterfall at the end of USFS Road 9737 (about 8 river miles): Closed waters.

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): The first Saturday in June through August 31 season. Juveniles only.

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

Tibbetts Creek (tributary to Lake Sammamish) (King County): The first Saturday in June through August 31 season. Juveniles only.

Tieton River (Yakima County): Lawful to fish to base of Tieton (Rimrock) Dam. Selective gear rules the first Saturday in June through October 31. Additional December 1 through March 31 season: Whitefish gear rules apply.

Tieton River, North Fork (Yakima County): Closed waters: Clear Lake spillway channel and the river within 400' of Clear Lake Dam. Entire river, including that portion of the river that flows through the dry lakebed of Rimrock Reservoir: The first Saturday in June through August 15 season.

Tieton River, South Fork (Yakima County): From the bridge on USFS Road 1200 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: The first Saturday in June 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 first Saturday in June ((+)) through December 31. Minimum length eight inches. First Saturday in June ((+)) through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. 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.

Tokol 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. Anti-snagging rule. Trout: Minimum length fourteen inches.

From Fish Hatchery Road Bridge to posted cable boundary marker located approximately four hundred feet downstream of the hatchery intake: January 15 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. Anti-snagging rule. Trout: Minimum length 14 inches.

From the posted cable boundary marker located approximately four hundred feet downstream of the 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: The first Saturday in June through last day in February season. The first Saturday in June 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):

From confluence of north and south forks upstream, including Robinson and Wolf Forks: Selective gear rules. Trout: Release all steelhead. Tributaries other than North Fork, South Fork, Robinson Fork, and Wolf Fork: Closed waters.

North Fork: Upstream of Spangler Creek the first Saturday in June through August 31 season.

South Fork: Upstream from Griffin Creek the first Saturday in June through August 31 season.

Wolf Fork: Upstream from Coates Creek the first Saturday in June through August 31 season.

From mouth to confluence of north and south forks: Additional season: November 1 through March 31. 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: The first Saturday in June through November 30 season. Anti-snagging rule 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 ~~((4))~~ 2 may be adult ~~((coho))~~ Chinook. Release chum, wild coho, and wild jack Chinook ~~((and hatchery adult Chinook))~~. October 1 through November 30, release Chinook from Kidd Valley Bridge near Hwy. 504 upstream.

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. The first Saturday in June 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): The first Saturday in June 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 March 31 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 the first Saturday in June through October 31. Additional season November 1 through March 31. 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): The first Saturday in June 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: The first Saturday in June 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 the first Saturday in June through October 31: All species: 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: The first Saturday in June 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. Trout: No more than two over 15 inches in length may be retained per day. Salmon: Landlocked salmon rules apply. Pond Two: Last Saturday in April through November 30 season. Trout: No more than two over 15 inches in length may be retained per day. 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: All species: Anti-snagging rule and night closure August 16 through November 30. Game fish: Minimum length 14 inches. Salmon: Open only September 1 through January 31. Daily limit 6 fish, of which ~~(not)~~ no 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: The first Saturday in June through last day in February season. Closed waters: From 363rd Avenue S.E./Reece Road to a point two hundred feet upstream of the water intake of the salmon hatchery during the period the first Saturday in June 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. Channel catfish: No daily limit.

From the Touchet River upstream to state line: Trout: All tributaries except Mill Creek, maximum length twenty inches. Channel catfish: No daily limit. Additional season November 1 through March 31. 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. From August 1 through October 31: Selective gear rules except fishing from a device equipped with an internal combustion motor permitted. Trout: Release all trout.

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 four 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 min-

imum length. Kokanee/sockeye less than fifteen inches in length are kokanee and fifteen inches and over in length are sockeye salmon.

Washougal River (Clark County): Night closure year-round.

From mouth to bridge at Salmon Falls: The first Saturday in June through March 15 season. Anti-snagging rule and stationary gear restriction July 1 through October 31. When anti-snagging rule 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)~~ December 31. Daily limit 6 fish of which no more than 2 may be adult ~~((salmon))~~ Chinook. Release chum, wild coho, and wild jack Chinook. Upstream of Little Washougal River, release adult Chinook October 1 through November 30.

From mouth to Mt. Norway Bridge: Additional April 16 through the Friday before the first Saturday in June 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: The first Saturday in June 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: The first Saturday in June through August 31 season. Selective gear rules. Trout: Release all steelhead.

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.

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

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

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

Whatcom Creek (Whatcom County):

From mouth to stone bridge at Whatcom Falls Park: The first Saturday in June through last day in February season. Anti-snagging rule 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 no more than 2 may be adult salmon. Anglers fishing lawfully, within 50 yards of the Bellingham Technical College Hatchery Collection Tube, and on the hatchery side of the creek, that hook and land chum salmon, may remove those chum salmon from the water and immediately place them unharmed into the Hatchery Collection Tube.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Last Saturday in April through October 31 season. Juveniles only. Anti-snagging rule 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: October 1 through October 31 all species: Fly fishing only and release all fish. November 1 through last day in February. Trout: Minimum length fourteen inches. Anti-snagging rule and night closure November 1 through November 30.

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. Anti-snagging rule 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. Anti-snagging rule 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: Anti-snagging rule. 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 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 and wild jack Chinook. October 1 through December 31, release adult Chinook upstream of posted markers 0.5 miles 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 and wild jack Chinook. November 16 through December 31, release adult Chinook. Salmon and steelhead: Open April 1 through June 15, 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 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: The first Saturday in June 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 and single point barbless hooks required. August 16 through November 30 above the WDFW access at the mouth of Ward/Wilson Creek stationary gear restriction. Highway 6 Bridge to Fork Creek: The first Saturday in June 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. 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 3 adult salmon (~~not more than~~), only one may be a wild adult coho and

((not) no more than two may be adult Chinook. Release chum.

Sturgeon: Open year-round from mouth to Highway 6 Bridge.

Upstream from Fork Creek: Selective gear rules. August 16 through October 31, anti-snagging rule and night closure. All species: Release all fish except up to two hatchery steelhead per day may be retained.

South Fork: The first Saturday in June through last day in February season. Selective gear rules the first Saturday in June through October 31. Anti-snagging rule 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): The first Saturday in June 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. All species: Catch and release except up to five rainbow trout may be retained.

Wilson Creek (two branches within Ellensburg city limits) (Kittitas County): Juveniles only.

Winchester Wasteway (Grant County): Within Winchester Game Reserve: February 1 through September 30 season.

Wind River (Skamania County):

Mouth to four hundred feet below Shiphed Falls: July 1 through March 15 season, except salmon and steelhead. May 1 through June 30: Anti-snagging rule and night closure. August 1 through October 31: Anti-snagging rule and night closure. When anti-snagging rule is in effect, only fish hooked in 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 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 and wild jack Chinook. Release adult Chinook from Burlington-Northern Railroad Bridge upstream.

From four hundred feet below to one hundred feet above Shiphed Falls fish ladder: Closed waters.

From one hundred feet above Shiphed 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. Anti-snagging rule and night closure. When anti-snagging rule is in effect, only fish hooked in 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: From weir at Wishkah Rearing Ponds, downstream 200 feet. Trout: Minimum length fourteen inches. Mouth to mouth of the West Fork: The first Saturday in June 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 October 1 through December 31. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult salmon, only 1 may be an adult wild coho. Release chum and adult Chinook. October 16 through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

From the mouth of the West Fork to two hundred feet below the weir at the Wishkah Rearing Ponds: The first Saturday in June through March 31 season. All species: March 1 through March 31, release all fish, except up to two hatchery steelhead may be retained per day, and selective gear rules. Salmon: Open October 1 through December 31. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the adult salmon, only 1 may be an adult wild coho. Release chum and adult Chinook. October 16 through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

From the weir at the Wishkah Rearing Ponds upstream: 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: The first Saturday in June 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. Release chum, wild coho, and 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 per day.

Wynoochee Reservoir (Grays Harbor County): The first Saturday in June 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: March 1 through October 22 season. Closed waters: From the WDFW white markers 200 feet downstream of the USBR Chandler Powerhouse/Pumping Station spillway chute to the power-line crossing immediately upstream of the powerhouse September 1 through October 22. Chumming permitted. Trout: Release all trout. Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. All species: Anti-snagging rule and night closure September 1 through October 22.

From Prosser Dam to Highway 223 Bridge: May 1 through October 31 season. Trout: Release all trout.

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: Trout: Minimum length twelve inches and maximum length twenty inches. Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. All species: Anti-snagging rule and night closure September 1 through October 22. Additional season December 1 through last day in February - Whitefish gear rules apply.

From Sunnyside Dam to thirty-five hundred feet below Roza Dam: Closed waters: From Yakima Avenue-Terrace Heights Bridge upstream 400 feet. All species: Selective gear rules. Trout: Minimum length twelve inches and maximum length twenty inches. Additional season December 1 through last day in February - Whitefish gear rules apply.

From thirty-five hundred feet below Roza Dam to 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.

Yellowhawk Creek (Walla Walla County): Closed waters.

Yellowjacket Creek (tributary to Cispus River) (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

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

AMENDATORY SECTION (Amending Order 08-165, filed 7/3/08, effective 8/3/08)

**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 ~~((May 31))~~ June 27 - Closed.

(b) ~~((June 1 through June 28—Daily limit of 1 Chinook—))~~ June ((29)) 28 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.

(d) October 1 through April 30 - Closed.

(e) Closed in the Columbia River Mouth Control Zone 1 during all open periods, see WAC 220-56-195.

**(2) Catch Record Card Area 2:**

(a) May 1 through ~~((May 31))~~ June 27 - Closed.

(b) June ~~((+))~~ 28 through ~~((June 28))~~ July 23 - Open Sundays through Thursdays only. Daily limit ~~((1 Chinook))~~ 2 salmon plus 1 additional pink salmon, of which not more than one may be a Chinook salmon. Release wild coho.

(c) ~~((June 29))~~ July 24 through September ~~((13))~~ 20 - ~~((Open Sundays through Thursdays only—))~~ Daily limit 2 salmon plus 1 additional pink salmon, of which not more than one may be a Chinook salmon. Release wild coho.

(d) September ~~((14))~~ 21 through April 30 - Closed.

(e) Closed to salmon fishing August 1 through September ~~((13))~~ 20 in the Grays Harbor Control Zone described in WAC 220-56-195(11).

**(3) Willapa Bay (Catch Record Card Area 2-1):**

(a) May 1 through June ~~((30))~~ 27 - Closed.

(b) ~~((July 1))~~ June 28 through July 31 - Open concurrent with Area 2 when Area 2 is open for salmon angling. Area 2 rules apply.

(c) August 1 through 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. Release chum.

(e) February 1 through April 30 - Closed.

**(4) 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, of which only 1 may be a wild adult coho. Release chum and adult Chinook. ~~((Open only east of a line drawn from the mouth of O'Leary Creek to Buoy 35, then to the westernmost tip of Moon Island.))~~



(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.

(5) **Grays Harbor (Catch Record Card Area 2-2 west of the Buoy 13 line)** - Closed.

(6) **Catch Record Card Area 3:**

(a) May 1 through ~~((May 31))~~ June 26 - Closed.

(b) June ~~((4))~~ 27 through ~~((June 28))~~ July 17 - Open Tuesdays through Saturdays only. Daily limit ~~((1 Chinook))~~ of 2 salmon plus 2 additional pink salmon, of which not more than one may be a Chinook salmon. Release wild coho.

(c) ~~((June 29))~~ July 18 through September ~~((43))~~ 20 - ~~((Open Tuesday through Saturday only.))~~ Daily limit of 2 salmon plus 2 additional pink, of which not more than one may be a Chinook salmon. Release wild coho.

(d) September ~~((44))~~ 21 through April 30 - Closed.

(e) Notwithstanding the provisions of this subsection, waters north of 47°50'00"N latitude and south of 48°00'00"N latitude also open September ~~((20))~~ 26 through October ~~((5))~~ 11 - Daily limit two salmon, of which not more than one may be a Chinook salmon. Release wild coho.

(7) **Catch Record Card Area 4:**

(a) May 1 through ~~((May 31))~~ June 26 - Closed.

(b) June ~~((4))~~ 27 through ~~((June 28))~~ July 17 - Open Tuesdays through Saturdays only. Daily limit ~~((1 Chinook))~~ of 2 salmon plus 2 additional pink, 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.

(c) ~~((June 29))~~ July 18 through September ~~((43))~~ 20 - ~~((Open Tuesdays through Saturdays only.))~~ Daily limit of 2 salmon plus 2 additional pink, 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 4))~~ June 27 through July 31. Release Chinook salmon caught east of the Bonilla-Tatoosh line beginning August 1. Release chum salmon beginning August 1.

(d) September ~~((44))~~ 21 through April 30 - Closed.

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

**AMENDATORY SECTION** (Amending Order 08-165, filed 7/3/08, effective 8/3/08)

**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 ~~((9))~~ 15 - Daily limit 2 salmon. Release chum, wild Chinook and wild coho. In years ending

in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(c) August ~~((40))~~ 16 through September ~~((45))~~ 18 - Daily limit of 2 salmon. Release chum, Chinook and wild coho. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(d) September ~~((46))~~ 19 through September 30 - Daily limit of 2 salmon. Release chum and Chinook.

(e) October 1 through October ~~((34))~~ 15 - ~~((Closed.))~~ Daily limit of 2 salmon, not more than one of which may be a Chinook salmon.

~~((November 1 through November 30—Daily limit of 2 salmon, not more than one of which may be a Chinook salmon.))~~

~~((g) December 1))~~ October 16 through February ~~((43))~~ 12 - Closed.

~~((h))~~ (g) February ((44)) (13) through April 10 - Daily limit 1 salmon.

~~((i))~~ (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 ~~((9))~~ (15) - Daily limit 2 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. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(c) August ~~((40))~~ 16 through September 30 - Daily limit of 2 salmon. Release chum, Chinook and wild coho. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(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 October 31.

(e) October 1 through October 31 - 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 February ~~((43))~~ (12) - Closed.

(g) February ~~((44))~~ (13) through April 10 - Daily limit 1 salmon.

(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 2 salmon, not more than one of which may be a Chinook salmon. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit. 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 2 salmon, not more than one of which may be a Chinook salmon. Release chum and wild coho. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit. 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 April 1 through April 30 and July 1 through August 15. August 16 through October 31 - Daily limit 4 salmon, not more than 2 of which may be Chinook salmon. Release pink. November 1 through March 31 and June 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. Release wild coho.

(f) Waters of Samish Bay described in WAC 220-56-195(4) closed April 1 through April 30 and July 1 through October 15.

(g) November 1 through ~~((January 31))~~ November 30 - Closed.

(h) ~~((February))~~ December 1 through April ((45)) 30 - Daily limit 2 salmon. Release wild Chinook.

~~((i) April 16 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 2 salmon. Release Chinook. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(c) October 1 through ~~((December))~~ October 31 - Closed, except ((October 1 through October 31,)) waters west of a line from Forbes Point to Bowers Bluff - Open for salmon fishing; daily limit 2 coho.

(d) ~~((January))~~ November 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 ~~((45))~~ 5 through June 19 and June 21 through July 31, open only Friday through 11:59 a.m. Monday of each week - Daily limit of 2 salmon. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(b)(i) August 1 through September 30 - Daily limit 2 salmon(~~(;))~~, release Chinook(~~((except))~~). In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(ii) 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 ~~((+))~~ 7, open only Friday through 11:59 a.m. Monday of each week; and September ((6)) 12 through September ((28)) 27, open only Saturday and Sunday of each week - Daily limit of 2 salmon. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit. September 28 through June 4 - Same rules as Area 8-2.

(c) October 1 through ~~((December))~~ October 31 - Closed, except ((October 1 through October 31,)) waters south of a line true east from Randall Point at 49°59'N - Open for salmon fishing; daily limit 2 salmon. Release Chinook.

(d) ~~((January))~~ November 1 through April 30 - Daily limit 2 salmon. Release wild Chinook.

**(6) Catch Record Card Area 9:**

(a) May 1 through July 15 - Closed.

(b) July 16 through August ~~((45))~~ 31 - Daily limit of 2 salmon. Release chum(~~(, wild coho,))~~ and wild Chinook. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit. Closed south of a line from Foulweather Bluff to Olele Point.

~~((c))~~ ~~((August 16 through September 15 - Daily limit of 2 salmon. Release chum, wild coho, and Chinook.~~

~~((d))~~ ~~((September 1 through September 30 - Daily limit of 2 salmon. Release chum and Chinook. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.~~

~~((e))~~ ~~((d))~~ October 1 through October 31 - Daily limit of 2 salmon. Release Chinook.

~~((f))~~ ~~((e))~~ November 1 through November 30 - Daily limit 2 salmon. Release wild Chinook.

~~((g))~~ ~~((f))~~ December 1 through January 15 - Closed.

~~((h))~~ ~~((g))~~ January 16 through April 15 - Daily limit 2 salmon. Release wild Chinook.

~~((i))~~ ~~((h))~~ April 16 through April 30 - Closed.

~~((j))~~ ~~((i))~~ 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. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit July 1 through September 30.

**(7) Catch Record Card Area 10:**

(a) May 1 through May 31 - Closed.

(b) June 1 through June 30 - Open only north of a line from Point Monroe to Meadow Point. Catch and release.

(c) July 1 through July 15 - Daily limit 2 salmon. Release Chinook. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(d) July 16 through August ~~((45))~~ 31 - Daily limit 2 salmon. Release wild Chinook and beginning August 1 release chum. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(e) ~~((August 16))~~ September 1 through September 30 - Daily limit 2 salmon. Release chum ((August 16)) through September 15. Release Chinook. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(f) Waters of Shilshole Bay southeast of a line from Meadow Point to West Point closed July 1 through August 31.

(g) Waters of Elliott Bay east of a line from West Point to Alki Point closed July 1 through August ~~((26))~~ 31, except waters east of a line from Pier 91 to Duwamish Head open July ((4)) 3 through August ((25)) 24, and open only on Friday through Monday of each week - Daily limit 2 salmon. Release chum August 1 through August ((25)) 24. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

~~((g))~~ ~~((h))~~ 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 wild Chinook. Release chum August 1 through September 15. In years ending in odd numbers, 2

additional pink salmon may be retained as part of the daily limit.

~~((h) October 1 through October 15 - Daily limit of 2 salmon. Release Chinook salmon.)~~

~~(i) ((October 16 through November 30 - Daily limit of 2 salmon, not more than one of which may be a Chinook salmon.~~

~~(j) December))~~ October 1 through January 31 - Daily limit of 2 salmon. Release wild Chinook.

(j) Waters of Agate Pass west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point fly fishing only, lead core lines prohibited and catch and release January 1 through January 31.

(k) February 1 through April 30 - Closed.

(l) 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. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit July 1 through September 30.

(m) Duwamish Waterway downstream from the First Avenue South Bridge to an east-west line projected through Southwest Hanford Street on Harbor Island, July 1 through October 31, night closure, ~~((only 1 single point barbless hook may be used))~~ anti-snagging rule, and only fish hooked inside the mouth may be retained.

(8) **Catch Record Card Area 11:**

(a) May 1 through May 31 - Closed.

(b) June 1 through June 30 - Daily limit of 2 salmon. Release wild Chinook. 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 2 salmon. Release wild Chinook. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit. Waters of Commencement Bay east of a line from the Cliff House Restaurant to the Sperry Ocean Dock closed July 1 through July 31.

(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 13))~~ January 31 - Closed.

(g) February ~~((14))~~ 1 through April ~~((10))~~ 30 - Daily limit of ~~((2))~~ 2 salmon. Release wild Chinook. Waters of Commencement Bay east of a line from the Cliff House Restaurant to the Sperry Ocean Dock closed April 1 through April 30.

~~(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. In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit July 1 through September 30.

(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 ~~((and no more than two may be coho 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 ~~((2))~~ 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 ~~((and no more than two may be coho salmon))~~.

(f) January 1 through ~~((February 13))~~ January 31 - Closed.

(g) February ~~((14))~~ 1 through April ~~((10))~~ 30 - Daily limit ~~((2))~~ 2 salmon, release wild Chinook.

~~(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 June 30 - Daily limit 2 salmon. Release wild Chinook.

(b) July 1 through September 30 - Daily limit 2 salmon. Release wild coho and wild Chinook.

(c) October 1 through October 31 - Daily limit 2 salmon. Release wild coho.

(d) Waters at the mouth of Minter Creek within 1,000 feet of the outer oyster stakes are closed April 16 through September 30.

(e) 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))~~ anti-snagging rule July 16 through October 31.

(f) November 1 through December 31 - Daily limit of 2 salmon, not more than one of which may be a Chinook salmon.

(g) January 1 through January 31 - Daily limit 1 salmon.

(h) February 1 through last day in February - Closed.

(i) March 1 through April 30 - Daily limit 1 salmon.

(j) 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 09-11-130**  
**PROPOSED RULES**  
**STATE BOARD OF EDUCATION**

[Filed May 20, 2009, 11:37 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 09-06-078.

**Title of Rule and Other Identifying Information:** Amending WAC 180-51-066 Minimum requirements for high school graduation—Students entering the ninth grade on or after July 1, 2009, to provide for the required mathematics courses a student must take to graduate from high school in the circumstance where a student has completed high school equivalent mathematics courses prior to high school meeting the criteria in RCW 28A.230.090(4) but does not request high school credit for the course.

**Hearing Location(s):** Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, on July 17, 2009, at 10:30 a.m.

**Date of Intended Adoption:** July 17, 2009.

**Submit Written Comments to:** Brad Burnham, Washington State Board of Education, P.O. Box 47206, 600 Washington Street, Olympia, WA 98504-7206, e-mail brad.burnham@k12.wa.us, fax (360) 586-2357, by July 10, 2009.

**Assistance for Persons with Disabilities:** Contact Brad Burnham by July 10, 2009, TTY (360) 664-3631 or (360) 725-6025.

**Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules:** A student may take a mathematics course before attending high school meeting the criteria set forth in RCW 28A.230.090(4) but elect not to be given high school credit for the course as authorized in the statute. The current version of WAC 180-51-066 requires a student in this situation to repeat the course for credit in high school. While this may be the most educationally sound decision for one student, it may be more educationally appropriate for another student to move to the next level of math. The proposed amendments to WAC 180-51-066 will continue to allow a student the option of repeating the course. However, it will also permit a student the option of taking the next mathematics course in a progressive sequence. In certain prescribed circumstances, the proposed amendments to the rule would allow a student, who has successfully completed Algebra II or Integrated Mathematics III in high school, to satisfy the remaining mathematics credit(s) through completion of a course(s) that is consistent with the student's educational and career goals.

**Reasons Supporting Proposal:** See above.

**Statutory Authority for Adoption:** RCW 28A.230.090, 28A.305.215(8).

**Statute Being Implemented:** RCW 28A.230.090, 28A.-305.215(8).

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

**Name of Proponent:** Washington state board of education, governmental.

**Name of Agency Personnel Responsible for Drafting:** Brad Burnham, 600 Washington Street, Olympia, WA 98504-7206, (360) 725-6029; Implementation and Enforce-

ment: Edie Harding, 600 Washington Street, Olympia, WA 98504-7206, (360) 725-6025.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required for this rule adoption.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to this rule adoption.

May 20, 2009

Edie W. Harding  
Executive Director

AMENDATORY SECTION (Amending WSR 08-18-013, filed 8/22/08, effective 9/22/08)

**WAC 180-51-066 Minimum requirements for high school graduation—Students entering the ninth grade on or after July 1, 2009.** (1) The statewide minimum subject areas and credits required for high school graduation, beginning July 1, 2009, for students who enter the ninth grade or begin the equivalent of a four-year high school program, shall total 20 as listed below.

(a) Three **English** credits (reading, writing, and communications) that at minimum align with grade level expectations for ninth and tenth grade, plus content that is determined by the district. Assessment shall include the tenth grade Washington assessment of student learning beginning 2008.

(b) Three **mathematics** credits that align with the high school mathematics standards as developed and revised by the office of superintendent of public instruction and satisfy the requirements set forth below:

(i) Unless otherwise provided for in (b)(iii) or (iv) of this subsection, the three mathematics credits required under this section must include mathematics courses taken in the following progressive sequence:

(A) Algebra I, geometry, and algebra II; or

(B) Integrated mathematics I, integrated mathematics II, and integrated mathematics III; or

(C) Any combination of three mathematics courses set forth in (b)(i)(A) and (B) of this subsection.

(ii) A student may elect to pursue a third credit of mathematics, other than algebra II or integrated mathematics III if all of the following requirements are met:

(A) The student has completed, for credit, mathematics courses in:

(I) Algebra I and geometry; or

(II) Integrated mathematics I and integrated mathematics II; or

(III) Any combination of two mathematics courses set forth in (b)(ii)(A)(I) and (II) of this subsection;

(B) The student's elective choice is based on a career oriented program of study identified in the student's high school and beyond plan that is currently being pursued by the student;

(C) The student's parent(s)/guardian(s) (or designee for the student if a parent or guardian is unavailable) agree that the third credit of mathematics elected is a more appropriate course selection than algebra II or integrated mathematics III

because it will better serve the student's education and career goals;

(D) A meeting is held with the student, the parent(s)/guardian(s) (or designee for the student if a parent or guardian is unavailable), and a high school representative for the purpose of discussing the student's high school and beyond plan and advising the student of the requirements for credit bearing two and four year college level mathematics courses; and

(E) The school has the parent(s)/guardian(s) (or designee for the student if a parent or guardian is unavailable) sign a form acknowledging that the meeting with a high school representative has occurred, the information as required was discussed; and the parent(s)/guardian(s) (or designee for the student if a parent or guardian is unavailable) agree that the third credit of mathematics elected is a more appropriate course selection given the student's education and career goals.

(iii) Equivalent career and technical education (CTE) mathematics courses meeting the requirements set forth in RCW 28A.230.097 can be taken for credit instead of any of the mathematics courses set forth in (b)(i)(A) or (B) or (ii)(A)(I) or (II) of this subsection if the CTE mathematics courses are recorded on the student's transcript using the equivalent academic high school department designation and course title.

(iv) A student who prior to ninth grade successfully completed algebra I or integrated mathematics I, geometry or integrated mathematics II, or any combination of courses taken in a progressive sequence as provided in (b)(i)(C) of this subsection, but does not request high school credit for such course(s) as provided in RCW 28A.230.090, may either:

(A) Repeat the course(s) for credit in high school; or

(B) Complete three credits of mathematics as follows:

(I) A student who has successfully completed algebra I or integrated mathematics I shall:

• Earn the first high school credit in geometry or integrated mathematics II;

• Earn a second high school credit in algebra II or integrated mathematics III; and

• Earn a third high school credit in a math course that is consistent with the student's education and career goals.

(II) A student who has successfully completed algebra I or integrated mathematics II, and geometry or integrated mathematics II, shall:

• Earn the first high school credit in algebra II or integrated mathematics III; and

• Earn the second and third credits in mathematics courses that are consistent with the educational and career goals of the student.

(c) Two **science** credits (physical, life, and earth) that at minimum align with grade level expectations for ninth and tenth grade, plus content that is determined by the district. At least one credit in laboratory science is required which shall be defined locally. Assessment shall include the tenth grade Washington assessment of student learning beginning 2010.

(d) Two and one-half **social studies** credits that at minimum align with the state's essential academic learning requirements in civics, economics, geography, history, and social studies skills at grade ten and/or above plus content that is determined by the district. The assessment of achieved

competence in this subject area is to be determined by the local district although state law requires districts to have "assessments or other strategies" in social studies at the high school level by 2008-09. In addition, districts shall require students to complete a classroom-based assessment in civics in the eleventh or twelfth grade also by 2008-09. The state superintendent's office has developed classroom-based assessment models for districts to use (RCW 28A.230.095). The social studies requirement shall consist of the following mandatory courses or equivalencies:

(i) One credit shall be required in United States history and government which shall include study of the Constitution of the United States. No other course content may be substituted as an equivalency for this requirement.

(ii) Under the provisions of RCW 28A.230.170 and 28A.230.090, one-half credit shall be required in Washington state history and government which shall include study of the Constitution of the state of Washington and is encouraged to include information on the culture, history, and government of the American Indian people who were the first inhabitants of the state.

(A) For purposes of the Washington state history and government requirement only, the term "secondary student" shall mean a student who is in one of the grades seven through twelve. If a district offers this course in the seventh or eighth grade, it can still count towards the state history and government graduation requirement. However, the course should only count as a high school credit if the academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors (RCW 28A.230.090(4)).

(B) The study of the United States and Washington state Constitutions shall not be waived, but may be fulfilled through an alternative learning experience approved by the local school principal under written district policy.

(C) Secondary school students who have completed and passed a state history and government course of study in another state may have the Washington state history and government requirement waived by their principal. The study of the United States and Washington state Constitutions required under RCW 28A.230.170 shall not be waived, but may be fulfilled through an alternative learning experience approved by the school principal under a written district policy.

(D) After completion of the tenth grade and prior to commencement of the eleventh grade, eleventh and twelfth grade students who transfer from another state, and who have or will have earned two credits in social studies at graduation, may have the Washington state history requirement waived by their principal if without such a waiver they will not be able to graduate with their class.

(iii) One credit shall be required in contemporary world history, geography, and problems. Courses in economics, sociology, civics, political science, international relations, or related courses with emphasis on current problems may be accepted as equivalencies.

(e) Two **health and fitness** credits that at minimum align with current essential academic learning requirements at grade ten and/or above plus content that is determined by the local school district. The assessment of achieved competence in this subject area is to be determined by the local district although state law requires districts to have "assessments or other strategies" in health and fitness at the high school level by 2008-09. The state superintendent's office has developed classroom-based assessment models for districts to use (RCW 28A.230.095).

(i) The fitness portion of the requirement shall be met by course work in fitness education. The content of fitness courses shall be determined locally under WAC 180-51-025. Suggested fitness course outlines shall be developed by the office of the superintendent of public instruction. Students may be excused from the physical portion of the fitness requirement under RCW 28A.230.050. Such excused students shall be required to substitute equivalency credits in accordance with policies of boards of directors of districts, including demonstration of the knowledge portion of the fitness requirement.

(ii) "Directed athletics" shall be interpreted to include community-based organized athletics.

(f) One **arts** credit that at minimum is aligned with current essential academic learning requirements at grade ten and/or above plus content that is determined by the local school district. The assessment of achieved competence in this subject area is to be determined by the local district although state law requires districts to have "assessments or other strategies" in arts at the high school level by 2008-09. The state superintendent's office has developed classroom-based assessment models for districts to use (RCW 28A.230.-095). The essential content in this subject area may be satisfied in the visual or performing arts.

(g) One credit in **occupational education**. "Occupational education" means credits resulting from a series of learning experiences designed to assist the student to acquire and demonstrate competency of skills under student learning goal four and which skills are required for success in current and emerging occupations. At a minimum, these competencies shall align with the definition of an exploratory course as proposed or adopted in the career and technical education program standards of the office of the superintendent of public instruction. The assessment of achieved competence in this subject area is determined at the local district level.

(h) Five and one-half electives: Study in a world language other than English or study in a world culture may satisfy any or all of the required electives. The assessment of achieved competence in these subject areas is determined at the local district level.

(i) Each student shall complete a culminating project for graduation. The project shall consist of the student demonstrating both their learning competencies and preparations related to learning goals three and four. Each district shall define the process to implement this graduation requirement, including assessment criteria, in written district policy.

(j) Each student shall have a high school and beyond plan for their high school experience, including what they expect to do the year following graduation.

(k) Each student shall attain a certificate of academic achievement or certificate of individual achievement. The tenth grade Washington assessment of student learning and Washington alternate assessment system shall determine attainment.

(2) State board of education approved private schools under RCW 28A.305.130(5) may, but are not required to, align their curriculums with the state learning goals under RCW 28A.150.210 or the essential academic learning requirements under RCW 28A.655.070.